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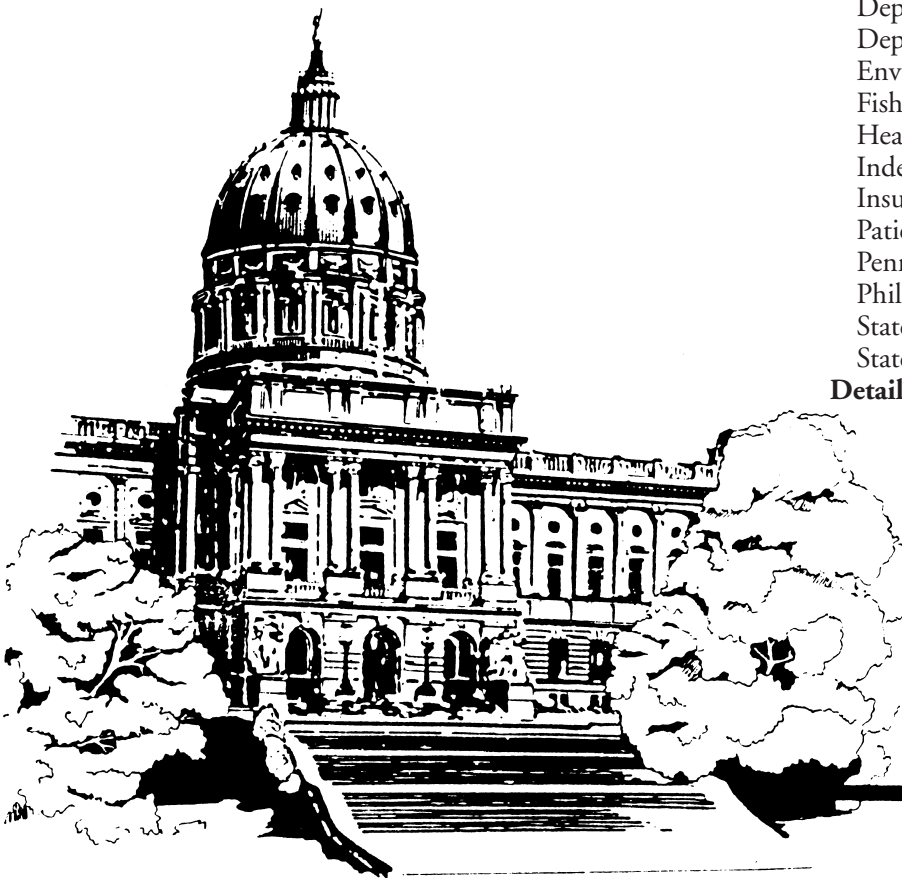
# PENNSYLVANIA BULLETIN

Volume 44  
Saturday, August 30, 2014 • Harrisburg, PA  
Number 35  
Pages 5647—5746

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Department of Community and Economic  
Development  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Revenue  
Department of Transportation  
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Patient Safety Authority  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
State Board of Cosmetology  
State Board of Nursing

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

**No. 477, August 2014**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

#### Amendment of Local Rule of Civil Procedure 1920.12 Complaint; No. 14-1700

##### Administrative Order No. 14-2014

*And Now*, this 11th day of August, 2014, in order to properly reflect the citation to the statute, it is hereby

*Ordered and Decreed* that, effective September 15, 2014, Carbon County Rule of Civil Procedure CARB.R.C.P. 1920.12 governing a Complaint in Divorce be and is hereby *Amended* as follows.

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

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

3. File one (1) certified copy with the Pennsylvania Civil 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 Order in the Prothonotary's Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

##### Rule 1920.12. Complaint.

1. In every divorce or annulment complaint whether pending or new, the plaintiff shall complete Form "A" as

set forth below this rule with the Social Security Number of each party to said action as required by 23 Pa.C.S.A. 4304.1(a)(3). Said form shall not be attached to said complaint but shall remain separate from the complaint.

a. The Prothonotary's Office shall record the Social Security Numbers in the Court Computer Database and, upon verification of proper entry, shall shred the form containing the Social Security Numbers. The Social Security Numbers shall remain confidential in that they will only be visible to internal personnel and cannot be accessed through the public access programs.

2. The Social Security Number Disclosure Notice shall be attached to the divorce or annulment complaint. Said notice shall be in the form set forth in Form "B."

3. The person to be named in the notice shall be pursuant to CARB.R.C.P. 1018.1.

##### Form "A"

Docket Number of Divorce/Annulment Case \_\_\_\_\_

Plaintiff Name: \_\_\_\_\_

Plaintiff Social Security Number: \_\_\_\_\_

Defendant Name: \_\_\_\_\_

Defendant Social Security Number: \_\_\_\_\_

##### Form "B"

#### In the Court of Common Pleas of Carbon County, Pennsylvania

#### Social Security Number Disclosure Notice

In accordance with section 7(b) of the Privacy Act, you are hereby notified that disclosure of your Social Security number is mandatory based on Section 466(a)(13) of the Social Security Act [42 U.S.C. 666(a)(13)], Pennsylvania Consolidated Statutes (23 Pa.C.S.) §§ 4304.1 and 4353(a.2). Additionally, you are notified that this information will be used solely in the divorce action.

[Pa.B. Doc. No. 14-1809. Filed for public inspection August 29, 2014, 9:00 a.m.]

### FAYETTE COUNTY

#### Administrative Order; Juvenile Probation Fee Bill; No. AD-1-2014

##### Administrative Order

*And Now*, this 5th day of August, 2014 it is hereby ordered that the Fayette County Juvenile Probation Fee Bill is adopted as follows.

The Clerk of Courts is directed as follows:

(1) Two certified copies and diskette of the Order and fee bill shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(2) One certified copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The adoption of the Fayette County Juvenile Probation Fee Bill shall become effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

JOHN F. WAGNER, Jr.,  
*President Judge*

**COSTS AND FEES IN FAYETTE COUNTY JUVENILE DELINQUENCY CASES****Adjudication Hearing**

<i>State Fees:</i>	Crime Victims Compensation Cost	\$25.00	
	Judicial Computer Project (JCP/ATJ/CJEA)	\$35.50	
	Substance Abuse, Education and Demand Reduction Fund (CSDDCA ONLY)	\$100.00	
	Substance Abuse, Education and Demand Reduction Fund (DUI 3802 ONLY)	\$100.00 BAC <.16 \$300.00 BAC >.16	
	PSP Crime Lab User Fee (DUI ONLY)	Actual Cost / Court Ordered Only	
	DNA (Any Felony) or (M) 3126 & 2910(a)(1)	\$250.00	
	Manufacture/Sale of False ID Card	\$500.00	
	Amber Alert System Cost	\$25.00	
	<i>County Fees:</i>	County Costs (Petition/Automation Fee)	\$65.00
		Booking Center Fee	\$300.00
Juvenile Court Restitution Program (JCR)		\$25.00	
Fayette County Youth Commission Program		\$100.00	

**Consent Decree**

<i>State Fees:</i>	Crime Victims Compensation Cost	\$25.00
	Judicial Computer Project (JCP/ATJ/CJEA)	\$35.50
<i>County Fees:</i>	County Costs (Petition/Automation Fee)	\$25.00
	Booking Center Fee	\$300.00
	Juvenile Court Restitution Program (JCR)	\$25.00
	Fayette County Youth Commission Program	\$100.00

**District Magisterial Certifications**

<i>County Fees:</i>	Juvenile Court Restitution Program	50% of collection
	Fayette County Youth Commission Program Restitution	50% of collection Promissory note if applicable

**Additional Costs**

	Expungement (ADJ/CD)	\$100.00 Payable to JCR Fund
	Expungement (IAC)	No cost
	Charges dismissed via victim request	\$25.00 Payable to JCR Fund
*Admin Orders	Booking Fee (1 AD 2009)	
	JCR Fund (1534 of 2010 GD)	
	Youth Commission Revision (1 AD 2013)	

[Pa.B. Doc. No. 14-1810. Filed for public inspection August 29, 2014, 9:00 a.m.]

**LAWRENCE COUNTY****Prothonotary and Clerk of Courts'; Administrative Order No. 90102/14****Administrative Order**

*And Now*, this August 6, 2014, pursuant to Acts 113 and 126 of 2014, the fee bill of Prothonotary and Clerk of Courts' of Lawrence County, Pennsylvania is amended as indicated on the fee bill as follows to the foregoing Petition.

The JCS/ATJ/CJEA fees will become effective as of July 10, 2014 and on August 8, 2014 the remaining \$2.00, as per above acts.

*It Is Futher Ordered* that the Court shall:

- (a) File seven (7) certified copies of this Administrative Order with the AOPC;
- (b) File two (2) certified copies of this Administrative Order and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
- (c) File one (1) certified copy of this Administrative Order with the PA Supreme Court Orphans' Court Rule Committee;
- (d) Forward one (1) copy of this Administrative Order to be published in the *Lawrence County Law Journal*;

(e) Forward one (1) copy of this Administrative Order to the Law Library; and

(f) Keep continuously available for public inspection copies of this Administrative Order in the Lawrence County Prothonotary's and Clerks of Courts' and the office of the Court Administrator.

*By the Court*

HONORABLE DOMINICK MOTTO,  
*President Judge*

Fee increase due to the Governor signing a Bill to increase the JCP Fee \$10.00 effective 7/10/14 and \$2.00 effective 8/8/14 for a total of \$12.00

**PROTHONOTARY FEE SCHEDULE:**

As of January 1, 2012 a new fee schedule is in effect  
(Pursuant to House Bill 1715 Act 98-164)

Acknowledgement of Deeds	\$9.50	<b>Photocopy by Clerk</b>	
Amended Complaint	\$9.50	Each page	\$ .60
Appeal Board of Viewers	\$30.50	Mail 1st page	\$1.75
Appeal from District Justice	\$153.75	Each add'l page	\$ .60
Appeal to Commonwealth Court	\$61.50	<b>JUDGMENTS FILED:</b>	
Appeal to Superior Court	\$61.50	Adult Probation Office (from)	\$34.50
Appeal to Supreme Court	\$61.50	Domestic Relations Ofc (from)	\$34.50
Arbitration (Appeal from)	\$386.50	Confession of Judgments	\$34.50
Arbitration (Award for)	\$18.00	Confession of Judgments (CA#)	\$18.00
Arbitration (Prae for)	\$30.50	District Justice Transcripts	\$32.75
Assignments	\$9.50	By Court Order of Agreement	\$18.00
Assurance of Voluntary Compliance	\$92.50	Default, non pros, demurrer	\$18.00
Assessment Appeals	\$73.00	Exemplification (in from another county)	\$34.00
Auditors Report (School District)	\$9.50	Exemplification (going out to another county)	\$20.00
Bond Fee	\$17.50	Foreign Judgment (from another state)	\$32.50
Building Agreements (No Lien) (any waiver stip or agreement)	\$25.50	Judgment Transfer	\$18.00
Certification of any paper	\$1.75	Lis Pendens (Criminal)	\$34.50
Compromise	\$18.00	Release of Judgment	\$9.50
Delinquent Tax Appeal	\$73.00	Strike & Open Judgment (any action)	\$76.50
Final Judgment/Decree	\$18.00	Strike OR Open Judgment	\$55.50
Final Surety Reports	\$20.00	Verdict or Award	\$18.00
Financial Statements	\$9.50	<b>REVIVALS:</b>	
Mechanics Lien	\$26.00	Writ of Revival	\$80.50
Notary Registration	\$3.75	Adverse	\$30.50
Notarize Document	\$3.50	Averments, suggestions of (non pymnt, etc cont'd lien not reduced to judg)	\$18.00
PFA (Does NOT Include SURCHARGE)	\$154.00	<b>Letters of Attorney</b>	
Political Subdivision	\$18.00	(Recording & Revoking each name)	\$9.50
Subpoena Sealed	\$3.75	<b>Liens:</b>	
Triple Seal	\$9.50	Federal Tax Lien	\$18.00
Writs Executions	\$30.50	Commonwealth Tax Lien	\$18.00
Writ Scire Facias	\$13.00	Poundage (handling of monies paid into court; bonds, etc) (for each dollar on 1st \$1000.00)	.03%
Letters of Rogatory	\$95.25	(for each dollar on each add'l \$1000.00 or fraction thereof)	.01%
Wage Attachment	\$30.50	Satisfactions	\$9.50

<b>COMMENCEMENT OF ACTIONS:</b>		(Other than prepaid, per regular partial sats, releases, postponements, assignments, subordinations of all liens or encumbrances; or settlements, discontinued ending or termination of any civil action at law or equity)	
At Law or Equity	\$154.00		
Custody Complaint	\$161.50		
Divorce Complaint	\$154.50		
<b>Plus Below Items in Complaint</b>			
Alimony	\$66.00		
Alimony Pendente Lite (Counsel fees & Costs)	\$66.00		
Custody/Visitation	\$73.50		
Other, each	\$66.00	“fees for similar services not	
Support	\$66.00	specifically scheduled will be	
Foreign Divorce	\$89.00	charged on the same basis as	
Praecepte to Transmit Record (Vital Stats)	\$18.00	Herein scheduled”	
Resume Maiden Name	\$18.00		
<b>COPIES</b>			
Computer Docket Printout (mail each case/pick up each case)	\$3.75		
Divorce Decree Certified	\$5.50		
Divorce Decree by mail	\$6.00		
Certificate of Discontinuance	\$3.75		
Civil Lis Pendens	\$13.00		

**Clerk Of Orphans’ Court  
Lawrence County  
Fee Schedule**

Now, December 1, 2011, the following bill of costs are established, effective January 3, 2012 against estates and estates and parties for services rendered by the Clerk of Orphans Court in the transaction of the business of her office.

January 13, 2003 an automation fee of \$5.00 added to all Orphans’ Court Filings. (As of August 8, 2014, amended JCP Fee to \$35.50)

As of July 10, 2014, Governor Tom Corbett signed Act 113 & 126 of 2014, increasing the JCP fee to \$10.00. An additional \$2.00 will be added to the JCP as of August 8, 2014.

**Accounts:**

First & Final Accounts . . . . .	\$143.50
(5 pages, advertizing included, additional pages \$3.00 each)	
Decree of Real Estate . . . . .	\$10.00
Objections/Exceptions . . . . .	\$25.00
Amended Accounts Same . . . . .	\$125.00

<b>Account Fees: All Payments in Full</b>	
Accounts-Filing, Advertising, and Transcribing Accounts of Fiduciaries and Personal Representatives, including transmission to Orphans’ Court Confirmation, Audit, and Decree:	
\$0,000 to 10,000	\$143.50
10,001 to 50,000	\$143.50
50,001 to 100,000	\$162.00
100,001 to 200,000	\$187.00
200,001 to 300,000	\$212.00
300,001 to 400,000	\$237.00
400,001 to 500,000	\$262.00
500,001 to 600,000	\$287.00
600,001 to 700,000	\$312.00

<b>Account Fees: All Payments in Full</b>	
700,001 to 800,000	\$337.00
800,001 to 900,000	\$362.00
900,001 to 999,999	\$387.00
First \$1 million & over	\$412.00
Filing Continuance of Audit	\$ 35.00

<b>Adoptions:</b> .....	\$87.50
Voluntary Termination .....	\$20.00
Involuntary Termination .....	\$33.00
Foreign Adoptions .....	\$116.00
Report to Intent to Adopt.....	\$130.00
Petition to Transport.....	\$25.00
3 cc's.....	\$15.00
Confirm Consent.....	\$25.00
Adoption Certification.....	\$15.00
Home Study.....	\$10.00
<b>Disclaimer:</b> .....	\$65.50
<b>Appointment of Guardian or Trustee:</b>	
Certificate of Same—One Name .....	\$40.00
<b>Claim Against Estate:</b> .....	\$50.50
<b>Annual Report of a Guardian:</b> .....	\$25.00
<b>Births: Certification from Record:</b> .....	\$10.00
<b>Citation:</b> .....	\$20.00
<b>Certiorari:</b> —See Appeal .....	\$20.00
<b>Estates:</b>	
Settlement of Small Estates on Petition and Estate not exceeding \$1,500.00 (filing, transcribing & certified copy of decree) .....	\$47.00
Over \$1,500.00 .....	\$65.50
<b>Election:</b>	
To take under or against will-filing .....	\$65.50
<b>Exceptions &amp; Objections:</b>	
Oral or Written .....	\$25.00
<b>Guardian: (minor or incompetent)</b>	
Petition for Appointment	
Estate under & over \$10,000.00 .....	\$65.50
Petition for ad litem appointment.....	\$65.50
<b>Marriage:</b>	
Certified Application & License (includes State Tax) .....	\$60.00
Waiver of 3 day rule or age.....	\$20.00
Certified Copy of Marriage .....	\$5.00
Minor Consent.....	\$20.00
Motion to Correct.....	\$25.00
<b>Real Estate:</b>	
Petition to sell or mortgage for distribution or payment of debts .....	\$65.50
Specific performance of contract for sale of real estate:	
Petition & Order.....	\$65.50
Petition to Establish Title .....	\$65.50
<b>Guardian Short Certificate:</b> (not deceased, only living) .....	\$10.00
<b>Notice of Claim:</b> .....	\$50.50
<b>Receipt &amp; Release:</b> .....	\$10.00
<b>Appeal to Superior Court:</b> .....	\$85.50
Our Fee.....	\$61.50
<b>Judicial Computer Program Fee:</b>	
All Petitions, first filings concerning adoptions, incompetents', Estate & inter vivos trusts .....	\$35.50
<b>Settlement Agreement:</b> .....	\$85.50

<b>Rule to Show Cause:</b> .....	\$20.00
<b>Naturalization:</b> (per name) .....	\$10.00
<i>Note:</i> Every petition filed within a case is an additional.....	\$25.00

Fees for similar services not specified scheduled will be charged on the same basis as those herein schedule.

[Pa.B. Doc. No. 14-1811. Filed for public inspection August 29, 2014, 9:00 a.m.]

# DISCIPLINARY BOARD OF THE SUPREME COURT

## Notice of Suspension

Notice is hereby given that on August 14, 2014, pursuant to Rule 214, Pa.R.D.E., the Supreme Court of Pennsylvania ordered that Benoit Otis Brookens, II, (#20284) be placed on Temporary Suspension from the practice of law, effective September 13, 2014. In accordance with

Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-1812. Filed for public inspection August 29, 2014, 9:00 a.m.]



# RULES AND REGULATIONS

## Title 52—PUBLIC UTILITIES

### PHILADELPHIA PARKING AUTHORITY

[ 52 PA. CODE CHS. 1001, 1011,  
1017, 1019 AND 1021 ]

#### Wheelchair Accessible Vehicle Taxicabs

The Philadelphia Parking Authority, on June 12, 2014, adopted a final-form rulemaking order which provides regulatory guidelines for the provision of wheelchair accessible taxicab service in Philadelphia.

*Final-Form Rulemaking Order Philadelphia Taxicab and Limousine Regulations; Doc. No. 126-5*

#### Final Rulemaking Order

*By the Authority:*

The Authority is required to carry out the provisions of the act of July 16, 2004, (P. L. 758, No. 94), 53 Pa.C.S. §§ 5701 et seq., as amended, (the “act”) relating to the regulation of taxicab and limousine service providers in the City of Philadelphia.<sup>1</sup> Pursuant to this obligation, the Authority issued a proposed regulation at this docket number on July 23, 2013.

The initial public comment period for this rulemaking proceeding concluded on November 25, 2013; the Independent Regulatory Review Commission (“IRRC”) submitted its comments on December 24, 2013. The Authority has completed its review of the comments and now issues the final-form regulation. The Authority requested that IRRC toll final consideration of the regulation on June 6, 2014, to permit the Authority to make changes to drafting errors made in §§ 1017.8(b)(3) and 1021.8(c)(3) of the Annex. Those corrections have been completed.

*Purpose of the Final-Form Regulation and Statutory Authority*

The Authority has been authorized by the Legislature through the act of July 5, 2012 (P. L. 1022, No. 119) (“Act 119”) to issue an additional 15 taxicab medallions in Philadelphia, provided those medallions be used for the purposes of providing wheelchair accessible taxicab service.<sup>2</sup> Act 119 also increased the number of authorized Philadelphia taxicab medallions by an additional 15 on June 1, 2013 and will continue to increase the aggregate statutory medallion cap by 15 each June 1 until 1,750 Philadelphia taxicab medallions are authorized for issuance by the Authority.<sup>3</sup> In order to begin to address the needs of the disabled community, the Authority will restrict all 150 of the new medallions authorized by Act 119 to use on wheelchair accessible vehicles (“WAVs”).

The final-form regulation will establish the first ever set of standards for taxicab service through WAVs in Philadelphia. Many jurisdictions continue to struggle with standards and procedures that will most efficiently provide taxicab service to both the disabled community and the general public.

The Authority has met with many interest groups representing all sectors of the industry, as well as the public and organizations dedicated to advancing the rights of people with disabilities. We have conducted public comment hearings and appeared before commit-

tees, both in the Legislature and the Philadelphia City Council. All of these communications have consistently conveyed two points. First, that the Philadelphia taxicab industry has failed to address this pressing problem on its own and that the problem is long overdue for correction. Second, commentators rarely agree on what standards, procedures and general requirements should apply.

This final-form regulation represents the Authority’s best efforts to address the need to provide high quality WAV taxicab service in Philadelphia, while balancing the interests of the service providers and the general public. The final-form regulation requires the development and reporting of data related to WAV service. The Authority will review that data in an effort to continue to develop ever improving WAV standards and procedures in Philadelphia. The Legislature authorized the gradual increase in the medallion cap, which will permit an analysis of the effectiveness of this rulemaking and permit continued development of best practices.

The Legislature also amended the driver certification section of the act to include a special authorization for WAV taxicab drivers. The final-form regulation established guidelines for these drivers who will be required exit the driver’s seat of their vehicle every time a person in a wheelchair is serviced. The wheelchair ramp and other equipment must be operated properly, the person in the wheelchair must be safely fastened in the vehicle through special devices and special considerations that may apply to disabled persons must be known and honored.

#### Discussion

The Authority has reviewed the comments filed at each stage of this proceeding. Responses to those comments, explanations of the purpose and alterations of each amended subsection of the final-form regulation are set forth below.

#### § 1001.9. Sessions of the Authority.

This section is amended to reflect the address of the Authority’s new headquarters.

#### § 1001.10. Definitions.

This section amends the definition of “Dispatcher” to include the term “WAV taxicab dispatcher.” The addition of the term “WAV taxicab dispatcher” is made in section 1011.2. This section also amends the definition of “Taxicab driver” to include the term “WAV taxicab driver.” The addition of the term “WAV taxicab driver” is provided in section 1011.2.

#### § 1011.2. Definitions.

The final-form regulation adds a definition of the term “Wheelchair” in order to define the devices that WAV taxicabs must be able to transport. We largely adopted the term as employed by the United States Department of Transportation and provided at 49 C.F.R. 37.3 because we believe it includes the types of personal transportation devices most commonly used by people with disabilities. However, we have altered the width of a “common wheelchair” from 30 inches to 32 inches to accommodate for widening of wheelchairs that we have witnessed thus far during the implementation of the eight WAV taxicabs already in service. This definition provides guidance to certificate holders as to vehicle requirements, equipment standards and procedures to best transport people in wheelchairs.

<sup>1</sup> See Sections 13 and 17 of the Act.

<sup>2</sup> See 53 Pa.C.S. § 5711(c)(2)(i).

<sup>3</sup> See 53 Pa.C.S. § 5711(c)(2)(ii).

Commentator Philadelphia Cab Association (“PCA”) commented that it did not think that the Authority should alter the definition of wheelchair because the definition in the federal regulations pre-empts the Authority’s regulation. PCA provides no support for this assertion and we have found none. We noted above that actual experience with the several WAV taxicabs in service now in Philadelphia has evidenced that real wheelchairs in service today are wider than they were before or are wider than anticipated when the federal regulation was promulgated.

We note that Commentator Disabled in Action of PA, Inc., specifically supported the updating of this definition.

IRRC recommended that the definition of WAV taxicab driver be amended to include reference to § 1021.5a, we have made that change.

§ 1017.8. *WAV taxicab specifications.*

The final-form regulation adds this section to identify what it means to be a WAV taxicab. The basic requirements of a taxicab will continue to apply to WAV taxicabs, except as limited or expanded by the requirements of this section. The regulation provides general standards for WAVs and guidance on acceptable means of vehicle conversions.

PCA commented that the specifications used by the Authority vary from those provided for in the United States Department of Transportation regulations at “49 C.F.R. § 38.23, 38.28, and 38.31” and again suggested that the Authority is pre-empted from using different standards. PCA also suggests that the Authority has no experience in evaluating vehicle modifications. The Pennsylvania Independent Regulatory Review Commission (“IRRC”) noted this comment and asked for an explanation of the need for more stringent standards and if the Authority’s proposed standards were reasonable.

The Authority is not constrained to use the United States Department of Transportation regulations at all. We have attempted to model some of the provisions of the regulation on existing federal standards to provide a baseline, but were under no obligation to do so.

By way of example, the 32 inch-wide entrance area provided for in the final-form regulation for wheelchairs is a deviation from 49 C.F.R. § 38.23(b)(6) and (c). The updating that this deviation represents has been applauded by commentator Disability in Action of PA, Inc., which represents the interests of people who will actually have to use this service. The deviation is reasonable because disabled people use wheelchairs that require a ramp and entrance wider than 28 to 30 inches. It would be irresponsible to adopt standards that we know are insufficient for the very people who will need to use this service.

For the most part, the final-form regulations adopt the federal standards, but there are areas of service that are not necessarily addressed in those regulations. For example, these federal regulations do not address the issue of adequate leg room. We do not believe that providing standards of that nature imposes a more stringent requirement upon taxicab owners, where the federal regulations do not address the issue at all. Indeed those standards are already in the regulations for standard taxicab and limousine service.

We also note that other major cities have made similar deviations from the federal regulations, such as New York City’s WAV requirements that begin in section 67-05.2 of its regulations. We do not suggest that New York City’s

standards are perfect or cannot be improved upon; we simply note that other jurisdictions have made these deviations in an attempt to provide the best and most practical equipment, as we have here.

We disagree with PCA’s assertion that the Authority should not regulate and review the standards through which vehicles are modified to provide taxicab service. The modification of vehicles, including the frame, is very common in the limousine industry and the Authority has always inspected those vehicles to ensure that they are safe. The Authority regularly inspects taxicabs for state and regulatory safety issues, shield installations, and major post-accident repair quality. We believe that one of our key functions as regulators is to ensure that vehicles used to provide common carrier service are safe and capable of performing as necessary. The final-form regulation includes provisions related to the manner in which vehicles are modified to safely transport people in wheelchairs for exactly that reason.

IRRC also notes that the statutory definition of “wheelchair-accessible taxicab” references the Americans with Disabilities Act of 1990 (“ADA”).<sup>4</sup> IRRC correctly notes that the definition does not restrict the Authority only to the ADA standards, but permits the Authority to use functional equivalents. Again, the comments to not address a particular deviation from the federal regulations, which themselves are not the “ADA” however, the Authority believes the legislative intent of this authorization was to permit common sense and necessary deviations from potentially outdated, incomplete or nonexistent federal standards. The regulation represents that Authority’s use of updated and more specific functional equivalents to the ADA.

(b)(2). This paragraph addresses WAV transportation requirements for people in wheelchairs, including means of entry and egress. This section has been amended to clarify that all wheelchairs must be secured to the vehicle when in operation. Although paragraph (13) (final-form paragraph (11)) addresses securing systems, the regulation did not specifically require wheelchairs to be secured.

(b)(3). This paragraph requires vehicle modifications to adhere to manufacturer standards. The proposed regulation provided that the Authority “may” post a list of approved vehicle modification entities on its website. IRRC recommended that “may” should be changed to “will” noting that such information will be helpful to the regulated community. We agree and have made that change.

(b)(7) and (8). These paragraphs of the proposed regulation attempted to establish “effective legroom” guidelines in WAVs through the use of standards established by the Society of Automotive Engineers. IRRC indicated that proposed regulation was unclear. We have deleted those paragraphs. Passenger space dimensions are provided in paragraph (6).

(b)(10) (final-form (b)(8)). IRRC questioned the meaning of the reference in this paragraph to “1,000 hour salt spray rating” in regard to the decking to be employed on the interior floor of vehicles retrofitted to be WAVs through the use of a lowered floor, which is common. This salt spray rating was developed to determine the durability of metals and other solids. We agree that the term is vague and it has been deleted.

(b)(13) (final-form (b)(11)). The manner in which a wheelchair is secured to a vehicle is clearly important.

<sup>4</sup> 53 Pa.C.S. § 5701

This proposed regulation attempted to provide for the degree and kind of restraining system that would be allowed. IRRRC commented that the system identified in the proposed regulation was unclear and required further clarification. We agree. We have amended this paragraph to permit the selection of a restraint system from a list to be provided by the Authority, similar to the list of approved meter systems employed in § 1017.23. This will give the Authority the flexibility to review restraining systems used by certificate holders and add acceptable systems to the list.

(b)(16) (*final-form (b)(14)*). The proposed regulation required the owners of vehicles to obtain the manufacturer's approval of modifications to the rear air conditioning system. IRRRC questioned the manner in which an owner would obtain such an approval. We agree with IRRRC's concern and have changed the regulation to require these modifications to be completed in a manner consistent with manufacturers' standards. It was not the Authority's intention to create an additional approval process.

(b)(20). This proposed paragraph requires hybrid vehicles used to provide WAV taxicab service to be equipped with a device that makes sounds similar to a gasoline engine. IRRRC raised several questions about this paragraph; but it has been deleted.

(c) *Age and mileage limitation.*

(1) and (2). These paragraphs establish special age and mileage limitations for WAV medallion taxicabs only; not existing medallions that owners opt to use as WAVs. This is a special requirement that will run with the brand new medallions that will be sold by the Authority and have never been in service before.

Several commentators questioned the need to lower the age and mileage standards and suggested the requirement was unreasonable and financially burdensome. IRRRC asked the Authority to explain why this requirement is reasonable and the standards that apply to non-WAV taxicabs are insufficient.

We have noted in many forums that most taxicab owners are perfectly content to provide taxicab service through a vehicle that cost between \$4,000 and \$6,000, while the fair market value of a taxicab medallion exceeds \$500,000. This results in the use of uncomfortable, unsightly and sometimes dangerous taxicabs in America's 4th largest city. We believe that all taxicabs need to be newer, cleaner and safer. The Authority will address that larger issue in time.

This regulation addresses a different issue. These age and mileage standards will only apply to the new medallions sold by the Authority. The free market will provide for an adjustment to the value of these special medallions in consideration of the initial costs of operation, including insurance, outfitting and initial acquisition. Those who buy will adjust their medallion bids in consideration of increased operational costs.

This regulation does not work a fiscal impact upon anyone, unless that party opts to buy a WAV medallion. Liberty Resources' comments did not contain an objection to the entry level age and mileage requirements, but suggested that the retirement age be increased to seven years. Liberty Resources suggests that such an increase in the life span of a WAV vehicle will "incentivize providers to purchase and use WAV Taxis." WAV medallion taxicab owners have no option but to provide service in a WAV vehicle, an incentive is unnecessary.

The regulation does not impact the mileage or age limitations applicable to all other medallion and partial-

rights taxicabs. Therefore, the life span of a medallion taxicab that opts to provide service in a WAV vehicle is currently eight years. Black Point Taxi, LLC et al. ("BPT") comments seem to endorse the City of Chicago's WAV procedures and notes that the maximum age permitted for a WAV in Chicago is five years old with the possibility of one extra year. BPT also noted that standard taxicabs are removed from service at four years of age in Chicago, where the limit in Philadelphia is eight years.

PCA suggests the maximum age of a vehicle to which a new medallion is attached should be six years. We note that the regulation uses a very similar WAV medallion age cap of five years. Experience has shown that after five years of use as a taxicab in a congested urban environment, these vehicles will be well worn and in need of replacement. Again, this is a requirement that will be known by the WAV medallion buyer from the start. That knowledge may push the sale price of these medallions below the fair market value of regular medallions. The Authority believes the trade-off in reduced revenue to the medallion fund in exchange for newer, more spacious and higher quality taxicabs in Philadelphia is consistent with the legislative intent of the Act 94. See 53 Pa.C.S. § 5701.1.

We believe that these heightened vehicle standards for this brand new type of service are reasonable and necessary, create no negative fiscal impact upon any current service provider and are in the public interest. Indeed it would be a wasted opportunity to not demand better taxicab service at this unique point.

*Proposed (d). WAV taxicab dispatching.* IRRRC recommended that the language of this subsection be moved to § 1019.8 because it deals with dispatching issues. We agree. This issue is addressed in § 1019.8(c)(1).

*Proposed (e). WAV taxicab drivers.* IRRRC recommended that this subsection be moved to § 1021.5a because it deals with special WAV driver issues. We agree and have moved this language to new paragraph (b)(8) in § 1021.5a.

§ 1017.24. *Meter activation and display.*

The proposed regulation directed that a currently available and unused button on the currently approved meter systems in Philadelphia be dedicated to the use of WAV passengers. The proposed regulation also required that a camera already installed in each taxicab meter should be activated to evidence that the passenger was actually in a wheelchair when the driver indicates that they have picked up a passenger in a wheelchair through a street hail. While a dispatcher will know when a WAV trip is pre-arranged, it will not know that a person in a wheelchair received service in a taxicab through a street hail unless the driver notifies the dispatcher. We have clarified in § 1021.5a(e)(4) that when a person in a wheelchair is secured within a taxicab the driver must notify the dispatcher that service to a person in a wheelchair has begun. The compilation of usage data will be crucial to the improvement of WAV taxicab service and the potential expansion of that service in Philadelphia.

The driver incentive program in the proposed regulation was based upon actual service to people in wheelchairs, as was the requirement that a WAV taxicab driver provide a certain minimum number of trips to people in wheelchairs. These issues necessitated some means of independent verification that the customer was actually a person in a wheelchair.

IRRC, Liberty Resources, BPT and PCA all objected to the use of cameras in the manner suggested. While we

disagree with the assertion that a person has a reasonable expectation of privacy in the use of a taxicab, we understand the concern of the commentators as to the selective use of these photographs. Therefore, we will delete this requirement and the required use of the meter button for use in conjunction with wheelchair customers. The elimination of these requirements and the data they would have produced will also necessitate the elimination of the minimum trip level for WAV taxicab driver renewal review and the entire incentive program provided for in § 1021.5a(f).

We note that the Authority's proposed rulemaking No. 126-8 will require the use of security cameras in every taxicab. Upon the promulgation of that regulation we will reconsider the use of the data originally proposed in this regulation and the reintroduction of the driver incentive program.

§ 1019.8. *Dispatcher requirements.*

The final-form regulation adds language to specify the means through which a WAV taxicab may be dispatched, the way to obtain a WAV dispatcher authorization and requirements related to dispatching WAV taxicabs.

(b) *WAV taxicab dispatcher authorization and renewal.*

IRRC noted that several of the paragraphs of this subsection do not strictly relate to authorization and renewal. Therefore, we have moved proposed paragraphs (1) and (4)—(6) to subsection (c), which deals with WAV taxicab dispatcher requirements.

IRRC and PCA questioned the wisdom and applicability of requiring each WAV taxicab dispatcher have 10% or more of the WAV taxicab fleet in its dispatch association. IRRC requested that the Authority provide its interpretation of Section 5711(c) of Title 53 in terms of this authorization process. Section 5711(c) does not deal directly with this issue, but does address the process through which WAV medallions will be authorized for release into the marketplace over the next eight years.

As provided in final-form paragraph (5), any certificate holder engaged in dispatching WAV taxicabs on the date this regulation becomes effective may continue to dispatch those WAV taxicabs unabated through July 1, 2015. These existing WAV dispatchers are not prohibited from adding more WAV taxicabs to their fleets, but this caveat will not apply to WAV medallions.

The regulation envisions applications for WAV dispatcher authorization from both existing dispatcher certificate holders and those in the process of seeking a new dispatcher certificate of public convenience ("CPC"). The authorization is not a CPC, although nothing in the regulation dictates a deviation from the standards that generally apply to applications for dispatcher CPCs. A person seeking a CPC to act as a dispatcher has never had existing taxicabs in its dispatch association, because it has no association. In order to be approved, there are regulatory and statutory standards that an applicant must meet and if that is accomplished, the Authority awards a dispatcher CPC. See 52 Pa. Code § 1019.8.

Even standard dispatchers are required to maintain at least 20 taxicabs in their dispatch association. 52 Pa. Code § 1019.13(a). This is an existing requirement and has never impeded the application process, neither will it here. The Authority anticipates that authorized WAV taxicab dispatchers will seek out WAV taxicab owners for association. If the dispatcher fails to do so, or does reach that minimum number and later falls below that threshold, then its authorization will not be renewed

upon expiration as provided in paragraph (3) and may be suspended before renewal is due. This will not impact the dispatcher's ability to dispatch standard medallion taxicabs and the dispatcher would be able to dispatch the nine or less WAV taxicabs until the validity of its WAV dispatcher authorization is addressed.

We do not anticipate any implementation problems associated with the initial authorization of WAV taxicab dispatchers. However, we do anticipate that only dispatchers that are interested in proactively addressing the needs of the disabled community will seek this authorization.

The goal of this regulation is not to create a new revenue stream for dispatchers, but to address the needs of the disabled community. We must do this in as precise a manner possible, with the limited number of WAV medallions that will be available. We believe that the easier it is for a customer to request and receive a WAV taxicab, the more we can alleviate the transportation problems of these citizens. Establishing a regulation that requires a de minimus concentration of WAV taxicabs with each WAV dispatcher will increase the likelihood that the dispatcher will have a WAV taxicab available. BPT and PCA commented that a type of centralized dispatch system may be the best method through which WAV taxicabs could be dispatched. We do not discount the potential for such centralized dispatching, but it would be a significant departure from standard dispatching procedures and merits its own rulemaking. We will review this option in conjunction with the effectiveness of the current dispatching paradigm.

IRRC asked if there will be enough WAV medallions to permit dispatchers to meet this 10% requirement. Purely in terms of numbers, the answer is yes. When all 150 of the new medallions<sup>5</sup> authorized by section 5711(c) of the act are issued for WAV service, 15 dispatchers could operate 10 WAV medallions each and qualify under this single WAV dispatcher requirement. This calculation does not include WAV taxicabs that are not WAV medallion taxicabs. A dispatcher could qualify under this 10% requirement with no WAV medallions in its association. The 10% requirement goes to WAV taxicabs generally, not just WAV medallion taxicabs. It is worth noting that the number of dispatchers in Philadelphia is trending down. One year ago there were 14 dispatchers, today there are only 11. Of those original 14 and even the remaining 11, only 2 dispatch WAV taxicabs now.

PCA suggested that the 10% requirement infringes on some freedom of association enjoyed by drivers. We disagree. Owners are responsible for assuring association with a dispatcher, not drivers. These requirements will apply only to those dispatchers that volunteer to dispatch WAVs and to owners and drivers who volunteer to own and operate these special vehicles. Upon issuance of 150 WAV medallions, 85% of the medallion taxicab fleet could still be non-WAV taxicabs. We anticipate that owners, drivers and dispatchers that do not hold a commitment to serving disabled people will not seek these WAV authorizations.

(c) *WAV taxicab dispatcher requirements.*

This subsection provides for WAV taxicab dispatcher requirements.

<sup>5</sup> BPT suggested that the Authority should investigate issuing all of the medallions authorized by Section 5711(c)(2)(ii) of the act at one time and that every such medallion must be a WAV medallion. The statute is not vague on this issue. The statutory cap on medallions in Philadelphia will increase by 15 each June 1 until the new ceiling of 1,750 is reached. The Authority has no power to issue a medallion before it is authorized by statute.

(3). Paragraph (3) of the proposed regulation required the employees of a dispatcher to attend WAV taxicab driver training. PCA noted that the duties of a dispatcher employee and those of a WAV taxicab driver are different and suggested this requirement be eliminated. IRRC also questioned the need for this paragraph. We have deleted this requirement, but will continue to consider the creation of a training program for these special dispatchers.

(6). Paragraph (6) establishes a minimum wait time for those requesting WAV taxicab service through a dispatcher. This paragraph was numbered “(5)” in the proposed regulation. In the event a WAV dispatcher determines that it will not be able to provide service to a customer within that wait time then the customer request would have to be made available to the other WAV dispatchers through the communication system required by final-form paragraph (3). PCA commented that the proposed 45 minute threshold was too long and unreasonable. IRRC also questioned the reasonableness of this deadline.

Upon review of these comments we agree that the threshold wait time must be significantly narrowed and that 45 minutes is unreasonable. We must view requests for service from disabled people with at least the same urgency that applies to other dispatcher customers. We have reviewed the data related to the average wait time for taxicab service and determined that it is 11 minutes. Now, this is an average. Rush hour, inclement weather and special events will certainly impact this response time. Taking that into consideration we believe that the threshold should be reduced to 20 minutes. This will permit the WAV dispatcher some leeway in terms of arranging to provide WAV service through its dispatch association, without unduly delaying service to the disabled community.

IRRC recommended that the word “each” in final-form paragraph (c)(6) be changed to “every.” That change has been made. Paragraph (a)(16) and final-form paragraph (c)(5) are amended to reference § 1021.16(a), in lieu of the now deleted § 1021.11(j).

§ 1021.5a. *Special WAV taxicab driver’s certificate and requirements.*

This section establishes the special WAV taxicab driver certificate and associated qualification and maintenance standards and requirements.

(b)(7). IRRC noted that this paragraph dealing with WAV driver qualifications uses the vague phrase “high degree of experience.” We have deleted that phrase.

Disabled in Action of PA, Inc., and Liberty Resources commented that the certification requirement (we presume for drivers) should be relaxed; that disabled people can direct what they need and that one year of driver experience was sufficient. We agree that the standards should not dissuade drivers or medallion owners from providing WAV service, but we also have to make sure that this service is provided by people who know how to operate the necessary equipment and generally provide good service, particularly in the early stage of the implementation of this new and unique class of service.

(7)(i) and (ii). This subparagraph requires a WAV taxicab driver applicant to have at least 2 years of Philadelphia taxicab driver experience within the 3 years period preceding the application. IRRC noted the comments of Disabled in Action of PA, Inc., and Liberty Resource, referenced above and requested clarification of the need for 2 years of experience in Philadelphia taxicabs.

WAV taxicab drivers will operate the newest and most expensive taxicabs in Philadelphia. These taxicabs will not be restricted to servicing passengers in wheelchairs and will wait in cab stand lines and pick up hails in Center City and other popular areas just like every other taxicab. In addition, WAV taxicab drivers will be relieved of the cost of renewing their driver’s certificate every year and will actually be paid to attend training classes.

We know from the experience of the eight WAV taxicabs in service now that those vehicles are preferred by people with baggage or who are traveling in a group or who just want extra legroom. These WAVs will be in demand by the general public, not just the disabled community. Therefore, we anticipate that the interest in becoming a WAV taxicab driver will exceed the numbers necessary to operate those WAV taxicabs in service in Philadelphia.<sup>6</sup> For that reason, we have established higher standards for this classification of service than are demanded of regular taxicab drivers.

We want WAV taxicab drivers who:

- Are familiar with the rules and regulations related to Philadelphia taxicab service.
- Are familiar with Philadelphia’s geography and special attractions.
- Have a track record of good service in Philadelphia, without driving infractions and regulatory violations.

We believe that requiring two years of Philadelphia taxicab experience will help evidence applicants with these qualities through the creation of a reviewable service record. IRRC also questioned why taxicab service in another jurisdiction, as opposed to just Philadelphia would not suffice. A person who operated a taxicab in Chicago or Las Vegas simply will not have this heightened local experience or regulatory track record that a Philadelphia taxicab driver will possess. Subparagraph (iii) has been amended to note that the revocation of a limousine driver’s certificate is as unacceptable as the loss of a taxicab driver’s certificate.

(c) *WAV taxicab driver cap.* This subsection establishes a cap on the number of WAV taxicab drivers as the product of the number of WAV taxicabs multiplied by four.

(1). IRRC and PCA questioned the need for the cap. PCA suggested that all 3,750 taxicab drivers be trained to operate as WAV taxicab drivers. The costs of retraining the existing 3,750 taxicab drivers, in addition to the new driver applicants that continue to apply for certification is simply cost prohibitive, particularly when we consider that there will likely be less than 55 WAV taxicabs in Philadelphia in fiscal year 2015. There is no need for the application of the Authority’s resources in the manner suggested by PCA.

There are 1,599 medallion taxicabs in service, with 3,750 potential drivers. That equates to less than 2.5 drivers per taxicab. Taxicab driver interest groups often complain that this ratio is too high. And further suggest that having such a “high” ratio of drivers negates any individual driver’s ability to negotiate for a better taxicab or better dispatching service, because there is always another driver waiting to take that driver’s place.

We have nearly doubled that putatively high ratio for WAV taxicabs. We do this to make certain that WAV taxicab drivers will be available to operate WAV taxicabs.

<sup>6</sup> We believe this addresses the concern of BPT related to why people would want to be WAV taxicab drivers. We agree that a driver incentive program is a good idea and will consider such a program in a future rulemaking, particularly if the use of safety cameras are approved in Philadelphia for use in taxicabs.

The standards applicable to becoming a WAV driver in this section are geared toward securing the best available drivers, not “fly-by-night” drivers. Section (d) identifies standards for maintaining the WAV driver certificate, which include a certain minimum number of hours in a WAV taxicab each year. Drivers that stop working for long stretches of the year, such as all summer as noted by PCA and referenced by IRRRC, will find it very challenging to maintain this WAV driver designation. When a driver loses that status, a position opens for a new driver who will take this special designation seriously.

*Proposed (2).* This paragraph authorized the Director of the Authority’s Taxicab and Limousine Division to adjust the cap on WAV taxicab drivers to address the need for an increased need. Because the cap established in this subsection is significantly higher than the ratio of drivers to regular taxicabs and because the aggregate number of WAV drivers will increase with the number of WAV taxicabs in service, we believe this language is unnecessary and it has been deleted from the final-form regulation.

*(d) WAV taxicab driver renewal.* This section establishes guidelines to be used to determine if a WAV taxicab driver designation should be continued for another year.

The elimination of the special WAV passenger button and photograph requirement in § 1017.24(d)(9) and (10) has rendered the reliability of any data on individual driver service to passengers in wheelchairs unreliable. Therefore, consideration of such service has been deleted from this subsection. Also, IRRRC recommended that proposed paragraph (2) be deleted because in conjunction with the standards in proposed paragraph (3) the standard for renewal was unclear. We agree and have deleted proposed paragraph (2).

IRRC also suggested that in lieu of using the number of days in conjunction with a certain number of hours per day to evaluate a WAV driver’s active participation in WAV service, an annual number of hours be used. We agree with IRRRC and have amended paragraph (2) of the final-form regulation to employ a standard based purely on the number of hours in service in a WAV taxicab each year. This information is easily ascertainable from the taxicab’s meter system. We have opted to use a blend of the number of days/hours used in paragraphs (2) and (3) of the proposed regulation. The minimum number of hours in the final-form regulation will be 1,600. While many taxicab drivers work shifts longer than eight hours, using an eight hour model, these drivers will need to provide this service for approximately 200 days each year. Final-form section (d)(4) has been amended to note only the new paragraph (2) as a basis for denial.

#### § 1021.8. *Certain training subjects.*

This section establishes certain training requirements for individuals who wish to become WAV taxicab drivers and maintain that status.

*(c).* IRRRC noted that paragraphs (1) and (2) did not indicate a minimum number of hours of training necessary to become a WAV taxicab driver. We agree. We have amended the regulation to require a minimum of six hours of training. IRRRC noted that paragraph (3) included non-regulatory language and recommended that it be deleted. We have made that deletion.

*(f).* Subsection (f) was amended to clarify that the denial of a DR-4 for failure to provide the required number of hours of service in a WAV taxicab will not bar the driver from continuing as a regular taxicab driver as provided in § 1021.5a(d)(4).

#### § 1021.11. *Driver requirements.*

This section of the proposed regulation added two new subsections related to the manner in which taxicab drivers must handle requests for service from people in wheelchairs. We have deleted proposed subsection (j) because we believe that this issue is already addressed in existing § 1021.16(a). We have also deleted subsection (k) because the method through which a driver would identify a passenger as a person in a wheelchair has been deleted as we noted in response to comments related to § 1021.5a.

#### *Affected Parties*

The final-form regulation will primarily affect the disabled community by permitting the creation of a fleet of modern wheelchair accessible taxicabs. Where there were no wheelchair taxicabs in Philadelphia just three years ago and there are only eight now, we anticipate as many as 55 by the end of fiscal year 2015. As many as 15 more medallions may be added to service each year thereafter, until the statutory cap on medallions reaches 1,750.

Those who volunteer to buy a new WAV medallion or provide service in a WAV taxicab will also be impacted by the regulation related to this special class of service.

#### *Fiscal Impact*

The final-form regulation will require vehicles used to provide wheelchair accessible service in Philadelphia to comply with certain standards. Those standards are largely in place now in the current eight WAV taxicabs. The WAV taxicabs in operation on the day of this regulation becomes effective will be permitted to continue in operation until removed from service at the option of the owner or as required by the existing regulations.

The costs to acquire and outfit a vehicle that will meet the vehicle standards required for these new WAV medallions will be significantly higher than those that are applicable to non-WAV medallion taxicabs. However, the largest part of that deviation is based on a combination of the poor quality of vehicles currently used by most taxicab owners and the need to acquire a better conditioned special large vehicle to properly service the disabled community. Those who acquire new WAV medallions will do so with the knowledge that the vehicles to which those medallions are attached will have to be in a much better condition than currently permitted in Philadelphia. There are no current regulated parties that are impacted by these requirements because only those who decide to competitively bid on WAV medallions or opt to drive or dispatch WAV taxicabs will be affected.

#### *Commonwealth*

The Authority anticipates increased regulatory demands associated with this regulation, particularly in terms of inspection, application review and training. This is a new program that will simply require additional regulatory resources.

#### *Political subdivisions*

This final-form rulemaking will not have a direct fiscal impact on political subdivisions of this Commonwealth.

#### *Private sector*

This final-form rulemaking will not have a fiscal impact on existing certificate holders or other regulated parties.

#### *General public*

This final-form rulemaking will not have a fiscal impact on the general public, although we anticipate the development of data that will evidence a positive fiscal impact upon the disabled community in Philadelphia.

*Paperwork Requirements*

This final-form rulemaking will not affect the paperwork generated by the Authority. Some additional entries as to service to disabled persons will be required on the monthly form that all dispatchers already complete and file with the Authority on a monthly basis.

*Effective Date*

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

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 15, 2013, the Authority submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 6373 (October 26, 2013), to IRRC and the Chairpersons of the House Urban Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on July 9, 2014, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on July 10, 2014, and approved the final-form rulemaking.

*Conclusion*

Accordingly, under sections 13 and 17 of the Act (53 Pa.C.S. §§ 5722 and 5742); section 5505(d) of the Parking Authorities Act (53 Pa.C.S. § 5505(d)(17), (23) and (24)); sections 201 and 202 of the act of July 31, 1968 (P. L. 769 No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P. S. § 732.204(b)); section 745.5 of the Regulatory Review Act (71 P. S. § 745.5); and section 612 of The Administrative Code of 1929 (71 P. S. § 232) and the regulations promulgated at 4 Pa. Code §§ 7.231—7.234, the Authority proposes adoption of the final regulations set forth in Annex A; *Therefore*,

*It Is Ordered That:*

1. The regulations of the Authority, 52 Pa. Code Chapters 1001, 1011, 1017, 1019 and 1021, are amended by adding §§ 1017.8 and 1021.5a and by amending §§ 1001.9, 1001.10, 1011.2, 1019.8, 1021.8 and 1021.9 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(*Editor’s Note:* Amendments to §§ 1017.24 and 1021.11 included in the proposed rulemaking have been withdrawn by the Authority.)

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

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

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

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

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

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

8. The contact person for this rulemaking is James R. Ney, Director, Taxicab and Limousine Division, (215) 683-9417.

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

(*Editor’s Note:* For the text of the order of the Independent Regulatory Review Commission, see 44 Pa.B. 5156 (July 26, 2014).)

**Fiscal Note:** 126-5. (1) Philadelphia Taxicab and Limousine Regulatory Fund; (2) Implementing Year 2014-15 is \$69,349; (3) 1st Succeeding Year 2015-16 is \$73,466; 2nd Succeeding Year 2016-17 is \$77,830; 3rd Succeeding Year 2017-18 is \$82,454; 4th Succeeding Year 2018-19 is \$87,355; 5th Succeeding Year 2019-20 is \$92,549; (4) none—this is a new program; (7) Philadelphia Parking Authority; (8) recommends adoption.

**Annex A**

**TITLE 52. PUBLIC UTILITIES**

**PART II. PHILADELPHIA PARKING AUTHORITY**

**Subpart A. GENERAL PROVISIONS**

**CHAPTER 1001. RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE**

**Subchapter A. GENERAL PROVISIONS**

**§ 1001.9. Sessions of the Authority.**

Public meetings of the Authority ordinarily will be held in its offices at 701 Market Street, Suite 5400, Philadelphia, Pennsylvania. Schedules for public meetings are advertised and posted under 65 Pa.C.S. Chapter 7 (relating to Sunshine Act) and copies of the schedule can be obtained on the Authority’s web site at [www.philapark.org](http://www.philapark.org).

**§ 1001.10. Definitions.**

(a) Subject to additional definitions contained in subparts which are applicable to specific chapters or subchapters, the following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

*Dispatcher—*

(i) The owner of a certificate of public convenience to operate a dispatching service in Philadelphia issued by the Authority under section 5711(c)(6) of the act (relating to power of authority to issue certificates of public convenience) and Chapter 1019 (relating to dispatchers).

(ii) The term includes a wheelchair accessible vehicle (WAV) taxicab dispatcher as provided in § 1011.2 (relating to definitions).

\* \* \* \* \*

*Taxicab driver—*

(i) The individual to whom a current and valid taxicab driver's certificate has been issued by the Authority under section 5706 of the act.

(ii) The term includes a WAV taxicab driver as provided in § 1011.2.

\* \* \* \* \*

**Subpart B. TAXICABS**

**CHAPTER 1011. GENERAL PROVISIONS**

**§ 1011.2. Definitions.**

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

\* \* \* \* \*

*Transfer fee—*The nonrefundable fee charged by the Authority to review an application to sell transferable rights.

*WAV medallion—*A medallion restricted to use on a wheelchair accessible vehicle (WAV) taxicab.

*WAV medallion taxicab—*A taxicab to which a WAV medallion is attached by the Authority as provided in this chapter.

*WAV taxicab—*A motor vehicle authorized by the Authority to provide taxicab service that meets the requirements of a "wheelchair accessible taxicab" as defined in section 5701 of the act (relating to definitions) and § 1017.8 (relating to wheelchair accessible vehicle taxicab specifications).

*WAV taxicab dispatcher—*A dispatcher approved by the Authority to dispatch WAV taxicabs as provided in § 1019.8(b) (relating to dispatcher requirements).

*WAV taxicab driver—*The individual to whom a current and valid WAV taxicab driver's certificate has been issued by the Authority under section 5706 of the act (relating to driver certification program) and § 1021.5a (relating to special wheelchair accessible vehicle taxicab driver's certificate and requirements).

*WAV taxicab driver's certificate—*The original photographic identification card issued by the Authority which confirms that an individual has complied with section 5706 of the act and § 1021.8 (relating to certain training subjects).

*Wheelchair—*

(i) A mobility aid belonging to any class of three-wheeled or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, whether operated manually or powered.

(ii) A common wheelchair is a device which does not exceed 32 inches in width and 48 inches in length measured 2 inches above the ground and does not weigh more than 600 pounds when occupied.

(iii) The term as further defined by 49 CFR 37.3 (relating to definitions) or its successor regulation.

**CHAPTER 1017. VEHICLE AND EQUIPMENT REQUIREMENTS**

**Subchapter A. GENERAL PROVISIONS**

**§ 1017.8. Wheelchair accessible vehicle taxicab specifications.**

(a) *Basic requirements.* Wheelchair accessible vehicle (WAV) taxicabs must be in compliance with the require-

ments applicable to taxicabs, except when deviations are authorized or required by the act, this part or an order of the Authority.

(b) *Standard specifications for WAV taxicabs.* In addition to the requirements of subsection (a), a WAV taxicab is a vehicle that has been inspected and approved by the Enforcement Department to meeting the following requirements:

(1) The vehicle complies with the specifications in the Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles codified in 49 CFR 38.23, 38.25 and 38.31 (relating to mobility aid accessibility; doors, steps and thresholds; and lighting) and higher standards set by the act, this part or an order of the Authority. For example, if the Authority required vehicle lift platforms to have provisions to prevent deployment, falling or folding any faster than 10 inches per second, that requirement would supersede the 12 inches per second requirement of 49 CFR 38.23(b).

(2) The vehicle must be capable of transporting at least one passenger seated in a common wheelchair secured to the vehicle by a system approved by the Authority as provided in paragraph (11) with access and entry to the passenger compartment either from the right side of the vehicle to and from the curb or through rear entry.

(3) If modified to become a WAV taxicab, the modification of the vehicle shall be completed under the vehicle manufacturer's standards. The Authority will publish a list of approved vehicle modification entities on its web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(4) The owner of a vehicle modified to be a WAV taxicab shall, upon presentation for a preservice inspection as provided in § 1017.2 (relating to preservice inspection), provide the certification of an engineer with at least a bachelor's degree in either mechanical engineering or electrical engineering with at least 3 years of experience in automotive manufacturing that the vehicle has been modified using the design tested to meet or exceed impact protection requirements as provided in 49 CFR Part 571 (relating to Federal motor vehicle safety standards) and the specifications of the vehicle's manufacturer.

(5) When loaded to gross vehicle weight rating, the distance between the ground and the vehicle's frame must be 5 inches or more.

(6) The vehicle's passenger compartment length from the back of the passenger's seats to any barrier in front of it must be 56 inches or more.

(7) The floor of a WAV taxicab may be lowered only from the base of the firewall to the area immediately in front of the rear axle.

(8) The floor of a WAV taxicab with a lowered floor assembly must be stainless steel (16 gauge minimum). A vapor-insulating barrier of 1/2-inch marine grade plywood must be applied over the lowered metal floor and thoroughly secured.

(9) The vehicle's wheelchair ramp may not block any part of the door or glass while in the stowed position.

(10) The entry point of the vehicle must measure 56 inches from the ramp to the top of the entry point.

(11) The Authority will maintain a list of wheelchair restraint systems to be used to securely hold one or more wheelchairs in place in the vehicle while in operation.



The list of approved wheelchair restraint systems may be obtained from the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(12) Anchor points may not project more than 1/8 inch above the vehicle's finished floor.

(13) If the vehicle has a middle fold-up passenger seat, it must have a folding mechanism and base plate and meet the requirements of 49 CFR 571.207 (relating to standard No. 207; seating systems).

(14) Modifications to the rear air conditioning must be completed in a manner consistent with the guidelines of the vehicle's manufacturer.

(15) Electrical wiring installed while modifying the vehicle to meet the requirements of this section must be PVC or better, insulated and color-coded for positive identification.

(16) The vehicle must have an electrically operated back-up alarm device that produces an intermittent audible signal when the vehicle's transmission is shifted into reverse.

(17) The vehicle must display the universal logo for wheelchairs as a marking of at least 6 inches high and 6 inches wide on the rear of the vehicle and on each side of the vehicle.

(c) *Age and mileage limitation.*

(1) When a vehicle is proposed for WAV medallion taxicab service, it must be one of the manufacturer's two latest vehicle model years with an odometer reading of less than 500 miles to qualify for inspection as provided in § 1017.2.

(2) A WAV medallion taxicab will not be eligible for inspection as provided in § 1017.31 (relating to biannual inspections by Authority) upon reaching 5 years of age.

(d) *Current vehicles.* Taxicabs authorized by the Authority on August 30, 2014, that are capable of providing taxicab service to a person in a wheelchair without the need for the person to exit the wheelchair are exempt from the requirements of subsections (b) and (c). The exemption provided in this subsection expires when the exempted vehicle is removed from taxicab service and does not run with the associated medallion or certificate of public convenience.

## CHAPTER 1019. DISPATCHERS

### § 1019.8. Dispatcher requirements.

(a) *General requirements.* A dispatcher shall continually maintain standards and equipment capable of providing prompt and adequate service to the public, including the following:

(1) Control a radio frequency signal of sufficient strength to transmit and receive real time verbal communication and data throughout Philadelphia.

(2) Respond to customer calls 24 hours a day.

(3) Have taxicabs available for dispatch 24 hours a day, 7 days a week.

(4) Dispatch taxicabs with current Authority rights to provide the service requested.

(5) Obtain the Authority's confirmation, which may be provided by the Authority through e-mail, of a taxicab's good standing before beginning to provide it with dispatching service.

(6) Have at least one display advertisement in a telephone book with citywide circulation in Philadelphia or a

web site which displays all of the information necessary to order a taxicab through the dispatcher.

(7) Have a minimum of four coordinated telephone lines to receive incoming calls for service from the public.

(8) Operate and maintain a taxicab meter system approved by the Authority as provided in § 1017.23 (relating to approved meters), including computer hardware and software, means of communication between the dispatcher and each taxicab meter and the Authority.

(9) Answer customer questions about rates and services provided within 12 hours.

(10) Answer customer questions or complaints about service in writing and within 5 days of receipt of the complaint.

(11) Maintain records as provided in § 1019.14 (relating to dispatcher records).

(12) A dispatcher may not discriminate against nor allow its affiliated drivers to discriminate against any member of the public and may not refuse service to any section of Philadelphia. Partial-rights taxicabs may only be dispatched to provide service consistent with the certificate holder's rights.

(13) A dispatcher shall be able to receive and respond to emergency or distress alerts received from taxicab drivers 24 hours a day, 7 days a week.

(14) In addition to the requirements in the act, this part or an order of the Authority, a dispatcher may institute rules of conduct for drivers and certificate holders associated with the dispatcher.

(15) A dispatcher shall report violations of the act, this part or an order of the Authority committed by a driver or certificate holder associated with the dispatcher to the Authority immediately.

(16) Upon receipt of a request for wheelchair accessible vehicle (WAV) taxicab service directly from a source, including a potential customer or as provided in § 1021.16(a) (relating to service issues regarding people with disabilities), a dispatcher not authorized to dispatch WAV taxicabs shall immediately forward the potential customer's contact information and location to a WAV taxicab dispatcher through a means of electronic communication approved by the Authority.

(b) *WAV taxicab dispatcher authorization and renewal.*

(1) A dispatcher or applicant for a dispatcher's certificate as provided in § 1019.3 (relating to dispatcher application) may request authorization to act as a WAV taxicab dispatcher by filing a Form No. DSP-7 "WAV Dispatcher Authorization" with the Manager of Administration. Form No. DSP-7 is available on the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(2) The authorization to dispatch WAV taxicabs is nontransferable.

(3) The authorization to dispatch WAV taxicabs will automatically expire on July 1 of each year. A dispatcher may reapply for WAV dispatcher authorization at the time it makes its annual filing as provided in § 1011.3 (relating to annual rights renewal process).

(4) The authorization to dispatch WAV taxicabs may be suspended, cancelled or revoked for a violation of the act, this part or an order of the Authority.

(5) Dispatchers engaged in dispatching of WAV taxicabs on August 30, 2014, may continue without the authoriza-

tion required under subsection (b)(1) until July 1, 2015. This exemption does not apply to the dispatching of WAV medallion taxicabs.

(c) *WAV taxicab dispatcher requirements.*

(1) Only a WAV taxicab dispatcher may dispatch WAV taxicabs.

(2) A WAV taxicab dispatcher may not have less than 10% of the WAV taxicabs authorized by the Authority to provide city-wide call or demand service in its association at all times. The Authority will maintain a current list of authorized WAV taxicabs on its web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(3) A WAV taxicab dispatcher shall maintain a means of immediate and simultaneous telephone, Internet or other electronic communication with every WAV taxicab dispatcher that is approved in advance by the Authority. The Authority will post a list of approved communication methods on its web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(4) Dispatchers shall give preference to persons seated in a wheelchair when dispatching a WAV taxicab.

(5) Customers referred to a dispatcher as provided in subsection (a)(16) or § 1021.16(a) shall be serviced in all ways as if the request were made directly to the dispatcher.

(6) In the event that a WAV taxicab dispatcher cannot provide a WAV taxicab to a requesting customer within 20 minutes, the request for service shall be forwarded by the WAV taxicab dispatcher to every other WAV taxicab dispatcher through the system required under paragraph (3).

(7) The information provided by the forwarding WAV taxicab dispatcher as provided in paragraph (6) must include the information necessary to provide the requested service, including the following:

(i) The time the request was received by the forwarding WAV dispatcher.

(ii) The time that the service is requested to begin.

(iii) The location where the WAV taxicab is expected to appear to initiate service.

(iv) The telephone number and other contact information of the person requesting service, if available.

(v) The time that the forwarding WAV dispatcher would be able to initiate service, if at all.

(8) A WAV taxicab dispatcher shall immediately accept the request forwarded as provided in paragraph (6) if the dispatcher can provide a WAV taxicab as requested before the forwarding dispatcher and sooner than any other WAV dispatcher. If the request for service is not accepted, the forwarding WAV dispatcher shall provide the service as provided in paragraph (7)(v).

(9) Acceptance of the forwarded request shall be simultaneously communicated to all other WAV taxicab dispatchers through the system required under paragraph (3).

(10) The accepting dispatcher shall inform the person that has requested WAV taxicab service that it will dispatch a WAV taxicab to the requester immediately.

(11) A WAV dispatcher shall use a dispatching system that maintains the following data, in addition to the requirements in this section and § 1019.14:

(i) Each request to the dispatcher for a WAV taxicab and the dispatcher's response to that request.

(ii) Each occasion of WAV taxicab service to a person in a wheelchair by a taxicab in the dispatcher's association, including the date of service, the amount of the fare paid and the manner in which the taxicab service was initiated.

(iii) The name and WAV taxicab driver certificate number for each driver that has accepted or declined a dispatch for service to a person in a wheelchair.

(12) The WAV dispatcher's monthly filing of Form No. DSP-4 as provided in § 1019.9 (relating to list of affiliated taxicabs) must include the data maintained in its dispatch system as provided in paragraph (11).

(13) The Authority will maintain a list of WAV dispatchers on its web site at [www.philapark.org/tld](http://www.philapark.org/tld).

**CHAPTER 1021. TAXICAB DRIVERS**

**§ 1021.5a. Special wheelchair accessible vehicle taxicab driver's certificate and requirements.**

(a) *Purpose.* The wheelchair accessible vehicle (WAV) taxicab driver's certificate is created to ensure that the needs of the disabled community are known and fully addressed by the drivers of WAV taxicabs and to ensure that those in need of WAV taxicab transportation are efficiently and adequately provided with that transportation by the best qualified drivers available.

(b) *WAV taxicab drivers.*

(1) The Authority will issue a special driver's certificate for individuals to provide WAV taxicab service as provided in section 5706(a.1)(1) of the act (relating to driver certification program).

(2) A WAV taxicab driver's certificate will identify the driver as having been trained in the operation of a WAV taxicab and in the best practices of transporting a person in a wheelchair.

(3) To obtain a WAV taxicab driver's certificate, an individual, including a current taxicab driver, shall comply with the taxicab driver requirements of this chapter and submit a completed Form No. DR-4 "WAV Driver Application." Form No. DR-4 is available on the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(4) An applicant may apply for a taxicab driver's certificate and a WAV taxicab driver's certificate at the same time. If an applicant discontinues the WAV taxicab driver certification process or is unable to successfully complete the training, the applicant may pursue taxicab driver's certification.

(5) Applications for a WAV taxicab driver certificate will be processed by the Director in the order accepted for filing.

(6) A WAV taxicab driver certificate includes the authorizations applicable to a taxicab driver's certificate.

(7) An applicant for a WAV taxicab driver's certificate shall maintain a record of compliance with the act, this part and orders of the Authority as follows:

(i) A WAV taxicab driver applicant shall have at least 2 years of Philadelphia taxicab driver experience as an Authority certificated driver completed within the immediately preceding consecutive 36-month period prior to the date of application.

(ii) A WAV taxicab driver application will be denied if an order has been entered against the applicant by the Authority or the PUC related to the provision of unsafe or discourteous taxicab service.

(iii) A WAV taxicab driver application will be denied if the applicant's taxicab driver's certificate or limousine driver's certificate has ever been cancelled or revoked.

(iv) A WAV taxicab driver application will be denied if the applicant's taxicab driver's certificate has been suspended for any reason in the immediately preceding consecutive 36 months.

(8) Only a taxicab driver certificated by the Authority as provided in this section may provide taxicab service in a WAV taxicab.

(c) *WAV taxicab driver cap.*

(1) Except as provided in paragraph (2), the number of WAV taxicab drivers may not exceed the product of the number of WAV taxicabs multiplied by four. The Authority will continuously maintain a list of the maximum number of WAV taxicab drivers on its web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(2) The Director will not accept applications for WAV taxicab driver's certificates in excess of the cap established by the Authority.

(d) *WAV taxicab driver renewal.*

(1) A WAV taxicab driver's certificate may be renewed by filing the completed Form No. DR-4 with the Manager of Administration and adhering to standard renewal requirements as provided in § 1011.3 (relating to annual rights renewal process).

(2) The Authority will not renew a WAV taxicab driver's certificate if the driver has failed to provide taxicab service in a WAV taxicab for 1,600 hours or in the immediately preceding consecutive 12-month period.

(3) The annual taxicab driver renewal fee charged by the Authority shall be paid from the proceeds of the sale of WAV medallions authorized by section 5711(c) of the act (relating to power of authority to issue certificates of public convenience) for each successfully renewed WAV taxicab driver.

(4) When a WAV taxicab driver's certificate is denied as provided in paragraph (2) and not on another basis, the Authority will issue the renewing driver a standard taxicab driver's certificate.

(e) *Wheelchair service preference.*

(1) A person seated in a wheelchair who requests taxicab service shall be given preference by a WAV taxicab driver over a potential customer that is not in a wheelchair. For example, if a WAV taxicab is hailed by two people at the same time but only one of those people is seated in a wheelchair, service shall be provided to the person seated in the wheelchair first.

(2) A customer already seated in a taxicab may not be asked to exit the taxicab to accommodate a person seated in a wheelchair.

(3) When a WAV taxicab has been dispatched and is in route to provide taxicab service to a person not in a wheelchair and is hailed by a person seated in a wheelchair, the WAV taxicab driver shall stop and provide taxicab service to the person in a wheelchair. Prior to assisting the hailing customer into the WAV taxicab, the driver shall notify his dispatcher of the hail. The dispatcher shall arrange for an alternate taxicab to provide service to the original customer.

(4) A WAV taxicab driver shall notify his dispatcher each time taxicab service is provided to a person in a

wheelchair. The notification required under this paragraph shall be made once the customer is secured in the taxicab.

**§ 1021.8. Certain training subjects.**

(a) *Continued training subjects.* The Authority will continually monitor issues related to taxicab drivers, including safety, wheelchair accessible vehicle (WAV) taxicab service and customer service, and maintain a current list of taxicab driver training subjects on its web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(b) *Basic training issues.* Taxicab driver training will consist of a minimum of 18 hours of in-class instruction and will be developed to address all areas of the act, this part and orders of the Authority. The dress code applicable to taxicab drivers applies to applicants during training. Training will address issues provided for in subsection (a), including the following subjects:

(1) Authority regulations governing taxicab drivers, including differences between the services medallion taxicabs and partial-rights taxicabs provide.

(2) Authority regulations governing taxicab certificate holders.

(3) Authority regulations governing equipment.

(4) Penalties for violation of Authority regulations.

(5) An overview of the administrative process related to violations.

(6) The identification and address of the Authority offices responsible for administering the act.

(7) Customer service issues, including the following:

(i) Personal appearance of drivers.

(ii) Driver courtesy and hygiene.

(iii) Assistance to elderly and people with disabilities.

(8) Driving and customer safety issues, including the following:

(i) Defensive driving techniques.

(ii) Emergency aid.

(iii) Vehicle and equipment inspections.

(iv) Crime prevention.

(v) Accident reporting procedures.

(9) Issues related to the geography of Philadelphia, including the following:

(i) Map reading.

(ii) Overview of major street and traffic patterns.

(iii) Identification and location of popular landmarks and locations.

(c) *WAV taxicab driver training.*

(1) In addition to training required under this section, WAV taxicab driver training will consist of a minimum of 6 hours of in-class instruction and field training necessary to address current and evolving issues related to WAV taxicab service, including sensitivity training, safe and proper use of applicable equipment, and regulations regarding WAV taxicab service.

(2) WAV taxicab driver training will consist of training in all aspects of WAV taxicab service, including the operation of a WAV taxicab and the entry, exit and securing of a passenger in a wheelchair.

(3) A WAV taxicab driver must attend a minimum of 4 hours of continuing WAV taxicab service training every 2 years.

(d) *Testing.* The applicant will be tested under § 1021.9 (relating to taxicab driver test) on the final day of training.

**§ 1021.9. Taxicab driver test.**

(a) The Authority will develop a test to assure that applicants for taxicab driver's certificates and wheelchair accessible vehicle (WAV) taxicab driver's certificates understand the information presented during training as provided in § 1021.8 (relating to certain training subjects).

(b) The test will be administered in the English language. The assistance of interpreters will not be permitted. An applicant's responses to all test questions shall be in the English language.

(c) Except as limited by this chapter, the test may be administered in a manner and in a form deemed appropriate by the Authority. The test may include:

- (1) Questions requiring a written response.
- (2) Multiple choice questions.

(3) Oral questions.

(4) The demonstration of an ability to operate a motor vehicle and use taxicab related equipment.

(5) For WAV taxicab driver applicants, the demonstration of an ability to operate a WAV taxicab and to assist with the entry, exit and securing of a passenger in a wheelchair in the WAV taxicab.

(d) Failure to pass the test required by this section after three attempts will render the application void.

(e) Failure to pass the test required by this section within 90 days of filing Form No. DR-1 application as provided in § 1021.5 (relating to standards for obtaining a taxicab driver's certificate) will render the application void.

(f) Except as provided in § 1021.5a (relating to special wheelchair accessible vehicle taxicab driver's certificate and requirements), upon the denial or voiding of a Form No. DR-1 or Form No. DR-4 as provided in this chapter an applicant may not reapply for a driver's certificate for 6 months.

[Pa.B. Doc. No. 14-1813. Filed for public inspection August 29, 2014, 9:00 a.m.]

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# PROPOSED RULEMAKING

## DEPARTMENT OF TRANSPORTATION

[ 67 PA. CODE CH. 511 ]

### Rail Freight Grants

The Department of Transportation (Department), under the authority in section 9 of the Rail Freight Preservation and Improvement Act (act) (55 P. S. § 696.9), proposes to add Chapter 511 (relating to rail freight grants) to read as set forth in Annex A.

#### *Purpose of Proposed Rulemaking*

The purpose of Chapter 511 is to establish procedures and criteria for the application for and award of grants for rail freight projects to support economic development in this Commonwealth.

#### *Summary of Significant Provisions*

Proposed § 511.1 (relating to purpose) provides the purpose of Chapter 511.

Proposed § 511.2 (relating to definitions) provides definitions of significant terms used in Chapter 511.

Proposed § 511.3 (relating to eligibility) delineates the persons and entities eligible for grants issued under Chapter 511. Further, this section provides information on the local funding match requirements for grants. This section also provides information on the types of projects eligible for grants. This section explains whether an applicant seeking funding should pursue a Rail Transportation Assistance Program (Rail TAP) or Rail Freight Assistance Program (RFAP) grant, depending on the nature of their project or the project cost, or both.

Proposed § 511.4 (relating to limits of funding) sets forth various Commonwealth funding constraints on both Rail TAP and RFAP grants. The section also makes clear that funding will be subject to approval and appropriation by the General Assembly.

Proposed § 511.5 (relating to application period and deadlines) makes clear that applications shall be filed during the prescribed application period to be considered. The section also makes clear to applicants that the open application period for both Rail TAP and RFAP grants is to be determined on an annual basis and published in the *Pennsylvania Bulletin* in January.

Proposed § 511.6 (relating to application submission procedure) delineates the Department's application submission procedure, including required criteria. The section also makes clear that grant applications shall be completed in accordance with the current policies and procedures of the Department, and that the Department may reject an application which does not conform to Department regulations or policies, or other applicable laws or regulations.

Proposed § 511.7 (relating to public records) makes clear that the Right-to-Know Law (65 P. S. §§ 67.101—67.3104) applies to submissions to the Department.

Proposed § 511.8 (relating to grant selection process and criteria) delineates the Department's grant selection process and sets forth criteria the Department will use in evaluating grant applications. The section also explains that the Department may work with an applicant to modify a proposed project, and that the collaboration may

not be construed as a commitment by the Department to offer a grant to the applicant.

Proposed § 511.9 (relating to offer and acceptance) delineates the Department's process in offering grants. It further delineates the obligations of an applicant who has been offered a grant to timely accept or decline the grant offer.

Proposed § 511.10 (relating to standards, methods, techniques, designs and special conditions) provides the Department authority to specify standards, methods, techniques, and design and dimensional criteria acceptable for projects funded by grants under Chapter 511 and to review and approve design and construction. It further provides for withdrawal of the grant funding for failure to abide by Department mandates in this regard. Finally, it makes clear that the Steel Products Procurement Act (73 P. S. §§ 1881—1887) applies to projects funded by grants awarded under Chapter 511.

Proposed § 511.11 (relating to prevailing wage) makes clear that the Pennsylvania Prevailing Wage Act (43 P. S. §§ 165.1—165.17) applies to grants awarded under Chapter 511.

Proposed § 511.12 (relating to audits and recordkeeping) delineates various audit and recordkeeping requirements that applicants who receive grants under Chapter 511 shall follow.

Proposed § 511.13 (relating to inspection) provides the Department and other Commonwealth agencies the right to inspect the project site and records regarding grants awarded under Chapter 511. This section also provides for withdrawal of grant funding and disqualification from future consideration for grants for failure to comply.

Proposed § 511.14 (relating to payment procedures) delineates procedures for payment of the grantee and its vendors and contractors, including mandating retention by the Department of 10% of each grant payment until final inspection and approval by the Department.

Proposed § 511.15 (relating to liability; forfeiture of funds; repayment) delineates the consequences of a grantee's failure to comply with the terms and conditions of a grant issued under Chapter 511. Consequences include reimbursement to the Department of grant funding awarded and disqualification from future consideration for grants issued under Chapter 511. Further, this section provides information on a grantee's right to appeal a Department decision issued under Chapter 511.

Proposed § 511.16 (relating to waiver) provides that the Department may grant waivers regarding submission of certain specific information or data under certain circumstances.

#### *Persons and Entities Affected*

This proposed rulemaking will affect an applicant that seeks Commonwealth rail grant funding under the act.

#### *Fiscal Impact*

Implementation of this proposed rulemaking will not require the expenditure of additional funds by the Commonwealth. Additional costs, fees or expenses are not anticipated by implementing this proposed rulemaking.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 14, 2014, the Department submitted a copy of this proposed rulemaking and a copy

of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Transportation Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

*Effective Date*

This proposed rulemaking will be effective upon final-form publication following appropriate evaluation of comments, suggestions or objections received during the public comment period.

*Sunset Date*

The Department is not establishing a sunset date for Chapter 511 since these regulations are needed to administer provisions required under the act. The Department, however, will continue to closely monitor these regulations for their effectiveness.

*Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to Toby L. Fauver, AICP, Deputy Secretary of Multimodal Transportation, Department of Transportation, 400 North Street, 8th Floor, P. O. Box 3643, Harrisburg, PA 17105-3643, tfauver@pa.gov within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

*Contact Person*

The contact person for technical questions about this proposed rulemaking is Gary M. DeBerry, Planning Manager, Bureau of Rail Freight, Ports and Waterways, Department of Transportation, 400 North Street, 6th Floor, Harrisburg, PA 17120-0064, (717) 214-1922, gdeberry@pa.gov.

BARRY J. SCHOCH, PE,  
Secretary

**Fiscal Note:** 18-437. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 67. TRANSPORTATION**

**PART I. DEPARTMENT OF TRANSPORTATION**

**Subpart B. NONVEHICLE CODE PROVISIONS**

**ARTICLE VI. RAIL TRANSPORTATION**

**Chap.**

**RAIL FREIGHT GRANTS**

**511.**

**CHAPTER 511. RAIL FREIGHT GRANTS**

**Sec.**

- 511.1. Purpose.
- 511.2. Definitions.
- 511.3. Eligibility.
- 511.4. Limits of funding.
- 511.5. Application period and deadlines.
- 511.6. Application submission procedure.
- 511.7. Public records.
- 511.8. Grant selection process and criteria.
- 511.9. Offer and acceptance.
- 511.10. Standards, methods, techniques, designs and special conditions.
- 511.11. Prevailing wage.

- 511.12. Audits and recordkeeping.
- 511.13. Inspection.
- 511.14. Payment procedures.
- 511.15. Liability; forfeiture of funds; repayment.
- 511.16. Waiver.

**§ 511.1. Purpose.**

This chapter sets forth requirements and criteria regarding grants funded, in whole or in part, by the Rail Freight Preservation and Improvement Act (55 P. S. §§ 696.1—696.11).

**§ 511.2. Definitions.**

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

*Bureau*—The Bureau of Rail Freight, Ports and Waterways of the Department, or a successor bureau designated by publishing a notice in the *Pennsylvania Bulletin*.

*Capital Budget*—A bill passed by the General Assembly that provides Commonwealth funding for capital projects.

*Capital project*—

(i) Acquisition of property, labor and materials for equipping, furnishing, constructing, reconstructing, rehabilitating or improving rail freight transportation systems or facilities.

(ii) The term does not include a maintenance project.

*Department*—The Department of Transportation of the Commonwealth.

*Director*—The Director of the Bureau.

*Grant*—An offer of funding assistance from the Department to an applicant for a project governed by this chapter.

*Grant recipient or grantee*—A recipient of funding assistance for a project governed by this chapter.

*Intermodal terminal*—A facility where trains stop to load or unload freight for the purpose of transferring the freight to or from another mode of transportation.

*Local government*—A political subdivision of this Commonwealth.

*Maintenance project*—A project wherein maintenance or accelerated maintenance under section 3 of the Rail Freight Preservation and Improvement Act (55 P. S. § 696.3) is performed, including the replacing of ties and other track and structural materials in quantities sufficient to restore a railroad line to the level necessary for compliance with Federal Railroad Administration Class I Track Safety Standards.

*RFAP—Rail Freight Assistance Program*—A grant program under this chapter that provides financial assistance for investment in rail freight facilities or systems, or both.

*Rail freight facilities*—Freight cars, locomotives, wires, poles and equipment for electrification of rail lines, rails, tracks, roadbeds, elevated structures, buildings, stations, terminals, loading docks, sidetracks, shelters, parking areas, tunnels or other items necessary to provide rail freight transportation services.

*Rail freight systems*—Rail lines, rail corridors or other real estate interests, including easements or other rights-of-way, necessary to provide rail freight transportation services.

*Rail freight transportation services*—Transportation of property by rail for compensation.

*Rail TAP—Rail Transportation Assistance Program*—A grant program wherein individual projects are identified specifically in a Capital Budget.

*Railroad company*—A person, firm or corporation rendering common carrier rail freight transportation services in this Commonwealth under authorization from the Pennsylvania Public Utility Commission or the Interstate Commerce Commission.

*Railroad crossing bed maintenance*—The replacement of rail, ties, ballast, welds, blacktop and surfacing materials at an at-grade crossing of a railway line with a roadway.

*Railroad user*—A person, firm or corporation that is a direct user or developer of a rail freight transportation system, facility or service in this Commonwealth.

*Transportation organization*—A municipal authority, mass transportation, port or other authority, or a combination of these entities, organized under the laws of the Commonwealth, or under an interstate compact, empowered to render rail freight transportation services or assist in rendering rail freight transportation services in this Commonwealth.

### § 511.3. Eligibility.

(a) Railroad companies, transportation organizations, municipalities, municipal authorities and railroad users are eligible grantees for grants issued under this chapter.

(b) Grants under this chapter will be matching grants requiring a local funding match of 30% of the total project costs.

(1) Projects funded through the RFAP may not use Rail TAP program funds for matching fund purposes.

(2) Projects funded through the Rail TAP may not use RFAP program funds for matching fund purposes.

(c) Types of projects eligible for grants are limited to maintenance projects and capital projects.

(1) Maintenance projects may include the replacement of ties, rails, plates, turnouts, other track materials, structural materials and additional ballast to be sufficient to functionally restore, improve or maintain an existing railroad line to the level necessary for compliance with Federal Railroad Administration Class I Track Safety Standards.

(i) Eligible maintenance projects must have an estimated useful life of at least 5 years.

(ii) Eligible maintenance projects may not include costs for the acquisition of land, rights to land, buildings or building materials to construct a new building or buildings.

(2) Eligible capital projects must have an estimated useful life of at least 5 years and may include the cost to purchase any of the following:

(i) Ties, rail, ballast, other track materials and structural materials in sufficient quantity to construct a railroad line where one does not exist, or to restore or improve a rail associated facility to a level necessary for its operation or use.

(ii) Land or rights to land or buildings.

(iii) Materials to construct new building structures if the structures are used exclusively for rail freight operations.

(d) Applicants may apply for assistance for only one project per calendar year from the RFAP.

(e) Applicants may apply for assistance for only one project per calendar year from the RailTAP.

### § 511.4. Limits of funding.

(a) *Approval and appropriation*. Funding for projects under this chapter is subject to approval and appropriation by the General Assembly.

(b) *Maximum contribution*. The maximum Commonwealth contribution for projects funded under this chapter is 70% of the total project costs.

(c) *RFAP funding limits*.

(1) RFAP maximum Commonwealth contribution will be published annually in the *Pennsylvania Bulletin* in January.

(2) No more than 15% of the total grant amount shall be used for costs associated with railroad crossing bed maintenance or reconstruction.

(d) *Rail TAP funding limits*.

(1) The maximum Commonwealth funding for a project will be determined by line item in the Capital Budget but will not exceed 70% of total project costs.

(2) No more than 50% of the grant shall be used for right-of-way acquisition costs under this chapter.

(3) No more than 5% of the total grant amount shall be used for the acquisition or refurbishment of rolling stock, which means nonmotorized wheeled vehicles that are used for the transportation of freight by rail.

(4) No more than 15% of the total grant amount shall be used for costs associated with railroad crossing bed maintenance or reconstruction.

(5) A grant will not exceed 10% of the total program appropriation in any given calendar year.

### § 511.5. Application period and deadlines.

(a) Applications shall be filed during the open application period.

(b) The open application period for RFAP will be determined by the Department on an annual basis and published in the *Pennsylvania Bulletin* in January.

(c) The open application period for Rail TAP will be determined by the Department on an annual basis and published in the *Pennsylvania Bulletin* in January.

(d) Only applications received during the open application period are considered to meet the application deadline for a particular fiscal year.

### § 511.6. Application submission procedure.

(a) RFAP and Rail TAP applications shall be filed electronically using the dotGrants web-based application or as otherwise determined by the Department.

(b) Applications shall be fully completed by the applicant upon submission and must include, among other criteria specified on the particular application:

(1) A detailed project schedule with identified milestones and completion date.

(2) Information demonstrating the applicant project's capacity to meet the following, as applicable:

(i) Track work inspection requirements.

(ii) Carloading requirements.

(iii) Standard contract provisions.

(iv) Competitive bid requirements.

(c) Applications for funding under the RFAP or Rail TAP programs shall be completed in accordance with Department grant application policies and procedures in place at the time the application period opens.

(d) The Department may reject an application which does not include the data required by the grant application, this chapter, grant program policies or other applicable laws or regulations.

**§ 511.7. Public records.**

Submissions to the Department are subject to the requirements of the Right-to-Know Law (65 P. S. §§ 67.101—67.3104) and exceptions thereto.

**§ 511.8. Grant selection process and criteria.**

(a) The Bureau will evaluate each eligible RFAP and Rail TAP project in terms of its potential to meet the goals and objections of:

- (1) The individual programs.
- (2) The Statewide rail long-range plan.
- (3) The applicant's representative metropolitan planning organization or rural planning organization, including:
  - (i) Re-establishing or creating new rail service.
  - (ii) Improving public safety.
  - (iii) Providing economic development and job growth.
  - (iv) Achieving a positive benefit/cost ratio.
  - (v) Positively affecting the environment.
  - (vi) Increasing carloadings.

(b) Unless otherwise restricted by law, the Department has discretion in the selection of projects and in the determination of funding levels, priorities, critical project selection criteria, project phasing, project design, and specifications and performance criteria.

(c) As part of the grant application evaluation process, the Department may determine that the scope or specifications of a proposed project should be modified to accommodate available funding, anticipated use or to better accommodate potential user needs.

(d) The Department may confer with an applicant to clarify the intent of, or to amend the scope or specifications of, a proposed project. The consultation may not be construed as a commitment by the Department to offer a grant under this chapter.

(e) The Department may visit the site of a proposed project to clarify the intent of, or to amend the scope or specifications of, a proposed project. The consultation may not be construed as a commitment by the Department to offer a grant under this chapter.

**§ 511.9. Offer and acceptance.**

(a) The Department will, in writing, notify each applicant who has submitted a completed application whether or not the applicant will receive a grant offer.

(b) A written grant offer issued to an applicant will describe specific grant conditions and include the conditions in the accompanying grant agreement.

(1) The grant offer will have a clearly identified date of issuance or mailing.

(2) The grant offer will contain a provision for the applicant to indicate acceptance or declination of the offer.

(c) The applicant shall, within 30 days of the date of issuance or mailing of the grant offer and by certified mail, notify the Department, on the portion of grant offer as provided in subsection (b)(2), whether the offer is accepted or declined.

(d) If the applicant fails to accept the grant offer within the time limit set in subsection (c), the offer will lapse

and become void. The Department may, at the discretion of the Director, extend the deadline for acceptance of the grant offer.

(e) If one or more offers are declined or voided in accordance with subsections (c) and (d), the Department may make a grant offer to an applicant initially notified under subsection (a) that an offer would not be made. Timely response to an offer made under this subsection shall be in accordance with subsections (c) and (d).

**§ 511.10. Standards, methods, techniques, designs and special conditions.**

(a) The Department reserves the right to specify or make determination as to the standards, methods, techniques, design and dimensional criteria acceptable in projects funded by grants under this chapter.

(b) The design and construction of an approved project are subject to the review and approval of the Department, including costs, materials, plans, specifications, design and operational details.

(c) Failure to meet special conditions, performance criteria or specifications may result in the withdrawal of the grant, disqualification from future consideration for a grant under this chapter or declaration of a grant recipient to be in default of the terms of the grant agreement.

(d) Steel products used in a project funded by a grant issued under this chapter must comply with the Steel Products Procurement Act (73 P. S. §§ 1881—1887).

**§ 511.11. Prevailing wage.**

Projects funded by grants awarded under this chapter are subject to prevailing wage requirements as required under the Pennsylvania Prevailing Wage Act (43 P. S. §§ 165.1—165.17).

**§ 511.12. Audits and recordkeeping.**

(a) *General.*

(1) An applicant receiving a grant under this chapter shall keep records as the Department may prescribe, including records which facilitate an effective audit and fully disclose:

(i) The amount and disposition by the applicant of the grant proceeds.

(ii) The total cost of the plan or program in connection for which the grant is given or used.

(iii) The amount and nature of that portion of the cost of the plan or program supplied by other sources.

(2) The Department has access to books, documents, papers and records of the grant recipient that are pertinent to a grant issued under this chapter for the purpose of audit and examination. This includes progress audits during the project.

(3) A grant recipient shall establish and maintain an adequate accounting record for an individual project which will allow the Department to determine the legitimacy of costs incurred for the project.

(4) The grant recipient shall maintain effective control over and accountability for all funds, property and other assets. Applicants shall adequately safeguard assets and ensure that assets are used solely for authorized purposes.

(5) A grant recipient shall establish procedures to minimize the time elapsing between the transfer of funds from the Department and the distribution by the applicant whenever funds are advanced by the Department.



(6) The grant recipient shall include a clause in any contract related to the grant that allows Department access to the applicant's contractor's records for purposes of accounting and audit.

(b) *Retention of records.*

(1) A grant recipient shall retain for 5 years after the date of the submission of the final Department payment documentary evidence such as invoices, cost estimates and negotiation documents regarding any items of project cost. These documents include the following:

- (i) Vendor's invoices.
- (ii) Applicable purchase orders.
- (iii) Receiving reports.
- (iv) Inventory records.
- (v) Method of pricing.
- (vi) Returns.
- (vii) Catalog cuts.
- (viii) Carloading compliance reports.
- (ix) Plans.
- (x) Inspection reports.
- (xi) Final inspection report showing acceptance for the project.
- (xii) A record of disposition or correction of unsatisfactory work.

(2) A grant recipient shall retain for 5 years after the date of the submission of the final Department payment evidence of payments for items of project costs including the following:

- (i) Vouchers.
  - (ii) Cancelled checks or warrants.
  - (iii) Receipts for cash payments.
- (3) If audit findings have not been resolved, records shall be retained until the findings have been resolved.
- (c) *Carloading reports.*

(1) The grant recipient shall submit, on a form approved by the Bureau, annual carloading reports for 5 consecutive years, beginning in the year following project completion, comparing the average guaranteed carloadings achieved against the carloading projections in the grant agreement.

(2) The Bureau will note discrepancies between the carloadings documented in the report and the projected carloadings identified in the grant agreement and will identify actions, if any, to be taken to ensure that the project will achieve the projected carloadings within 6 months.

(3) A record of the grant recipient's default may be entered into the Statewide Contractor Responsibility Program File for future consideration in any determination as to whether Commonwealth grants are to be extended to the grant recipient. The Bureau may also reclaim grant funds awarded or stop future awards if the grantee fails to meet the carloading requirements on a grant or fails to properly report the carloading data to the Bureau, or both.

(4) The carloading data submitted to the Bureau is subject to verification by Department internal auditors or by external auditors contracted by the Bureau.

**§ 511.13. Inspection.**

(a) The Department or an agency of the Commonwealth, or both, or a person designated or authorized by the Department has the absolute right to inspect the project sites, proposed project sites, records and construction materials regarding a project funded by a grant issued under this chapter.

(b) An inspection ordered by the Department or conducted under this chapter may include the following:

- (1) The reproduction and examination of records.
- (2) The taking of samples applicable to evaluation or project quality control.
- (3) The assessment of any factor relevant to the project, application or contract terms related to the grant process.

(c) A grant recipient's denial of access to records, failure to produce records or obstruction of an inspection may result in the withdrawal of the grant and disqualification from future consideration for grants issued under this chapter.

**§ 511.14. Payment procedures.**

(a) Prior to the disbursement of funds, the Department may conduct inspections, testing, review or audit records of accounts to validate, to the satisfaction of the Department, that the disbursement of funds is warranted.

(b) A grant recipient, having received payment or partial payment or reimbursement under a grant under this chapter, shall, within 7 calendar days of receipt of grant funds from the Department, make payments to vendors and contractors for services and materials properly invoiced under the project.

(c) The grant recipient shall provide proof to the Department that payment for project subcontractors has been made within 30 calendar days of receipt of grant funds.

(d) A grant recipient shall forward requests for payment to the Department on the forms provided or in a manner specified by the Department. A request must include submission of actual cost documentation consisting of approved contract estimates of work-in-place, approved invoices or other evidence of incurred costs satisfactory to the Department.

(e) Ten percent of each grant payment will be withheld by the Department as retainage until final inspection and approval of the project by the Department.

(f) Payment requests may be made for projects in progress but are limited to one request per month.

**§ 511.15. Liability; forfeiture of funds; repayment.**

(a) If a grant recipient fails to comply with the terms and conditions of a grant issued under this chapter, the following conditions apply:

(1) The grant recipient shall immediately reimburse the Department the amount demanded by the Department, up to the total amount of the grant.

(2) The Department may, at the discretion of the Director, disqualify the grant recipient from future consideration for grants issued under this chapter.

(b) A grant recipient aggrieved by a decision of the Department under this section may take an appeal under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

**§ 511.16. Waiver.**

(a) The Department may waive requirements to submit specific information or data normally required for a grant application.

(b) Waivers may be granted after written request to the Director and formal written response to the applicant by the Director prior to submission of the completed application to the Bureau.

(c) In the event of an emergency or other event deemed of critical concern to the Commonwealth, the Secretary may waive any, or all, of the requirements of this chapter otherwise not prohibited by law.

[Pa.B. Doc. No. 14-1814. Filed for public inspection August 29, 2014, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Recommendation

On August 19, 2014, the Environmental Quality Board (Board) accepted the Department of Environmental Protection's (Department) recommendation not to accept a petition for rulemaking. This decision is in response to a petition submitted by Ashley Funk (petitioner) that requested the establishment of a rule in this Commonwealth to regulate fossil fuel carbon dioxide (CO<sub>2</sub>) emissions and to establish an emissions reduction strategy that proposed to further reduce atmospheric concentrations of CO<sub>2</sub> by 2100.

The decision to accept the recommendation to deny the petition was based on a report prepared by the Department and subsequent comments provided by the petitioner. The Department determined, and the Board concurred, that the Commonwealth is making a committed effort to implement a variety of initiatives to reduce greenhouse gas (GHG) emissions. The Commonwealth has implemented, and will continue to evaluate and implement, a number of cost-effective GHG reduction strategies for all major source categories. In addition, as National policies or regulations are adopted, they will be implemented by the Commonwealth. Further, adopting the measures recommended in the petition for the Commonwealth will not achieve the emissions reductions proposed in the petition and, thus, adoption of these measures is not practical at this time. The Department affirmed to the petitioner that it will continue to evaluate and implement cost-effective GHG emission reduction strategies in order to protect the health and environmental resources in this Commonwealth.

The previously-referenced recommendation is included in a report that is accessible on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation Center"; "The Environmental Quality Board"; "EQB Meeting Schedule 2014").

E. CHRISTOPHER ABRUZZO,  
*Chairperson*

[Pa.B. Doc. No. 14-1815. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Acceptance of Rulemaking Petition for Study

On August 19, 2014, the Environmental Quality Board accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Brodhead Chapter of Trout Unlimited, requests the amendment of 25 Pa. Code § 93.9c (relating to Drainage List C) to redesignate portions of Tank Creek, Yankee Run, Devil's Hole Creek and upper Paradise Creek downstream to Lake Crawford in Monroe County from High Quality (HQ) to Exceptional Value (EV) waters.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for this rulemaking petition will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board by means of United States mail to P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526. It is also accessible on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation Center"; "The Environmental Quality Board"; "EQB Meeting Schedule 2014").

E. CHRISTOPHER ABRUZZO,  
*Chairperson*

[Pa.B. Doc. No. 14-1816. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Acceptance of Rulemaking Petition for Study

On August 19, 2014, the Environmental Quality Board accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by Schmid and Company, Inc. on behalf of the Beaver Valley Conservancy, requests the amendment of 25 Pa. Code § 93.9g (relating to Drainage List G) to redesignate the Beaver Creek basin in Delaware County.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for this rulemaking petition will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board by means of United States mail to P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526. It is also accessible on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation Center"; "The Environmental Quality Board"; "EQB Meeting Schedule 2014").

E. CHRISTOPHER ABRUZZO,  
*Chairperson*

[Pa.B. Doc. No. 14-1817. Filed for public inspection August 29, 2014, 9:00 a.m.]

# 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 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 August 19, 2014.

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

### BANKING INSTITUTIONS

#### Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-14-2014	MileStone Interim Bank Doylestown Bucks County  The purpose of MileStone Interim Bank, Doylestown, is to merge with MileStone Bank, Doylestown, to facilitate the proposed reorganization of MileStone Bank into a bank holding company structure whereby MileStone Bank will become the wholly-owned subsidiary of MileStone Financial, Inc., a new holding company in formation.	Filed

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-31-2014	CNB Bank Clearfield Clearfield County	4545 West Dublin Granville Road Dublin Franklin County, OH	Opened
8-11-2014	Woodlands Bank Williamsport Lycoming County	Corner of Church and Jay Streets Lock Haven Clinton County	Opened

### 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. 14-1818. Filed for public inspection August 29, 2014, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Substantial Amendment for the 2013 Action Plan

A public comment period will be held to review the proposed substantial amendment to the Commonwealth's Action Plan for Fiscal Year 2013. The public comment period is from August 30, 2014, through September 30, 2014.

Annually the Department of Community and Economic Development (Department) prepares the Action Plan

which outlines the method of distribution for Federal funding received by the Department. This Federal funding includes the HOME and Competitive Community Development Block Grant (CDBG) programs. An Action Plan for these funds was finalized and submitted to the United States Department of Housing and Urban Development (HUD) on January 15, 2013, and an amendment was submitted to HUD on August 14, 2013, revising the allocations for the 2013 programs. As the method of distribution for the HOME and Competitive CDBG funding has changed, due to the new HOME rule and revised priorities for the use of the competitive funds as well as maximum grant amounts, changes need to be made to those areas of the original Action Plan. These changes, based on the Pennsylvania Citizen Participation Plan for the Consolidated Plan, constitute a significant change in

the distribution of funds under the program and thus necessitate a substantial amendment to the original Action Plan.

The substantial amendment to the Action Plan and supporting documentation are available for a 30-day public comment period and can be viewed on the Department's web site at <http://www.newpa.com/>. The text is available to sight and hearing-impaired persons using technological assisted devices by means of the Department's web site at the link listed previously. A translation into Spanish will also be available on the Department's web site for citizen comment. The final version of the substantial amendment will be submitted to HUD no later than October 6, 2014.

Persons who would like to provide written comment on the draft substantial amendment to the 2013 Action Plan may send those comments electronically to [RA-DCEDcdbg&homequestions@pa.gov](mailto:RA-DCEDcdbg&homequestions@pa.gov) or mail to the attention of Mary J. Smith, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Harrisburg, PA 17120. Comments must be received before 4 p.m. on September 30, 2014.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 14-1819. Filed for public inspection August 29, 2014, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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

#### APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0056421 (Sewage)	Warwick Township Water & Sewer Authority Country Crossing WWTP 1530 Mearns Road Jamison, PA 18929	Bucks County Warwick Township	Little Neshaminy Creek and Unnamed Tributary to Little Neshaminy Creek (2-F)	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>
PA0081108— SEW	Dennis Morrison 27 Indian Springs Road Hopewell, PA 16650	Hopewell Township / Bedford County	UNT Maple Run / WWF / 11-D	Y

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

<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>
PA0033502 (Sewage)	Bradford County Manor 15900 Us Route 6 Troy, PA 16947	Bradford County West Burlington Township	Sugar Creek (4-C)	Y
PA0228281 (Sewage)	Tabernacle of The Living God Properties Tracydale Road Milesburg, PA 16853	Centre County Boggs Township	Unnamed Tributary to Bald Eagle Creek (9-C)	Y
PA0009431 (Industrial)	White Deer Water Filtration Plant White Deer Pike White Deer, PA 17887	Union County White Deer Township	White Deer Creek (10-C)	Y

*Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0252441	AMFIRE Mining Company, LLC Ondo Deep Mine STP One Energy Place Latrobe, PA 15650-9628	Indiana County Brush Valley Township	Ferrier Run Via Culvert Under Township Road (18-D)	Y
PA0204161 (Sewage)	Valley School of Ligonier Linn Run Road Rt 381 Ligonier, PA 15658	Westmoreland County Ligonier Township	Linn Run (18-C)	N
PA0095478 (Sewage)	Jefferson Estates STP Rt 201 & Jefferson Drive Fayette City, PA 15401	Fayette County Jefferson Township	Unnamed Tributary to Little Redstone Creek (19-C)	Y
PA0218111 (Sewage)	Tire Hill WWTP 1120 Tire Hill Road Johnstown, PA 15905-7707	Somerset County Conemaugh Township	Stony Creek (18-E)	N

<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>
PA0253065 (SRSTF)	Brode SR STP 1000 Small Road Jeannette, PA 15644	Westmoreland County Penn Township	Unnamed Tributary of Bushy Run (19-A)	Y
PA0090719 (Sewage)	Robindale Hts STP Sr 711 Charles Road Boltz, PA 15944	Indiana County East Wheatfield Township	Unnamed Tributary to Conemaugh River (18-D)	Y
PA0092517 (Sewage)	Allegheny Plaza Leechburg, PA 15656	Westmoreland County Allegheny Township	Unnamed Tributary of Pine Run (18-B)	N
PA0216631 (Sewage)	Kraisinger Reception Hall (King'S Pointe Inc) 114 Kings Pointe Road Mount Pleasant, PA 15666	Westmoreland County East Huntingdon Township	UNT of Jacobs Creek (19-D)	Y
PA0254061 (Sewage)	Opalewski/Thurman SRSTF 130 Chiccarello Drive Clinton, PA 15026	Beaver County Hanover Township	Unnamed Tributary of Traverse Creek (20-D)	Y
PA0254126 (Sewage)	Hensel Community STP 115 Hamel Lane Johnstown, PA 15909	Cambria County Upper Yoder Township	Unnamed Tributary to Dalton Run (18-E)	Y
PA0095834 (Sewage)	Tree Haven MHP STP 2210 Park Avenue Washington, PA 15301	Washington County South Franklin Township	Chartiers Creek (20-F)	Y
PA0097811 (Sewage)	Dry Tavern Sewer Authority 859 N Eighty Eight Road Rices Landing, PA 15357	Greene County Jefferson Township	Unnamed Tributary to Pumpkin Run (19-B)	Y
PA0091588 (Sewage)	Yough Intermediate/Middle School WWTP Yough Jr High School 171 Route 31 Ruffsdale, PA 15679	Westmoreland County South Huntingdon Township	Unnamed Tributary to Sewickley Creek (19-D)	Y
PA0031402 (Sewage)	Central Elementary School 233 Arensburg Road Academy Road East Millsboro, PA 15433	Fayette County Luzerne Township	Unnamed Tributary to Monongahela River (19-C)	Y
PA0041301 (Sewage)	A. J. McMullen Middle School STP Road 1 Markleysburg, PA 15459	Fayette County Henry Clay Township	Unnamed Tributary to Beaver Creek (19-E)	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*

**PA0051586**, Sewage, SIC Code 4952, **Clover D, Inc.**, 8308 Covered Bridge Road, Quakertown, PA 18951. Facility Name: Tohickon Family Campground WWTP. This existing facility is located in East Rockhill 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), Tohickon 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 0.025 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD <sub>5</sub> May 1 - Oct 31	5.21	XXX	XXX	15	XXX	30

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
CBOD <sub>5</sub>						
Nov 1 - Apr 30	5.21	XXX	XXX	25	XXX	50
Total Suspended Solids	6.25	XXX	XXX	30	XXX	60
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	0.63	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	1.88	XXX	XXX	6.0	XXX	12.0
Nitrite as N						
May 1 - Sep 30	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	0.104	XXX	XXX	0.5	XXX	1.0

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

- Designation of Responsible Operator
- Remedial Measures
- No Stormwater
- TRC Minimization
- Special Protection Waters

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.

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

**PA0028801**, Sewage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108-3193. Facility Name: Leonard L. Nary WWTP At Montour Run. This existing facility is located in Moon Township, **Allegheny 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, Ohio River Back Channel, is located in State Water Plan Watershed 20-G and is classified for warm water fishery, 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 6.2 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	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	1,293	1,965	XXX	25	38	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,551	2,327	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
Apr 1 - Oct 31	XXX	XXX	XXX	200	XXX	400
Nov 1 - Mar 31	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
				Geo Mean		

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

Outfalls 002 through 005, which discharge to the receiving waters known as Montour Run, serve as stormwater discharges from areas in and around the treatment plant. These outfalls are covered under the NPDES Permit, Part C—Other Requirements, Requirements Applicable to Stormwater Outfalls.

The EPA Waiver is not in effect.

**PA0254827**, Sewage, SIC Code 9900, **PBS Coals Inc.**, PO Box 260, Friendsens, PA 15541. Facility Name: A Seam Deep Mine STP. This proposed facility is located in Brothersvalley Township, **Somerset County**.

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

The receiving stream is located in State Water Plan watershed 19-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 005 are based on a design flow of 0.003 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	0.003	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.1	XXX	0.24
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.50	XXX	5.0
Nov 1 - Apr 30	XXX	XXX	XXX	7.5	XXX	15.0
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese	XXX	XXX	XXX	XXX	Report	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 in effect.

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

**PA0272850**, Sewage, SIC Code 4952, 8800, **Dornbusch LLC**, 131 Watters Station Road, Evans City, PA 16033. Facility Name: Dornbusch SRSTP. This proposed facility is located in Forward Township, **Butler County**.

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

The receiving stream is an unnamed tributary to Breakneck Creek, located in State Water Plan watershed 20-C and is classified for Warm Water 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 0.0005 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	XXX	XXX	10	10	20



Parameters	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Minimum	Average Monthly	Instant. Maximum
Total Suspended Solids	XXX	XXX	10	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	200 Geo Mean	1,000

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 5614401**, Sewage, **William T. Kitsko Living Trust**, 170 Woodhaven Drive, Pittsburgh, PA 15228.

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

Description of Proposed Action/Activity: Construction of a single Residence STP replacing an existing malfunctioning on-lot septic system.

**WQM Permit No. 5614401**, Sewage, **William T. Kitsko Living Trust**, 170 Woodhaven Drive, Pittsburgh, PA 15228.

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

Description of Proposed Action/Activity: Construction of a single Residence STP replacing an existing malfunctioning on-lot septic system.

**WQM Permit No. 6500202, Amendment No. 1**, Industrial Waste, **Texas Eastern Transmission LP**, 5400 Westheimer Ct, Houston, TX 77056.

This existing facility is located in Salem Township, **Westmoreland County**.

Description of Proposed Action/Activity: Modification of the facility's spring water collection system and upgrades to wastewater treatment systems.

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

**WQM Permit No. 4314402**, Sewage, **Neshannock Creek Watershed Joint Municipal Authority**, 369 McClelland Road, Mercer, PA 16137.

This proposed facility is located in East Lackawannock Township, **Mercer County**.

Description of Proposed Action/Activity: Proposed low pressure sewer system and 150,000 GPD activated sludge wastewater treatment plant.

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 1514030	Farley Homes P.O. Box 450 Bryn Mawr, PA 19010	Chester	East Whiteland Township	Valley Creek EV Ridley Creek HQ

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023914012	Carlo Cifarelli, TGG/TCH—Hamilton Crossings Associates, LP 350 Sentry Parkway Bldg. 630, Ste. 300 Blue Bell, PA 19422	Lehigh	Upper Macungie Township	Cedar Creek (HQ-CWF, MF)

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI-1065-14-003	BAMR P. O. Box 69205 Harrisburg, PA 17106-9205 717-787-7669	Westmoreland County	Salem Township	UNT (HQ-CWF) to Porters Run (HQ-CWF)

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

PAG-12 CAFOs

**CAFO Notices of Intent Received**

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W THIRD ST STE 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

**NPDES Permit No. PAG124848, CAFO, Adam Meily Farm, 1220 Parthemer Rd, McClure, PA 17841.**

This proposed facility is located in West Beaver Township, **Snyder County**.

Description of size and scope of proposed operation/activity: 8400 swine housed in 4 barns. Each barn has an underbarn manure storage. There is no cropland or pasture land associated with this operation. All manure and mortality compost generated onsite is exported.

The receiving stream, Unnamed Tributary to Jacks Creek, is in watershed 12-A and classified for: Cold Water Fishes and Migratory Fishes.

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

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

**APPLICATIONS**

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	Renewal/ New
Pigeon Hill Farms LLC 9078 Orchard Road Spring Grove PA 17362	York	0	365.57	Poultry	None	New
Dan Lukens 7075 Old Stage Road McClure, PA 17841	Mifflin	2.7	341.42	Swine	NA	New
Bishcroft Farm LLC	Tioga	1500.8	1327.75	Dairy	HQ	Renewal

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

### SAFE DRINKING WATER

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

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

**Application No. 5214506**, Public Water Supply.

Applicant	<b>S&amp;S Construction Group (Maple Park Garden Apartments)</b> P.O. Box 1126 Montague, NJ 07827
[Township or Borough]	Dingman Township <b>Pike County</b>
Responsible Official	Xiu Quan Shi, Owner S&S Construction Group P.O. Box 1126 Montague, NJ 07827
Type of Facility	PWS
Consulting Engineer	Daniel C. Leandri, P.E. Pennoni Associates Inc. 100 North Wilkes-Barre Boulevard Wilkes-Barre, PA 18702
Application Received Date	August 1, 2014

#### Description of Action

This application proposes a major amendment to Permit No. 5208501, including increased water storage capacity, increased distribution pump capacity, and addition of a fire pump system, to serve the Maple Park Garden Apartments development. The modifications are to provide fire protection to a community building.

## 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.*

**Ohesson Senior Living/Care Facility**, 267 Green Avenue, Lewistown, PA 17044, Derry Township, **Mifflin County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of James B. Parsons Excavating-Hauling, 8229 Mountain Road, Port Royal, PA 17082, and Diakon Lutheran Social Ministries, 276 Green Avenue, Lewistown, PA 17044, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site will be used for commercial and residential purposes. The Notice of Intent to Remediate was published in the *Lewistown Sentinel* on July 4, 2014.

**Michael Gibson Residence**, 179 Hickory Trail, Crystal Spring, PA 15536, Brush Creek Township, **Fulton County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Michael Gibson, 179 Hickory Trail, Crystal Spring, PA 15536-6900, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *Fulton County News* on July 24, 2014.

**Little Mountain Estates Lot 30 / Oyler Residence**, 398 Kings Highway, Marysville, PA 17053, Marysville Borough, **Perry County**. Cardno MM&A, 2 Gunpowder Road, Mechanicsburg, PA 17050, on behalf of P. C. Sekhar Chadaga, d/b/a Little Mountain Estates, 110 Inverness Drive, Blue Bell, PA 19422-3202, and Property Management, Inc., 1300 Market Street, PO Box 622, Lemoyne, PA 17043-0622, submitted a revised Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard, and future use of the site remains residential. The Notice of Intent to Remediate was published in the *Perry County Times* on July 31, 2014.

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

**Former Wilbert Vault Company**, 301 Market Street, Borough of Selinsgrove, **Snyder County**. Molesevich Environmental, LLC, P. O. Box 654, Lewisburg, PA 17837, on behalf of James Schnure, 20 Blue Hollow Road, Milroy, PA 17063, submitted a Notice of Intent to Remediate. There were 6 underground storage tanks filled with concrete, and were not properly closed. Approximately sixty tons of gasoline contaminated soil and concrete were removed from the area for proper disposal. The intended use of the property will remain commercial. The Notice of Intent to Remediate was published in *The Daily Item* on May 30, 2014.

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

**Chalfont PA Residential Property**, 56 Moyer Road, Chalfont Borough, **Bucks County**. Fannie Mae, 14221 Dallas Parkway, Suite, 1000, Dallas, TX 75254 on behalf of Ron Shirley, Premier Real Estate, 252 West Swamp Road, #2, Doylestown, PA 18901-2465, David L. Reusswig, P. G., Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The intended future use of the property is continued use as a residential property. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on July 10, 2014. PF778400.

**410 West State Street**, 410 West Square Borough, **Chester County**. Larry Bosley, LGB—410 West State St LLC, 326 West Cedar Street, Suite 3, Kennett Square, PA 19348 on behalf of Julie Baniewicz, Monridge Environmental, LLC, P. O. Box 509, Lafayette Hill, PA 19444 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of leaded gasoline. The site has been used for residential purposes for approximately 70 years. The property is going to be used a parking lot. The Notice of Intent to Remediate was published in *The Daily Local News* on July 23, 2014. PF778202.

**Sipple Residence**, 5918 Ditman Street, City of Philadelphia, **Philadelphia County**. Frank Sipple, 5918 Ditman Street, Philadelphia, PA 19135 on behalf of Edneil Elimanco, Insurance Restoration Specialists, 30 Abell Road, Monroe, NJ 08831 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the property is continued use as a residential property. The Notice of Intent to Remediate was published in *The Philadelphia City Paper* on July 24, 2014. PF778107.

**4015 Magee Avenue Site**, 4015 Magee Avenue, City of Philadelphia, **Philadelphia County**. Catherine Panas, Mission First Housing Group, 2042-48 Arch Street, 2nd Floor, Philadelphia, PA 19103 on behalf of Stephen Huxta, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Douglas B. Schott, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Kurt Spiess, EMG Remediation Services, P. O. Box 129, Edgemont, PA 19028 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of chlorinated solvents. The intended future use of the property is continued use as a residential property. The Notice of Intent to Remediate was published in *The Northeast Times* on June 11, 2014. PF778063.

**Benedetti Residence**, 1 Mallow Lane, Bristol Township, **Bucks County**. Stephanie Benedetti, 1 Mallow Lane, Levittown, PA 19054 on behalf of Charles Burger, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The intended future use of the property is continued use as a residential property. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on April 24, 2014. PF778042.

**Troutman Property**, 1045 Black Rock Road, Upper Providence, **Montgomery County**. William H. and Kristin Troutman, 1045 Black Rock Road, Collegeville, PA 19426 on behalf of Terence, A. O'Reilly, PG, TriState Environmental, Management Services, Inc., 368 Dunksferry Road, Bensalem, PA 19020, Michael A. Downs, PE, Toll PA XI, L.P., 516 N. Newtown Street Road, Newtown Square, PA 19073 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use is residential. The Notice of Intent to Remediate was published in *The Times Herald* on July 21, 2014. PF778393.

**Schulmerich Carillons Inc.**, 1 Carillon Hill Road, Borough of Sellersville, **Bucks County**. Christophe R. Canavan, Prospect Acquisitions, LP, 404 Sumneytown Pike Suite 200, North Wales, PA 19454 on behalf of Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with arsenic, copper and lead. The site is planned for residential development. The Notice of Intent to Remediate was published in *The New Herald* on June 8, 2014. PF648757.

**Shacklett Realty LP Property**, Cedar Grove Road, Whitmarsh Township, **Montgomery County**. James Shacklett, III, Shacklett Realty, L.P., 2025 Joshua Road, Lafayette Hill, PA 19444 on behalf of Terence A. O'Reilly, PG, TriState Environmental Management Services Inc., 368 Dunksferry Road, Bensalem, PA 19020, Richard R. McBride, Esq., The Cutler Group, Inc., 5 Apollo Road, Suite One, Plymouth Meeting, PA 19462 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of antimony, arsenic, cadmium, copper, lead, target organics pesticides and pahs. The intended future use of the property is residential. The Notice of Intent to Remediate was published in *The Times Herald* on July 10, 2014. PF778062.

**Hatboro Industrial Park**, 244 East County Line Road, Hatboro Borough, **Montgomery County**. Daniel Zeo, 244 East County Line Road, Hatboro, PA 19040 on behalf of Jeremy Bolyn, Environmental Maintenance Company Inc., 1420 East Mermaid Lane, Glenside, PA 19038, Chang Ho Lie c/o Helen Lie, 1430 Lady Bird Drive, Maclean VA, 22101 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with no. 2 fuel oil. The future use of the property will remain commercial. The Notice of Intent to Remediate was published in *The New Bucks County Courier Times* on May 29, 2014. PF775279.

#### DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701*

**General Permit Application No. WMGR WMGR029NC002. Appalachian Drilling Services, Inc.**, 105 Industrial Road, Beech Creek, PA 16822. Beech Creek Township, **Clinton County**. Collection and pro-

cessing of waste oil for beneficial reuse. The application for determination of applicability was received by NorthCentral Regional Office on July 23, 2014.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the general permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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

**Application(s) Approved Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit Application No. 300002. GenOn Northeast Management Company**, 121 Champion Way, Suite 300, Canonsburg, PA 15317-5817. Major permit modification for modification of the closure plan at this residual waste landfill known as the Bangor Ash Disposal Site located at the Portland Generating Station in Upper Mount Bethel Township, **Northampton County**. The modification was approved by the Regional Office on August 12, 2014.

Persons interested in reviewing the permit should contact William Tomayko, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18704-1915 at 570-826-2511.

**Application received, under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate a Solid Waste Processing or Disposal Area or Site.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.*

**Permit ID No. 101700. Penn Waste Systems**, 149 Nichol Avenue, McKees Rocks, PA 15136. A municipal waste permit major modification for the Construction and Demolition Waste Transfer Station in Stowe Township, **Allegheny County**, was received in the Regional Office on August 14, 2014, after approval of the Environmental Assessment for the facility received on January 22, 2014 and approved by the Regional Office on August 13, 2014.

Persons interested in reviewing the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

#### AIR QUALITY

##### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to

make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application, and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

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

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

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

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

## PLAN APPROVALS

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**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.**

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

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

**20-040J: From Advanced Cast Products, Inc.** (18771 Mill Street Meadville, PA 16335) for construction and initial operation of a silo used to hold mold making material at their existing facility in the City of Meadville, **Crawford County**. This is a TV facility.

**20-123F: Lord Corp.** (124 Grant Street, Cambridge Springs, PA 16403) for their large part surface coating and molding project/expansion at their existing facility in the Borough of Cambridge Springs, **Crawford County**. Potential emissions associated with the project are estimated to be: VOC, less than 2.0 tons per year; HAP, less than 2.0 tons per year. This is a TV Facility.

**42-158Q: Georgia Pacific—Mt Jewett Facility** (149 Temple Drive, Kane, PA 16735) for the renewal of the NO<sub>x</sub> Plantwide Applicability Limit (PAL) in Sergeant Township, **McKean County**. This is a Title V facility.

**43-366B: National Fuel Gas Supply Corp.** (6363 Main Street, Williamsville, NY 14221), for the installation of: one (1) natural gas fired compressor engine rated 3,750 bhp, four (4) natural gas fired catalytic heaters at their existing Mercer Compressor Station in Jefferson Township, **Mercer County**.

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**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.**

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

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

**08-00048A: Beaver Dam Energy, LLC** (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for construction of five (5) 6,023 bhp (4.4 MW) 4 stroke, lean burn Jenbacher J624 GS natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Canton Township, **Bradford County**. The facility will also include one (1) 0.575 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions.

The Department of Environmental Protection's (Department) review of the information submitted by Beaver Dam Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and

reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580 through 63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230 through 60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.06 g/bhp-hr and 3.49 TPY NO<sub>x</sub>, 0.119 g/bhp-hr and 6.92 TPY CO, 0.076 g/bhp-hr and 4.42 TPY VOCs, 0.000588 lbs/MMBtu and 0.083 TPY SO<sub>x</sub>, 0.024 g/bhp-hr and 1.40 TPY PM<sub>10</sub>/PM<sub>2.5</sub>, 0.025 g/bhp-hr and 1.49 TPY formaldehyde, 10 ppmvd at 15% O<sub>2</sub> ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: Establish a 95% operational capacity factor not to exceed 41,610 hours per 12 consecutive month period for all five engines combined; Performance testing requirement for all engines to verify compliance with the emissions limitations; Establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions; Restrict the engines to natural gas firing only; In addition to performance testing, establish follow-up portable analyzer testing for NO<sub>x</sub> and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00048A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

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.

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

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

**AMS 14016: Lincoln Financial Field** (1 Lincoln Financial Field Way, Philadelphia, PA 19148) to install one (1) 1,250 hp emergency generator burning diesel, one (1) 1,285 hp emergency generator burning diesel, one (1) 130 hp fire pump burning diesel, two (2) 19 MMBtu/Hr boilers burning natural gas, two (2) 10.5 MMBtu/Hr boilers burning natural gas, two (2) 3 MMBtu/Hr boilers burning natural gas, two (2) 1.6 MMBtu/Hr boilers burning natural gas, and four (4) 1.6 MMBtu/Hr domestic water heaters burning natural gas in the City of Philadelphia, **Philadelphia County**. The facility is taking facility wide emission restriction of 25 tons per year of NO<sub>x</sub>

emissions. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

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

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

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

**46-00122: Blue Bell Investment Company, LP** (801 Lakeview Drive, Blue Bell, PA 19424) for operation of boilers and emergency generators at the office complex in Whitpain Township, **Montgomery County**. The renewal permit is for a non-Title V (State Only) facility. The facility elects to cap Nitrogen Oxide (NO<sub>x</sub>) emissions less than major thresholds; therefore the facility is categorized as a Synthetic Minor. The requirements of 40 CFR Part 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines apply to new diesel fired engines on site. The requirements of 40 CFR Part 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines apply to new natural gas fired engines on site. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**36-03051: McNeil Consumer Pharm. Co.—Lancaster** (1838 Colonial Village Lane, Lancaster, PA 17601-6700) to issue a state-only operating permit for their pharmaceutical manufacturing operation at their facility in East Lampeter Township, **Lancaster County**.

The facility's actual emissions are expected to be around 0.199 tpy of PM, 1.914 tpy of CO, 2.279 tpy of NO<sub>x</sub>, 2.168 tpy of VOCs, and 0.428 tpy of HAPs. Emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and/or applicable portions of 40 CFR. The boilers are subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The fire pump engine is subject to 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review must be made by calling 717-705-4702, and referencing the county in which the facility is located.

**67-03143: The ESAB Group, Inc.** (801 Wilson Avenue, Hanover, PA 17331) to issue a state-only operating permit for their flux mixing and parts washer facility in Hanover Borough, **York County**.

The primary emission from the facility is particulate matter and the potential emission from the facility is less than 10 tpy. Emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and/or applicable portions of 40 CFR. The emergency generator is subject to 40 CFR 60 Subpart JJJJ- Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review must be made by calling 717-705-4702, and referencing the county in which the facility is located.

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

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

**32-00380: Tipple Four J, Inc.** (P.O. Box 435, Seward, PA 15954) for an initial facility-wide Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Shelocta Yard, in Armstrong Township, **Indiana County**. The facility contains air contamination sources consisting of coal stockpiles, conveyers, one hammermill crusher, screens, loadout, and roadways. Air pollution prevention equipment at the Facility includes enclosures, a water truck, and tarping of truck loads. Coal throughput is limited to a maximum of 200,000 tons per year. Facility emissions are 6.4 tons of NO<sub>x</sub>, 1.6 tons of PM<sub>10</sub>, and 1.4 tons of CO per year. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 40 CFR 60, Subpart Y, 40 CFR 63, Subpart III, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

**32-00183: Millcreek Processing** (110 Cedar Lane, McMurray, PA 15317) for an initial facility-wide Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Challenger Coal Yard, located in East Wheatfield Township, **Indiana County**. The facility contains air contamination sources consisting of coal stockpiles, conveyers, hopper/bin, crusher, radial stacker, coal loadout, and roadways. Air pollution prevention equipment at the Facility includes enclosures, water truck, tarping of truck loads, and periodic chipping and maintenance as of roadways. ROM coal throughput is limited to a maximum of 750,000 tons per year. Facility emissions are 9.1 tons per year of PM<sub>10</sub>. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

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

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

**20-00979: National Fuel Gas Supply Corp.—Carter Hill Station** (12146 Follette Road, Wattsburg, PA 16442) for a Natural Minor Permit to operate a natural gas

compressor station and gas processing plant located in Wayne Township, **Erie County**.

The engines (Source IDs: 101, 102, and 103—165 Hp Compressor Unit, 600 Hp Compressor Unit, and 200 Hp Auxiliary Generator) at this facility are subject to the newly promulgated requirements of 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The latest revisions of that subpart have been listed in the operating permit.

The permit re-issuance also incorporates Plan Approval Number 25-979A which authorized the installation of a NSCR catalyst unit on Source ID: 102—600 Hp Compressor Unit.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM—0.61, PM<sub>10</sub>/PM<sub>2.5</sub>—0.61, SO<sub>x</sub>—0.02, NO<sub>x</sub>—77.66, VOC—39.11, CO—91.97, CO<sub>2e</sub>—6311.00, Formaldehyde—0.28, and Total HAPs—3.25.

**25-995B: Essentra Components** (3123 Station Road, Erie PA, 16510) for installation of a Dip Coating Operation, a Pre-Heat Oven and a Cure Oven. This facility is in the City of Erie, **Erie County**. This application was determined to be administratively complete on August 14, 2014.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

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

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



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

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

#### *Coal Applications Received*

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

#### **Section 401 Water Quality Certification**

**Permit No. 26081601 and NPDES Permit No. PA0235920, Alpha PA Coal Terminal, LLC**, 158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370. Request for Section 401 Water Quality Certification to construct a barge loadout pad along the Monongahela River at the LaBelle Dock Site, a coal preparation plant, in Luzerne Township, **Fayette County**. The Section 401 Water Quality Certification request was received May 19, 2014.

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

**Permit No. 56080108 and NPDES No. PA0262692 and General Permit GP-12-56080108. PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, revision of an existing bituminous coal mining site to obtain coverage for coal processing under air quality general permit GP-12 in Brothersvalley Township, **Somerset County**, affecting 83.3 acres. Receiving streams: unnamed tributary to Blue Lick Creek and Swamp Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 22, 2014.

**Permit No. 56733038 and NPDES No. PA0109088, Geiger Development Corporation**, 1207 Stoystown Road, Friedens, PA 15541, renewal of an NPDES permit, Somerset Township, **Somerset County**. Receiving stream: unnamed tributary of Coxes Creek classified for the following use: trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 1, 2014.

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

**65090102 and NPDES Permit No. PA0251640. Coal Loaders, Inc.** (210 East Main Street, Ligonier, PA 15658). Revision application for the addition of 2.3 acres to an existing bituminous surface mine, located in Bell Township, **Westmoreland County**, affecting 186.9 acres. Receiving streams: unnamed tributaries to Wolford Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: August 8, 2014.

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

**17080109 and NPDES No. PA0256838. Corey L. Shawver DBA Hilltop Coal Company** (12 Dutchtown Road, Houtzdale, PA 16651). Permit revision of an existing bituminous surface mine for an insignificant permit boundary correction to add 3.7 acres located in Bigler Township, **Clearfield County** affecting 164.9 acres. Receiving streams: Japling Run and an Unnamed Tributary to Muddy Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 12, 2014.

**17900143 and NPDES PA0206458. AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal of an existing bituminous surface mine located in Penn and Brady Townships, **Clearfield County** affecting 342.5 acres. Receiving stream(s): Irish Run and an Unnamed Tributary to Irish Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 14, 2014.

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

**Permit No. 49870201R5. Susquehanna Coal Company**, (PO Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 206.0 acres, receiving stream: North Branch Shamokin Creek, classified for the following uses: cold water and migratory fishes. Application received: July 30, 2014.

#### *Noncoal Applications Received*

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

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
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.

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

**Permit No. 58070829. Diaz Stone & Pallet, Inc.,** (7686 SR 167, Kingsley, PA 18826), Stage I & II release of a quarry operation in Brooklyn Township, **Susquehanna County** affecting 1.0 acre on property owned by Adam Diaz. Application received: July 28, 2014.

**Permit No. 6576SM1A2C9 and NPDES Permit No. PA0119229. Eureka Stone Quarry, Inc.,** (PO Box 249, Chalfont, PA 18914), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Hamilton Township, **Monroe County** affecting 226.7 acres, receiving streams: McMichael Creek and T434 to Pocono Creek, classified for the following uses: HQ—cold water fishes and migratory fishes. Application received: August 4, 2014.

**Permit No. 7973SM6A1C10 and NPDES Permit No. PA0120979. Eureka Stone Quarry, Inc.,** (PO Box 249, Chalfont, PA 18914), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Wrightstown Township, **Bucks County** affecting 35.68 acres, receiving stream: Mill Creek, classified for the following uses: warm water and migratory fishes. Application received: August 4, 2014.

**Permit No. 6475SM10C3 and NPDES Permit No. PA0224391. Pennsy Supply, Inc.,** (1001 Paxton Street, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Jenkins Township, **Luzerne County** affecting 181.4 acres, receiving stream: Lampblack Creek, classified for the following use: cold water fishes. Application received: August 6, 2014.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\* The parameter is applicable at all times.

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

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

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

*Effluent Limits for Noncoal Mining Activities*

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapters 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*

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

**NPDES No. PA0248886 (Mining Permit No. 4072SM11), Penn Coal Land, Inc.**, P.O. Box 68 Boswell, PA 15531, renewal of an NPDES permit for treatment of a post mining discharge in Summit Township, **Somerset County**, affecting 167.8 acres. Receiving stream: unnamed tributary to Miller Run, classified for the following use: cold water fishery. This receiving stream is included in the Casselman River TMDL. Application received: August 20, 2010.

The outfall listed below discharges to an unnamed tributary to Miller Run:

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

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

<i>Outfall: 001 (All Weather Conditions)</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)	2.0	4.0	5.0
Manganese (mg/l)	1.3	2.7	3.3
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

**NPDES No. PA0249425 (Mining Permit No. 56140102), Berwind Coal Sales Company**, 509 15th Street Windber, PA 15963, new NPDES permit for discharges resulting from surface mining of coal in Shade Township, **Somerset County**, affecting 141.1 acres. Receiving stream: unnamed tributary to Oven Run, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: June 6, 2014.

The outfalls listed below discharge to an unnamed tributary to Oven Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (TP-1)	Y
002 (TP-2)	Y
003 (SP-1)	Y
004 (SP-2)	Y
005 (ST-3)	Y

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: 001 &amp; 002 (All Weather Conditions)</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)	2.7	5.4	6.7
Manganese (mg/l)	1.8	3.6	4.5
Aluminum (mg/l)	1.3	2.6	3.2

<i>Outfalls: 001 &amp; 002 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 003, 004 &amp; 005 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

**NPDES No. PA0607878 (Mining Permit No. 39A77SM4), Bentley Development Company, Inc.,** P.O. Box 338 Blairsville, PA 15717, revision of an NPDES permit to include a pH variance for a post mining treatment outfall in West Wheatfield Township, **Indiana County**, affecting 197 acres. Receiving stream: unnamed tributary to Conemaugh River, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh River TMDL. Application received: May 23, 2014.

The outfall listed below discharge to an unnamed tributary to Conemaugh River

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N

The proposed interim effluent limits for the above listed outfall will be effective until May 22, 2015:

<i>Outfall: 001 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</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 10.5 standard units at all times			
Alkalinity must exceed acidity at all times			

The proposed final effluent limits for the above listed outfall will be effective after May 22, 2015:

<i>Outfall: 001 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.5 standard units at all times			
Alkalinity must exceed acidity at all times			

The draft permit also includes the following compliance schedule.

#### *Compliance Schedule*

1 The Department has determined that the water quality based effluent limitations (WQBEL) identified in Section A for outfall 001 are necessary to fulfill the present requirements of the Kiski-Conemaugh TMDL.

2 Whereas the final WQBEL set out in Section A for outfall 001 are significantly more stringent than past effluent limits for those outfalls, and whereas the final effluent limits assigned in Section A cannot be met without modifications to the existing treatment facilities, the permittee shall comply with the interim effluent limits set forth in Section A during the compliance period and shall comply with the following paragraphs. The permittee shall:

a. Within the first six months following permit issuance, conduct an evaluation of the existing treatment facilities for Outfall 001 and determine what modifications are required to meet the effluent limitations set out in Section A. By the end of six months following permit reissuance, the permittee shall submit a report to the Department evaluating the treatment options and identifying the facility modifications required to meet the WQBEL set in Section A.

b. As part of the report described in paragraph (a), the permittee shall also submit a Treatment Plan to the Department for approval including specifications of the facility modifications, proposed schedule for construction, and demonstration that construction will be performed as soon as possible. In addition, the permittee shall submit complete applications for all permits or permit amendments necessary to install and operate the modifications to the Department for review. Following approval of the Treatment Plan and issuance of all necessary permits for the facility modifications, construction of the revised treatment systems shall commence no later than one year after reissuance of this NPDES permit. Construction and start-up of the facility modifications shall be completed, and attainment of the WQBEL set in Section A for Outfall 001 shall be achieved, by no later than eighteen months after reissuance (renewal) of this NPDES permit.

3 The permittee shall implement the treatment facility modifications necessary to achieve the WQBEL of Section A according to the following compliance schedule:

- |    |   |   |
|----|---|---|
| a. | Submit a report describing its evaluation of treatment facility modification which will assure compliance with the effluent limitations assigned in Section A.  | As soon as possible, but no later than within six months of permit reissuance.    |
| b. | Submit a treatment plan and complete applications for all permits necessary for the treatment equipment to the Department for approval.   | As soon as possible, but no later than within six months of permit reissuance     |
| c. | Commence construction of system modifications required to meet the WQBELS in Part A.  | As soon as possible, but no later than within one year of permit reissuance.      |
| d. | Complete treatment plant modifications /additions. Compliance with final limits.  | As soon as possible, but no later than within 18 months of permit reissuance.     |
| e. | Submit progress reports. Reports shall include updates, attainment, or any progress made toward milestones, summary of results of any supplemental sampling and a discussion of compliance or non-compliance with interim and final requirements. | Every 6 months after permit reissuance until completion of the compliance period. |

4 a. Pursuant to 40 CFR § 122.62, the permittee may make request to the Department for approval of a modification of the time period for completing step (d) of the compliance schedule in the table above (completion of construction and start-up of the treatment facility modifications within eighteen months of NPDES permit reissuance). The permittee's request for approval of a modification must demonstrate that the respective compliance schedule step cannot be completed within the prescribed time period. The permittee shall also provide an alternative time frame for completion of construction and start-up of the treatment technology; the alternative must be based on completing construction as soon as possible. The permittee's economic inability to comply with any of the obligations of this Compliance Schedule shall not be grounds for any extension of time.

b. The permittee shall submit a request for modification of the compliance schedule pursuant to this paragraph in writing to the Department within 10 working days of the date the permittee becomes aware or reasonably should have become aware of the event impeding performance. The written submission shall include all necessary documentation specifying the reasons for the delay, the expected duration of the delay, and the efforts which have been made and are being made by the permittee to mitigate the effects of the event and to minimize the length of the delay. The initial written submission may be supplemented within ten working days of its submission.

The Department will decide whether to grant all or part of the extension requested on the basis of all documentation submitted by the permittee and any other information available to the Department and will notify the permittee if writing of its decision. In any subsequent litigation, Bentley Coal Company shall have the burden of proving that the Department's refusal to grant the requested extension was an abuse of discretion based upon the information then available.

## 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

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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*

**E15-850. Transcontinental Gas Pipeline Company, LLC**, 2800 Post Oak Boulevard, Level 17, Houston, TX 77056, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To construct, operate, and maintain a piping valve modification to an existing compressor station number

200 facility, impacting 0.21 acre of wetland for the purpose of allowing bi-directional flow along Transco's main line system.

The site is located approximately 0.6 mile from the intersection N. Bacton Hill Road and PA SR. 401 (Malvern, PA USGS Quadrangle; Lat: 40.0496, Long: -75.5786).

**E09-989. Plumstead Township**, 5186 Stump Road, Plumsteadville, PA 18949, Plumstead Township, **Bucks County**, ACOE Philadelphia District.

To modify, construct and maintain miscellaneous activities at Owl's Nest Park within the floodplain of the North Branch Neshaminy Creek (WWF). The activities includes educational trail, improvement to parking area, repairs to non-jurisdictional pond/dam, a pedestrian bridge, and installation of an outdoor classroom etc.

The site is located approximately 500 feet southeast of the intersection of Curley Hill Road and Silo Hill Road (Latitude: 40.3619; Longitude: -75.1478).

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

**E39-531. Waterfront Redevelopment Partners, LP**, 1665 Valley Center Parkway, Suite 110, Bethlehem, PA 18017, in City of Allentown, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the project:

1. Four outfall structures to Lehigh River (WWF, MF). The four outfalls consist of a 48-inch, a 42-inch and two 36-inch diameter HDPE pipes with concrete headwalls and riprap aprons.

2. Two floating docks (118-feet wide by 36-feet long and 90-feet wide by 39-feet long, respectively) anchored by fixed piles and associated pedestrian walkways projecting into Lehigh River (WWF, MF) for the purpose of public recreational use.

3. One floating fountain (6-feet wide by 12-feet long) anchored by fixed piles and an associated trash diverter and 30-foot by 1-foot electrical feed projecting into Lehigh River (WWF, MF).

(Allentown East, PA Quadrangle, Latitude: 40.619360 N; Longitude: -75.459165 W).

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

**E56-373. CSX Transportation, Inc.**, 500 Water Street, J-275, Jacksonville, FL 32202-4423; Lower Turkeyfoot and Jefferson Townships, **Somerset County**; ACOE Pittsburgh District.

The applicant is proposing to operate and maintain approximately 1600 feet of an unnamed tributary to Laurel Hill Creek (HQ-CWF) that was relocated and reconstructed under an Emergency Permit (DEP File No. EP5613201), to prevent water within this watercourse from infiltrating into a railroad tunnel, referred to as the Brook Tunnel. The project site is located along SR 281, near the intersection of Kingwood Road and Colflesh Road, in Lower Turkeyfoot Township, Somerset County (USGS Confluence, PA Quadrangle, N: 13.92 inches; W: 7.05 inches; Lat: 39°49'0.9"; Long: -79°18'0.9"). To compensate for the approximately 450 lf of the relocated channel that was reconstructed with a concrete lining, approximately 300 lf of stream bank along Laurel Hill

Creek (HQ-CWF), and 150 lf of stream bank along an unnamed tributary to Laurel Creek (HQ-CWF), will be stabilized (USGS Bakersville, PA Quadrangle N: 3.11 inches; W: 15.65 inches; Lat: 40°1'1.6"; Long: -79°14'12.5").

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

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

To construct, operate and maintain:

1. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 4,164 square feet of a Palustrine Emergent and Palustrine Scrub-Shrub Wetland (Monroeton, PA Quadrangle, Latitude: 41°43'32", Longitude: -76°29'25");

2. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 10,832 square feet of a Palustrine Emergent and Palustrine Scrub-Shrub Wetland (Monroeton, PA Quadrangle, Latitude: 41°43'35", Longitude: -76°29'29");

3. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 1,308 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°43'38", Longitude: -76°29'32");

4. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 6,798 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°43'53", Longitude: -76°29'32");

5. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 1,835 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'02", Longitude: -76°29'29");

6. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 1,594 square feet of a Palustrine Emergent and Palustrine Scrub-Shrub Wetland and impacting 78 square feet of a Palustrine Forested Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'18", Longitude: -76°29'20");

7. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 150 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) and impacting 343 square feet of an adjacent Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'23", Longitude: -76°29'20");

8. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 164 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Monroeton, PA Quadrangle, Latitude: 41°44'28", Longitude: -76°29'08");

9. a 20 inch diameter natural gas line impacting 41 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'30", Longitude: -76°28'59");

10. a temporary access road impacting 374 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'37", Longitude: -76°28'03");

11. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 764 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°43'38", Longitude: -76°29'32");

12. a 20 inch diameter natural gas line and a temporary timber mat bridge impacting 248 linear feet of an

unnamed tributary to Towanda Creek (CWF, MF) (Monroeton, PA Quadrangle, Latitude: 41°44'38", Longitude: -76°27'50");

13. a temporary access road impacting 290 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'35", Longitude: -76°27'50");

14. a temporary access road impacting 5,795 square feet of a Palustrine Emergent and Palustrine Scrub-Shrub Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'34", Longitude: -76°27'44");

15. a temporary access road impacting 668 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'39", Longitude: -76°27'48");

16. a temporary access road impacting 1,293 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'35", Longitude: -76°29'23");

17. a temporary access road impacting 1,965 square feet of a Palustrine Emergent Wetland (Monroeton, PA Quadrangle, Latitude: 41°44'38", Longitude: -76°29'24");

The project will result in 562 linear feet or 6,304 square feet of temporary stream impacts and 38,053 square feet

(0.87 acre) of temporary PEM and PSS wetland impacts and 89 square feet (0.002 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Towanda Township, Bradford County.

#### ENVIRONMENTAL ASSESSMENTS

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

**D09-267EA. Ronald and Barbara Rintala**, 1570 River Road, New Hope, PA 18938. Upper Makefield Township, **Bucks County**, USACOE Philadelphia District.

Project proposes to remove the Rintala Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The proposed restoration project will re-establish and stabilize the original stream channel. The dam is located across a tributary to the Delaware Canal (WWF) (Lambertville, PA Quadrangle, Latitude: 40.1928; Longitude: -74.5538).

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, PO Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments may also be submitted via email to tanks@pa.gov. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

<i>SSIP</i>	<i>Application No. Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
14004	The Municipal Authority of the Borough of West View 210 Perry Highway Pittsburgh, PA 15229 Attn: Joseph Dinkel	Beaver	Economy Borough	10 ASTs storing hazardous substances	29,650 gallons total

## 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.

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#### I. NPDES Renewal Permit Actions

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*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>
PA0060739 (Sewage)	Jones Grille LLC 548 West Penn Pike (Route 309) Tamaqua, PA 18252-1004	Schuylkill County West Penn Township	Little Schuylkill River (3-A)	Y
PA0062421 (Industrial Waste)	Borough of Jim Thorpe WTP 700 W Broadway Jim Thorpe, PA 18229	Carbon County Borough of Jim Thorpe	Mauch Chunk Creek (02B)	Y
PA0070009 (Sewage)	Aqua PA, Cove Village Wastewater Treatment Facility RR 1 Box 3024 Cove Mountain Road Zion Grove, PA 17985	Schuylkill County North Union Township	Catawissa Creek (5-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114308 (Sewage)	Sandbur Creekside Development Sanitary Sewer STP Mount Pleasant & Charmond Road Orangeville, PA 17859	Columbia County Orange Township	Fishing Creek (5-C)	Y
PA0114332 (IW)	Former Dresser Wellsboro Plant Groundwater Cleanup Dresser Road Wellsboro, PA 16901	Tioga County Delmar Township	Unnamed Tributary to Baldwin Run (9-A)	Y



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

<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>
PA0217921 (Sewage)	Indiana Investments STP 400 Overlook Drive Shelocta, PA 15774	Indiana County Armstrong Township	Walker Run (17-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0103969 (sewage)	Varischetti & Sons 219 Park Route 219 Brockway, PA 15824	Jefferson County Washington Township	Unnamed Tributary of Wolf Run (17-C)	Y

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

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

**NPDES Permit No. PA0030112**, Sewage, **Methacton School District**, 4001-C Eagleview Road, Eagleville, PA 19403.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Methacton School District STP to Unnamed Tributary to Skippack Creek in Watershed 3-E.

**NPDES Permit No. PA0036447 A-1**, Industrial Waste, **Naval Surface Warfare Center**, Carderock Division, Ship Systems Engineering Station (SSES), 5001 South Broad Street, Philadelphia, PA 19112-1403.

This proposed facility is located in City of Philadelphia, **Philadelphia County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge from a facility known as Naval Surface Warfare Center to Delaware River and Navy Reserve Basin of Schuylkill River in Watershed 3J and 3F.

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

**NPDES Permit No. PA0272663**, Industrial Waste, **Titusville Oil & Gas Association, Inc.**, 16899 Jerusalem Corners Road, Pleasantville, PA 16341.

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

Description of Proposed Action/Activity: Issuance of a new NPDES permit for a new discharge of treated industrial waste. This is a minor discharge.

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

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

**WQM Permit No. WQG02211401**, Sewerage, **Camp Hill Borough Cumberland County**, 2145 Walnut Street, Camp Hill, PA 17011.

This proposed facility is located in Camp Hill Borough, **Cumberland County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of the replacement of sewage pumps with larger pumps and installation of an emergency generator for backup power.

**WQM Permit No. 0600402 A-2**, Sewerage, **Topton Borough Berks County**, 205 S Callowhill Street, Topton, PA 19562-1750.

This proposed facility is located in Topton Borough, **Berks County**.

Description of Proposed Action/Activity: Permit amendment approval for the modification of sewage facilities consisting of the replacement of the existing comminutor with a fine screen.

**WQM Permit No. 3495201 Amendment No. 2**, Industrial Waste, **Empire Kosher Poultry Inc.**, 247 Empire Drive, Mifflintown, PA 17059.

This proposed facility is located in Walker Township, **Juniata County**.

Description of Proposed Action/Activity: Permit amendment approving the modification, construction and operation of industrial wastewater facilities consisting of retrofitting of the existing chlorine contact tank with blowers and course bubble diffuser system for post aeration to replace the proposed cascade approved in the amendment issued on February 7, 2014.

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

**WQM Permit No. 4114201**, CAFO, SIC Code 0241, **Kenneth L Martin**, 288 Caldwell Road, Trout Run, PA 17771.

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

Description of Proposed Action/Activity: Construction of a double lined storage lagoon with a capacity of 1.674 MG. Main liner will be 60 mil HDPE and the secondary liner will be 6" clay.

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

**WQM Permit No. WQG01101403**, Sewage, **Joseph Albright**, 126 Purvis Road, Butler, PA 16001.

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water / Use
PAI132241	Vandling Borough Lackawanna County, 855 Main Street, Vandling, PA 18421-1021	Lackawanna	Vandling Borough	Unnamed Tributaries to Lackawanna River / CWF and MF
PAI132243	Mayfield Borough Lackawanna County, 739 Penn Avenue, Mayfield, PA 18433-1908	Lackawanna	Mayfield Borough	Lackawanna River, Powderly Creek and Unnamed Tributary to Lackawanna River / CWF, MF, HQ-CWF and MF
PAI132244	Jessup Borough, 395 Lane Street, Jessup, PA 18434-1301	Lackawanna	Jessup Borough	Sterry Creek, Grassy Island Creek, Lackawanna River / HQ-CWF, CWF and MF

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water / Use
PAG133646	Rye Township 1775 New Valley Road Marysville, PA 17053	Perry	Rye Township	Fishing Creek / CWF-MF

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water / Use
PAI01 0914004	Mr. Benjamin Miller 41 North 3rd Street Philadelphia, PA 19106	Bucks	Solebury Township	Aquetong Creek HQ—CWF—MF
PAI01 0914001	Mr. Doug Coleman 22 Estates Drive Doylestown, PA 18902	Bucks	Solebury Township	Paunnacussing Creek HQ
PAI01 0907019R	The Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Middletown, PA 17057	Bucks	Bensalem, Bristol, and Middletown Townships	Unnamed Tributary to Neshaminy Creek and Neshaminy Creek WWF—MF Unnamed Tributary to Mill Creek, Black Ditch Creek and Mill Creek WWF Delaware River WWF—MF
PAI01 1509010-R	Mr. Peter Hires, Jr. 1346 41st Street Vero Beach, FL 32960	Chester	Tredyffrin Township	Valley Creek EV
PAI01 1508060-R	Mr. Herbert J. and Ms. Helen M. Mosteller P.O. Box 69 Brandamore, PA 19316	Chester	West Brandywine Township	West Branch Brandywine Creek HQ—TSF—MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 2313001	Media Camping Center 1243 Baltimore Pike Media, PA 19063	Delaware	Middletown Township	Rock Run HQ—CWF
PAI01 4613015	Highway Materials, Inc. 1750 Walton Road Blue Bell, PA 19422	Montgomery	Whitemarsh Township	Wissahickon Creek TSF—MF
PAI01 5114004	Eco-Energy Distribution Services, LLC 725 Cool Springs Boulevard, Suite 500 Franklin, TN 37067	Philadelphia	City of Philadelphia	Delaware River WWF—MF
PAI01 5113005	Philadelphia Authority for Industrial Development 1500 Market Street Suite 2600 West Tower Philadelphia, PA 19102	Philadelphia	City of Philadelphia	Schuylkill Run 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>
PAI024514001	PPL Electric Utilities Two North 9th Street Allentown, Pa 18010	Monroe	Coolbaugh Township,	UNT to Scott Run (HQ-CWF, MF)
		Carbon	Kidder Township,	UNT to Dry Sawmill Run (HQ-CWF, MF)
			Pocono Township,	Dry Sawmill Run (HQ-CWF, MF)
			Tobyhanna Township	UNT to Swiftwater Creek (EV)
				Swiftwater Creek (EV)
				Upper Tunkhannock Creek (HQ-CWF, MF)
				UNT to Upper Tunkhannock Creek (HQ-CWF, MF)
				UNT to Upper Tunkhannock Creek (HQ-CWF, MF)
				UNT to Upper Tunkhannock Creek (HQ-CWF, MF)
				Kistler Run (HQ-CWF, MF)
				UNT to Kistler Run (HQ-CWF, MF)
				Tobyhanna Creek (HQ-CWF, MF)
				UNT to Tobyhanna Creek (HQ-CWF, MF)
				Wagners Run (HQ-CWF, MF)
				UNT to Tobyhanna Creek (HQ-CWF, MF)
				Deep Run (HQ-CWF, MF)
				UNT to Davey Run (HQ-CWF, MF)
				Davey Run (HQ-CWF, MF)
				UNT to Davey Run (HQ-CWF, MF)
				UNT to Twomile Run (HQ-CWF, MF)
				Twomile Run (HQ-CWF, MF)
				Stony Run (HQ-CWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
				UNT to Lehigh River (EV, MF) UNT to Tobyhanna Creek (HQ-CWF, MF) UNT to Tobyhanna Creek (HQ-CWF, MF) UNT to Tobyhanna Creek (HQ-CWF, MF) UNT to Tobyhanna Creek (HQ-CWF, MF) UNT to Shingle Mill Run (HQ-CWF, MF) Hickory Run (HQ-CWF, MF) UNT to Tunkhannock Creek (HQ-CWF, MF)
PAI024808017(2)	Bethlehem Manor Village, LLC 1177 Sixth Street Whitehall, PA 18052	Northampton	City of Bethlehem	Monocacy Creek (HQ-CWF, MF)
PAI024814003	Mr. William A. Eaton 6051 Main Boulevard West Bath, PA 18014	Northampton	East Allen Twp. And Moore Twp.	Unnamed Tributaries to Monocacy Creek (HQ-CWF, MF); EV Wetlands

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

*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>
PAI041814003	PA Dept of Conservation & Natural Resources 15187 Renovo Rd Renovo PA 17764	Clinton	Chapman Township	Young Womans Creek EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050213008	Speedway, LLC. 500 Speedway Drive Enon, OH 45323	Allegheny	North Versailles Township	Jack's Run (HQ-TSF) and Long Run (HQ-TSF)

## **VII. Approvals to Use NPDES and/or Other General Permits**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### **List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site

PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality &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>
Aston Township Delaware County	PAG0200 2314010	Nolen Investments, LLC 950 W. Valley Forge Road King of Prussia, PA 19406	Dutton Run WWF Marcus Hook Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franconia Township Montgomery County	PAG0200 4614008	Pennsylvania Turnpike Commission P.O. Box 67676 700 S. Eisenhower Boulevard Middletown, PA 17057	Unnamed Tributary to East Branch of Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4614045	Audubon Land Development Corporation 2620 Egypt Road Norristown, PA 19403	Doe Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lansdale Borough Montgomery County	PAG0200 4614020	Blecker Acquisitions, L.P. 404 N. Sumneytown Pike Suite 200 North Wales, PA 19454	Neshaminy Creek WWF—MF—CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Worcester Township Montgomery County	PAG0200 4611046R	Morris Road Investors L.P. 770 Township Line Road Suite 150 Yardley, PA 19067	Zacharias Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Montgomery Township Montgomery County	PAG0200 4606015R	The Cutler Group, Inc. 5 Apollo Road, Suite 1 Plymouth Meeting, PA 19462	Little Neshaminy Creek TSF—WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pottstown Borough Montgomery County	PAG0200 4614040	Hanover Square Townhomes, L.P. 126 E. State Street Media, PA 19063	Schuylkill River WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4614007	Sukonik Mountain View Estates, L.P. 1250 Germantown Pike Suite 100 Plymouth Meeting, PA 19462	Unnamed Tributary to Mine Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Pottsgrove Township Montgomery County	PAG0200 4604221R	Sunonik Pruss Hill, L.P. 1240 Germantown Pike Suite 100 Plymouth Meeting, PA 19462	Sanatoga Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAG0200 4610011R	Sal Lapio Homes 104 Mill Road Sellersville, PA 18960	Swamp Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Philadelphia Philadelphia County	PAG0201 511420	LaSalle University 1900 West Olney Avenue Philadelphia, PA 19141	Tacony Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

*Facility Location:  
Municipality &  
County*

<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>
Scott Township Lackawanna County	PAG02003514008	FSS 10 Realty LLC 503 Summit Avenue Chinchilla, PA 18410	Kennedy Creek (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Upper Saucon Township Lehigh County	PAG02003911006(1)	Mike Nice Toll PA IV, LP 250 Gibraltar Road Horsham, PA 19044	Saucon Creek (CWF, MF) Laurel Run (CWF, MF)	Lehigh County Conservation District 610-391-9583
Williams Township Northampton County	PAG02004811012R	Chrin Brothers, Inc. c/o Gregory Chrin 1225 Industrial Drive Easton, PA 18042	Lehigh River (WWF, MF)	Northampton County Conservation District 610-746-1971
East Bangor Borough Northampton County	PAG02004813023	Valley Industrial Properties, LLC P.O. Box 143 Orefield, PA 18069	Brushy Meadow Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Butler Township Gordon Borough Schuylkill County	PAG02005414008	UGI Utilities, Inc. 1301 AIP Drive Middletown, PA 17057	Little Mahanoy Creek (CWF, MF) Rattling Run (CWF, MF) Mahanoy Creek (WWF, MF)	Schuylkill County Conservation District 570-622-3742

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

*Facility Location:  
Municipality &  
County*

<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>
Freedom Township Adams County	PAG02000112018R Issued	Mason Dixon Farms, Inc. 1800 Mason Dixon Road Gettysburg, PA 17325	Marsh Creek/CWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636
Hamilton Township Adams County	PAG02000114023 Issued	Stone Ridge Development Corporation 1500 Baltimore Pike Hanover, PA 17331	UNT to Conewago Creek West/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636
East Pennsboro Township Cumberland County	PAG02002114024 Issued	Landspan LLC Villa Vista 3425 Market Street Camp Hill, PA 17011	UNT to Susquehanna River/WWF, MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Lower Allen Township Cumberland County	PAG02002114020 Issued	Old Gettysburg Associates V, LP 4718 Gettysburg Road, Suite 401 Mechanicsburg, PA 17055	UNT to Cedar Run/CWF, MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812

<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>
Hampden Township Cumberland County	PAG02002114026 Issued	IBC Harrisburg I, L.P. 1101 West 48th Avenue Denver, CO 80221	Hogestown Run, Trindle Spring Run/ CWF, MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Blair and Freedom Townships Blair County	PAG02000710008R Issued	New Enterprise Stone & Lime Co., Inc. 3912 Brumbaugh Road PO Box 77 New Enterprise, PA 16664	Frankstown Branch of Juniata/TSF and UNT to Frankstown Branch	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877 Ext. 5
Quincy Township Franklin County	PAG02002814006 Issued	Pentz Storage Units 8080 Mentzer Gap Road Waynesboro, PA 17268	West Branch Antietam Creek/CWF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County	PAG02002809004R Issued	Poetry Estates / Acorn Land Development 4961 Cumberland Highway Chambersburg, PA 17202	Conococheague Creek/ CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County	PAG02002814001 Issued	Fil-Tec PO Box B Hagerstown, MD 21741	West Branch Antietam Creek/CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Hamilton Township Franklin County	PAG02002804039R Issued	Laurich Ridge 3745 Lincoln Way West Chambersburg, PA 17202	UNT to Back Creek/TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Southampton Township Franklin County	PAG02002814014 Issued	Duane Zimmerman 3701 Roxbury Road Shippensburg, PA 17257	UNT to Conodoguinet Creek/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Southampton Township Franklin County	PAG02002811029(1) Issued	US Xpress 2034 Hamilton Place Boulevard Suite 400 Chattanooga, TN 37421	Furnace Run, Gum Run/CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Middle Paxton Township Dauphin County	PAG02002207052R Issued	Fishing Creek Valley Assoc. LP 4712 Smith Street Harrisburg, PA 17109	Fishing Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Susquehanna Township Dauphin County	PAG02002211032R(1) Issued	Water Polo III, LP c/o Metropolitan Development Group 1030 Reed Avenue Suite 100 Wyomissing, PA 19610	Paxton Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
City of Harrisburg Dauphin County	PAG02002214039 Issued	Pinnacle Health Hospitals PO Box 8700 Harrisburg, PA 17105	Susquehanna River/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100

**NOTICES**

**5709**

*Facility Location:  
Municipality &  
County*

Ayr Township  
Fulton County

*Permit No.*  
PAG02002914002  
Issued

*Applicant Name &  
Address*  
CFC Fulton Properties,  
LLC  
2700 Clemens Road  
Hatfield, PA 19440

*Receiving  
Water / Use*  
Big Cove  
Creek/CWF, MF

*Contact Office &  
Phone No.*  
Fulton County  
Conservation District  
216 North Second Street,  
Suite 15  
McConnellsburg, PA 17233  
717.485.3547 Ext. 121

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

*Facility Location:  
Municipality &  
County*

Centre County  
Potter Township

*Permit No.*  
PAG02001410017R

*Applicant Name &  
Address*  
Old Fort LP  
Old Fort Road  
Management LLC  
2121 Old Gatesburg Rd  
Ste 200  
State College PA 16801

*Receiving  
Water / Use*  
UNT to Penns Creek  
CWF

*Contact Office &  
Phone No.*  
Centre County  
Conservation District  
414 Holmes Avenue,  
Suite 4  
Bellefonte, PA 16823  
(814) 355-6817

Clinton County  
Mill Hall Borough  
Bald Eagle  
Township  
City of Lock Haven

PAG02001814004

Suburban Lock Haven  
Water Auth  
7893 Nittany Valley Dr  
Mill Hall PA 17751

Fishing Creek  
CWF  
Bald Eagle Creek  
CWF  
W B Susquehanna  
River  
WWF

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

Lycoming County  
Muncy Township

PAG02004114012

James Lazorka  
HIS Reality LLC  
195 Chapmans Roundtop  
Rd  
Montoursville PA 17754

Wolf Run  
CWF, MF

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

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

*Facility Location:  
Municipality &  
County*

Koppel Borough  
and  
North Sewickley  
Township  
Somerset County

*Permit No.*  
PAG02000414011

*Applicant Name and  
Address*  
Penn DOT Dist. 11-0  
45 Thoms Run Road  
Bridgeville, PA 15017

*Receiving  
Water / Use*  
UNT to Beaver River  
(WWF) and Beaver  
River (WWF-N)

*Contact Office and  
Phone No.*  
Beaver County CD  
156 Cowpath Road  
Aliquippa, PA 15001  
(724) 378-1701

City of Aliquippa  
Beaver County

PAG02000414012

US Electrofused Minerals  
600 Steel Street  
Aliquippa, PA 15001

Ohio River (WWF-N)

Beaver County CD  
156 Cowpath Road  
Aliquippa, PA 15001  
(724) 378-1701

Richland Township  
Cambria County

PAG02001114013

Develico, LP  
334 Bloomfield St  
Johnstown, PA 15904

UNT Little Paint  
Creek (CWF)

Cambria County CD  
401 Candlelight Drive,  
Suite 221  
Ebensburg, PA 15931  
(814) 472-2120

White Township  
Indiana County

PAG02003214005

IUP Hospitality, LLC.  
5506 6th Avenue  
Altoona, PA 16602

Stoney Run (CWF)

Indiana County CD  
625 Kolter Drive  
Suite 8  
Indiana, PA 15701  
(724) 471-4751

Brush Valley  
Township  
Indiana County

PAG02003214008

Peoples TWP, LLC.  
205 North Main Street  
Butler, PA 16001

UNT Ferrier Run  
(CWF)

Indiana County CD  
625 Kolter Drive  
Suite 8  
Indiana, PA 15701  
(724) 471-4751



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Summit Township Somerset County	PAG02005614004	Joseph B. Fay Company PO Box 66 Russellton, PA 15076	UNT Casselman River (CWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15601 (724) 837-5271
Peters Township Washington County	PAG02006314015	Peters Township Sanitary Authority 111 Bell Drive McMurray, PA 15317	Chartiers Creek (WWF), Little Chartiers Creek (WWF), UNT to Little Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
North Franklin Township Washington County	PAG02006314023	North Franklin Associates, LP 738 Washington Ave Carnegie, PA 15106	Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
North Franklin Township Washington County	PAG02006314024	North Franklin Associates, LP 738 Washington Ave Carnegie, PA 15106	Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Canton Township Washington County	PAG02006314030	Specialized Professional Services, Inc. 300 Commercial Drive Washington, PA 15301	Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Rostraver Township Westmoreland County	PAG02006507030R	Maronda Homes, Inc. 1383 State Route 30 Clinton, PA 15026	UNT Pollock Run (WWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township Westmoreland County	PAG02006513005	Delmor & William Burrell PO Box 518 Manor, PA 15665	Brush Creek (WWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
New Stanton Borough Westmoreland County	PAG02006513043	Philip Long 540 N. Center Ave New Stanton, PA 15672	UNT Sewickley Creek (WWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township Westmoreland County	PAG02006513045	Dondia, LLC. 1300 White Oak Court North Huntingdon, PA 15642	Sewickley Creek (WWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township Westmoreland County	PAG02006513052	Municipal Authority of Westmoreland County	UNT to Jacks Run (WWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Unity Township Westmoreland County	PAG02006514004	Gino Giannilli 4816 Route 30 Greensburg, PA 15601	Slate Creek (WWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Unity Township Westmoreland County	PAG02006514007	Limpert Developers, LLC. 3475 Hills Church Road Murrysville, PA 15668	Four Mile Run (CWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township Westmoreland County	PAG02006514010	Westmoreland County 194 Donohoe Road Greensburg, PA 15601	UNT Twin Lakes Reservoir (WWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Penn Township Westmoreland County	PAG02006514011	Penn Trafford School District PO Box 530 Harrison City, PA 15636	Bushy Run (TSF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township Westmoreland County	PAG02006514014	Westmoreland County Industrial Development Corporation 40 North Pennsylvania Ave Fifth Floor, Suite 520 Greensburg, PA 15601	UNT Turtle Creek (TSF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township Westmoreland County	PAG02006512020R	Lincoln Hills Realty Association, LP 8958 Hill Drive North Huntingdon, PA 15642	Tinkers Run (TSF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Sewickley Township Westmoreland County	PAG02006514017	Greg M Hazuza 1048 Pinewood Road Irwin, PA 15642	UNT Little Sewickley Creek (TSF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Jeannette City Westmoreland County	PAG02006514021	Excelsa Health 532 West Pittsburgh St. Greensburg, PA 15601	UNT to Brush Creek (TSF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Cranberry Township Butler County	PAG02001008015R	Foxwood LP c/o Mr. Henrich 11676 Perry Hwy; Suite 3100 Wexford PA 15090	Unt Wolfe Run WWF	Butler County Conservation District 724-284-5270
Washington Township Erie County	PAG02002514013	Tractor Supply Company 200 Powell Avenue Brentwood TN 37027	Unt Conneauttee Creek WWF	Erie County Conservation District 814-825-6403
Tremont Township Schuylkill County	PAG02-1154-13-003	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790	Susquehanna River (CWF)	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790 (570) 826-2371

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

<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>
Hazel Township Luzerne County	PAG02-1040-14-002	BAMR P. O. Box 69205 Harrisburg, PA 17106-9205	Little Black Creek to Black Creek(CWF) to Nescopeck Creek (TSF) to Susquehanna River (WWF)	BAMR P. O. Box 69205 Harrisburg, PA 17106-9205 717-787-7669

*General Permit Type—PAG-03**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*

Plains Township Luzerne County	PAR802234	Con Way Freight Inc. 2211 Old Earhart Road Suite 100 Ann Arbor, MI 48105	Unnamed Tributary to Mill Creek—5-B	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Hunlock Township Luzerne County	PAG032207	General Scrap, Inc. 28 Kresge Street Wilkes-Barre, PA 18705	Susquehanna River—5-B / CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Duryea Borough Luzerne County	PAR602241	Duryea Auto Parts Inc 825 Main Street Duryea, PA 18642	Lackawanna River—5-A	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Troy Township Bradford County	PAR224819	Cummings Lumber Co., Inc. PO Box 6 Troy, PA 16947	North Branch Sugar Creek—4-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

*General Permit Type—PAG04**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*

Gallitzin Township Cambria County	PAG046130 T1	Daniel H. Glashauser 2607 Oak Avenue Altoona, PA 16601	Unnamed Tributary to Glenwhite Run 11-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Franklin Township Butler County	PAG041169	Joseph Albright 126 Purvis Road Butler, PA 16001	Unnamed Tributary to the Little Connoquenessing Creek 20-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Clark Borough Mercer County	PAG048756	Lisa L. Haggerty 669 Clay Furnace Road, Sharpsville, PA 16150	Unnamed Tributary to the Shenango River	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-10*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Harford Township  
Susquehanna  
County

PAG102319

Williams Field Service Co.  
LLC—Strauss Well  
Connect Pipeline Project  
310 State Route 29 North  
Tunkhannock, PA 18657

Partners Creek—  
4-F / CWF

DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511

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

**Permit No. 3114501**, Public Water Supply.

Applicant **Stone Valley Community Charter School**  
Municipality Jackson Township  
County **Huntingdon**

Responsible Official Missy Shawyer, Business Manager  
Jackson Miller Community Building  
13006 Greenwood Road  
Huntingdon, PA 16652

Type of Facility GWR 4-log inactivation of viruses; installation of a new well pump, and replacement of the existing disinfection and orthophosphate feed systems.

Consulting Engineer John C. Clabaugh, P.E.  
Stiffler, McGraw and Associates, Inc.  
1731 N. Juniata Street  
Hollidaysburg, PA 16648

Permit to Construct Issued 8/12/2014

**Comprehensive Operation Permit No. 7010353** issued to: **Bermudian Springs School District** (PWS ID No. 7010353), Huntingdon Township, **Adams County** on 8/4/2014 for the operation of facilities approved under Construction Permit No. 0113503.

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

**Interim Operation Permit** issued to **Harmony Borough Water Authority**, PWSID #5100042, Harmony Borough, **Butler County**. Permit Number 1012506 Interim Operation issued August 7, 2014 for the interim operation of the Harmony-Zelienople Finished Water Interconnection and the mobile chlorine booster/sampling station. This permit is issued in response to your request to operate on an interim basis in order to maintain service without interruption to customers while completing the remaining upgrades to the Harmony Water Treatment Plant.

**Permit No. 1013504-MA1** Public Water Supply

Applicant **Slippery Rock Associates**  
Township or Borough Brady Township  
County **Butler**  
Type of Facility Public Water Supply  
Consulting Engineer Joseph M. Gianvito, P.E.  
KLH Engineers, Inc.  
5173 Campbells Run Road  
Pittsburgh, PA 15205

Permit to Construct Issued August 7, 2014

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Tulpehocken Township	PO Box 272, Rehrersburg, PA 19550	Berks County

*Plan Description:* Approval of a revision to the official plan of Tulpehocken Township, Berks County. The project is known as the Raymond Bradshaw Property. The plan provides for a proposed small flow treatment facility (SFTF) to replace a malfunctioning on-lot system that currently serves a residential home which generates 500 gallons of sewage per day. The SFTF will discharge to an unnamed tributary of Little Swatara Creek. The property is located at 61 Rehrersburg Rd., Tulpehocken Twp., Berks County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06971-177-3S and the APS Id is 846617. Any permits must be obtained in the name of the PROPERTY OWNER.

### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

#### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jackson Township	450 Bastian Rd, Halifax, PA 17032	Dauphin

*Plan Description:* The Request for Planning Exemption for John W. Grosser II, DEP Code No. A3-22918-153-2E, APS Id 850045, consisting of subdivision of 2 existing single family dwellings using on-lot sewage disposal systems, is disapproved. The submission does not qualify as an exemption from the requirement to revise the Official Plan because the proposal is not for new land development as per Chapter 71, Section 71.51(b).

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final

report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Peter Styer Residence**, 17 Church Street, Lititz, PA 17543, Warwick Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Peter Styer and Sandra Kaye Styer, 17 Church Street, Lititz, PA 17543, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Carnes Trucking / Pepperidge Farm Diesel Spill**, south of intersection of Goldfish Lane and Route 272, East Cocalico Township, **Lancaster County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Carnes Trucking Company, Inc., 351 Terry Boulevard, Louisville, KY 40229 and Pepperidge Farm, Inc., 2195 North Reading Road, Denver, PA 17517, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released from a punctured saddle tank. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

**Gary Hoke Residence**, 38 Meadow Grove Road, Newport, PA 17074, Buffalo Township, **Perry County**. ECS Mid-Atlantic LLC, 56 Grumbacher Road, Suite D, York, PA 17406, on behalf of Gary Hoke, 38 Meadow Grove Road, Newport, PA 17074, and Mid-Atlantic Waterproofing of CPA, 52 Grumbacher Road, Suite A3, York, PA 17406, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil released from a ruptured supply line. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Hagen Residence**, 78 Southwick Drive, Hereford, PA 18056, Hereford Township, **Berks County**. Dorson Environmental Management, Inc., 45 Knollwood Road, Suite 300, Elmsford, NY 10523, on behalf of J&J Spill Services & Supplies, Inc., PO Box 370, Blue Bell, PA 19422-0370, and Berks Properties, 3613 Seisholtzville Road, Hereford, PA 18056, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

**E.L. McCollum/Montandon Trailer Park**, 110 Vindale Avenue, West Chillisquaque Township, **Northumberland County**. Northridge Group, Inc., P.O. 231, Northumberland, PA 17857, on behalf of E.L. McCollum/Montandon Trailer Park, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Napthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**Catherine Woynarowski Residence**, 1850 Lorraine Road, City of Reading, **Berks County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Catherine Woynarowski, 2000 Cambridge Avenue, Apt. # 127, Wyomissing, PA 19610, submitted a combined Remedial Investigation Report/Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Remedial Investigation Report/Final Report demonstrated attainment of the Site Specific Standard, and was approved by the Department on August 12, 2014.

**Lancaster Dodge / Former Wolf Motor Company / Fisher Estate**, 1473 Manheim Pike, Lancaster, PA, Manheim Township, **Lancaster County**. Becker Engineering, LLC, 115 Millersville Road, Lancaster, PA 17603, on behalf of Lancaster Dodge, 1473 Manheim Pike, Lancaster, PA 17601; Fay Lee Monte, Estate of Romaine Fisher, 23 A Compass Road, Parkesburg, PA 19365; Patti Spencer, Attorney for the Estate of Romaine Fisher, Spencer Law Firm, 901 Rohrerstown Road, Lancaster, PA 17601; and Alan J. Jarvis, Attorney for the Estate of Romaine Fisher, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline released from an unregulated underground storage tank. The Remedial Investigation Report and Final Report did not demonstrate attainment of a combination of Statewide Health and Site Specific Standards, and was disapproved by the Department on August 12, 2014.

**Former Domestic Linens**, 401 Reily Street, Harrisburg City, **Dauphin County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Harrisburg Area Community College, One HACC Drive, PC 328, Harrisburg, PA 17110, and the Redevelopment Authority of the City of Harrisburg, 10 North Second Street, Harrisburg, PA 17101-1677, submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs and Chlorinated Solvents. The Final Report demonstrated attainment of a combination of Nonresidential and Site Specific Standards, and was approved by the Department on August 12, 2014.

**Former Armstrong Environmental Services Facility**, 205 Greenfield Road, Lancaster, PA, East Lampeter Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of 205 Greenfield Road LLP, 5 Holland Street, Salunga, PA 17538, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site

soils and groundwater contaminated with No. 2 fuel oil. The applicant seeks to remediate the site to a combination of Residential Statewide Health and Site Specific Standards. The Remedial Investigation Report and Cleanup Plan were disapproved by the Department on August 13, 2014.

**Former Hershey Garage and Former Sunoco Service Station**, 169 and 181 West Chocolate Avenue, Hershey, PA, 17033, Derry Township, **Dauphin County**. AECOM, 100 Sterling Parkway, Suite 205, Mechanicsburg, PA 17055, on behalf of Hershey Entertainment & Resorts, 27 West Chocolate Avenue, Hershey, PA 17033 and Sunoco, Inc. (R & M), 5733 Butler Street, Pittsburgh, PA 15201, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated by leaded and unleaded gasoline. The combined Remedial Investigation and Final Report did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on August 14, 2014.

**Donna Burke Residence**, 106 Sponsler Road, Everett, PA 15537, West Providence Township, **Bedford County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Nationwide Agribusiness, 1100 Locust Street, #3011, Des Moines, IA 50391, and Donna Burke, 106 Sponsler Road, Everett, PA 15537, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on August 14, 2014.

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

**E.L. McCollum/Montandon Trailer Park**, 110 Vindale Avenue, West Chillisquaque Township, **Northumberland County**. Northridge Group, Inc., P.O. 231, Northumberland, PA 17857, on behalf of E.L. McCollum, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 6, 2014.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*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, Regional Air Quality Manager, Telephone: 717-705-4702.*

**GP1-67-03162A: Church & Dwight Co., Inc.** (5197 Commerce Drive, York, PA 17408) on August 13, 2014, for two (2) new Cleaver Brooks boilers, each rated at 16.74 MMBtu/hr., under GP1, at the consumer products manufacturing facility in Jackson Township, **York County**.

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

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

**GP5-65-00950B: Peoples Natural Gas Co., LLC** (375 North Shore Drive, Suite 600, Pittsburgh, PA 15212) on August 13, 2014, to allow continued operation of two natural gas-fired compressor engines, one tri ethylene glycol dehydrator controlled by a thermal oxidizer, and other miscellaneous support equipment at the Arnold Compressor Station in Lower Burrell City, **Westmoreland County**.

**GP11-04-00044: Horsehead Corp.** (300 Frankfort Road, Monaca, PA 15061) on August 13, 2014, to allow installation and operation of one nonroad diesel-fired generator engine during demolition of the Monaca Zinc Smelter facility located in Potter Township, **Beaver County**.

**GP5-30-00211B: Energy Corp. of America** (101 Heritage Run Road, Suite 1, Indiana, PA 15701) on August 14, 2014, to allow installation and operation of one (1) TEG dehydrator rated at 75 Mmscf/d controlled by T.O. rated at 2.0 MmBtu/hr, removal of previously installed two (2) dehydrators rated at 45 Mmscf/d and 30 Mmscf/d, and continuing operation of previously installed sources which include six (6) natural gas fired G3516 Caterpillar engines rated at 1,340 bhp controlled by catalysts, one (1) natural gas fired G3406 Caterpillar engine rated at 301 bhp controlled by catalyst, one (1) C9 Caterpillar emergency diesel engine rated at 300 bhp, and three (3) storage tanks of various capacities at their existing Kuhl/Skib Compressor Station in Jefferson Township, **Greene County**.

**GP3-32-00405B: Britt Energies, Inc.** (P.O. Box 515, Indiana, PA 15701) on August 14, 2014, to allow continuing operation of previously installed sources at which include one (1) Nordberg Electric Cone Crusher rated at 300 tph, three (3) Lokotrack Cone Crushers; two rated at 300 tph and one rated at 770 tph, four (4) vibratory screens, and eight (8) conveyors of various makes and capacities at their 'Kinkead' Portable Non-Metallic Mineral Crushing Plant located in Center Township, **Indiana County**.

**GP9-32-00405B: Britt Energies, Inc.** (P.O. Box 515, Indiana, PA 15701) on August 14, 2014, to allow continuing operation of previously installed eight (8) diesel engines which include four (4) Caterpillar diesel engines; rated at 540 bhp, 425 bhp, 415 bhp, and 50 bhp, one (1) John Deere diesel engine rated at 194 bhp, two (2) Cummins diesel engines; rated at 130 bhp and 80 bhp, and one (1) Deutz diesel engine rated at 99.2 bhp at their 'Kinkead' Portable Non-Metallic Mineral Crushing Plant in Center Township, **Indiana County**.

**GP3-63-00963A: Boord, Benchek, and Associates Inc.** (345 Southpointe Blvd. Canonsburg, PA 15317) on August 18, 2014, to allow installation and operation of proposed sources which include one (1) Impact Crusher rated at 300 tph, one (1) Anaconda Double Deck Screen run by a Deutz diesel engine rated at 74 bhp; and three (3) conveyors at their Ostop/Schneider Borrow Site, a portable non-metallic mineral plant in Smith Township, **Washington County**.

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

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

**GP9-10-021H: INDSPEC Chemical Corp.** (133 Main Street, Petrolia PA 16050) on August 11, 2014, for authorization of a John Deere Model Engine (#JU6H-UFADP8 220hp) (BAQ-GPA/GP9) in Petrolia Borough, **Butler County**.

**GP5-33-182B: Texas Keystone Inc.—Shaffer Compressor Station** (State Route 3035, Brookville, PA 15825) on July 31, 2014, for authorization to construct and/or operate 1 (one) Lean Burn Two Stroke Natural Gas Engine (Model DCP-2802 LE), 1 (one) Natco Industries Natural Gas Dehydrator (Triethylene Glycol or TEG #EL9E08902-01) which is associated with 0.175 MMBtr/hr Reboiler, and 2 (two) 2,100 gallon storage tanks (Tank Id: T0-1 and T0-2) (BAQ-GPA/GP5) in Rose Township, **Jefferson County**.

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

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

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

**48-00012A: American Nickeloid Co.** (131 Cherry Street, Walnutport, PA 18088) on August 11, 2014, for reactivation of an existing coating line, associated pretreatment operations and an existing Regenerative Thermal Oxidizer (RTO) at the facility in Walnutport Borough, **Northampton County**.

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

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

**55-00001F: Sunbury Generation, LP** (Old Trail Road, PO Box 517 Shamokin Dam, PA 17876) on August 8, 2014, to construct a mechanical draft cooling tower at their facility in Shamokin Dam Borough, **Snyder County**.

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

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

**03-00246B: Bedrock Mines LP** (111 Freeport Road Pittsburgh, PA 15215) on August 12, to issue a plan approval to allow installation and operation of additional sources at their 'Keystone East Mine' coal blending facility in Plumcreek Township, **Armstrong County**.

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

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

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

**23-0009H: The Boeing Co.** (P.O. Box 16858, MS P29-14, Philadelphia, PA 19142) on August 13, 2014, for operation of the reconstruction of (2) two aerospace paint booths in Ridley, **Delaware County**.

**46-0262D: Penn Color, Inc.** (2755 Bergey Road, Hatfield, PA 19440) on August 13, 2014, for operation of two (2) extruders E11 and E14 in Hatfield 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, Regional Air Quality Manager, Telephone: 717-705-4702.*

**06-05085E: New Morgan Landfill Co., Inc.** (420 Quarry Road, P.O. Box 128, Morgantown, PA 19543-0128) on August 12, 2014, to replace two (2) existing enclosed flares and install one (1) candlestick flare at their existing municipal solid waste landfill in New Morgan Borough, **Berks County**. The plan approval was extended.

**36-03186A: Kline's Services, Inc.** (5 Holland Street, Salunga, PA 17538) on August 12, 2014, to install an anaerobic digester, biogas IC engine, H<sub>2</sub>S biogas scrubbers and biogas flares for their facility in East Hempfield Township, **Lancaster County**. The plan approval was extended.

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

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

**49-00047B: Furman Foods, Inc.** (770 Cannery Road, Northumberland, PA 17857) on August 8, 2014, to extend authorization to operate the sources pursuant to the plan approval an additional 180 days from August 14, 2014 to February 10, 2015, at their facility in Point Township, **Northumberland 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*

**30-00089C: Dominion Transmission, Inc.** (501 Martindale Street, 4th Floor, DL Clark Building, Pittsburgh, PA 15212) on August 18, 2014, as a result of equipment startup at the Crayne Compressor Station in Franklin Township, **Greene County**. Temporary operation is authorized to facilitate shakedown of the natural gas-fired microturbine generators and the plan approval expiration date has been changed to February 19, 2015. The plan approval has been extended.

**11-00524B: JWF Industries, Inc.** (163 Cramer Pike, Johnstown, PA 15906) on August 19, 2014 to grant 180 days Plan Approval extension for their Surface Coating and Abrasive Blasting Operation at their facility in West Taylor Township, **Cambria County**. The plan approval has been extended.

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

**43-363A: Pennex Aluminum Co.** (93 Werner Road, Greenville, PA 16125-9499) on August 13, 2014, effective August 31, 2014, to issue a plan approval extension for installation of two (2) melting furnaces, a holding furnace, two (2) homogenizing furnaces and three (3) billet saws in Sugar Grove Township, **Mercer County**.

**61-219A: GOC Property Holdings, LLC** (175 Main Street, Oil City, PA 16301) on August 13, 2014, effective August 31, 2014, to issue a plan approval extension for



construction of a new metal heat treating facility along Route 8, in Rouseville Borough, **Venango County**. New sources at the site will include a natural gas fueled boiler, two (2) natural gas fueled furnaces, a quench system and a cooling tower.

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

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

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

**09-00081: Lawrence Schiff Silk Mills, Inc.—Thermco Products Co.** (1409 West Broad St., Quakertown, PA 18951) on August 13, 2014, for a non-Title V, State Only, Natural Minor operating permit in Quakertown Borough, **Bucks County**. The permit is for the operation of a 300-horsepower, 10.0 MMBtu/hr, natural gas-fired boiler, and a 350-horsepower, 11.7 MMBTU/hr, natural gas-fired boiler. This action is a renewal of the State Only Operating Permit and for a Change of Ownership (COO). The initial permit was issued on 7-28-2004 and was renewed on 7-30-2009. The facility's potential to emit criteria pollutants is less than major thresholds; therefore the facility is a Natural Minor. The permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

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

**06-05076: Quadrant EPP USA, Inc.** (2120 Fairmont Avenue, PO Box 14235, Reading, PA 19612) on August 11, 2014, for their plastic production facility in Reading City, **Berks County**. The State-only permit was renewed.

**06-03012: Brenntag Northeast, Inc.** (81 West Huller Lane, Reading, PA 19605) on August 11, 2014, for the Snyder Road chemical distribution facility in Ontelaunee Township, **Berks County**. The State-only permit was renewed.

**36-05148: Country Value Woodworks, LLC** (2302 Beaver Valley Pike, New Providence, PA 17560-9610) on August 12, 2014, for their wood furniture manufacturing facility in Providence Township, **Lancaster County**. The State-only permit was renewed.

**06-03047: Metropolitan Steel Industries, Inc.** (601 Fritztown Road, Sinking Spring, PA 19608) on August 12, 2014, for their structural steel manufacturing facility in Spring Township, **Berks County**. The State-only permit was renewed.

**67-05111: Johnson Controls, Inc.** (1499 E. Philadelphia Street, York, PA 17403-1232) on August 12, 2014, for their commercial and industrial air handling unit manufacturing facility in Spring Garden Township, **York County**. The State-only permit was renewed.

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

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

**10-00287: Minteq International, Inc.** (395 Grove City Road, Slippery Rock, PA 16057) on August 12, 2014, for

renewal of a Synthetic Minor Permit to operate manufacturing equipment for non-clay refractories in Slippery Rock Township, **Butler County**. The updated emitting sources are, 1) Line Mixers 1 to 4, 2) Batching mixer, 3) Nine Dryers, 4) Three Kilns, 5) Mold Shop, 6) Line Mixer #5, 7) Line Mixer 7 (Fleming) and, 8) Patch Mixer. The facility has previously taken a restriction on VOC emissions from the facility as part of the RACT Operating Permit. The VOC emissions shall not exceed 49 tons per year. Thus, the facility is a Synthetic Minor. The potential emissions from the facility as stated in the renewal permit application are NO<sub>x</sub>: 1.0 Tons per year, PM: 19.0 TPY, PM<sub>-10</sub>: 19.0 TPY, PM<sub>2.5</sub>: 19 TPY, SO<sub>2</sub>: 0.3 TPY, VOC: 41.2 TPY, and, CO: 39.3 TPY.

**25-00883: Millcreek Township Erie County** (3608 West 26th Street, Erie, PA 16506-2059) on August 12, 2014 issued a Natural Minor Operating Permit renewal to operate a hot mix asphalt plant in Millcreek Township, **Erie County**. The facility's primary emission source is a hot mix asphalt process. The facility also has parts washers. The permit contains the requirements of 40 CFR 60 Subpart I and plan approval 25-883A. The particulate emissions from the source are limited to 0.02 gr/dscf and are controlled by a baghouse. The throughput for the plant is limited to 120 TPH and 294,000 TPY during any 12 consecutive months. The combustion emissions from the natural gas fired burner are less than 10 TPY for each of the criteria pollutants.

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**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.**

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

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

**09-00216: B. Blair Corp.** (95 Louise Drive, Ivyland, PA 18974) on August 13, 2014, for operation of a portable crusher in Northampton Township, **Bucks County**. This amendment is to address a typographical error in the emission limits for Source 103, Condition #001. No other changes have been made and there is no increase in emissions to the atmosphere. Administrative Amendment of the General Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

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

**32-00059: GenOn Northeast Management Co.** (121 Champion Way, Suite 200, Canonsburg, PA 15317). Per Title 25 Pa. Code Section 127.449(i), this Notice is for the following de minimis emission increase at the GenOn Northeast Management Company, Conemaugh Power Plant, located in West Wheatfield Township, **Indiana County**:

Revised project to apply additives to coal prior to combustion for mercury and NO<sub>x</sub> emission control. This replaces the de minimis emission increase published on April 19, 2014. Total emissions from this project will not

exceed 0.47 tons of NO<sub>x</sub>, 0.57 tons of CO, 0.33 tons of PM<sub>10</sub>, 0.04 tons of VOC, and 0.001 tons of SO<sub>x</sub> per year.

The list of de minimis increases for this facility includes only this revised project.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

### Coal Permits Issued

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

**Permit No. 56040102 and NPDES No. PA0249564, Mountaineer Mining Corporation**, 1010 Garrett Shortcut Road, Berlin, PA 15530, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 51.3 acres. Receiving streams: unnamed tributaries to/and Swamp Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 14, 2014. Permit Issued: August 4, 2014.

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

**Permit No. 13990201R3. Rossi Excavating company**, (RR 1 Box 189E, Beaver Meadows, PA 18216), renewal of an existing anthracite coal refuse reprocessing in Banks Township, **Carbon County** affecting 493.0 acres, receiving stream: Beaver Creek. Application received: November 5, 2013. Renewal issued: August 15, 2014.

**Permit No. 13990201C. Rossi Excavating company**, (RR 1 Box 189E, Beaver Meadows, PA 18216), correction of an existing anthracite coal refuse reprocessing to update the post-mining land use in Banks Township, **Carbon County** affecting 493.0 acres, receiving stream: Beaver Creek. Application received: November 5, 2013. Renewal issued: August 15, 2014.

**Permit No. 13990201GP104. Rossi Excavating company**, (RR 1 Box 189E, Beaver Meadows, PA 18216), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 13990201 in Banks Township, **Carbon County**, receiving stream: Beaver Creek. Application received: November 5, 2013. Permit issued: August 15, 2014.

### Noncoal Permits Issued

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

**Permit No. 29940301 and NPDES No. PA0607908. Bluegrass Materials Company LLC**, 10000 Beaver Dam Road, Cockeysville, MD 21030, transfer of an existing noncoal surface mine from Lafarge Mid-Atlantic LLC, 300 E. Joppa Road, Suite 200, Towson, MD 21286 located in Bethel and Thompson Townships, **Fulton County**, affecting 160.0 acres. Receiving stream: Little Tonoloway Creek classified for the following use: Trout Stocked Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 5, 2014. Permit issued: August 4, 2014.

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

**41130801. Joshua D. Leidhecker** (1380 Radio Club Road, Montoursville, PA 17754). Transfer of an existing small noncoal (shale) mining permit from Robert W. Leidhecker located in Fairfield Township, **Lycoming County** affecting 2.0 acres. Receiving stream(s): Bennetts Run. Application received: November 1, 2013. Permit issued: July 31, 2014.

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

**Permit No. 52970301C4 and NPDES Permit No. PA0223751. G.F. Edwards, Inc.**, (204 SR 435, Elmhurst Township, PA 18444), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Greene Township, **Pike County** affecting 173.06 acres, receiving stream: Wallenpaupack Creek. Application received: March 13, 2012. Renewal issued: August 12, 2014.

**Permit No. 66110301. Meshoppen Stone, Inc.**, (PO Box 127, Meshoppen, PA 18630), commencement, operation and restoration of a quarry operation in Mehoopany and Windham Townships, **Wyoming County** affecting 51.1 acres, receiving stream: Little Mehoopany Creek. Application received: February 22, 2011. Permit issued: August 15, 2014.

**Permit No. 66110301GP104. Meshoppen Stone, Inc.**, (PO Box 127, Meshoppen, PA 18630), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66110301 in Mehoopany and Windham Townships, **Wyoming County**, receiving stream: Little Mehoopany Creek. Application received: March 14 2013. Permit issued: August 15, 2014.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

### Blasting Permits Issued

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

**14144103. Douglas Explosives Inc.** (P.O. Box 77, Philipsburg, PA 16866-0077). Blasting for residential development located at Spring Township, **Centre County** with an expiration date of August 8, 2015. Permit issued: August 13, 2014.

**57144110. M & J Explosives LLC** (P. O. Box 1248, Carlisle, PA 17013), Blasting for well pad and road located at Fox Township, **Sullivan County** with an expiration date of August 11, 2015. Permit issued: August 13, 2014.

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

**Permit No. 09144105. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Warrington Springs in Warrington Township, **Bucks County** with an expiration date of August 4, 2015. Permit issued: August 12, 2014.

**Permit No. 36144144. Elite Blasting, LLC**, (17224 Spielman Road, Fairplay, MD 21733), construction blasting for Sheetz in East Lampeter Township, **Lancaster County** with an expiration date of August 5, 2015. Permit issued: August 12, 2014.

**Permit No. 36144145. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Brooklawn Development in Manheim Township, **Lancaster County** with an expiration date of August 30, 2015. Permit issued: August 12, 2014.

**Permit No. 39144103. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Liberty at Spring Creek in Lower Macungie Township, **Lehigh County** with an expiration date of August 4, 2015. Permit issued: August 12, 2014.

**Permit No. 54144102. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Sharp Mountain Plaza in the City of Pottsville, **Schuylkill County** with an expiration date of December 31, 2014. Permit issued: August 12, 2014.

**Permit No. 06144105. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Green Valley Estates West in Lower Heidelberg Township, **Berks County** with an expiration date of August 11, 2015. Permit issued: August 13, 2014.

**Permit No. 35144106. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Keystone Site project in South Abington Township, **Lackawanna County** with an expiration date of December 31, 2014. Permit issued: August 13, 2014.

**Permit No. 40144109. M & J Explosives, Inc.**, (P.O. Box 608, Carlisle, PA 17013), construction blasting for Bear Creek Community Charter School in Bear Creek Township, **Luzerne County** with an expiration date of August 12, 2015. Permit issued: August 13, 2014.

**Permit No. 06144116. J Roy's, Inc.**, (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Rosemont Court in Spring Township, **Berks County** with an expiration date of August 15, 2015. Permit issued: August 15, 2014.

**Permit No. 36144146. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Eli King Home in West Earl Township, **Lancaster County** with an expiration date of October 30, 2014. Permit issued: August 15, 2014.

**Permit No. 38144111. Silver Valley Drilling & Blasting, Inc.**, (RR 4 Box 4196, Saylorsburg, PA 18353), construction blasting for Lebanon Valley Distribution Center in Bethel Township, **Lebanon County** with an expiration date of September 1, 2015. Permit issued: August 15, 2014.

**Permit No. 58144159. Meshoppen Blasting, Inc.**, (P.O. Box 127, Meshoppen, PA 18630), construction blasting for Talisman Repine Compressor Station in Apolacon Township, **Susquehanna County** with an expiration date of December 31, 2014. Permit issued: August 15, 2014.

**Permit No. 58144161. John H. Brainard**, (3978 SR 2073, Kingsley, PA 18826), construction blasting for Conrad House foundation in Gibson Township, **Susquehanna County** with an expiration date of December 31, 2014. Permit issued: August 15, 2014.

**Permit No. 58144162. Midstream Explosives, LLC**, (289 Southside Drive, Newville, PA 17241), construction blasting for Hathaway Gelatt Pipeline in Jackson, Ararat and Gibson Townships, **Susquehanna County** with an expiration date of August 14, 2015.

**Permit No. 64144107. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Luke Wenk Farm Road in Preston Township, **Wayne County** with an expiration date of August 8, 2015. Permit issued: August 15, 2014.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E58-304. UGI Energy Services, LLC**, One Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610. Union Dale Borough, Clifford Township, Herrick Township, **Susquehanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Union Dale Lateral Project:

1. (W030) a 12-inch diameter natural gas transmission pipeline crossing 401 linear feet of PEM/PFO wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 29.74"; Longitude: -75° 34' 45.68")
2. (S024) a 12-inch diameter natural gas transmission pipeline crossing 12 linear feet of an Unnamed Tributary to Idlewild Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 10.45"; Longitude: -75° 34' 15.66")
3. (S029, W029) a 12-inch diameter natural gas transmission pipeline crossing 2 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF) and 70 linear feet of adjacent PEM wetlands. (Clifford Township) (Latitude: 41° 41' 31.94"; Longitude: -75° 34' 4.27")
4. (W036) a 12-inch diameter natural gas transmission pipeline crossing 30 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 31.60"; Longitude: -75° 33' 47.74")
5. (W038) a 12-inch diameter natural gas transmission pipeline crossing 23 linear feet of PSS wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 31.60"; Longitude: -75° 33' 47.74")
6. (W040) a 12-inch diameter natural gas transmission pipeline crossing 36 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 32.72"; Longitude: -75° 33' 40.48")
7. (S033) a 12-inch diameter natural gas transmission pipeline within the floodway of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 29.92"; Longitude: -75° 33' 34.04")
8. (S023, W027) a 12-inch diameter natural gas transmission pipeline crossing 3 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF) and 80 linear feet of adjacent PEM wetlands. (Clifford Township) (Latitude: 41° 41' 30.03"; Longitude: -75° 33' 28.40")
9. (S021, W025) a 12-inch diameter natural gas transmission pipeline within the floodway of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 33.91"; Longitude: -75° 33' 21.13")
10. (S019) a 12-inch diameter natural gas transmission pipeline crossing 17 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 36.28"; Longitude: -75° 33' 17")
11. (W023) a 12-inch diameter natural gas transmission pipeline crossing 24 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 38.09"; Longitude: -75° 33' 13.56")
12. (S018) a 12-inch diameter natural gas transmission pipeline crossing 19 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 52.64"; Longitude: -75° 32' 52.42")
13. (S016) a 12-inch diameter natural gas transmission pipeline crossing 4 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 53.47"; Longitude: -75° 32' 51.54")
14. (S015) a 12-inch diameter natural gas transmission pipeline crossing 18 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 2.86"; Longitude: -75° 32' 15.57")
15. (S013) a 12-inch diameter natural gas transmission pipeline crossing 6 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 2.38"; Longitude: -75° 32' 7.44")
16. (S014) a 12-inch diameter natural gas transmission pipeline crossing 5 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 2.35"; Longitude: -75° 32' 6.97")
17. (W020) a 12-inch diameter natural gas transmission pipeline crossing 24 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 2.85"; Longitude: -75° 32' 6.39")
18. (W021) a 12-inch diameter natural gas transmission pipeline crossing 10 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 3.59"; Longitude: -75° 32' 5.55")
19. (W021A) a 12-inch diameter natural gas transmission pipeline crossing 14 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 4.06"; Longitude: -75° 32' 5.21")
20. (W021B) a 12-inch diameter natural gas transmission pipeline crossing 9 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 4.35"; Longitude: -75° 32' 4.66")
21. (W031) a 12-inch diameter natural gas transmission pipeline crossing 123 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 42' 6.41"; Longitude: -75° 32' 2.33")

22. (W012) a 12-inch diameter natural gas transmission pipeline crossing 2 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (CWF, MF). (Clifford Township) (Latitude: 41° 41' 59.30"; Longitude: -75° 31' 42.93")

23. (S008) a 12-inch diameter natural gas transmission pipeline crossing 30 linear feet of the East Branch Tunkhannock Creek (HQ-CWF, MF). (Clifford Township) (Latitude: 41° 42' 7.32"; Longitude: -75° 31' 24.40")

24. (S007) a 12-inch diameter natural gas transmission pipeline crossing 2 linear feet of an Unnamed Tributary to East Branch Tunkhannock Creek (HQ-CWF, MF). (Clifford Township) (Latitude: 41° 42' 7.27"; Longitude: -75° 31' 24.06")

25. (W008A) a 12-inch diameter natural gas transmission pipeline crossing 6 linear feet of PSS wetlands within the watershed of the East Branch Tunkhannock Creek (EV, MF). (Herrick Township) (Latitude: 41° 42' 23.63"; Longitude: -75° 30' 52.45")

26. (S005) a 12-inch diameter natural gas transmission pipeline crossing 14 linear feet of the Little Creek (EV, MF). (Herrick Township) (Latitude: 41° 42' 24.48"; Longitude: -75° 30' 50.35")

27. (S011) a 12-inch diameter natural gas transmission pipeline within the floodway of an Unnamed Tributary to Little Creek (EV, MF). (Herrick Township) (Latitude: 41° 41' 33.91"; Longitude: -75° 33' 21.13")

28. (W006) a 12-inch diameter natural gas transmission pipeline crossing 59 linear feet of PEM wetlands within the watershed of an Unnamed Tributary to East Branch Tunkhannock Creek (EV, MF). (Herrick Township) (Latitude: 41° 42' 25.10"; Longitude: -75° 30' 49.04")

29. (S004) a 12-inch diameter natural gas transmission pipeline crossing 3 linear feet of an Unnamed Tributary to the West Branch Lackawanna River (CWF, MF). (Union Dale Borough) (Latitude: 41° 42' 32.94"; Longitude: -75° 29' 42.02")

30. (W005) a 12-inch diameter natural gas transmission pipeline crossing 10 linear feet of PEM wetlands within the watershed of the West Branch Lackawanna River (CWF, MF). (Union Dale Borough) (Latitude: 41° 42' 33.24"; Longitude: -75° 29' 35.11")

The project will temporarily impact 1.69 acres of wetland.

The project begins approximately 0.4 mile north of the intersection of Elkdale Road and Swetland Road (Clifford, PA Quadrangle: Lat: 41° 42' 29.59"; Long: -75° 34' 53.61") and ends approximately 0.3 mile south of the intersection of Main Street and Church Street (Forest City, PA Quadrangle: Lat: 41° 42' 36.65"; Long: -75° 29' 34.10") in Union Dale Borough, Clifford and Herrick Townships, Susquehanna County. Subbasin: 4F-5A

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

**E02-1632. Chapman Commerce Center, LLP**, 100 Leetsdale Industrial Drive, Leetsdale, PA 15056-1008; Findlay Township, Allegheny County; ACOE Pittsburgh District

Has been given consent to do the following:

1. Place and maintain fill in seven (7), separate wetland areas, which will cumulatively and permanently impact approximately 0.71 acre of wetland (PEM);

2. Breach an existing dam (aka Bald Knob Dam and DEP File No. D02-070) on an unnamed tributary to Potato Garden Run (WWF), which will eliminate an approximately 3.75 acre impoundment area that was historically used by the Aloe Coal Company as a sedimentation pond and as a source of water for a coal preparation plant;

3. Temporarily impact 0.11 acre of wetlands, which are located in the existing impoundment;

4. Construct and maintain a concrete cutoff wall as part of a single throated cross vane at the upstream end of the breach area;

5. Construct and maintain several outfall structures along wetlands; and

6. Enlarge and modify an existing stormwater management pond (aka Pond 3), with a current water surface area of approximately 0.71 acre.

These impacts are associated with the construction of Chapman Westport, a mixed-use commercial development, on an approximately 302 acre site, which is located along the Southern Beltway (S.R. 0576), at the interchange with Westport Road (formerly Bald Knob Road/T-439), within the Potato Garden Run (WWF) and St. Patrick's Run (WWF) watersheds (Clinton, Pa, Quadrangle; Latitude: 40° 26' 59", Longitude: -80° 18' 42"), in Findlay Township, Allegheny County. To compensate for these impacts, approximately 324' of watercourse will be reestablished through the breach area, and approximately 1.55 acres of wetland will be created within the former impoundment area.

**E02-1663-A2. Hampton Township**, 3101 McCully Road, Allison Park, PA 16648; Hampton Township, Allegheny County; ACOE Pittsburgh District

Has been given consent to amend the existing permit to include 1.47 acres of fill in the floodplain of Gourdhead Run (TSF), a stormwater outfall into Pine Creek (TSF), and 19 linear feet of temporary impact to Pine Creek for the construction of a Park and Ride facility. The existing permit authorizes the Township of Hampton to remove a culvert from the channel and a floodwall along the left bank of Gourdhead Run; to construct and maintain 239 linear feet of a 15-inch diameter sewer line in the channel and along the left bank of Gourdhead Run located at San MH 1777; to construct and maintain a new ConSpan arch culvert 155.0 feet long, having a span of 32.0 feet with an underclearance of 8.0 feet in and across the channel of Gourdhead Run for the purpose of improving highway safety and to provide access to a proposed Park and Ride facility; and to construct and maintain 248.0 feet of bank restoration and riparian plantings upstream of the culvert extension as mitigation. The project is located on Duncan Avenue, approximately 250.0 feet west from the intersection of SR 8 and Duncan Avenue (Glenshaw, PA Quadrangle; N: 10.75"; W: 11.75"; Latitude: 40° 33' 35"; Longitude: -79° 57' 37") in Hampton Township, Allegheny County.

**E02-1693. Jatyson, LLC**, 825 East McMurray Road, Venetia, PA 15367-1029; Upper St. Clair Township, Allegheny County; ACOE Pittsburgh District.

Has been given consent to remove two existing buildings, one of which lies within the floodway, and to place and maintain 472 LF of floodway fill, and to construct, operate and maintain three new stormwater outfall structures in the floodway of Painters Run (WWF); in association with the construction of a new, one-story, 11,000 square foot building, located at 631 Painters Run Road,

which will not be constructed within the floodway, (USGS Bridgeville, PA Quadrangle; N: 20.33 inches; W: 9.36 inches; Latitude: 40° 21' 43"; Longitude: -80° 4' 2"), in Upper St. Clair Township, Allegheny County.

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

**E5829-076. Apolacon Township; Talisman Energy USA, Inc.;** 337 Daniel Zenker Drive, Horseheads, NY 14845; Apolacon Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber bridge crossing impacting 170 lineal feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 56' 58" N; -76° 06' 55" W),

2. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 1,601 square feet (0.04 acre) of a palustrine forested wetland (PFO) (Friendsville, PA Quadrangle: 41° 56' 58" N; -76° 06' 49" W),

3. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber bridge crossing impacting 71 lineal feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 56' 58" N; -76° 06' 49" W),

4. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 494 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 56' 58" N; -76° 06' 45" W),

5. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 3,686 square feet (0.08 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 56' 58" N; -76° 06' 42" W),

6. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber bridge crossing impacting 96 lineal feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 56' 57" N; -76° 06' 41" W),

7. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 72 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 56' 53" N; -76° 06' 41" W),

8. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber bridge crossing impacting 146 lineal feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 56' 33" N; -76° 06' 23" W),

9. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 314 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 56' 33" N; -76° 06' 22" W),

10. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber bridge crossing impacting 73 lineal feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 56' 33" N; -76° 06' 19" W),

11. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge

crossing impacting 6,511 square feet (0.15 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 56' 40" N; -76° 06' 03" W),

12. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber bridge crossing impacting 105 lineal feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 56' 40" N; -76° 06' 03" W),

13. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 75 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 56' 39" N; -76° 06' 03" W),

14. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 5,240 square feet (0.12 acre) of a palustrine forested wetland (PFO) (Friendsville, PA Quadrangle: 41° 56' 42" N; -76° 06' 02" W),

15. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber bridge crossing impacting 73 lineal feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 56' 42" N; -76° 06' 02" W),

16. One 12 inch diameter steel natural gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 1,733 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 56' 42" N; -76° 06' 02" W),

The project consists of constructing approximately 13,000 ft (2.46 miles) of 12" steel natural gas gathering line and a 6" waterline connecting well sites located in Apolacon Township, Susquehanna County, to the Repine to Ostrander Gathering Line. The project will result in 734 lineal feet of temporary stream impacts, 12,885 square feet (0.30 acre) of temporary wetland impacts and 6,841 square feet (0.16 acre) of wetland conversion impacts; all for the purpose of conveyance of Marcellus Shale natural gas to market.

**E5829-075: Lenox Township, PVR NEPA Gas Gathering, LLC;** 101 West Third Street, Williamsport, PA 17701; Lenox Township, **Susquehanna County**; ACOE Baltimore District.

To construct, operate, and maintain:

1) an 8 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 85 lineal feet of unnamed tributary to Willow Brook (CWF, MF) (Hop Bottom, PA Quadrangle, N 41° 41' 18", W -75° 45' 16"),

2) an 8 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 80 lineal feet of unnamed tributary to Willow Brook (CWF, MF) (Hop Bottom, PA Quadrangle, N 41° 41' 16", W -75° 45' 21"),

3) an 8 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 76 lineal feet of unnamed tributary to Willow Brook (CWF, MF) (Hop Bottom, PA Quadrangle, N 41° 40' 55", W -75° 45' 12"),

4) an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 613 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 40' 45", W -75° 44' 57"),

5) an 8 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 52 lineal feet of unnamed tributary to Willow Brook (CWF, MF) (Hop Bottom, PA Quadrangle, N 41° 40' 45", W -75° 44' 58"),

6) an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 91 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 40' 45", W -75° 44' 58"),

7) an 8 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 65 lineal feet of Willow Brook (CWF, MF) (Hop Bottom, PA Quadrangle, N 41° 40' 02", W -75° 45' 06"),

8) an 8 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 60 lineal feet of unnamed tributary to Willow Brook (CWF, MF) (Hop Bottom, PA Quadrangle, N 41° 40' 00", W -75° 45' 07"),

9) an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 17,886 square feet (0.41 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 39' 59", W -75° 45' 08"),

10) an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 1,604 square feet (0.04 acre) of PSS wetlands (Susquehanna, PA Quadrangle, N 41° 39' 58", W -75° 45' 08").

The Spencer Well Connect Pipeline consists of approximately 14,085 feet (2.67 miles) of 8" steel natural gas gathering line located in Lenox Township, Susquehanna County. The project will result in 418 lineal feet of temporary stream impacts, 18,590 square feet (0.43 acre) of temporary wetland, and 1,604 square feet (0.04 acre) of permanent wetland impacts all for the purpose of development and conveyance of Marcellus Shale natural gas.

**E0829-096: Talisman Energy USA, Inc.**, 337 Zenker Drive, Horseheads, NY 14845, Warren Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 20 and 16 inch diameter natural gas line, a 6 inch waterline and a temporary timber mat bridge impacting 73 lineal feet of an unnamed tributary to Wappasening Creek (CWF, MF) and impacting 5,758 square feet of an adjacent Palustrine Emergent Wetland (Little Meadows, PA Quadrangle, Latitude: 41°56'09", Longitude: -76°09'35");

2. a 20 and 16 inch diameter natural gas line and a 6 inch waterline impacting 3,542 square feet of a Palustrine Emergent Wetland (Little Meadows, PA Quadrangle, Latitude: 41°56'16", Longitude: -76°09'08");

3. a 20 and 16 inch diameter natural gas line, a 6 inch waterline and a temporary timber mat bridge impacting 74 lineal feet of an unnamed tributary to Wappasening Creek (CWF, MF) and impacting 4,828 square feet of an adjacent Palustrine Emergent and Palustrine Scrub-Shrub Wetland (Little Meadows, PA Quadrangle, Latitude: 41°56'16", Longitude: -76°09'03");

4. a 20 and 16 inch diameter natural gas line, a 6 inch waterline and a temporary timber mat bridge impacting 12,555 square feet of a Palustrine Emergent and Palustrine Scrub-Shrub Wetland (Little Meadows, PA Quadrangle, Latitude: 41°56'15", Longitude: -76°09'00");

5. a 20 and 16 inch diameter natural gas line, a 6 inch waterline and a temporary timber mat bridge impacting 900 square feet of a Palustrine Emergent Wetland (Little Meadows, PA Quadrangle, Latitude: 41°56'13", Longitude: -76°08'55");

The project will result in 147 lineal feet or 1,434 square feet of temporary stream impacts and impacts 21,289

square feet (0.49 acre) of temporary PEM and 6,294 square feet (0.14 acre) of PSS wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Warren Township, Bradford County.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA61-050, Fluid Recovery Services, LLC**, 14 Coins Drive, Canonsburg PA 15317. FRS-Franklin Remediation, in Cranberry Township, **Venango County**, ACOE Pittsburgh District (Kennerdell, PA Quadrangle N: 41°, 22', 14.1"; W: 79°, 47', 45").

To remediate radium-contaminated substrate in the Allegheny River associated with the FRS-Franklin Facility outfall. Project will consist of the excavation of approximately 100 linear feet of substrate to a distance of 30 feet from the shore and to a depth of 12 inches. Excavated material will be disposed of at an appropriate landfill. Additionally, the rip-rap around the outfall pipe will be removed and either cleaned and reused or disposed of and replaced depending on the results of on-site testing. In order to excavate the impacted material, a temporary coffer dam will be constructed around the work area. An existing access road will be utilized to access the river.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
30138-005	Texas Eastern Transmission, LP 890 Winter Street Waltham, MA 02451	Greene County	Franklin Township and Washington Township	Jackson Run (WWF), Purman Run (WWF), and Ruff Creek (WWF)
<hr/>				
<i>Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335</i>				
ESCGP-2 #ESG14-047-0009—E09-J	Applicant Seneca Resources Corporation Contact Jeffrey Robertson Address 51 Zents Blvd City Brookville State PA Zip Code 15825 County Elk Township(s) Jones(s) Receiving Stream(s) and Classification(s) East Branch Clarion River Lake (HQ-CWF)/East Branch Clarion River Watershed (HQ-CWF)		Contact Stephanie McMurray Address 1201 Louisiana St. Suite 1400 City Houston State TX Zip Code 77002 County Mercer Township(s) Jackson(s) Receiving Stream(s) and Classification(s) Yellow Creek (TSF), UNT to Yellow Creek (TSF)	
<i>Eastern Region: Oil &amp; Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701</i>				
ESCGP-2 #ESX14-073-0018—Ratvasky Gathering Pipeline	Applicant Hilcorp Energy Contact Stephanie McMurray Address 1201 Louisiana Street, Suite 1400 City Houston State TX Zip Code 77002 County Lawrence Township(s) Pulaski, Mahoning & Neshannock(s) Receiving Stream(s) and Classification(s) UNT to Shenango River (WWF), Shenango River (WWF)		ESCGP-2 # ESX13-115-0149 (01) Applicant Name Southwester Energy Production Company Contact Person Dave Sweeley Address 917 State Route 92 North City, State, Zip Tunkhannock, PA 18657 County Susquehanna County Township(s) Oakland and Great Bend Townships Receiving Stream(s) and Classification(s) UNT to Susquehanna River, UNT to Denton Creek (Both CWF/MF); Secondary: Susquehanna River	
ESCGP-2 #ESX14-085-0016—Coolspring-Jorgensen Well Pad	Applicant Hilcorp Energy Contact Stephanie McMurray Address 1201 Louisiana Street, Suite 1400 City Houston State TX Zip Code 77002 County Mercer Township(s) Coolspring(s) Receiving Stream(s) and Classification(s) UNT Otter Creek (TSF)		ESCGP-2 # ESX29-015-14-0056 Applicant Name Chesapeake Appalachia, LLC Contact Person Eric Haskins Address 14 Chesapeake Lane City, State, Zip Sayre, PA 18840 County Bradford County Township(s) Terry Township Receiving Stream(s) and Classification(s) UNTs to Susquehanna River (WWF/MF); Susquehanna River (WWF/MF)	
ESCGP-2 #ESX14-019-0047—Powell Wells Lateral Project	Applicant Markwest Liberty Bluestone, LLC Contact Richard Lowry Address 4600 J. Barry Ct, Suite 500 City Canonsburg State PA Zip Code 15317 County Butler Township(s) Penn & Middlesex Townships Receiving Stream(s) and Classification(s) UNT Tributaries to Glade Run		ESCGP-2 # ESX29-015-14-0050 Applicant Name Chesapeake Appalachia, LLC Contact Person Eric Haskins Address 14 Chesapeake Lane City, State, Zip Sayre, PA 18840 County Bradford County Township(s) Terry Township Receiving Stream(s) and Classification(s) UNTs to Sugar Creek (WWF); Secondary: Sugar Creek (WWF)	
ESCGP-2 #ESX09-031-0001 Renewal—Redbank Project	Applicant EQT Production Company Contact Mr. Todd Klaner Address 455 Racetrack Road, Suite 101 City Washington State PA Zip Code 15301 County Clarion Township(s) Porter Receiving Stream(s) and Classification(s) Rock Run, UNT to Redbank Creek		ESCGP-2 # ESX29-015-14-0055 Applicant Name Talisman Energy USA, Inc. Contact Person Joseph Katruska Address 50 Pennwood Place City, State, Zip Warrendale, PA 15086 County Bradford County Township(s) Troy Township Receiving Stream(s) and Classification(s) UNT to South Branch Sugar Creek (TSF/MF); South Branch Sugar Creek	
ESCGP-2 #ESX14-085-0023—Wengerd to Larmon Pipeline	Applicant Hilcorp Energy Company Contact Stephanie McMurray Address 1201 Louisiana St. Suite 1400 City Houston State TX Zip Code 77002 County Mercer Township(s) Lackawannock(s) Receiving Stream(s) and Classification(s) Harthegig Run, UNT to Harthegig Run, TSF		ESCGP-2 # ESG29-113-14-0010 Applicant Name Appalachia Midstream Services, LLC Contact Person Randy DeLaune Address 100 IST Center City, State, Zip Horseheads, NY 14845 County Sullivan County Township(s) Cherry Township Receiving Stream(s) and Classification(s) 3 UNTs to Little	
ESCGP-2 #ESX14-085-0022—Jackson Patterson Well Pad	Applicant Hilcorp Energy Company			



Loyalsock Creek, 3 UNTs to Lick Creek, Marsh Run, 2 UNTs to Marsh Run (All EV); Little Loyalsock Creek Watershed, Lick Creek Watershed, Marsh Run Watershed;  
 Secondary: Little Loyalsock Creek

ESCGP-2 # ESX29-131-14-0014  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Wyoming County  
 Township(s) Meshoppen Township  
 Receiving Stream(s) and Classification(s) Susquehanna River & UNTs to Susquehanna River (All WWF);  
 Secondary: Susquehanna River (WWF)

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

ESCGP-2 No: ESX14-059-0046  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person Mr Branden Weimer  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 17548  
 County: Greene Township: Dunkard  
 Receiving Stream (s) And Classifications: UNT to Dunkard Creek / Upper Monongahela River Watershed;  
 Other WWF

ESCGP-2 No.: ESX13-003-0010  
 Applicant Name: CNX Gas Company LLC  
 Contact Person: Mr Jonathan Madill  
 Address: 280 Indian Springs Road  
 City: Indiana State: PA Zip Code: 15701  
 County: Allegheny Township(s): Findlay  
 Receiving Stream(s) and Classifications: Tributary 36710/Montour Run Watershed; Tributary 36711/Montour Run Watershed; UNTs to Montour Run/Montour Run Watershed; Other TSF; Siltation-Impaired

ESCGP-2 No.: ESX14-125-0040  
 Applicant Name: EQT Production  
 Contact Person: Mr Todd Klaner

Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Washington Township(s): Carroll and Fallowfield  
 Receiving Stream(s) and Classifications: Sawmill Creek, UNT to Pigeon Creek & Pigeon Creek; Other WWF

ESCGP-2 No.: ESX14-125-0030  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Mr Glenn D Truzzi  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Jefferson  
 Receiving Stream(s) and Classifications: UNTs to Cross Creek / Raccoon Creek Watershed; Other WWF

ESCGP-2 No.: ESX14-059-0027  
 Applicant Name: Cone Gathering LLC  
 Contact Person: Renee Thomas  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 COUNTY Greene Township(s): Richhill  
 Receiving Stream(s) and Classifications: UNT to Enlow Fork Wheeling Creek—designated WWF, in Ch 93

ESCGP-2 No.: ESX11-059-0048 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: Greene Township(s): Cumberland  
 Receiving Stream(s) and Classifications: UNT to Little Whiteley Creek / Tenmile Creek Watershed; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESX10-059-0078 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: Greene Township(s): Monongahela  
 Receiving Stream(s) and Classifications: UNTs to Little Whiteley Creek/Monongahela River Watershed; Other WWF

**STORAGE TANKS**

**SITE-SPECIFIC INSTALLATION PERMITS**

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
14-17-008	Midland Asphalt Materials, Inc. 640 Young Street Tonawanda, NY 14150-4103 Attn: Lon Ward	Clearfield	Bradford Township	1 AST storing asphalt emulsion	50,000 gallons

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**SPECIAL NOTICES**


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**Drinking Water State Revolving Fund Special Notice**


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**Special Notice Under the federal Safe Drinking Water Act (SDWA) (42 U.S.C.A. §§ 300f, et. seq.)**


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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Hazleton City Authority	400 E. Arthur Gardner Parkway Hazleton, Pa 18201-7395	City of Hazleton & Hazle Twp., Luzerne County Packer Township, Carbon County

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project, known as the Hazleton City Authority (HCA) 2015 Tank & Pump Station Project. HCA proposes to repaint/rehabilitate their existing Council Crest Tank, McKinley Tank, and Hudsondale Raw Water Pumping Station. The Department's review of the project and the information received for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves a Categorical Exclusion for the project.

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Suburban Lock Haven Water Authority (SLHWA)	7893 Nittany Valley Drive Mill Hall PA 17751	Clinton

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. SLHWA is proposing to replace the existing Sunset Pine storage tank with a new 54,000 gallon aboveground bolted steel storage tank, replacement of Sunset Pine booster station pumps, replacement of Irwin Street booster pump station and replacement of approximately 6,500 linear feet of water main with larger DI pipe through Mill Hall and along Nittany Valley Drive to increase capacity to Mill Hall, Salona and Lamar industrial park. The tank and pump station are at the end of their useful life and need to be upgraded to handle future demand. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impacts resulting from this proposal. The Department hereby approves the Environmental Assessment.

**Categorical Exclusion**

*Southcentral Regional Office, Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200*

*Location:* Ridgewood Manor Mobile Home Park—98 Breneman Road, Manheim, PA 17545-9643

*Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Ridgewood Manor Mobile Home Park proposes an upgrade to their wastewater treatment plant. The existing WWTP has deteriorated since its construction in 1971 and is in need of repair. There is also a lack of storage capacity for the sprayfield application requirements. The equipment and tank at the WWTP will be replaced, and a sprayfield and impoundment will be constructed within the existing sprayfield area. The Department's review of the project concluded that the project is eligible to be categorically excluded from the environmental review process, and a subsequent public review confirmed that there are no exceptional circumstances that warrant an Environmental Assessment.

[Pa.B. Doc. No. 14-1820. Filed for public inspection August 29, 2014, 9:00 a.m.]

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**Bid Opportunity**

**OOGM 14-1, Cleaning Out and Plugging Three Abandoned Oil/Gas Wells (Bruce Spencer and Mr. and Mrs. Harold Losey Properties), Mead Township, Warren County.** The principal items of work and approximate quantities are to clean out and plug three abandoned oil/gas wells, estimated to be 1,200 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well sites/site; and to mobilize and demobilize plugging equipment. This project issues on August 29, 2014, and bids will be opened on October 2, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid meeting will be held on September 11, 2014, at 10 a.m. Contact the Construction Contracts Section at

(717) 787-7820 or dhopp@pa.gov for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1821. Filed for public inspection August 29, 2014, 9:00 a.m.]

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**Pennsylvania Natural Gas Energy Development Program Funding Opportunity**

On behalf of Governor Tom Corbett, Secretary E. Christopher Abruzzo announces that on August 30, 2014, the Department of Environmental Protection (Depart-

ment) will offer competitive grants for the incremental cost share for the purchase of vehicles over 14,000 pounds that operate using compressed natural gas and liquefied natural gas.

The 2014 Pennsylvania Natural Gas Energy Development Program (Program) grants will be made from amounts deposited in the Marcellus Legacy Fund. Approximately \$6 million will be available for this solicitation. The purpose of this Program is to provide funding to support the purchase or retrofit of natural gas vehicles that utilize new or existing natural gas fueling stations within this Commonwealth.

Each project must request funding for five or more eligible vehicles. The vehicles utilizing incremental purchase or retrofit cost funding must be registered in this Commonwealth. Each grant will cover no more than 50% of the incremental purchase or retrofit cost of eligible vehicles. Grants will not provide more than \$25,000 for each eligible vehicle. Eligible vehicles include purchased or retrofitted new and used vehicles. Grantees may not receive incremental costs for a vehicle purchased or retrofitted prior to December 1, 2014. Grant funds awarded under this Program may not be used in place of available Federal funds. Projects must be completed within the grant period of performance which will be 18 months from December 1, 2014.

The following entities are eligible to apply for grants under this solicitation: Commonwealth authorities; municipal authorities; the Pennsylvania Turnpike Commission; incorporated nonprofit entities; State-owned or State-related universities; for-profit companies; and local transportation organizations.

For guidelines and assistance see the Natural Gas Vehicle web page at [www.dep.state.pa.us](http://www.dep.state.pa.us) (click "Energy," then "Office of Pollution Prevention & Energy Assistance," then "Grants/Loans/Tax Credits" and "Natural Gas Vehicle Program"). Applications must be submitted through the eGrants system at [www.grants.dcnr.state.pa.us](http://www.grants.dcnr.state.pa.us). Applications will be accepted beginning August 30, 2014, through 4 p.m. on November 14, 2014.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1822. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Sewage Advisory Committee Meeting Cancellation

The Sewage Advisory Committee (Committee) meeting scheduled for September 10, 2014, has been cancelled. The next regular meeting is scheduled for November 5, 2014, at 10:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the next scheduled meeting of the Committee can be directed to John Diehl at (717) 783-2941 or [jdiehl@pa.gov](mailto:jdiehl@pa.gov). The agenda and meeting materials for the November 5, 2014, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (select "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2941 or through the

Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1823. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Technical Advisory Committee on Diesel Powered Equipment Change in Meeting Date and Location

The Technical Advisory Committee on Diesel Powered Equipment (Committee) has rescheduled its October 8, 2014, meeting. The meeting will now be held on October 15, 2014, at 10 a.m. in the Department of Environmental Protection's (Department) new office at 131 Broadview Road, New Stanton, PA.

The agenda and meeting materials will be available on the Department web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (select "Public Participation," then "Advisory Committees"). Questions concerning the meeting should be directed to Allison D. Gaida at (724) 439-7289 or [agaida@pa.gov](mailto:agaida@pa.gov).

Persons in need of accommodation as provided for in the Americans with Disabilities Act of 1990 should contact Allison Gaida at (724) 439-7289 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1824. Filed for public inspection August 29, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Retail Space to the Commonwealth Bucks County

Proposals are invited to provide the Department of General Services with 7,500 to 8,500 net usable square feet of retail space for the Liquor Control Board in Chalfont, Bucks County. For more information on SFP No. 94636, which is due on Friday, October 3, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-1825. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Lease Retail Space to the Commonwealth Lehigh County

Proposals are invited to provide the Department of General Services 5,500 to 8,000 net usable square feet of retail space for the Liquor Control Board in Trexlertown,

Lehigh County. For more information on SFP No. 94640, which is due on Friday, September 12, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-1826. Filed for public inspection August 29, 2014, 9:00 a.m.]

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**Real Estate for Sale  
Delaware County**

The Department of General Services (Department) will accept bids for the purchase of 5,234 square feet ± of land and building formerly known as the SCI Chester Staff Residence located at 215 Avon Road, City of Chester, Delaware County. Bids are due Wednesday, October 1, 2014. Interested parties wishing to receive a copy of Solicitation No. 94645 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Jeff Higgins at (717) 705-6920.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-1827. Filed for public inspection August 29, 2014, 9:00 a.m.]

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**Real Estate For Sale  
Venango County**

State-owned real estate is for sale in the City of Polk, Venango County. The Department of General Services (Department) will accept bids for the purchase of a 1,812 ± square-foot single family home located at 704 Main Street, with 3 bedrooms and 1.5 bath on 9,400 ± square feet of land. Bids are due by 3 p.m., Wednesday, October 1, 2014. Interested parties wishing to receive a copy of Solicitation No. 094044 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Jeff Higgins at (717) 705-6920.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-1828. Filed for public inspection August 29, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Advanced Surgical Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Advanced Surgical Hospital has requested exceptions to the requirements of 28 Pa. Code § 127.1 (relating to principle).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1829. Filed for public inspection August 29, 2014, 9:00 a.m.]

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### Application of Allied Services Institute of Rehabilitation Medicine for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allied Services Institute of Rehabilitation Medicine has requested exceptions 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](mailto:ra-paexcept@pa.gov).

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1830. Filed for public inspection August 29, 2014, 9:00 a.m.]

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### Application of The Endoscopy Center of Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Endoscopy Center of Pennsylvania Hospital has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative 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.

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. 14-1831. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of Forbes Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Forbes Hospital has requested exceptions to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1832. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of John Heinz Institute of Rehabilitation Medicine for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that John Heinz Institute of Rehabilitation Medicine has requested exceptions to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1833. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of Monongahela Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Monongahela Valley 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: *American Institute of Architects*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.5.2 (relating to cardiac catheterization labs).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1834. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of Mount Nittany Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mount Nittany Medical Center has requested exceptions to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1835. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of Penn Highlands Clearfield for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn Highlands Clearfield 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: *American Institute of Architects*. The facility specifically requests an exemption from the following standards contained in this publication: 3.1-7.2.2.3(1)(a) (relating to doors).

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. 14-1836. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of Reading Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading 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: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 3.1-5.5.1.1, 3.12-3.2.2.2(2) and 3.12-3.2.2.1(2)(a) (relating to environmental services rooms at the following locations: Bernville, Exeter, Fleetwood, Hamburg, Reading, Shillington and Wyomissing; individual therapy rooms in the Exeter location only; and therapy rooms in the Exeter location only).

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. 14-1837. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of Southwestern Pennsylvania Eye Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Southwestern Pennsylvania Eye Surgery Center has requested an exception to the requirements of subparagraph (ii) of the definition of "classification levels" in 28 Pa. Code § 551.3 (relating to definitions), regarding Class B facilities and PS III patients.

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-1838. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of St. Luke's Hospital—Bethlehem for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital—Bethlehem has requested exceptions to the requirements of 28 Pa. Code § 105.1 (relating to principle).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-1839. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of The Surgery Center of Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Surgery Center of Pennsylvania Hospital has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative 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.

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. 14-1840. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of UPMC Horizon for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Horizon 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: *American Institute of Architects*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.4.5.1(2) (relating to clearances).

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

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division 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. 14-1841. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of The Urologic Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Urologic Surgical Center has requested exceptions to the requirements of 28 Pa. Code § 555.13 (relating to administration of drugs).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1842. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Application of Wexford Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Wexford Surgery Center has requested exceptions to the requirements of 28 Pa. Code § 569.35(7) (relating to general safety precautions).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1843. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Chronic Renal Disease Program Income Criteria

The Department of Health (Department) provides notice of intent to implement the following income criteria for the Chronic Renal Disease Program (Program), effective October 1, 2014.

#### *Income*

New Program applicants must have an annual income of 0% to 300% of the Federal Poverty Income Guidelines (FPIG) as published by the United States Department of Health and Human Services (HHS) in the *Federal Register* and any revisions thereto (to the extent services are not covered by Medical Assistance). Current enrollees must meet the same eligibility criteria at the time of renewal as new applicants. A Patient Share of Cost will be applied on a sliding scale to applicants with an annual income of 185% to 300% of the FPIG as published by the HHS in the *Federal Register* and any revisions thereto. Applicants must submit their Federal 1040 tax return from the prior calendar year to verify annual income. If no Federal 1040 tax return was filed, other supporting documentation of annual income is required.

Questions regarding this notice should be directed to Carolyn S. Cass, Director, Bureau of Family Health, Division of Child and Adult Health Services, 7th Floor East Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (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. Persons with a disability who require an alternative format of this document (for example, large print, audio tape or Braille) should contact Carolyn S. Cass to make the necessary arrangements.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1844. Filed for public inspection August 29, 2014, 9:00 a.m.]



### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, September 17, 2014, and Thursday, September 18, 2014, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

Jurisdictional HIV prevention planning is a required activity of the Department's Federal Centers for Disease Control and Prevention grant for Comprehensive HIV Prevention Programs for Health Departments. In addition, Part B of the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38) requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process allowing the Department to work in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth McGarvey at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1845. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Locust Grove Retirement Village  
69 Cottage Road  
Mifflin, PA 17058  
FAC ID # 123402

The Manor at Perry Village  
213 East Main Street  
New Bloomfield, PA 17068  
FAC ID # 161002

The Manor at Susquehanna Village  
990 Medical Road  
Millersburg, PA 17061  
FAC ID # 451902

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) (relating to electric requirements for existing and new construction):

Normandie Ridge  
1700 Normandie Drive  
York, PA 17408  
FAC ID # 250902

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1846. Filed for public inspection August 29, 2014, 9:00 a.m.]

### New Division of Acute and Ambulatory Care Exception Request Submission Procedure

Effective October 1, 2014, the Division of Acute and Ambulatory Care (DAAC) is converting to a more user-friendly and uniform Exception Request process. In the past, DAAC has accepted Exception Requests submitted by mail, e-mail and fax and multiple submissions of a single request. The process outlined as follows is intended to facilitate the documentation, submission and review of requests for exceptions.

DAAC Exception Requests must be submitted electronically to ra-paexcept@pa.gov, which has been created to receive only Exception Requests.

The DAAC Exception Request form is available on the Department of Health (Department) web site. The person appointed by the governing body to be in charge of the facility must sign the form. Electronic signatures are acceptable.

The instructions as follows provide all the information for proper electronic submission of the completed, signed form and the additional supporting information required for a DAAC Exception Request.

1. Enter "DAAC Exception Request" in the subject line of the e-mail.

2. Submit the completed, signed request form and all information required for the complete Exception Requests as attachments to the e-mail. The text or body of the e-mail is not considered part of the request. The completed request form and all supporting information must be attached as one document in PDF format.

3. The size of a single submission, including all attachments, must not exceed 10 megabytes (MB), which equals approximately 90 single pages.

4. Information that relates to a single Exception Request must be combined into one PDF attachment unless the total size of the attachments exceeds 10 MB. If the size of the attachment for an Exception Request exceeds 10 MB, the request for that exception should be submitted as more than one e-mail. See instructions for naming attachments in item 6 as follows.

5. A single e-mail may be used to submit multiple Exception Requests; however, separate PDF attachments should be attached for each request. A completed request form and all supporting information must be attached as one document in PDF format for each request.

6. Name the Exception Request attachments using this naming format (note examples as follows):

1. Facility name.
2. Facility ID/State license number.
3. Month request is sent (MM).
4. Year request is sent (YYYY).

5. "Request" number (this is always the number 1 unless multiple requests are submitted in one e-mail. For multiple requests, continue numbering each request 2, 3, 4 . . .).

6. "Attachment All" (write "Attachment All" if all documentation for a single request is contained in 1 pdf attachment) or "Attachment" number (for multiple attachments relating to the same request, number each attachment 1, 2, 3 . . .).

Examples:

- Any Hospital in Pennsylvania 111101 Jun 2014 Request 1 Attachment All.pdf
- Another Hospital in Pennsylvania 222201 Oct 2014 Request 1 Attachment 1.pdf
- Another Hospital in Pennsylvania 222201 Oct 2014 Request 1 Attachment 2.pdf
- Another Hospital in Pennsylvania 222201 Oct 2014 Request 2 Attachment All.pdf

7. Submit all Exception Request e-mails to ra-paexcept@pa.gov. Allow 2 business days for confirmation that the Exception Request has been received. If no confirmation is returned within that time, call the DAAC central office at (717) 783-8980 regarding the status of the submitted Exception Request.

8. Documents that cannot be scanned and saved as a PDF file (for example blueprints) for e-mailing can be mailed to the Division of Acute and Ambulatory Care Office, 625 Forster Street, Health and Welfare Building, Room 532, Harrisburg, PA 17120-0701.

9. Exception Requests received by the close of business on the last Friday of the month will be reviewed at the next month's Exceptions meeting. Exceptions meetings are held the third Wednesday of each month.

The Department will issue further notification of additional procedural changes required to fully implement this new process.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Ann Chronister, Director, Bureau of Facility Licensure and Certification, Room 528, Health and Welfare Building, 625 Forster Street, Harrisburg, PA

17120-0701, (717) 783-8980, fax (717) 772-2163, speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1847. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on October 16, 2014, from 10 a.m. to 3 p.m. for the purpose of reviewing progress in the area of organ and tissue donation in this Commonwealth, recommending education and awareness training programs, recommending priorities in expenditures from the Organ and Tissue Donation Awareness Fund and advising the Secretary of Health on matters relating to the administration of the fund. The meeting will be held at the Center for Organ Recovery and Education, 204 Sigma Drive, Pittsburgh, PA 15238-2825.

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 Cyndi Malinen, Public Health Program Administrator, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-6214, or for speech and/or hearing impaired persons 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. 14-1848. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under section 3 of the Pennsylvania Cancer Control, Prevention and Research Act (35 P. S. § 5633), will hold a meeting for the purpose of advising the Secretary of Health with respect to cancer control, prevention and research in this Commonwealth on Wednesday, September 24, 2014, from 9 a.m. to 12 p.m. at the Giant Super Food Store Community Center, Second Floor, 2300 Linglestown Road, Harrisburg, PA 17110.

For additional information or for persons with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to do so contact Sharon H. Sowers, Plan and Policy Section Chief, Department of Health, Comprehensive Cancer Control Section, Room 1011, Health and Welfare Building, 625

Forster Street, Harrisburg, PA, (717) 547-3249 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT) for speech and/or hearing impaired persons.

This meeting is subject to cancellation without notice.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1849. Filed for public inspection August 29, 2014, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Super Hot 6s Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Super Hot 6s.

2. *Price:* The price of a Pennsylvania Super Hot 6s instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Super Hot 6s instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 6 (SIX) symbol and a Flame (6TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$12<sup>00</sup> (TWELV), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$1,000 (ONE THO) and \$6,000 (SIX THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$10, \$12, \$20, \$40, \$100, \$1,000 and \$6,000. The player can win up to 6 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Super Hot 6s instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$6,000 (SIX THO) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$6,000.

(b) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$1,000 (ONE THO) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Flame (6TIMES) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the “prize” area under that Flame (6TIMES) symbol, on a single ticket, shall be entitled to a prize of \$600.

(d) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with a Flame (6TIMES) symbol in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) in the “prize” area under that Flame (6TIMES) symbol, on a single ticket, shall be entitled to a prize of \$60.

(f) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$40<sup>00</sup> (FORTY) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets with a Flame (6TIMES) symbol in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) in the “prize” area under that Flame (6TIMES) symbol, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with a Flame (6TIMES) symbol in the play area and a prize symbol of \$3<sup>00</sup> (THR DOL) in the “prize” area under that Flame (6TIMES) symbol, on a single ticket, shall be entitled to a prize of \$18.

(j) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$12<sup>00</sup> (TWLV) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$12.

(k) Holders of tickets with a Flame (6TIMES) symbol in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) in the “prize” area under that Flame (6TIMES) symbol, on a single ticket, shall be entitled to a prize of \$12.

(l) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets with a Flame (6TIMES) symbol in the play area and a prize symbol of \$1<sup>00</sup> (ONE DOL) in the “prize” area under that Flame (6TIMES) symbol, on a single ticket, shall be entitled to a prize of \$6.

(n) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$3<sup>00</sup> (THR DOL) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$3.

(p) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of \$1<sup>00</sup> (ONE DOL) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of \$1.

(r) Holders of tickets with a 6 (SIX) symbol in the play area and a prize symbol of FREE (TICKET) in the “prize” area under that 6 (SIX) symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Super Hot 6s instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A "6" (SIX) Symbol, Win Prize Shown Under It. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
FREE	FREE \$1 TICKET	9.55	1,256,000
\$1 × 2	\$2	30	400,000
\$2	\$2	60	200,000
\$2 + \$1	\$3	42.86	280,000
\$3	\$3	150	80,000
\$1 × 5	\$5	300	40,000
\$3 + \$2	\$5	150	80,000
\$5	\$5	300	40,000
(\$2 × 4) + (\$1 × 2)	\$10	750	16,000
(\$3 × 2) + (\$1 × 4)	\$10	750	16,000
(\$1 w/ FLAME) + (\$2 × 2)	\$10	375	32,000
\$10	\$10	1,000	12,000
\$2 × 6	\$12	1,500	8,000
\$2 w/ FLAME	\$12	750	16,000
\$12	\$12	1,500	8,000
(\$2 × 5) + \$10	\$20	750	16,000
(\$3 w/ FLAME) + \$2	\$20	500	24,000
\$20	\$20	750	16,000
(\$5 w/ FLAME) + (\$2 × 5)	\$40	1,500	8,000
\$40	\$40	3,000	4,000
(\$20 × 4) + (\$10 × 2)	\$100	12,000	1,000
(\$10 w/ FLAME) + (\$10 × 4)	\$100	6,000	2,000
\$100	\$100	24,000	500
(\$100 w/ FLAME) + (\$100 × 4)	\$1,000	80,000	150
\$1,000	\$1,000	240,000	50
\$6,000	\$6,000	600,000	20

Reveal a "FLAME" (6TIMES) symbol, win 6 times the prize shown under that symbol.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Super Hot 6s instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Super Hot 6s, prize money from winning Pennsylvania Super Hot 6s instant lottery game tickets will be retained by the

Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super Hot 6s instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Super Hot 6s or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1850. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Pennsylvania Zombie Cash Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Zombie Cash.

2. *Price:* The price of a Pennsylvania Zombie Cash instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Zombie Cash instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Brain (BRAIN) symbol, DOUBLE (DOUBLE) symbol and a Zombie (ZOMBIE) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$3, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$25,000. The player can win up to 12 times on the ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct two Monster Money second-chance drawings for which non-winning Pennsylvania Zombie Cash instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Zombie Cash instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$25,000 (TWYFIVTHO) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a Double (DOUBLE) symbol in the play area, and a prize symbol of \$250 (TWOHUNFTY) appears in the "prize" area under that Double (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with a Zombie (ZOMBIE) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in six of the "prize" areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$250 (TWOHUNFTY) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$250.

(g) Holders of tickets with a Zombie (ZOMBIE) symbol in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV)

appears in two of the "prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(h) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with a Double (DOUBLE) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that Double (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets with a Zombie (ZOMBIE) symbol in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in two of the "prize" areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets with a Double (DOUBLE) symbol in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "prize" area under that Double (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets with a Zombie (ZOMBIE) symbol in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in two of the "prize" areas and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets with a Zombie (ZOMBIE) symbol in the play area, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in eleven of the "prize" areas and a prize symbol of \$3<sup>00</sup> (THR DOL) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$25.

(p) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets with a Double (DOUBLE) symbol in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under that Double (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets with a Double (DOUBLE) symbol in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under that Double (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL)

appears in the “prize” area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the “prize” area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets with a Double (DOUBLE) symbol in the play area, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “prize” area under that Double (DOUBLE)

symbol, on a single ticket, shall be entitled to a prize of \$4.

(w) Holders of tickets with a Brain (BRAIN) symbol in the play area, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “prize” area under that Brain (BRAIN) symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A “BRAIN” (BRAIN) Symbol, Win Prize Shown Under That Symbol, Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$2	\$2	8.82	612,000
\$2 w/ DOUBLE	\$4	30	180,000
\$4	\$4	75	72,000
\$5	\$5	30	180,000
\$2 × 5	\$10	375	14,400
\$5 w/ DOUBLE	\$10	187.5	28,800
\$10	\$10	375	14,400
\$2 × 10	\$20	1,500	3,600
\$5 × 4	\$20	375	14,400
\$10 w/ DOUBLE	\$20	214.29	25,200
\$20	\$20	1,500	3,600
ZOMBIE w/ (\$2 × 11) + \$3	\$25	1,600	3,375
\$5 × 5	\$25	2,400	2,250
(\$5 × 3) + \$10	\$25	2,000	2,700
(\$10 w/ DOUBLE) + \$5	\$25	800	6,750
\$25	\$25	1,600	3,375
ZOMBIE w/ ((\$5 × 2) + (\$4 × 10))	\$50	1,200	4,500
\$5 × 10	\$50	4,800	1,125
(\$5 × 5) + \$25	\$50	4,800	1,125
\$25 w/ DOUBLE	\$50	1,600	3,375
\$50	\$50	4,800	1,125
ZOMBIE w/ ((\$25 × 2) + (\$5 × 10))	\$100	2,000	2,700
\$10 × 10	\$100	6,000	900
\$50 w/ DOUBLE	\$100	4,000	1,350
\$100	\$100	6,000	900
ZOMBIE w/ ((\$25 × 2) + (\$20 × 10))	\$250	12,000	450
\$25 × 10	\$250	30,000	180
\$50 × 5	\$250	12,000	450
\$250	\$250	30,000	180
ZOMBIE w/ ((\$50 × 6) + (\$20 × 5) + (\$100))	\$500	60,000	90
\$50 × 10	\$500	120,000	45
\$250 w/ DOUBLE	\$500	60,000	90
\$500	\$500	120,000	45
\$1,000	\$1,000	60,000	90
\$25,000	\$25,000	540,000	10

Reveal a “DOUBLE” (DOUBLE) symbol, win double the prize shown under that symbol.  
Reveal a “ZOMBIE” (ZOMBIE) symbol, win all 12 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Pennsylvania Lottery’s Monster Money Second-Chance Drawings’ Requirements:*

(a) Non-winning PA-1108 Zombie Cash (\$2) and PA-1107 Frankenbucks (\$5) instant lottery tickets (“Qualifying Tickets”) are eligible for entry in the Pennsylvania Lottery’s Monster Money second-chance drawings. Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Pennsylvania Lottery’s Monster Money second-chance drawings. To join the VIP

Players Club, visit <http://www.palottery.com/VIP-Players-Club/login.aspx>. Becoming a VIP Players Club member is free.

(b) To enter the Pennsylvania Lottery’s Monster Money second-chance drawings, entrants must choose to enter either the \$1,000 Monster Money Second-Chance Drawing or the \$50,000 Monster Money Second-Chance Drawing and submit the identifying information from at least one Qualifying Ticket into the entry site for the chosen drawing, accessible exclusively via the Pennsylvania Lottery’s Monster Money promotional website, during the entry period for the drawings. Identifying information

from a Qualifying Ticket may be submitted only for one of the two Pennsylvania Lottery's Monster Money second-chance drawings, and may be submitted only once for the chosen drawing.

(c) The number of entries an entrant will receive for a Pennsylvania Lottery's Monster Money second-chance drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1108 Zombie Cash (\$2) = 2 entries; and PA-1107 Frankenbucks (\$5) = 5 entries.

(d) Entries must be submitted via the Pennsylvania Lottery's Monster Money promotional website available at <http://www.palottery.com>. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(e) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(f) Only one claimant per entry allowed.

(g) Entrants must be 18 years of age or older.

(h) Entry is limited to entrants that indicate, at the time of submitting Qualifying Ticket information, that their information is being submitted from an internet connected device located within Pennsylvania.

(i) Players may submit identifying information from an unlimited number of Qualifying Tickets in the Pennsylvania Lottery's Monster Money second-chance drawings.

#### 11. *Pennsylvania Lottery's Monster Money Second-Chance Drawings and Prizes:*

(a) The Lottery will conduct two second-chance drawings: the \$1,000 Monster Money Second-Chance Drawing and the \$50,000 Monster Money Second-Chance Drawing. All time references in this section are Eastern Time.

(b) The entry period for the Pennsylvania Lottery's Monster Money second-chance drawings begins after 11:59:59 p.m. September 14, 2014 and ends at 11:59:59 p.m. October 30, 2014.

(c) The Pennsylvania Lottery's Monster Money second-chance drawings will be held between October 31, 2014 and November 4, 2014.

(d) The first through the hundredth entries selected from the Pennsylvania Lottery's Monster Money second-chance drawings entrants that selected the \$1,000 Monster Money Second-Chance Drawing will be winning entries, and the entrants who submitted the winning entries shall be entitled to a prize of \$1,000.

(e) The first entry selected from the Pennsylvania Lottery's Monster Money second-chance drawings entrants that selected the \$50,000 Monster Money Second-Chance Drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required federal income tax withholding. This prize shall be paid as a lump sum cash payment.

(f) The winners of the Pennsylvania Lottery's Monster Money drawings will be posted to the Monster Money promotional website and [palottery.com](http://palottery.com).

#### 12. *Pennsylvania Lottery's Monster Money Second-Chance Drawings Restrictions:*

(a) The odds of an entry being selected in a Pennsylvania Lottery's Monster Money second-chance drawing depends upon the number of entries received for each particular drawing.

(b) To be eligible to participate in a particular Pennsylvania Lottery's Monster Money second-chance drawing, entrants must have complied with the requirements of these rules.

(c) The Lottery is not responsible for late, lost or misdirected entries not entered into the Pennsylvania Lottery's Monster Money second-chance drawings. The Lottery is not responsible for entries that are not entered into the Pennsylvania Lottery's Monster Money second-chance drawings because of incompatible internet browsers or other technical issues. If a Pennsylvania Lottery's Monster Money second-chance drawing entry is selected as a winner and rejected during or following a Pennsylvania Lottery's Monster Money second-chance drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(d) A computer-generated randomizer will be used to select the winning entries.

(e) An entrant may only win the prize for which they are first selected in the \$1,000 Monster Money Second-Chance Drawing. After an entrant has an entry selected as a winner in the \$1,000 Monster Money Second-Chance Drawing, subsequent entries from the same entrant selected in the \$1,000 Monster Money Second-Chance Drawing will be disqualified and a replacement entry will be selected.

(f) If any discrepancy exists between these rules and any material describing the Pennsylvania Lottery's Monster Money second-chance drawings, these rules shall govern.

(g) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Pennsylvania Lottery's Monster Money second-chance drawings. Offer void where prohibited or restricted.

(h) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend one or more of the Pennsylvania Lottery's Monster Money second-chance drawings and change these rules if one or more of the Pennsylvania Lottery's Monster Money second-chance drawings cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of one or more of the Pennsylvania Lottery's Monster Money second-chance drawings.

(i) All entries shall be subject to verification by the Pennsylvania Lottery.

(j) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Pennsylvania Lottery's Monster Money second-chance promotion or associated drawings or to be acting in violation of these rules or applicable law.

(k) The Pennsylvania Lottery's Monster Money drawings are governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(l) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(m) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(n) The payment of a prize awarded in the Pennsylvania Lottery's Monster Money second-chance drawings to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(o) A winner is responsible for all taxes arising from or in connection with any prize won.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Zombie Cash instant lottery game tickets.

14. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

15. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Zombie Cash, prize money from winning Pennsylvania Zombie Cash instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Zombie Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

16. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

17. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Zombie Cash or through normal communications methods.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-1851. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Public Utility Realty Tax Act (PURTA); Surcharge Rate Notice for the Tax Year Beginning January 1, 2015

72 P. S. § 8111-A(d) requires the Secretary of Revenue to publish the rate of the Public Utility Realty Tax Act (PURTA) surcharge in the form of a notice in the *Pennsylvania Bulletin* by October 1, 2003, and by each October 1 thereafter. The tax rate established in 72 P. S. § 8111-A(d) shall be imposed upon gross receipts taxes as provided in 72 P. S. § 8111-A(d) for the period beginning the next January 1.

The result of the PURTA surcharge calculation provided in 72 P. S. § 8111-A for the tax year beginning January 1, 2015, is zero mills. Therefore, no PURTA surcharge pursuant to 72 P. S. § 8111-A(d) will be imposed for the taxable period beginning January 1, 2015.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-1852. Filed for public inspection August 29, 2014, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Temporary Changes to Fishing Regulations; Lake Jean, Luzerne and Sullivan Counties

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to modify temporarily fishing regulations at Lake Jean, Luzerne and Sullivan Counties, in anticipation of a drawdown of the lake. The Executive Director is lifting all seasons, sizes and creel limits for all species, effective August 18, 2014. The Executive Director has found that this action is necessary and appropriate for the management of fish and to conserve and preserve fishing opportunities.

The Executive Director will cause these temporary modifications to fishing regulations to be posted in the vicinity of the lake and the modified regulations will be fully effective and enforceable when so posted. These temporary modifications will remain in effect until the lake is completely drained.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 14-1853. Filed for public inspection August 29, 2014, 9:00 a.m.]



# HEALTH CARE COST CONTAINMENT COUNCIL

## Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Wednesday, September 3, 2014—Data Systems Committee Meeting at 10 a.m. and Thursday, September 4, 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 who need accommodation due to a disability who wish to attend the meeting should contact Reneé Greenawalt at (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 14-1854. Filed for public inspection August 29, 2014, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from the web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final</i> Reg. No.	<i>Agency/Title</i>	<i>Received</i>	<i>Public</i> <i>Meeting</i>
#16-56	Department of State Lobbying Disclosure Registration Fee	8/15/14	9/18/14
#2-179	Department of Agriculture Pesticides; Third Party Transactions	8/20/14	10/9/14

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 14-1855. Filed for public inspection August 29, 2014, 9:00 a.m.]

# INSURANCE DEPARTMENT

## Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Asbury Health Center

Asbury Health Center has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Asbury Heights in Pittsburgh, PA. The initial filing was received on August 14, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [syenger@pa.gov](mailto:syenger@pa.gov).

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1856. Filed for public inspection August 29, 2014, 9:00 a.m.]

## Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Wesley Hills

Wesley Hills has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Wesley Hills in Pittsburgh, PA. The initial filing was received on August 14, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [syenger@pa.gov](mailto:syenger@pa.gov).

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1857. Filed for public inspection August 29, 2014, 9:00 a.m.]

**Geisinger Quality Options PPO (GSHP-129665391);  
Individual Transitional Nongrandfathered Poli-  
cies; Rate Filing**

Geisinger Quality Options PPO submitted a rate filing to increase the premium rates for its Individual Transitional Nongrandfathered Health Plans for members renewing December 2014. The filing proposes a rate increase of 20.6% and will affect approximately 3,972 members. The proposed rate increase will generate approximately \$2.2 million of additional annual revenue and will be effective December 1, 2014.

Unless formal administrative action is taken prior to November 12, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1858. Filed for public inspection August 29, 2014, 9:00 a.m.]

**Geisinger Quality Options PPO (GSHP-129665527);  
Individual Transitional Nongrandfathered Poli-  
cies; Rate Filing**

Geisinger Quality Options PPO submitted a rate filing to increase the premium rates for its Individual Transitional Nongrandfathered Health Plans for members renewing January 1, 2015, through October 31, 2015. The filing proposes a rate increase of 15.4% and will affect approximately 2,311 members. The proposed rate increase will generate approximately \$936,000 of additional annual revenue and will be effective January 1, 2015.

Unless formal administrative action is taken prior to November 12, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product

Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1859. Filed for public inspection August 29, 2014, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center at Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, September 9, 2014.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 14-1860. Filed for public inspection August 29, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### 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 September 16, 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.

**Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.***

**A-2014-2422516. First Choice Limousine, Inc.** (2870 Welsh Road, Philadelphia, PA 19152) persons in limousine service from points in the Counties of Berks, Chester and Lehigh, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**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-2014-2429336. (Corrected) Kris Eckerl, t/a Michaels Moving and Storage** (126 Snowshoe Drive, Dingmans Ferry, PA 18328) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pike County.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 14-1861. Filed for public inspection August 29, 2014, 9:00 a.m.]

**Service of Notice of Motor Carrier Formal Complaints**

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due September 15, 2014, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. A&J Trans LLC;*  
*Doc. No. C-2014-2424887*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to A&J Trans LLC, (respondent) is under suspension effective March 21, 2014 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 999 Penn Estates, East Stroudsburg, PA 18301.
3. That respondent was issued a Certificate of Public Convenience by this Commission on August 16, 2010, at A-8912420.
4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance

with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8912420 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 6/5/2014

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acorid Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance. The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1862. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Telecommunications

**A-2014-2437554. Verizon North, LLC and Guidance Telecom, LLC.** Joint petition of Verizon North, LLC and Guidance Telecom, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Guidance Telecom, LLC by its counsel, filed August 7, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents

filed in support of Verizon North, LLC and Guidance Telecom, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1863. Filed for public inspection August 29, 2014, 9:00 a.m.]

### Water Service

**A-2014-2438391. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in an additional portion of Mount Pleasant Township, Washington County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities), on or before September 15, 2014. 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. 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.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1864. Filed for public inspection August 29, 2014, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Application for Dispatch Service in the City of Philadelphia

Authority to render service as a common carrier in Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to dispatch medallion taxicabs in the City of Philadelphia. The application is docketed at A-14-08-02. This notice may be viewed on the PPA web site.

**Alliance Taxi Dispatch Company CC, t/a Alliance Taxi Dispatch Company** registered with the Commonwealth on August 15, 2012.

*Attorney for Applicant:* Michael Henry, 2336 South Broad Street, Philadelphia, PA 19145.

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 TLD to the attention of Charles Milstein, Esq., 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by September 15, 2014 (See regulations [www.philapark.org](http://www.philapark.org)). Documents filed in support of the application are available for inspection at the TLD office 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. 14-1865. Filed for public inspection August 29, 2014, 9:00 a.m.]

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## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Dominican Beauty Salon; Doc. No. 1267-45-2013

On July 10, 2014, Dominican Beauty Salon, license no. CB120764 of Philadelphia, Philadelphia County, was issued a \$2,100 civil penalty for operating without a manager, employing an unlicensed individual and aiding and abetting unlicensed practice.

Individuals may obtain a copy of the order by writing to Juan A. Ruiz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

KARIE M. SCHOENEMAN,  
*Chairperson*

[Pa.B. Doc. No. 14-1866. Filed for public inspection August 29, 2014, 9:00 a.m.]

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## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Sarah E. McGahan, LPN; File No. 14-51-07405; Doc. No. 1314-51-14

On July 31, 2014, Sarah E. McGahan, LPN, license no. PN262619, last known of Shade Gap, Huntingdon County,

had her license to practice practical nursing automatically suspended for 10 years from the date of criminal conviction for violating 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. 14-1867. Filed for public inspection August 29, 2014, 9:00 a.m.]

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### Bureau of Professional and Occupational Affairs v. Wendy R. Rhone, LPN; File No. 14-51-06850; Doc. No. 1312-51-14

On July 31, 2014, Wendy R. Rhone, LPN, license no. PN260672L, last known of Mount Union, Huntingdon County, had her license to practice practical nursing automatically suspended for 1 year, as of July 31, 2014, for violating 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. 14-1868. Filed for public inspection August 29, 2014, 9:00 a.m.]