



Volume 45 (2015)

Pennsylvania Bulletin
Repository

1-17-2015

January 17, 2015 (Pages 271-400)

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: https://digitalcommons.law.villanova.edu/pabulletin_2015

Recommended Citation

Pennsylvania Legislative Reference Bureau, "January 17, 2015 (Pages 271-400)" (2015). *Volume 45 (2015)*. 3.

https://digitalcommons.law.villanova.edu/pabulletin_2015/3

This January is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 45 (2015) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

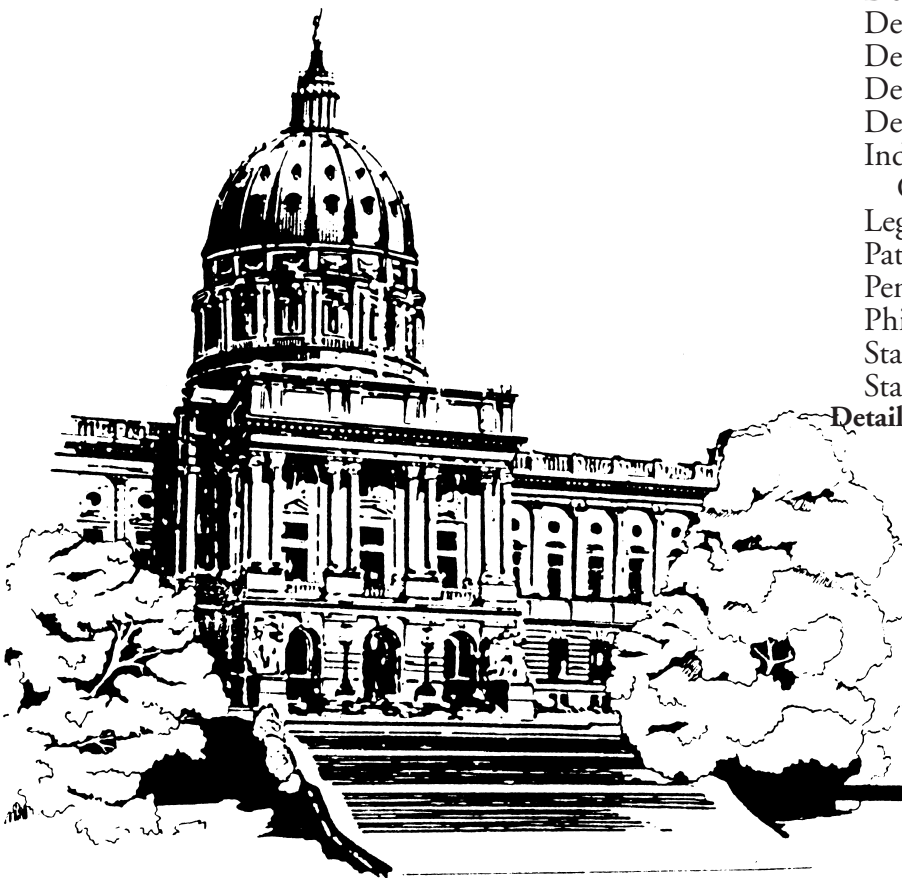
PENNSYLVANIA BULLETIN

Volume 45
Saturday, January 17, 2015 • Harrisburg, PA
Number 3
Pages 271—400

Agencies in this issue

The General Assembly
The Courts
Department of Agriculture
Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Education
Department of Environmental Protection
Department of Health
Department of Labor and Industry
Department of Revenue
Independent Regulatory Review Commission
Legislative Reference Bureau
Patient Safety Authority
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority
State Board of Cosmetology
State Police

Detailed list of contents appears inside.



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

No. 482, January 2015

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE/NEW SUBSCRIPTION

If information on mailing label is incorrect, please email changes to info@pabulletin.com or mail to:

FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 4 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$82.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2015 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

CONTENTS

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meeting schedule 278

THE COURTS

APPELLATE PROCEDURE

Order amending Rule 2135 of the Rules of Appellate Procedure; No. 251 appellate procedural rules doc. 290

Order amending Rules 1115 and 1116 of the Rules of Appellate Procedure; No. 252 appellate procedural rules doc. 288

JUDICIAL SYSTEM GENERAL PROVISIONS

Amendments of the Pennsylvania Rules of Professional Conduct and the Rules of Disciplinary Enforcement; No. 132 disciplinary rules doc. 279

PHILADELPHIA RULES

Amendment of Phila.Civ.R. *4005 and adoption of Phila.Civ.R. *4009.11; president judge general court regulation No. 2014-03 291

Philadelphia real estate liens filed pursuant to the Municipal Claim and Tax Lien Act, 53 P.S. §§ 7101—7505; administrative order No. 2 of 2014 306

RULES OF CIVIL PROCEDURE

Damages for delay 291

SUPREME COURT

Extension of pilot program for electronic filing and service of motions and other legal papers in the first Judicial District Court of Common Pleas, Trial Division—Criminal Section and the Philadelphia Municipal Court—Criminal Section; No. 460 criminal procedural rules doc. 306

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGRICULTURE

Rules and Regulations

Pesticides; third party transactions 308

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 312
Maximum lawful rate of interest for residential mortgages for the month of February 2015 314

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Notices

Community Conservation Partnerships Program Grants; webinars scheduled 314
Request for bids 315

DEPARTMENT OF EDUCATION

Notices

Application of Brian D. McGill for reinstatement of teaching certificates; doc. No. RE-14-04 315

Proposed grant application by the Department of Education under Part B of the Individuals with Disabilities Education Act for Federal fiscal year 2015 315

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 316

Availability of the final modifications to the general plan approval and/or general operating permit for natural gas compression and/or processing facilities (BAQ-GPA/GP-5) 370

Availability of technical guidance 370

Oil and Gas Technical Advisory Board meeting cancellation 371

Recycling grant awards under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101 372

DEPARTMENT OF HEALTH

Notices

Long-term care nursing facilities; request for exception 376

Scope of practice for emergency medical service providers; update to 2014 notice 377

Sexual assault victim emergency services regulation; listing of hospitals that may not provide emergency contraception and hospitals that may not provide any sexual assault emergency services . 383

Special Pharmaceutical Benefits Program Advisory Council public meeting 383

DEPARTMENT OF LABOR AND INDUSTRY

Notices

Unemployment compensation; table specified for the determination of rate and amount of benefits 384

DEPARTMENT OF REVENUE

Notices

PICK 2 terminal-based lottery game 384

PICK 3 terminal-based lottery game 386

PICK 4 terminal-based lottery game 388

PICK 5 terminal-based lottery game 390

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of comments issued 393

LEGISLATIVE REFERENCE BUREAU

Notices

Documents filed but not published 397

PATIENT SAFETY AUTHORITY

Notices

Public meeting 397

Available Online at <http://www.pabulletin.com>

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Cybersecurity tabletop exercise; save the date 397
 Service of notice of motor carrier applications..... 398
 Transfer of control 398
 Wastewater and water services 399

PHILADELPHIA REGIONAL PORT AUTHORITY

Notices

Request for bids 399

STATE BOARD OF COSMETOLOGY

Notices

Bureau of Professional and Occupational Affairs v.
 Sarah Lynn Mangan and Sarah’s Spa Sensations;
 doc. Nos. 10514-45-2012 and 15013-45-2012 399

STATE POLICE

Notices

Mobile video recording system equipment standards
 and approved mobile video recording systems..... 399

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.

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.

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.

**SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

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.

Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

§ 3.44. General permission to reproduce content of *Code* and *Bulletin*.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

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 2015.

7 Pa. Code (Agriculture)		210 Pa. Code (Appellate Procedure)	
Adopted Rules		Adopted Rules	
128	308	11	288
		21	290
25 Pa. Code (Environmental Protection)		231 Pa. Code (Rules of Civil Procedure)	
Adopted Rules		Adopted Rules	
806	16	200	291
204 Pa. Code (Judicial System General Provisions)		249 Pa. Code (Philadelphia Rules)	
Adopted Rules		Unclassified	291, 306
81	279	255 Pa. Code (Local Court Rules)	
83	279	Unclassified8, 10, 11
207 Pa. Code (Judicial Conduct)			
Adopted Rules			
33	8		

GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meeting Schedule

The Commission on Sentencing (Commission) is giving notice that the following dates have been selected for public meetings in the year 2015:

Wednesday, March 18, 2015	6 p.m.	Dinner Meeting Harrisburg Hilton and Towers Harrisburg, PA
Thursday, March 19, 2015	9 a.m.	Policy Committee Meeting Quarterly Commission Meeting Pennsylvania Judicial Center Harrisburg, PA
Wednesday, June 3, 2015	6 p.m.	Dinner Meeting Harrisburg Hilton and Towers Harrisburg, PA
Thursday, June 4, 2015	9 a.m.	Policy Committee Meeting Quarterly Commission Meeting Pennsylvania Judicial Center Harrisburg, PA
Wednesday, September 2, 2015	TBD 6 p.m.	Strategic Planning Session Dinner Meeting The Nittany Lion Inn State College, PA
Thursday, September 3, 2015	9 a.m.	Policy Committee Meeting Quarterly Commission Meeting The Nittany Lion Inn State College, PA
Wednesday, December 2, 2015	6 p.m.	Dinner Meeting Harrisburg Hilton and Towers Harrisburg, PA
Thursday, December 3, 2015	9 a.m.	Policy Committee Meeting Quarterly Commission Meeting Pennsylvania Judicial Center Harrisburg, PA

Meetings are open to the public. Questions regarding the Commission meetings should be directed to Mark H. Bergstrom, Executive Director, (814) 863-4368, mhb105@psu.edu.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 15-84. Filed for public inspection January 16, 2015, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 81 AND 83]

Amendments of the Pennsylvania Rules of Professional Conduct and the Rules of Disciplinary Enforcement; No. 132 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 30th day of December, 2014, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal to amend the Pennsylvania Rules of Professional Conduct and the Pennsylvania Rules of Disciplinary Enforcement having been published for public comment in the *Pennsylvania Bulletin*, 44 Pa.B. 6070 (September 27, 2014):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1.7, 1.8, 1.15, and 5.7 are amended in the following form and new Rule 5.8 is adopted (Annex A) and Rules 208, 213, 215, 217, 218, 219 and 221 of the Pennsylvania Rules of Disciplinary Enforcement are amended in the following form (Annex B).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 60 days and shall govern all matters thereafter commenced and, insofar as just and practicable, matters then pending.

The amendments to Rule 217(c) and (d) and the Note after Rule 217(d)(3) shall apply to persons who are formerly admitted attorneys on the effective date of this Order and to persons becoming formerly admitted attorneys on or after the effective date of this Order.

The amendments to Rule 219(d) relating to annual registration of attorneys shall be applicable beginning with the 2015-2016 assessment year.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

CLIENT-LAWYER RELATIONSHIP

Rule 1.7. Conflict of Interest: Current Clients.

* * * * *

Comment:

* * * * *

Personal Interest Conflicts

(10) The lawyer's own interests should not be permitted to have an adverse effect on representation of a client. For example, if the probity of a lawyer's own conduct in a transaction is in serious question, it may be difficult or impossible for the lawyer to give a client detached advice. Similarly, when a lawyer has discussions concerning possible employment with an opponent of the lawyer's client, or with a law firm representing the opponent, such discussions could materially limit the lawyer's representation of the client. In addition, a lawyer may not allow related business interests to affect representation, for example, by referring clients to an enterprise in which the lawyer has an undisclosed financial interest. **See Rule 5.8 for specific Rules that prohibit or restrict a lawyer's involvement in the offer, sale, or placement of investment products regardless of an actual conflict or the potential for conflict.** See Rule 1.8 for specific Rules pertaining to a number of personal interest conflicts, including business transactions with clients. See also Rule 1.10 (personal interest conflicts under Rule 1.7 ordinarily are not imputed to other lawyers in a law firm).

* * * * *

Rule 1.8. Conflict of Interest: Current Clients: Specific Rules.

* * * * *

Comment:

Business Transactions Between Client and Lawyer

(1) A lawyer's legal skill and training, together with the relationship of trust and confidence between lawyer and client, create the possibility of overreaching when the lawyer participates in a business, property or financial transaction with a client, for example, a loan or sales transaction or a lawyer investment on behalf of a client. The requirements of paragraph (a) must be met even when the transaction is not closely related to the subject matter of the representation, as when a lawyer drafting a will for a client learns that the client needs money for unrelated expenses and offers to make a loan to the client. The Rule applies to lawyers engaged in the sale of goods or services related to the practice of law, for example, the sale of title insurance or investment services to existing clients of the lawyer's legal practice. See Rule 5.7. **[It] But see Rule 5.8 for specific Rules that prohibit or restrict a lawyer's involvement in the offer, sale, or placement of investment products regardless of an actual conflict or the potential for conflict.** Rule 1.8 also applies to lawyers purchasing property from estates they represent. It does not apply to ordinary fee arrangements between client and lawyer, which are governed by Rule 1.5, although its requirements must be met when the lawyer accepts an interest in the client's business or other nonmonetary property as payment of all or part of a fee. In addition, the Rule does not apply to standard commercial transactions between the lawyer and the client for products or services that the client generally markets to others, for example, banking or brokerage services, medical services, products manufactured or distributed by the client, and utilities services. In such transactions, the lawyer has no advantage in

dealing with the client, and the restrictions in paragraph (a) are unnecessary and impracticable.

* * * * *

Rule 1.15. Safekeeping Property.

* * * * *

(c) **Required records.** Complete records of the receipt, maintenance and disposition of Rule 1.15 Funds and property shall be preserved for a period of five years after termination of the client-lawyer or Fiduciary relationship or after distribution or disposition of the property, whichever is later. **A lawyer shall maintain the writing required by Rule 1.5(b) (relating to the requirement of a writing communicating the basis or rate of the fee) and the records identified in Rule 1.5(c) (relating to the requirement of a written fee agreement and distribution statement in a contingent fee matter).** A lawyer shall also maintain the following books and records for each Trust Account and for any other account in which Fiduciary Funds are held pursuant to Rule 1.15(l):

(1) all transaction records provided to the lawyer by the Financial Institution or other investment entity, such as periodic statements, cancelled checks **in whatever form**, deposited items and records of electronic transactions; and

(2) check register or separately maintained ledger, which shall include the payee, date, **purpose** and amount of each check, withdrawal and transfer, the payor, date, and amount of each deposit, and the matter involved for each transaction; **provided, however, that where an account is used to hold funds of more than one client, a lawyer shall also maintain an individual ledger for each trust client, showing the source, amount and nature of all funds received from or on behalf of the client, the description and amounts of charges or withdrawals, the names of all persons or entities to whom such funds were disbursed, and the dates of all deposits, transfers, withdrawals and disbursements.**

(3) The records required by this [rule] Rule may be maintained in [electronic or] hard copy form or by **electronic, photographic, or other media provided that the records otherwise comply with this Rule and that printed copies can be produced. Whatever method is used to maintain required records must have a backup so that the records are secure and always available.** If records are kept only in electronic form, then such records shall be backed up [**at least monthly**] on a separate electronic storage device **at least at the end of any day on which entries have been entered into the records. These records shall be readily accessible to the lawyer and available for production to the Pennsylvania Lawyers Fund for Client Security or the Office of Disciplinary Counsel in a timely manner upon a request or demand by either agency made pursuant to the Pennsylvania Rules of Disciplinary Enforcement, the Disciplinary Board Rules, the Pennsylvania Lawyers Fund for Client Security Board Rules and Regulations, agency practice, or subpoena.**

(4) A regular trial balance of the individual client trust ledgers shall be maintained. The total of the trial balance must agree with the control figure computed by taking the beginning balance, adding the total of moneys received in trust for the client, and deducting the total of all moneys disbursed. On

a monthly basis, a lawyer shall conduct a reconciliation for each fiduciary account. The reconciliation is not complete if the reconciled total cash balance does not agree with the total of the client balance listing. A lawyer shall preserve for a period of five years copies of all records and computations sufficient to prove compliance with this requirement.

(d) Upon receiving Rule 1.15 Funds or property which are not Fiduciary Funds or property, a lawyer shall promptly notify the client or third person, consistent with the requirements of applicable law. Notification of receipt of Fiduciary Funds or property to clients or other persons with a beneficial interest in such Fiduciary Funds or property shall continue to be governed by the law, procedure and rules governing the requirements of confidentiality and notice applicable to the Fiduciary entrustment.

(e) Except as stated in this Rule or otherwise permitted by law or by agreement with the client or third person, a lawyer shall promptly deliver to the client or third person any property, including but not limited to Rule 1.15 Funds, that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding the property; Provided, however, that the delivery, accounting and disclosure of Fiduciary Funds or property shall continue to be governed by the law, procedure and rules governing the requirements of Fiduciary administration, confidentiality, notice and accounting applicable to the Fiduciary entrustment.

(f) When in possession of funds or property in which two or more persons, one of whom may be the lawyer, claim an interest, the funds or property shall be kept separate by the lawyer until the dispute is resolved. The lawyer shall promptly distribute all portions of the funds or property, including Rule 1.15 Funds, as to which the interests are not in dispute.

(g) The responsibility for identifying an account as a Trust Account shall be that of the lawyer in whose name the account is held. **Only a lawyer admitted to practice law in this jurisdiction or a person under the direct supervision of the lawyer shall be an authorized signatory or authorize transfers from a Trust Account or any other account in which Fiduciary Funds are held pursuant to Rule 1.15(l).**

* * * * *

Comment:

* * * * *

(2) A lawyer should maintain on a current basis books and records in accordance with sound accounting practices consistently applied and comply with any recordkeeping rules established by law or court order, including those records identified in paragraph (c). **With little exception, funds belonging to a client or third party must be deposited into a Trust Account as defined in paragraph (a)(11), and funds belonging to the lawyer must be deposited in a business operating account maintained pursuant to paragraph (j). Thus, unless the client gives informed consent, confirmed in writing, to a different manner of handling funds advanced by the client to cover fees and expenses, the lawyer must deposit those funds into a Trust Account pursuant to paragraph (i). If the lawyer pools such funds belonging to more than one client, under paragraph (c)(2) the lawyer must keep a ledger for each individual client, regularly recording all funds received from**

the client and their purpose, and all disbursements of earned fees and expenses incurred. As fees become earned, the lawyer must promptly transfer those funds to the operating account. If the lawyer pools client funds after settlement or verdict in a single Trust Account, the lawyer must maintain a ledger of receipts and disbursements for each individual client, regularly recording the dates of each transaction, the identity of payors and payees, and the purpose of each disbursement, withdrawal or transfer of funds. The requirement of monthly reconciliations should deter situations where an attorney's Trust Account contains a shortfall for any significant period of time. Additionally, if a lawyer fails to maintain the records identified in paragraph (c) or to perform the required monthly reconciliations, later claims by the lawyer that a shortfall (i.e., misappropriation) resulted from negligence, even if credible, will necessarily be balanced against the lawyer's abdication of responsibility to comply with essential requirements associated with acting as a fiduciary and serving in a position of trust. The failure to maintain or timely produce the records required by paragraph (c) hampers rule-mandated or agency-promulgated investigative inquiries by the Pennsylvania Lawyers Fund for Client Security and the Office of Disciplinary Counsel and may serve as a basis for emergency temporary suspension of the lawyer's license to practice law. See Pa.R.D.E. 208(f)(1), 208(f)(5), 213(g)(2) and 221(g)(3).

* * * * *

LAW FIRMS AND ASSOCIATIONS

Rule 5.7. Responsibilities Regarding Nonlegal Services.

* * * * *

Comment:

* * * * *

Providing Nonlegal Services that Are Not Distinct from Legal Services

(3) Under some circumstances, the legal and nonlegal services may be so closely entwined that they cannot be distinguished from each other. In this situation, confusion by the recipient as to when the protection of the client-lawyer relationship applies [are] is likely to be unavoidable. Therefore, Rule 5.7(a) requires that the lawyer providing the nonlegal services adhere to all of the requirements of the Rules of Professional Conduct.

(4) In such a case, a lawyer will be responsible for assuring that both the lawyer's conduct and, to the extent required by Rule 5.3, that of nonlawyer employees, comply in all respects with the Rules of Professional Conduct. When a lawyer is obliged to accord the recipients of such nonlegal services the protection of those Rules that apply to the client-lawyer relationship, the lawyer must take special care to heed the proscriptions of the Rules addressing conflict of interest (Rules 1.7 through 1.11, especially Rules 1.7(b) and 1.8(a), (b) and (f)), and to scrupulously adhere to the requirements of Rule 1.6 relating to disclosure of confidential information. The promotion of the nonlegal services must also in all respects comply with **Rule 5.8 relating to prohibitions and restrictions on dealing in investment products, and with Rules 7.1 through 7.3, dealing with advertising and solicitation.**

* * * * *

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

Rule 5.8. Dealing in Investment Products: Prohibitions and Restrictions.

(a) A lawyer shall not broker, offer to sell, sell, or place any investment product unless separately licensed to do so.

(b) A lawyer shall not recommend or offer an investment product to a client or any person with whom the lawyer has a fiduciary relationship, or invest funds belonging to such a person in an investment product, if the lawyer or a person related to the lawyer:

(1) has an interest in compensation paid or provided by a person other than the client or person with whom the lawyer has a fiduciary relationship; or

(2) has an ownership interest in the entity that sponsors, insures, underwrites, manages, or issues the investment product.

(c) For purposes of this Rule:

(1) the term "investment product" includes: an annuity contract; a life insurance contract; a commodity; a swap; an investment fund, including but not limited to a collective trust fund, a common trust fund, a real estate investment fund, and registered investment company; a security, whether or not the security is registered with any federal or state securities regulator; or an investment adviser's, bank's, trust company's, insurance company's, or other financial institution's service as an investment manager or investment adviser;

(2) "person related to the lawyer" includes a spouse, child, grandchild, parent, grandparent or other relative or individual with whom the lawyer maintains a close familial relationship; and

(3) the term "ownership interest" does not include shares of an issuer that has registered the shares under federal securities laws, the issuer's shares are traded on a securities exchange that is registered under federal securities laws, and the lawyer's aggregate interest in shares of all classes is less than one percent of the issuer's outstanding common shares.

Comment:

(1) Paragraph (a) prohibits a lawyer from brokering, offering to sell, selling, or placing any investment product, as defined in paragraph (c)(1), unless separately licensed to do so. Licensing and registration requirements vary by state. Before offering or selling any investment product in relation to the provision of legal services, a lawyer must consult all applicable federal and state laws to determine eligibility, licensing and regulatory requirements. Paragraph (a) neither addresses the giving of investment advice nor is intended to supplant or otherwise affect federal and state laws that either require licensing and registration in order to give investment advice or exempt lawyers from their regulatory scheme.

(2) Paragraph (b) prohibits investment situations that are fraught with a potential for a conflict of interest or that provide an opportunity for the lawyer to control or unduly influence the use or management of the funds throughout the course of the investment. Clients who place their trust in their lawyer and assume or expect that the lawyer will protect them from harm are likely to feel deceived if substantial sums of money are lost on investments pursued at the lawyer's recommendation or prompting and the lawyer or a person related to the lawyer either receives compensation or a pecuniary ben-

efit from a person other than the client or has an ownership interest in the entity that sponsors, insures, underwrites, manages, or issues the investment product, even when the reason for the loss is limited to unexpected market conditions. The prohibition of paragraph (b) is not imputed to other lawyers in the lawyer's firm or those lawyers' relatives.

(3) This Rule applies to a lawyer under any circumstance—whether the lawyer is providing legal services, nonlegal services that are not distinct from legal services, or nonlegal services that are distinct from legal services. See Rule 5.7(e) for the meaning of the term “nonlegal services.” The prohibition of paragraph (b) is in addition to the restrictions imposed by Rules 1.7(a)(2), 1.8(a) and 5.7.

Annex B

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 208. Procedure.

* * * * *

(f) *Emergency temporary suspension orders and related relief.*

* * * * *

(5) The Board on its own motion, or upon the petition of Disciplinary Counsel, may issue a rule to show cause why the respondent-attorney should not be placed on temporary suspension whenever it appears that the respondent-attorney has disregarded an applicable provision of the Enforcement Rules, [**refused**] **failed to maintain or produce the records required to be maintained and produced under Pa.R.P.C. 1.15(c) and subdivisions (e) and (g) of Enforcement Rule 221 in response to a request or demand authorized by Enforcement Rule 221(g) or any provision of the Disciplinary Board Rules, failed to comply with a valid subpoena, or engaged in other conduct that in any such instance materially delays or obstructs the conduct of a proceeding under these rules. The rule to show cause shall be returnable within [30] ten days. If the response to the rule to show cause raises issues of fact, the [Chairman of the] Board Chair may direct that a hearing be held before a member of the Board who shall submit a report to the Board upon the conclusion of the hearing. If the period for response to the rule to show cause has passed without a response having been filed, or after consideration of any response and any report of a Board member following a hearing under this paragraph, the Board may recommend to the Supreme Court that the respondent-attorney be placed on temporary suspension. The recommendation of the Board shall be reviewed by the Supreme Court as provided in subdivision (e) of this rule, although the time for either party to file with the Court a petition for review of the recommendation or determination of the Board shall be fourteen days after the entry of the Board's recommendation or determination, and any answer or responsive pleading shall be filed within ten days after service of the petition for review.**

* * * * *

Rule 213. Subpoena power, depositions and related matters.

* * * * *

(d) *Challenges; appeal of challenges to subpoena.* Any attack on the validity of a subpoena issued under this rule shall be handled as follows:

(1) A challenge to a subpoena authorized by subdivision (a)(1) shall be heard and determined by the hearing committee or special master before whom the subpoena is returnable **in accordance with the procedure established by the Board. See D.Bd. Rules § 91.3(b) (relating to procedure).**

(2) A challenge to a subpoena authorized by subdivision (a)(2) shall be heard and determined by a member of a hearing committee in the disciplinary district in which the subpoena is returnable **in accordance with the procedure established by the Board. See D.Bd. Rules § 91.3(b) (relating to procedure).**

(3) A determination under paragraph (1) or (2) may [**not**] be appealed to a lawyer-Member of the Board[, but may be appealed to the Supreme Court under subdivision (g)] within ten days after service pursuant to D.Bd. Rules §§ 89.21 and 89.24 of the determination on the party bringing the appeal by filing a petition with the Board setting forth in detail the grounds for challenging the determination. The appealing party shall serve a copy of the petition on the non-appealing party by mail on the date that the appealing party files the appeal, and the non-appealing party shall have five business days after delivery to file a response. No attack on the validity of a subpoena will be considered by the Designated lawyer-Member of the Board unless previously raised before the hearing committee. The Board Member shall decide the appeal within five business days of the filing of the non-appealing party's response, if any. There shall be no right of appeal to the Supreme Court. Any request for review shall not serve to stay any hearing or proceeding before the hearing committee or the Board unless the Court enters an order staying the proceedings.

(e) *Examination under oath.* Witnesses before hearing committees or special masters shall be examined under oath or affirmation.

(f) *Depositions.* With the approval of the hearing committee or special master, testimony may be taken by deposition or by commission if the witness is not subject to service of subpoena or is unable to attend or testify at the hearing because of age, illness or other compelling reason. A complete record of the testimony so taken shall be made and preserved.

(g) *Enforcement of subpoenas [; appeal of challenges to subpoenas]*.

(1) Either Disciplinary Counsel or a respondent-attorney may petition the Supreme Court to enforce a subpoena [or to review a determination under subdivision (d)(1) or (2) on the validity of a subpoena. No attack on the validity of a subpoena will be considered by the Court unless previously raised as provided in subdivision (d)] that was not the subject of a challenge pursuant to subdivision (d)(1) or (2), or that was the subject of a challenge and has not been finally quashed by either the hearing committee or the Board Member designated to hear the appeal, provided that the party filing the peti-

tion to enforce attaches a certification in good faith that: a) the party exhausted reasonable efforts to secure the presence of the witness or the evidence within the witness's custody or control, b) the testimony, records or other physical evidence of the witness will not be cumulative of other evidence available to the party, and c) the absence of the witness will substantially handicap the party from prosecuting or defending the charges, or from establishing a weighty aggravating or mitigating factor. If the object of a petition to enforce is a subpoena directed to the respondent-attorney for, in whole or in part, production pursuant to Enforcement Rule 221(g)(2) of required records under Pa.R.P.C. 1.15(c) and Enforcement Rule 221(e), no certification will be required for the subpoena or portion thereof that pertains to the required records. See also Enforcement Rule 208(f)(5) (relating to emergency temporary suspension orders and related relief).

Official Note: The reference to Enforcement Rule 208(f)(5) is intended to make clear that, where the person who is resisting complying with a subpoena is the respondent-attorney, the provisions of this rule are cumulative of those in Enforcement Rule 208(f)(5).

(2) Upon receipt of a petition for enforcement of a subpoena, the Court shall issue a rule to show cause upon the person to whom the subpoena is directed, returnable within ten days, why the person should not be held in contempt. If the subpoena is directed to a respondent-attorney for production of required records and the respondent-attorney has not produced the records, the Court shall issue upon the respondent-attorney a rule to show cause why the respondent-attorney should not be placed on temporary suspension for failing to produce the records. If the period for response has passed without a response having been filed, or after consideration of any response, the Court shall issue an appropriate order.

[(3) A petition for review of a determination made under subdivision (d)(1) or (2) must set forth in detail the grounds for challenging the determination. Upon timely receipt of a petition for review, the Court shall issue a rule to show cause upon the party to the proceeding who is not challenging the determination, returnable within ten days, why the determination should not be reversed. If the period for response has passed without a response having been filed, or after consideration of any response, the Court shall issue an appropriate order.]

(h) *Exclusivity.* Any rule of the Supreme Court or any statute providing for discovery shall not be applicable in a proceeding under these rules, which proceeding shall be governed by these rules alone.

* * * * *

Rule 215. Discipline on consent.

(a) *Voluntary resignation.*—An attorney who is the subject of an investigation into allegations of misconduct by the attorney may submit a resignation, but only by delivering to **Disciplinary Counsel or the Secretary of the Board** a verified statement stating that the attorney desires to resign and that:

(1) the resignation is freely and voluntarily rendered; the attorney is not being subjected to coercion or duress; the attorney is fully aware of the implications of submit-

ting the resignation; and whether or not the attorney has consulted or followed the advice of counsel in connection with the decision to resign;

(2) the attorney is aware that there is a presently pending investigation into allegations that the attorney has been guilty of misconduct the nature of which the verified statement shall specifically set forth;

(3) the attorney acknowledges that the material facts upon which the complaint is predicated are true; [and]

(4) the resignation is being submitted because the attorney knows that if charges were predicated upon the misconduct under investigation the attorney could not successfully defend against them[.];

(5) the attorney is fully aware that the submission of the resignation statement is irrevocable and that the attorney can only apply for reinstatement to the practice of law pursuant to the provisions of Enforcement Rule 218(b) and (c);

(6) the attorney is aware that pursuant to subdivision (c) of this Rule, the fact that the attorney has tendered his or her resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Secretary of the Board;

(7) upon entry of the order disbaring the attorney on consent, the attorney will promptly comply with the notice, withdrawal, resignation, trust accounting, and cease-and-desist provisions of subdivisions (a), (b), (c) and (d) of Enforcement Rule 217;

(8) after the entry of the order disbaring the attorney on consent, the attorney will file a verified statement of compliance as required by subdivision (e)(1) of Enforcement Rule 217; and

(9) the attorney is aware that the waiting period for eligibility to apply for reinstatement to the practice of law under Enforcement Rule 218(b) shall not begin until the attorney files the verified statement of compliance required by Enforcement Rule 217(e)(1), and if the order of disbarment contains a provision that makes the disbarment retroactive to an earlier date, then the waiting period will be deemed to have begun on that earlier date.

(b) *Order of disbarment.*—Upon receipt of the required statement, the **Secretary of the Board** shall file it with the Supreme Court and the Court shall enter an order disbaring the attorney on consent.

(c) *Confidentiality [or] of resignation statement.*—**The fact that the attorney has submitted a resignation statement to Disciplinary Counsel or the Secretary of the Board for filing with the Supreme Court shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Secretary of the Board.** The order disbaring the attorney on consent shall be a matter of public record. If the statement required under the provisions of subdivision (a) of this rule is submitted before the filing and service of a petition for discipline and the filing of an answer or the time to file an answer has expired, the statement shall not be publicly disclosed or made available for use in any proceeding other than a subsequent reinstatement proceeding except:

* * * * *

Rule 217. Formerly admitted attorneys.

(a) A formerly admitted attorney shall promptly notify, or cause to be **promptly notified, [by registered or**

certified mail, return receipt requested,] all clients being represented in pending matters, other than litigation or administrative proceedings, of the disbarment, suspension, administrative suspension or transfer to inactive status and the consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status and shall advise said clients to seek legal advice elsewhere. **The notice required by this subdivision (a) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the Secretary of the Board and shall serve a conforming copy on the Office of Disciplinary Counsel. See D.Bd. Rules § 91.91(b) (relating to filing of copies of notices).**

Official Note: Notice may be accomplished, for example, by delivery in person with the lawyer securing a signed receipt, electronic mailing with some form of acknowledgement from the client other than a “read receipt,” and mailing by registered or certified mail, return receipt requested.

(b) A formerly admitted attorney shall promptly notify, or cause to be **promptly notified, [by registered or certified mail, return receipt requested,]** all clients who are involved in pending litigation or administrative proceedings, and the attorney or attorneys for each adverse party in such matter or proceeding, of the disbarment, suspension, administrative suspension or transfer to inactive status and consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status. The notice to be given to the client shall advise the prompt substitution of another attorney or attorneys in place of the formerly admitted attorney. In the event the client does not obtain substitute counsel before the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status, it shall be the responsibility of the formerly admitted attorney to move in the court or agency in which the proceeding is pending for leave to withdraw. The notice to be given to the attorney or attorneys for an adverse party shall state the place of residence of the client of the formerly admitted attorney. **The notice required by this subdivision (b) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. See Note after subdivision (a), supra. At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the Secretary of the Board and shall serve a conforming copy on the Office of Disciplinary Counsel. See D.Bd. Rules § 91.92(b) (relating to filing of copies of notices).**

(c) A formerly admitted attorney shall promptly notify, or cause to be **promptly notified, of the disbarment, suspension, administrative suspension or transfer to inactive status[, by registered or certified mail, return receipt requested]:**

(1) all persons or their agents or guardians, **including but not limited to wards, heirs and beneficiaries,** to whom a fiduciary duty is or may be owed at any time after the disbarment, suspension, administrative suspension or transfer to inactive status[, and];

(2) all other persons with whom the formerly admitted attorney may at any time expect to have professional contacts under circumstances where there is a reasonable probability that they may infer that he or she continues as an attorney in good standing[.]; and

(3) **any other tribunal, court, agency or jurisdiction in which the attorney is admitted to practice.**

The notice required by this subdivision (c) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. *See Note after subdivision (a), supra.* At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the Secretary of the Board and shall serve a conforming copy on the Office of Disciplinary Counsel. The responsibility of the formerly admitted attorney to provide the notice required by this subdivision shall continue for as long as the formerly admitted attorney is disbarred, suspended, administratively suspended or on inactive status.

[(d)] (d)(1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

(2) **In addition to the steps that a formerly admitted attorney must promptly take under other provisions of this Rule to disengage from the practice of law, a formerly admitted attorney shall promptly cease and desist from using all forms of communication that expressly or implicitly convey eligibility to practice law in the state courts of Pennsylvania, including but not limited to professional titles, letterhead, business cards, signage, websites, and references to admission to the Pennsylvania Bar.**

(3) **In cases of disbarment, suspension for a period exceeding one year, temporary suspension under Enforcement Rule 208(f) or 213(g), or disability inactive status under Enforcement Rule 216 or 301, a formerly admitted attorney shall also promptly:**

(i) resign all appointments as personal representative, executor, administrator, guardian, conservator, receiver, trustee, agent under a power of attorney, or other fiduciary position;

(ii) close every IOLTA, Trust, client and fiduciary account;

(iii) properly disburse or otherwise transfer all client and fiduciary funds in his or her possession, custody or control; and

(iv) take all necessary steps to cancel or discontinue the next regular publication of all advertise-

ments and telecommunication listings that expressly or implicitly convey eligibility to practice law in the state courts of Pennsylvania.

The formerly admitted attorney shall maintain records to demonstrate compliance with the provisions of paragraphs (2) and (3) and shall provide proof of compliance at the time the formerly admitted attorney files the verified statement required by subdivision (e)(1) of this Rule.

Official Note: Paragraph (d)(3)(i) does not preclude a respondent-attorney who voluntarily assumes inactive or retired status, is placed on administrative suspension, is temporarily suspended under Enforcement Rule 214, or is suspended for one year or less, from completing existing appointments and accepting new appointments of the nature identified in paragraph (d)(3)(i). Nonetheless, in order to comply with subdivisions (a), (b) and (c) of this Rule, the formerly admitted attorney who desires to complete existing appointments or accept future appointments must give written notice of the formerly admitted attorney's registration status or change in that status to appointing and supervising judges and courts, wards, heirs, beneficiaries, interested third parties, and other recipients of the formerly admitted attorney's fiduciary services, as notice of the formerly admitted attorney's other-than-active status gives all interested parties an opportunity to consider replacing the formerly admitted attorney or enlisting a person other than the formerly admitted attorney to serve as the fiduciary in the first instance. Although the formerly admitted attorney would not be precluded by paragraph (d)(3)(ii) from continuing to use a fiduciary account registered with the bank as an IOLTA or Trust Account, paragraph (2) of subdivision (d) and paragraph (4)(iv) of subdivision (j) of this Rule prohibit the formerly admitted attorney from using or continuing to use account checks and deposit slips that contain the word "IOLTA," "attorney," "lawyer," "esquire," or similar appellation that could convey eligibility to practice in the state courts of Pennsylvania. Notwithstanding the specific prohibitions of subdivision (j) of this Rule, the formerly admitted attorney is authorized to perform those services necessary to carry out the appointment with the exception of any service that would constitute the unauthorized practice of law if engaged in by a nonlawyer. In relation to formerly admitted attorneys who are disbarred, suspended for a period exceeding one year, temporarily suspended under Enforcement Rule 208(f) or 213(g), or transferred to disability inactive status, the requirements of paragraph (d)(3) continue throughout the term of the disbarment, suspension, temporary suspension, or disability inactive status, thereby precluding any new appointment or engagement.

[(e)] (e)(1) Within ten days after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status order, the formerly admitted attorney shall file with the Secretary of the Board a verified statement [showing] and serve a copy on Disciplinary Counsel. In the verified statement, the formerly admitted attorney shall:

[(1)] (i) aver that the provisions of the order and these rules have been fully complied with; [and]

[(2)] (ii) list all other state, federal and administrative jurisdictions to which [such person] the formerly admitted attorney is admitted to practice[. Such statement shall also set forth the residence or other address of the formerly admitted attorney where communications to such person may thereafter be directed.], aver that he or she has fully complied with the notice requirements of paragraph (3) of subdivision (c) of this Rule, and aver that he or she has attached copies of the notices and proofs of receipt required by (c)(3); or, in the alternative, aver that he or she was not admitted to practice in any other tribunal, court, agency or jurisdiction;

(iii) aver that he or she has attached copies of the notices required by subdivisions (a), (b), and (c)(1) and (c)(2) of this Rule and proofs of receipt, or, in the alternative, aver that he or she has no clients, third persons to whom a fiduciary duty is owed, or persons with whom the formerly admitted attorney has professional contacts, to so notify;

(iv) in cases of disbarment or suspension for a period exceeding one year, aver that he or she has attached his or her attorney registration certificate for the current year, certificate of admission, any certificate of good standing issued by the Prothonotary, and any other certificate required by subdivision (h) of this Rule to be surrendered; or, in the alternative, aver that he or she has attached all such documents within his or her possession, or that he or she is not in possession of any of the certificates required to be surrendered;

(v) aver that he or she has complied with the requirements of paragraph (2) of subdivision (d) of this Rule, and aver that he or she has, to the extent practicable, attached proof of compliance, including evidence of the destruction, removal, or abandonment of indicia of Pennsylvania practice; or, in the alternative, aver that he or she neither had nor employed any indicia of Pennsylvania practice;

(vi) in cases of disbarment, suspension for a period exceeding one year, temporary suspension under Enforcement Rule 208(f) or 213(g), or disability inactive status under Enforcement Rule 216 or 301, aver that he or she has complied with the requirements of paragraph (3) of subdivision (d) of this Rule, and aver that he or she has attached proof of compliance, including resignation notices, evidence of the closing of accounts, copies of cancelled checks and other instruments demonstrating the proper distribution of client and fiduciary funds, and requests to cancel advertisements and telecommunication listings; or, in the alternative, aver that he or she has no applicable appointments, accounts, funds, advertisements, or telecommunication listings;

(vii) aver that he or she has served a copy of the verified statement and its attachments on the Office of Disciplinary Counsel;

(viii) set forth the residence or other address where communications to such person may thereafter be directed; and

(ix) sign the statement.

The statement shall contain an averment that all statements contained therein are true and correct to the best of the formerly admitted attorney's knowledge, information and belief, and are made

subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Official Note: A respondent-attorney who is placed on temporary suspension is required to comply with subdivision (e)(1) and file a verified statement. Upon the entry of a final order of suspension or disbarment, the respondent-attorney must file a supplemental verified statement containing the information and documentation not applicable at the time of the filing of the initial statement, or all of the information and documentation required by subdivision (e)(1) if the respondent-attorney has failed to file the initial statement. Although the grant of retroactivity is always discretionary, a respondent-attorney who fails to file a verified statement at the time of temporary suspension should not expect a final order to include a reference to retroactivity.

(2) A formerly admitted attorney shall cooperate with Disciplinary Counsel and respond completely to questions by Disciplinary Counsel regarding compliance with the provisions of this Rule.

(3) After the entry of an order of disbarment or suspension for a period exceeding one year, the waiting period for eligibility to apply for reinstatement to the practice of law shall not begin until the formerly admitted attorney files the verified statement required by subdivision (e)(1) of this Rule. If the order of disbarment or suspension contains a provision that makes the discipline retroactive to an earlier date, the waiting period will be deemed to have begun on that earlier date.

Official Note: This subdivision (e)(3) and the corresponding provisions in subdivision (b) of Enforcement Rule 218 apply only to orders entered on or after February 28, 2015, the effective date of this subdivision and the corresponding Enforcement Rule 218 provisions.

(f) The Board shall cause a notice of the suspension, disbarment, administrative suspension or transfer to inactive status to be published in the legal journal and a newspaper of general circulation in the county in which the formerly admitted attorney practiced. **The cost of publication shall be assessed against the formerly admitted attorney.**

* * * * *

Rule 218. Reinstatement.

* * * * *

(b) A person who has been disbarred may not apply for reinstatement until the expiration of at least five years from the effective date of the disbarment, except that a person who has been disbarred pursuant to **Enforcement Rule 216** (relating to reciprocal discipline and disability) may apply for reinstatement at any earlier date on which reinstatement may be sought in the jurisdiction of initial discipline. **Pursuant to Enforcement Rule 217(e)(3), the waiting period for eligibility to apply for reinstatement to the practice of law shall not begin until the person files the verified statement required by subdivision (e)(1) of Enforcement Rule 217. If the order of disbarment contains a provision that makes the disbarment retroactive**

to an earlier date, the waiting period will be deemed to have begun on that earlier date. (See Note after Enforcement Rule 217(e)(3) for effective date of provisions relating to commencement of waiting period for eligibility to apply for reinstatement.)

* * * * *

Rule 219. Annual registration of attorneys.

* * * * *

(d) On or before July 1 of each year all attorneys required by this rule to pay an annual fee shall file with the Attorney Registration Office a signed or electronically endorsed form prescribed by the Attorney Registration Office in accordance with the following procedures:

(1) The form shall set forth:

(i) The date on which the attorney was admitted to practice, licensed as a foreign legal consultant, granted limited admission as an attorney participant in defender and legal services programs pursuant to Pa.B.A.R. 311, or issued a Limited In-House Corporate Counsel License, and a list of all courts (except courts of this Commonwealth) and jurisdictions in which the person has ever been licensed to practice law, with the current status thereof.

(ii) The current residence and office addresses of the attorney, each of which shall be an actual street address or rural route box number, and the Attorney Registration Office shall refuse to accept a form that sets forth only a post office box number for either required address. A preferred mailing address different from those addresses may also be provided on the form and may be a post office box number. The attorney shall indicate which of the addresses, the residence, office or mailing address, as well as telephone and fax number will be accessible through the website of the Board (<http://www.padisiplinaryboard.org/>) and by written or oral request to the Board. Upon an attorney's written request submitted to the Attorney Registration Office and for good cause shown, the contact information provided by the attorney will be nonpublic information and will not be published on the Board's website or otherwise disclosed.

Official Note: Public web docket sheets will show the attorney's address as entered on the court docket.

(iii) The name of each [**financial institution in Financial Institution, as defined in Pa.R.P.C. 1.15(a)(4), within or outside** this Commonwealth in which the attorney on May 1 of the current year or at any time during the preceding 12 months held funds of a client or a third person subject to Rule 1.15 of the Pennsylvania Rules of Professional Conduct. The form shall include the name and account number for each account in which the [**lawyer holds**] attorney held such funds, and each IOLTA Account shall be identified as such. The form provided to a person holding a Limited In-House Corporate Counsel License or a Foreign Legal Consultant License need not request the information required by this subparagraph.

Official Note: If an attorney employed by a law firm receives fiduciary funds from or on behalf of a client and deposits or causes the funds to be deposited into a law firm account, the attorney must report the account of deposit under this subparagraph.

(iv) Every account not reported under subparagraph (iii), that held funds of a client or third party, and over which the attorney had sole or shared signature authority or authorization to transfer funds to or from the account, during the same time period specified in subparagraph (iii). For each account, the attorney shall provide the name of the financial institution (whether or not the entity qualifies as a “Financial Institution” under Pa.R.P.C. 1.15(a)(4)), location, and account number.

(v) Every business operating account maintained or utilized by the attorney in the practice of law during the same time period specified in subparagraph (iii). For each account, the attorney shall provide the name of the financial institution, location and account number.

[(iv)] (vi) A statement that the attorney is familiar and in compliance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct regarding the handling of funds and other property of clients and others and the maintenance of IOLTA Accounts, and with Rule 221 of the Pennsylvania Rules of Disciplinary Enforcement regarding the mandatory reporting of overdrafts on fiduciary accounts.

[(v)] (vii) A statement that any action brought against the attorney by the Pennsylvania Lawyers Fund for Client Security for the recovery of monies paid by the Fund as a result of claims against the attorney may be brought in the Court of Common Pleas of Allegheny, Dauphin or Philadelphia County.

[(vi)] (viii) Whether the attorney is covered by professional liability insurance on the date of registration in the minimum amounts required by Rule of Professional Conduct 1.4(c). Rule 1.4(c) does not apply to attorneys who do not have any private clients, such as attorneys in full-time government practice or employed as in-house corporate counsel.

Official Note: The Disciplinary Board will make the information regarding insurance available to the public upon written or oral request and on its website. The requirement of Rule 219(d)(3) that every attorney who has filed an annual fee form or elects to file the form electronically must notify the Attorney Registration Office of any change in the information previously submitted within 30 days after such change will apply to the information regarding insurance.

[(vii)] (ix) Such other information as the Attorney Registration Office may from time to time direct.

* * * * *

Rule 221. Funds of clients and third persons. Mandatory overdraft notification.

* * * * *

(e) An attorney shall maintain and preserve for a period of five years after termination of the client-lawyer or Fiduciary relationship or after distribution or disposition of the property, whichever is later, the writing required by Pa.R.P.C. 1.5 (relating to the requirement of a writing communicating in the basis or rate of the fee), the records identified in

Pa.R.P.C. 1.5(c) (relating to the requirement of a written fee agreement and distribution statement in a contingent fee matter), and the following books and records for each Trust Account and for any other account in which Rule 1.15 Funds are held:

(1) all transaction records provided to the attorney by the Financial Institution, such as periodic statements, canceled checks in whatever form, deposited items and records of electronic transactions; and

(2) check register or separately maintained ledger, which shall include the payee, date, purpose and amount of each check, withdrawal and transfer, the payor, date, and amount of each deposit, and the matter involved for each transaction; provided, however, that where an account is used to hold funds of more than one client, a lawyer shall also maintain an individual ledger for each trust client, showing the source, amount and nature of all funds received from or on behalf of the client, the description and amounts of charges or withdrawals, the names of all persons or entities to whom such funds were disbursed, and the dates of all deposits, transfers, withdrawals and disbursements.

(3) A regular trial balance of the individual client trust ledgers shall be maintained. The total of the trial balance must agree with the control figure computed by taking the beginning balance, adding the total of moneys received in trust for the client, and deducting the total of all moneys disbursed. On a monthly basis, a lawyer shall conduct a reconciliation for each fiduciary account. The reconciliation is not complete if the reconciled total cash balance does not agree with the total of the client balance listing. A lawyer shall preserve for a period of five years copies of all records and computations sufficient to prove compliance with this requirement.

(f) The records required by this [rule] Rule may be maintained in [electronic or] hard copy form or by electronic, photographic, or other media provided that the records otherwise comply with this Rule and that printed copies can be produced. Whatever method is used to maintain required records must have a backup so that the records are secure and always available. If records are kept only in electronic form, then such records shall be backed up, on a separate electronic storage device, at least [monthly on a separate electronic storage device] at the end of any day on which entries have been entered into the records.

(g) [The records required by this rule may be subject to subpoena and must be produced in connection with an investigation or hearing pursuant to these rules.] The records required to be maintained by Pa.R.P.C. 1.15 shall be readily accessible to the lawyer and available for production to the Pennsylvania Lawyers Fund for Client Security and the Office of Disciplinary Counsel in a timely manner upon request or demand by either agency made pursuant to these Enforcement Rules, the Rules of the Board, the Pennsylvania Lawyers Fund for Client Security Board Rules and Regulations, agency practice, or subpoena.

(1) Upon a request by Disciplinary Counsel under this subdivision (g), which request may take the form of a letter to the respondent-attorney briefly stating the basis for the request and identifying the type and scope of the records sought to be produced, a respondent-attorney must produce the records within ten business days after personal service of the letter on the respondent-attorney or after the delivery of a copy of the letter to an employee, agent or other responsible person at the office of the respondent-attorney as determined by the address furnished by the respondent-attorney in the last registration statement filed by the respondent-attorney pursuant to Enforcement Rule 219(d), but if the latter method of service is unavailable, within ten business days after the date of mailing a copy of the letter to the last registered address or addresses set forth on the statement.

(2) When Disciplinary Counsel's request or demand for Pa.R.P.C. 1.15 records is made under an applicable provision of the Disciplinary Board Rules or by subpoena under Enforcement Rule 213(a), the respondent-attorney must produce the records and must do so within the time frame established by those rules.

(3) Failure to produce Pa.R.P.C. 1.15 records in response to a request or demand for such records may result in the initiation of proceedings pursuant to Enforcement Rule [208(f)] 208(f)(1) or (f)(5) (relating to emergency temporary suspension orders and related relief), the latter of which specifically permits [disciplinary counsel] Disciplinary Counsel to commence a proceeding for the temporary suspension of a respondent-attorney who [refuses to comply with a valid subpoena] fails to maintain or produce Pa.R.P.C. 1.15 records after receipt of a request or demand authorized by subdivision (g) of this Rule or any provision of the Disciplinary Board Rules. If at any time a hearing is held before the Board pursuant to Enforcement Rule 208(f) as a result of a respondent-attorney's alleged failure to maintain or produce Pa.R.P.C. 1.15 records, a lawyer-Member of the Board shall be designated to preside over the hearing.

Official Note: If Disciplinary Counsel files a petition for temporary suspension, the respondent-attorney will have an opportunity to raise at that time any claim of impropriety pertaining to the request or demand for records.

(h) An Eligible Institution shall be approved as a depository for Trust Accounts of attorneys if it shall be in compliance with applicable provisions of Rule 1.15 of the Pennsylvania Rules of Professional Conduct and the Regulations of the IOLTA Board and shall file with the Disciplinary Board an agreement (in a form provided by the Board) to make a prompt report to the Lawyers Fund for Client Security Board whenever any check or similar instrument is presented against a Trust Account when such account contains insufficient funds to pay the instrument, regardless of

* * * * *

[Pa.B. Doc. No. 15-85. Filed for public inspection January 16, 2015, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 11]

Order Amending Rules 1115 and 1116 of the Rules of Appellate Procedure; No. 252 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 30th day of December, 2014, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published before adoption at 44 Pa.B. 3054 (May 24, 2014):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rules of Appellate Procedure 1115 and 1116 are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments herein shall be effective 60 days from the date of this Order, and shall apply to petitions for allowance of appeal and answers filed after that date.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 11. APPEALS FROM COMMONWEALTH COURT AND SUPERIOR COURT

PETITION FOR ALLOWANCE OF APPEAL

Rule 1115. Content of the Petition for Allowance of Appeal.

(a) *General rule.*—The petition for allowance of appeal need not be set forth in numbered paragraphs in the manner of a pleading, and shall contain the following (which shall, insofar as practicable, be set forth in the order stated):

[(1)] 1. A reference to the official and unofficial reports of the opinions delivered in the courts below, if any, and if reported. Any such opinions shall be appended as provided in [Paragraph (6) of this subdivision] item 6 of paragraph (a) of this rule.

[(2)] 2. The text of the order in question, or the portions thereof sought to be reviewed, and the date of its entry in the appellate court below. If the order is voluminous, it may, if more convenient, be appended to the petition.

[(3)] 3. The questions presented for review, expressed in the terms and circumstances of the case but without unnecessary detail. The statement of questions presented will be deemed to include every subsidiary question fairly comprised therein. Only the questions set forth in the petition, or fairly comprised therein, will ordinarily be considered by the court in the event an appeal is allowed.

[(4)] 4. A concise statement of the case containing the facts material to a consideration of the questions presented.

[(5)] 5. A concise statement of the reasons relied upon for allowance of an appeal. *See* [**Rule 1114 (considerations governing allowance of appeal)**] Pa.R.A.P. 1114.

[(6)] 6. There shall be appended to the petition a copy of any opinions delivered relating to the order sought to be reviewed, as well as all opinions of government units or lower courts in the case, and, if reference thereto is necessary to ascertain the grounds of the order, opinions in companion cases. If an application for reargument was filed in the Superior Court or Commonwealth Court, there also shall be appended to the petition a copy of any order granting or denying the application for reargument. If whatever is required by this paragraph to be appended to the petition is voluminous, it may, if more convenient, be separately presented.

[(7)] 7. There shall be appended to the petition the verbatim texts of the pertinent provisions of constitutional provisions, statutes, ordinances, regulations or other similar enactments which the case involves, and the citation to the volume and page where they are published, including the official edition, if any.

(b) *Caption and parties.*—All parties to the proceeding in the appellate court below shall be deemed parties in the Supreme Court, unless the petitioner shall notify the Prothonotary of the Supreme Court of the belief of the petitioner that one or more of the parties below have no interest in the outcome of the petition. A copy of such notice shall be served on all parties to the matter in the lower court, and a party noted as no longer interested may remain a party in the Supreme Court by filing a notice that he has an interest in the petition with the Prothonotary of the Supreme Court. All parties in the Supreme Court other than petitioner shall be named as respondents, but respondents who support the position of the petitioner shall meet the time schedule for filing papers which is provided in this chapter for the petitioner, except that any response by such respondents to the petition shall be filed as promptly as possible after receipt of the petition.

(c) *No supporting brief.*—All contentions in support of a petition for allowance of appeal shall be set forth in the body of the petition as provided by [**Paragraph (a)(5) item 5 of paragraph (a)**] of this rule. Neither the briefs below nor any separate brief in support of a petition for allowance of appeal will be received, and the Prothonotary of the Supreme Court will refuse to file any petition for allowance of appeal to which is annexed or appended any brief below or supporting brief.

(d) *Essential requisites of petition.*—The failure of a petitioner to present with accuracy, brevity, and clearness whatever is essential to a ready and adequate understanding of the points requiring consideration will be a sufficient reason for denying the petition.

(e) *Multiple petitioners.*—Where permitted by [**Rule 512 (joint appeals)**] Pa.R.A.P. 512 a single petition for allowance of appeal may be filed.

(f) *Length.*—A petition for allowance of appeal shall not exceed 9,000 words. A petition for allowance of appeal that does not exceed 20 pages when produced by a word processor or typewriter shall be deemed to meet the 9,000 word limit. In all other cases, the attorney or the unrepresented filing party shall include a certification that the petition complies with the word count limit. The certificate

may be based on the word count of the word processing system used to prepare the petition.

(g) *Supplementary matter.*—The cover of the petition for allowance of appeal, pages containing the table of contents, table of citations, proof of service, signature block and anything appended to the petition under subparagraphs (a)(6) and (a)(7) shall not count against the word count limitations of this rule.

Official Note: Former Supreme Court Rule 62 permitted the petitioner in effect to dump an undigested mass of material ([*i.e.*,] **such as** briefs in and opinions of the court below) in the lap of the Supreme Court, with the burden on the individual justices and their law clerks to winnow the wheat from the chaff. This rule, which is patterned after U.S. Supreme Court Rule [**23**] 14, places the burden on the petitioner to prepare a succinct and coherent presentation of the case and the reasons in support of allowance of appeal.

Where an appellant desires to challenge the discretionary aspects of a sentence of a trial court the “petition for allowance of appeal” referred to in 42 Pa.C.S. § 9781(b) is deferred until the briefing stage, and the appeal is commenced by filing a notice of appeal pursuant to Chapter 9 rather than a petition for allowance of appeal pursuant to Chapter 11. *Commonwealth v. Tuladziecki*, 522 A.2d 17, 18 (Pa. 1987). *See* note to Pa.R.A.P. 902; Pa.R.A.P. 2116(b) and the note thereto; Pa.R.A.P. 2119(f) and the note thereto.

Rule 1116. Answer to the Petition for Allowance of Appeal.

(a) *General rule.*—Except as otherwise prescribed by this rule, within 14 days after service of a petition for allowance of appeal an adverse party may file an answer. The answer shall be deemed filed on the date of mailing if first class, express, or priority United States Postal Service mail is utilized. The answer need not be set forth in numbered paragraphs in the manner of a pleading, shall set forth any procedural, substantive or other argument or ground why the order involved should not be reviewed by the Supreme Court and shall comply with [**Rule 1115(a)(7) (content of petition for allowance of appeal)**] Pa.R.A.P. 1115(a).7. No separate motion to dismiss a petition for allowance of appeal will be received. A party entitled to file an answer under this rule who does not intend to do so shall, within the time fixed by these rules for filing an answer, file a letter stating that an answer to the petition for allowance of appeal will not be filed. The failure to file an answer will not be construed as concurrence in the request for allowance of appeal.

(b) *Children’s fast track appeals.*—In a children’s fast track appeal, within 10 days after service of a petition for allowance of appeal, an adverse party may file an answer.

(c) *Length.*—An answer to a petition for allowance of appeal shall not exceed 9,000 words. An answer that does not exceed 20 pages when produced by a word processor or typewriter shall be deemed to meet the 9,000 word limit. In all other cases, the attorney or the unrepresented filing party shall include a certification that the answer complies with the word count limit. The certificate may be based on the word count of the word processing system used to prepare the answer.

(d) *Supplementary matter.*—The cover of the answer, pages containing the table of contents, table

of citations, proof of service, signature block and anything appended to the answer shall not count against the word count limitations of this rule.

Official Note: This rule and [Rule] Pa.R.A.P. 1115 contemplate that the petition and answer will address themselves to the heart of the issue, [i.e.] such as whether the Supreme Court ought to exercise its discretion to allow an appeal, without the need to comply with the formalistic pattern of numbered averments in the petition and correspondingly numbered admissions and denials in the response. While such a formalistic format is appropriate when factual issues are being framed in a trial court (as in the petition for review under Chapter 15) such a format interferes with the clear narrative exposition necessary to outline succinctly the case for the Supreme Court in the allocatur context.

[Pa.B. Doc. No. 15-86. Filed for public inspection January 16, 2015, 9:00 a.m.]

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 21]

Order Amending Rule 2135 of the Rules of Appellate Procedure; No. 251 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 30th day of December, 2014, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3) in the interests of efficient administration:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Appellate Procedure 2135 is adopted in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments herein shall be effective 60 days from the date of this Order and shall apply to briefs filed after that date.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 21. BRIEFS AND REPRODUCED RECORD

CONTENT OF BRIEFS

Rule 2135. Length of Briefs.

(a) [**General rule.**] Unless otherwise [prescribed] ordered by an appellate court:

(1) [a] A principal brief shall not exceed 14,000 words and a reply brief shall not exceed 7,000 words, except as stated in subparagraphs (a)(2)—(4). A party shall file a certificate of compliance with the word count limit if the principal brief is longer than 30 pages or the reply brief is longer than 15 pages when prepared on a word processor or typewriter.

(2) In cross appeals under [Rule 2136 (briefs in cases involving cross appeals)] Pa.R.A.P. 2136, the first brief of the deemed or designated appellee and the second brief of the deemed or designated appellant shall not exceed 16,500 words. A party shall file a certificate of compliance if the brief is longer than 35 pages when produced on a word processor or typewriter.

(3) [a reply brief shall not exceed 7,000 words.] In capital direct appeals, the principal brief shall not exceed 17,500 words and a reply brief shall not exceed 8,500 words. A party shall file a certificate of compliance if the principal brief is longer than 38 pages or the reply brief is longer than 19 pages when prepared on a word processor or typewriter.

(4) In the first Capital Post-Conviction Relief Act appeal, the principal brief shall not exceed 22,500 words and a reply brief shall not exceed 11,250 words. A party shall file a certificate of compliance if the principal brief is longer than 49 pages or the reply brief is longer than 24 pages when prepared on a word processor or typewriter.

(b) *Supplementary matter.* [The] Supplementary matters, such as, the cover of the brief and pages containing the table of contents, tables of citations, proof of service and any addendum containing opinions, [etc.,] signature blocks or any other similar supplementary matter provided for by these rules shall not count against the word count limitations set forth in [subdivision] paragraph (a) of this rule.

(c) *Size and physical characteristics.* Size and other physical characteristics of briefs shall comply with [Rule] Pa.R.A.P. 124.

(d) [**Certificate of compliance.** A principal brief that does not exceed 30 pages when produced by a word processor or typewriter shall be deemed to meet the limitations in paragraph (a)(1). The first brief of the deemed or designated appellee and the second brief of the deemed or designated appellant that does not exceed 35 pages shall be deemed to meet the limitations in paragraph (a)(2). A reply brief that does not exceed 15 pages when produced on a word processor or typewriter shall be deemed to meet the limitation in paragraph (a)(3). In all other cases, the attorney or the unrepresented filing party shall include a certification that the brief complies with the word count limits. The certificate may be based on the word count of the word processing system used to prepare the brief.] **Certification of compliance.** Any brief in excess of the stated page limits shall include a certification that the brief complies with the word count limits. The certificate may be based on the word count of the word processing system used to prepare the brief.

Official Note: A principal brief is any party's initial brief and, in the case of a cross appeal, the appellant's second brief, which responds to the initial brief in the cross appeal. See the note to [Rule 2136 (briefs in cases involving cross appeals)] Pa.R.A.P. 2136. Reply briefs permitted by [Rule 2113 (reply brief)] Pa.R.A.P. 2113 and any subsequent brief permitted by leave of court are subject to the word count limit or page limit set by this rule.

[The 2013 amendments changed the method by which the length of principal and reply briefs will be measured from a page count method to a word count method. A principal brief may not exceed 14,000 words and a reply brief may not exceed 7,000 words. More words are permitted in certain briefs in cross appeals. This rule includes a requirement that the attorney or unrepresented filing party include a certificate of compliance with briefs filed pursuant to the word count limitations. The rule makes an exception to the certification requirement when a principal brief does not exceed 30 pages, a reply brief does not exceed 15 pages or the first brief of the deemed or designated appellee and the second brief of the deemed or designated appellant do not exceed 35 pages; such briefs will be deemed to meet the word count requirement.]

A party filing a certificate of compliance under this rule may rely on the word count of the word processing system used to prepare the brief.

It is important to note that each appellate court has the option of reducing the word count for a brief, either by general rule, see Chapter 33 (Business of the Supreme Court), Chapter 35 (Business of the Superior Court), and Chapter 37 (Business of the Commonwealth Court), or by order in a particular case.

[Pa.B. Doc. No. 15-87. Filed for public inspection January 16, 2015, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 200]

Damages for Delay

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 238. Damages for Delay in an Action for Bodily Injury, Death or Property Damage.

* * * * *

Addendum to Explanatory Comment (2015)

The prime rate as set forth in the first edition of the *Wall Street Journal* for a particular year is the basis for calculating damages for delay under Pa.R.C.P. No. 238 as revised November 7, 1988. The prime rate published in the first edition of the *Wall Street Journal* for each of the years specified is as follows:

<i>Date of Publication</i>	<i>Prime Rate Percentage</i>
January 2, 2015	3 1/4
January 2, 2014	3 1/4
January 2, 2013	3 1/4
January 3, 2012	3 1/4
January 3, 2011	3 1/4
January 4, 2010	3 1/4
January 2, 2009	3 1/4
January 2, 2008	7 1/4
January 2, 2007	8 1/4

<i>Date of Publication</i>	<i>Prime Rate Percentage</i>
January 3, 2006	7 1/4
January 3, 2005	5 1/4
January 2, 2004	4
January 2, 2003	4 1/4
January 2, 2002	4 3/4
January 2, 2001	9 1/2
January 3, 2000	8 1/2
January 4, 1999	7 3/4
January 2, 1998	8 1/2

Official Note: The prime rate for the years 1980 through 1997 may be found in the Addendum to the Explanatory Comment published in the *Pennsylvania Bulletin*, volume 33, page 634 (2/1/03) and on the web site of the Civil Procedural Rules Committee at <http://www.pacourts.us>.

By the Civil Procedural Rules Committee

PETER J. HOFFMAN,
Chair

[Pa.B. Doc. No. 15-88. Filed for public inspection January 16, 2015, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Amendment of Phila.Civ.R. *4005 and Adoption of Phila.Civ.R. *4009.11; President Judge General Court Regulation No. 2014-03

Order

And Now, this 12th day of December, 2014, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on November 20, 2014 to amend Philadelphia Civil Rule *4005 to add a subsection which adopts standard interrogatories to be used in the Compulsory Arbitration Program, and further having voted to adopt new Philadelphia Civil Rule *4009.11 which adopts standard Requests for Production of Documents and Things to be used in the Compulsory Arbitration Program;

It Is Hereby Ordered that Philadelphia Civil Rule *4005 is amended, and Philadelphia Civil Rule *4009.11 is adopted, as follows. The standard Interrogatories and standard Requests for Production of Documents and Things are reproduced as follows.

This General Court Regulation is issued in accordance with Pa.R.C.P. No. 239 and shall be filed with the Office of Judicial Records in a Docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas of Philadelphia County. As required by Pa.R.C.P. No. 239(c), two certified copies of this General Court Regulation and amended local rules, as well as a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one certified copy shall be submitted to the Administrative Office of Pennsylvania Courts, and one certified copy to the Supreme Court Civil Procedural Rules Committee. The previously-referenced rule changes shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. Copies of the General Court Regulation and rules shall also

be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://courts.phila.gov/regs>.

By the Court

HONORABLE SHEILA WOODS-SKIPPER,
President Judge
Court of Common Pleas

Philadelphia Civil Rule *4005. Standard Form Interrogatories.

(A) Standard interrogatories in personal injury and product liability cases in the forms hereinafter reproduced shall be utilized in the appropriate cases.

(A.1) Standard interrogatories in the forms hereinafter reproduced shall be utilized in the Compulsory Arbitration Program:

(1) Plaintiff(s) Interrogatories Directed to Defendant(s)—Motor Vehicle Liability Cases;

(2) Defendant(s) Interrogatories Directed to Plaintiff(s)—Motor Vehicle Liability Cases;

(3) Plaintiff(s) Interrogatories Directed to Defendant(s)—Premises Liability Cases; and

(4) Defendant(s) Interrogatories Directed to Plaintiff(s)—Premises Liability Cases.

* * * * *

Explanatory Note:

The adoption of subsection (A.1) supplants Trial Division Administrative Docket No. 2005-02 issued on April 8, 2005 by then Administrative Judge James J. Fitzgerald, III. The current Compulsory Arbitration Program Standard Interrogatories have been drafted with the cooperation and assistance of the Philadelphia Bar Association's Rules and Procedure Committee and Arbitration Committee.

Amended by the Board of Judges on November 20, 2014. Effective , 2015.

(*Editor's Note:* Rule *4009.11 is new and printed in regular type to enhance readability.)

Philadelphia Civil Rule *4009.11. Request Upon a Party for Production of Documents and Things. Compulsory Arbitration Program.

Requests upon a party for production of documents and things in the forms hereinafter reproduced shall be utilized in the Compulsory Arbitration Program:

(A) Plaintiff(s) Request for Production of Documents Directed to Defendant(s); and

(B) Defendant(s) Request for Production of Documents Directed to Plaintiff(s).

Explanatory Note:

The adoption of this rule supplants Trial Division Administrative Docket No. 2005-02 issued on April 8, 2005 by then Administrative Judge James J. Fitzgerald, III. The current Compulsory Arbitration Program Requests Upon A Party for Production of Document and Things have been drafted with the cooperation and assistance of the Philadelphia Bar Association's Rules and Procedure Committee and Arbitration Committee.

Adopted by the Board of Judges on November 20, 2014. Effective , 2015.

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA**

CIVIL TRIAL DIVISION

PLAINTIFF(S)

Compulsory Arbitration Program

COURT TERM:

v.

NO.

DEFENDANT(S)

**PLAINTIFF(S) REQUEST FOR PRODUCTION OF
DOCUMENTS DIRECTED TO DEFENDANT(S)**

You are requested to produce, in accordance with Pennsylvania Rule of Civil Procedure 4009, the originals or clear, readable copies of the below listed documents and/or items unless protected by attorney-client privilege or work-product doctrine. These documents and/or items will be examined and/or photocopied; photograph negatives will be processed and photographs reproduced, videotapes and audiotapes shall be viewed and/or heard and a copy made. The below listed documents and/or items are to be produced at Plaintiff's counsel's office on or before thirty (30) days from the date of service herein. Such request is continuing up to and at the time of trial.

DEFINITIONS

A. "You" or "your" refers to Defendant(s) herein and to all other persons acting or purporting to act on behalf of Defendant(s), including agents and employees.

B. "Communications" shall mean all inquiries, discussions, conversations, negotiations, agreements, understandings, meetings, telephone conversations, letters, correspondence, notes, telegrams, telexes, advertisements, facsimiles, e-mail, or other forms of verbal and/or communicative intercourse.

C. "Documents" shall mean all written or graphic matter of every kind or description, however produced or reproduced, whether draft or final, original or reproduction, signed or unsigned, and regardless of whether approved, signed, sent, received, redrafted, or executed, including but not limited to: written communications, letters, correspondence, facsimiles, e-mail, memoranda, minutes, notes, films, recordings of any type, transcripts, contracts, agreements, purchase or sales orders, memoranda of telephone conversations or personal conversations, diaries, desk calendars, interoffice communications, reports, studies, bills, receipts, checks, checkbooks, invoices, requisitions or material similar to any of the foregoing however denominated, by whomever prepared, and to whomever addressed, which are in your possession, custody or control.

D. "Persons" means an individual, corporation, partnership, trust, association, company, organization, or any form of a business or commercial entity.

E. For purposes of this discovery request "Identify" is defined as the following:

(1) when used with respect to an individual, means to state (a) their name; (b) business affiliation and official title and/or position; and (c) their last known residential and business address.

(2) when used with respect to a document, means to state (a) the type of document (e.g. letter, memorandum, hand-written note, facsimile, e-mail); (b) its date of origin or creation; (c) its author and addressee; (d) its last known custodian or locations; and (e) a brief description

of its subject matter and size. In lieu of identifying any document(s), you may attach a copy of it to your answer, indicating the question to which it is responsive.

(3) when used with respect to a company or other business entity, means to state, (a) the company's legal name, any former names, and the name under which it trades or does business (b) the address of its principal place of business; and (c) the identity of its chief executive officer.

F. "Relate to" means consist of, refer to, reflect or be in any way logically connected with the matter discussed.

G. The period of time encompassed by these requests shall be from the date of the alleged accident to the date of answering, unless otherwise indicated. Note, this request is continuing up to and at the time of trial.

H. For purposes of the Rule, a statement includes:

(1) A written statement, signed or otherwise adopted or approved by the person making it, or

(2) A stenographic, mechanical, electronic, videographic or other recording, or a transcript thereof, which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.

REQUESTS

1. The claims and investigation file or files including but not limited to daily activity sheets, diary sheets, and status sheets of any insurance adjuster and/or risk employee/manager, internal memoranda regarding this claim created, sent and/or received by any insurance adjuster or other adjuster, risk employee/manager and/or by the Defendant(s) or an agent/employee of the Defendant(s), communications to and from all insurance carriers, parties, Defendant(s), or potential parties, request(s) for investigation, and/or reports/findings of investigators, both in-house and/or independent and/or all insurance policies of the Defendant(s), excluding references to mental impressions, conclusions, or opinions representing the value or merit of the claim or defense or respecting strategy or tactics and privileged communications from counsel.

2. All statements and communications of any and all witnesses including any and all statements of Plaintiff(s) and Defendant(s), including taped recordings, whether transcribed or not, as well as all written statements.

3. The name, home and business address, background and qualifications of any and all persons retained by the Defendant(s), who in anticipation and/or preparation of litigation, are expected to be called to trial.

4. Any and all documents and communications containing the name and home and business addresses of all individuals contacted as potential witnesses.

5. Reports, non-privileged communications, and/or documents prepared by any and all experts who are expected to testify at trial or whose reports are expected to be submitted at trial.

6. Resumes and qualifications of any and all experts who are expected to testify at trial or whose reports are expected to be submitted at trial.

7. Copies of any and all photographs, diagrams, drawings, charts, models, movie films or video-tapes which relate, refer or pertain to Plaintiff(s), any other party to this action, the alleged accident site and/or any instrumentality involved in the alleged accident described in Plaintiff(s) Complaint.

8. Any and all documents and communications substantiating any defense to Plaintiff's cause of action.

9. Copies of any relevant reports and records prepared by any physician, hospital or healthcare provider who has examined Plaintiff(s) three (3) years prior to the injury and at any time subsequent to the injury, excluding those reports and records already provided by Plaintiff(s) to Defendant(s)?

10. Central indexing information on Plaintiff(s) for this alleged accident, alleged prior accident(s), and alleged subsequent accident(s).

11. Verification of the policy limits for liability benefits, medical payments and any "umbrella" or excess benefits, including applicable policy declarations page.

12. Copies of internal memoranda, inter-office memos, facsimiles, e-mail or other documents or communications regarding this claim, made by the Defendant(s) and/or any agent and/or employee of Defendant(s), or their insurance carrier(s).

13. Any and all reports, communications and/or documents prepared by Defendant(s) or their employee(s)/agent(s) containing the facts, circumstances and causes of this alleged accident.

14. Any and all documents of any nature whatsoever which refer in any way to the alleged accident described in Plaintiff(s) Complaint and/or the facts or circumstances leading up to and following said alleged accident.

15. All property damage estimates rendered for any object belonging to the Plaintiff(s) and/or Defendant(s) which was involved in this alleged accident.

16. Any and all press releases concerning this alleged accident.

17. Any and all documents or other tangible materials of any nature whatsoever which you plan to have marked for identification at a deposition or trial, introduce into evidence at a deposition or trial, or about which you plan to question a witness at a deposition or trial.

18. Any and/or all documents or communications of any nature whatsoever which relate, refer or pertain to Plaintiff(s), any other party to this action, the alleged accident, alleged accident site and/or any instrumentality involved in the alleged accident.

19. All documents and/or communications relating to any facts on the basis of which it is asserted that the conduct of the Plaintiff(s) contributed to the happenings of the alleged occurrence or to the alleged injuries or losses suffered allegedly as a result of this accident.

20. If at or shortly before the alleged accident, you were using any functions on your cell phone or on any portable handheld electronic device, please provide your cell phone or electronic device records for the date of the accident.

21. Any and all documents of any nature whatsoever referred to in Defendant's(s') Answers to Plaintiff's(s') Interrogatories.

These requests are deemed to be continuing insofar as if any of the above is secured subsequent to the date herein for the production of same, said documents, photographs, statements, reports, etc., are to be provided to plaintiff's counsel consistent within the applicable Rule of Civil Procedure.

Esquire
Attorney ID#:

I _____, subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities, state the attached answers and/or documents are submitted in response to the foregoing Interrogatories and/or Requests for Production of Documents and that to the best of my knowledge, information and belief they are true and complete.

Signature

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA**

CIVIL TRIAL DIVISION

PLAINTIFF(S)

Compulsory Arbitration Program

COURT TERM:

v.

NO.

DEFENDANT(S)

**DEFENDANTS(S) REQUEST FOR PRODUCTION
OF DOCUMENTS DIRECTED TO PLAINTIFF(S)**

You are requested to produce, in accordance with Pennsylvania Rule of Civil Procedure 4009, the originals or clear, readable copies of the below listed documents and/or items unless protected by the attorney-client privilege or the work-product doctrine. These documents and/or items will be examined and/or photocopied; photograph negatives will be processed and photographs reproduced, videotapes and audiotapes shall be viewed and/or heard and a copy made. The below listed documents and/or items are to be produced at Defendant's Counsel's office on or before thirty (30) days from the date of service herein. Such request is continuing up to and at the time of trial.

DEFINITIONS

A. "You" or "your" refers to Plaintiff(s) herein and to all other persons acting or purporting to act on behalf of Plaintiff(s), including agents and employees.

B. "Communications" shall mean all inquiries, discussions, conversations, negotiations, agreements, understandings, meetings, telephone conversations, letters, correspondence, notes, telegrams, telexes, advertisements, facsimiles, e-mail, or other forms of verbal and/or communicative intercourse.

C. "Documents" shall mean all written or graphic matter of every kind or description, however produced or reproduced, whether draft or final, original or reproduction, signed or unsigned, and regardless of whether approved, signed, sent, received, redrafted, or executed, including but not limited to: written communications, letters, correspondence, facsimiles, e-mail, memoranda, minutes, notes, films, recordings of any type, transcripts, contracts, agreements, purchase or sales orders, memoranda of telephone conversations or personal conversations, diaries, desk calendars, interoffice communications,

reports, studies, bills, receipts, checks, checkbooks, invoices, requisitions or material similar to any of the foregoing however denominated, by whomever prepared, and to whomever addressed, which are in your possession, custody or control.

D. "Persons" means an individual, corporation, partnership, trust, associations, company, organization, or any form of a business or commercial entity.

E. For purposes of this discovery request "Identify" is defined as the following:

(1) when used with respect to an individual, means to state (a) their name; (b) business affiliation and official title and/or position; and (c) their last known residential and business address.

(2) when used with respect to a document, means to state (a) the type of document (e.g. letter, memorandum, hand-written note, facsimile, e-mail); (b) its date of origin or creation; (c) its author and addressee; (d) its last known custodian or locations; and (e) a brief description of its subject matter and size. In lieu of identifying any document(s), you may attach a copy of it to your answer, indicating the question to which it is responsive.

(3) when used with respect to a company or other business entity, means to state, (a) the company's legal name, any former names, and the name under which it trades or does business (b) the address of its principal place of business; and (c) the identity of its chief executive officer.

F. "Relate to" means consist of, refer to, reflect or be in any way logically connected with the matter discussed.

G. The period of time encompassed by these requests shall be from the date of the alleged accident to the date of answering, unless otherwise indicated. Note, this request is continuing up to and at the time of trial.

H. For purposes of the Rule, a statement includes:

(1) A written statement, signed or otherwise adopted or approved by the person making it, or

(2) A stenographic, mechanical, electronic, videographic or other recording, or a transcript thereof, which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.

REQUESTS

1. The entire claims and investigation file or files including but not limited to communications to and from all insurance carriers, parties, Plaintiff(s), or potential parties, request(s) for investigation, and/or reports/findings of investigators, both in-house and/or independent and/or all insurance policies of the Plaintiff(s), excluding references to mental impressions, conclusions, or opinions representing the value or merit of the claim or respecting strategy or tactics and privileged communications from counsel.

2. All statements and communications of any and all witnesses including any and all statements of Plaintiff(s) and Defendant(s), including taped recordings, whether transcribed or not, as well as all written statements.

3. Any and all documents and communications which support Plaintiff's claim(s) for wage loss and impairment of earning capacity and/or power.

4. The name, home and business address, background and qualifications of any and all persons retained by the Plaintiff(s), who in anticipation and/or preparation of litigation, is expected to be called to trial.

5. Any and all documents and communications containing the name and home and business addresses of all individuals contacted as potential witnesses, except for expert witnesses.

6. Reports, non-privileged communications, and/or documents prepared by any and all experts who are expected to testify at trial or whose reports are expected to be submitted at trial.

7. Resumes and qualifications of any and all experts who are expected to testify at trial or whose reports are expected to be submitted at trial.

8. Copies of any and all photographs, diagrams, drawings, charts, models, movie films or video-tapes which relate, refer or pertain to Defendant(s), any other party to this action, the alleged accident site and/or any instrumentality involved in the alleged accident described in Plaintiff(s) Complaint.

9. Any and all documents and communications substantiating any claim of Plaintiff's cause of action.

10. Copies of any and all bills, reports, notes and records prepared by any physician, hospital or healthcare provider who has examined, evaluated and/or treated Plaintiff(s) for injuries allegedly sustained as a result of the alleged accident.

11. Copies of any and all bills, reports, notes and records prepared by any physician, hospital or healthcare provider who has examined, evaluated and/or treated Plaintiff(s) for injuries, diseases, deformities or impairments sustained by Plaintiff(s) or suffered by Plaintiff(s) for three years prior to and at any time subsequent to the alleged accident herein.

12. Copies of any and all lien documentation including but not limited to those asserted by any health/medical insurance carrier, Department of Public Welfare, Medicaid Programs, Medicare, Workers' Compensation and/or any other similar entities.

13. Copies of any and all conditional payment letters issued by Medicare/CMS, if applicable.

14. Any and all documents related to Plaintiff(s) application for and/or receipt of disability benefits from any source.

15. Any and all documents related to any claim or litigation for workers' compensation benefits.

16. Verification of the policy limits for first party benefits (e.g. PIP or medical payment coverage or wage loss coverage, etc.), applicable policy declarations page, sign-down forms and Tort Option selection forms.

17. Any and all documents of any nature whatsoever which refer in any way to the alleged accident described in Plaintiff(s) Complaint and/or the facts or circumstances leading up to and following said alleged accident.

18. All property damage estimates rendered for any object belonging to the Plaintiff(s) and/or Defendant(s) which was involved in this alleged accident.

19. Any and all press releases concerning this alleged accident.

20. Any and all documents or other tangible materials of any nature whatsoever which Plaintiff(s) plan to have marked for identification at a deposition or trial, introduce into evidence at a deposition or trial, or about which Plaintiff(s) plan to question a witness at a deposition or trial.

21. All documents and/or communications relating to any facts on the basis of which it is asserted that the conduct of the Defendant(s) contributed to the happenings of the alleged accident or to the alleged injuries or losses suffered allegedly as a result of this accident.

22. If at or shortly before the alleged accident, Plaintiff(s) were using any functions on their cell phone or on any portable handheld electronic device, please provide cell phone or electronic device records for the date of the accident.

23. Any and all documents of any nature whatsoever referred to in Plaintiff's(s') Answers to Defendant's(s') Interrogatories.

These requests are deemed to be continuing insofar as if any of the above is secured subsequent to the date herein for the production of same, said documents, photographs, statements, reports, etc., are to be provided to Defendant's counsel consistent within the applicable Rule of Civil Procedure.

Esquire
Attorney ID#:

I _____, subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities, state the attached answers and/or documents are submitted in response to the foregoing Interrogatories and/or Requests for Production of Documents and that to the best of my knowledge, information and belief they are true and complete.

Signature

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA**

CIVIL TRIAL DIVISION

PLAINTIFF(S)

Compulsory Arbitration Program

COURT TERM:

v.

NO.

DEFENDANT(S)

**Plaintiff(s) Interrogatories Directed to Defendant(s)
Motor Vehicle Liability Cases**

Plaintiff(s) hereby demands that the Defendant(s) answer the following Interrogatories pursuant to the Pennsylvania Rules of Civil Procedure 4001 et seq. These Interrogatories must be answered as provided in Pa.R.C.P. 4006 and the Answers must be served on all other parties within thirty (30) days after the Interrogatories are deemed served.

These Interrogatories are deemed to be continuing as to require the filing of Supplemental Answers promptly in the event Defendant(s) or their representatives (including counsel) learn additional facts not set forth in its original Answers or discover that information provided in the Answers is erroneous. Such Supplemental Answers may be filed from time to time, but not later than thirty (30) days after such further information is received, pursuant to Pa.R.C.P. 4007.4.

These Interrogatories are addressed to Defendant(s) as a party to this action; Defendant's(s') answers shall be based upon information known to Defendant(s) or in the possession, custody or control of Defendant(s), their attorney or other representative acting on Defendant's(s')

behalf whether in preparation for litigation or otherwise. These Interrogatories must be answered completely and specifically by Defendant(s) in writing and must be verified. The fact that investigation is continuing or that discovery is not complete shall not be used as an excuse for failure to answer each interrogatory as completely as possible. The omission of any name, fact, or other item of information from the Answers shall be deemed a representation that such name, fact, or other item was not known to Defendant(s), its counsel, or other representatives at the time of service of the Answers. If another motor vehicle was not involved in the alleged accident, then interpret any questions to include a non-motor vehicle (e.g. pedestrian, bicycle, etc.).

BACKGROUND INFORMATION

1. Please identify if you are an individual, corporation or partnership:

- (a) If an individual:
 - (1) full name (maiden name, if applicable)
 - (2) alias(es)
 - (3) date of birth
 - (4) residence or business addresses at time of the alleged accident and currently.
- (b) If a corporation:
 - (1) registered corporation name
 - (2) principal place of business
 - (3) registered address for service of process at the time of the alleged accident and currently.
- (c) If a partnership:
 - (1) registered partnership name
 - (2) principal place of business
 - (3) registered address for service of process at the time of the alleged accident and currently
 - (4) the identities and residence addresses of each partner at the time of the alleged accident and currently.

2. If you (and/or your operator) were employed, state:

- (a) Employer on the date of the accident;
- (b) Your title or position and accompanying duties and responsibilities on the date of the accident;
- (c) The length of your employment on the date of the accident.

3. If at the time of the alleged accident, you (or your operator) possessed a valid license to operate a motor vehicle, state:

- (a) The Commonwealth or State issuing it;
- (b) The issuance date and expiration date;
- (c) The operator's number of such license;
- (d) The nature of any restriction(s) on said license;

4. Identify:

- (a) Your applicable motor vehicle insurance carrier at the time of the alleged accident;
- (b) Your applicable liability insurance coverage limits at the time of the alleged accident;
- (c) Your applicable umbrella and/or excess liability insurance coverage limits at the time of the alleged accident;

(d) If self-insured, for all or any monetary part of a liability claim, so state (including the limits).

5. If you (or your operator) had a driver's license suspended or revoked in the last ten (10) years, state:

- (a) When, where and by whom it was suspended or revoked;
- (b) The reason(s) for such suspension or revocation;
- (c) The period of such suspension or revocation;
- (d) Whether such suspension or revocation was lifted and if so, when.

6. Have you been convicted of or pleaded guilty or nolo contendere to any crime(s) in the past ten (10) years to any crime(s) involving dishonesty or false statements as provided in Pa.R.E. 609, or has last date of confinement for said crime(s) been within the past ten (10) years?

ACCIDENT INFORMATION

7. State the purpose of the motor vehicle trip you (or your operator) were on at the time of the alleged accident.

8. State whether or not you (or your operator) were familiar with the scene of the alleged accident and how often you traveled through same.

9. Was the Defendant's motor vehicle damaged as a result of the alleged accident? If so, describe the damage in detail.

10. Identify the person and/or company who repaired and/or evaluated your motor vehicle to prepare a repair estimate.

11. If the motor vehicle you were the owner and/or driver or occupant of has been sold since the time of the accident, state the date of the sale, identify by name and address the person who purchased the motor vehicle and the sale price of the motor vehicle.

12. If you (or your operator) consumed any alcoholic beverage(s), medications (prescription and/or over-the-counter) or any illicit drugs, during the forty-eight (48) hours immediately preceding the alleged accident, state:

- (a) The nature, amount and type of item(s) consumed;
- (b) The period of time over which the item(s) was/were consumed;
- (c) The names and addresses of any and all persons who have any knowledge as to the consumption of the aforementioned items (e.g. witnesses, physicians, etc.).

13. At the time of the alleged accident, did you (or your operator) suffer from any deformity, disease, ailment, disability or abnormality that may have affected your ability to operate a motor vehicle? If so, identify the condition and the treating physician for that condition, if any.

14. Identify the date, time and location of the alleged accident.

15. Describe the lighting conditions, weather conditions and the condition of the road(s) surface(s) existing at the time and place of the alleged accident.

16. Were there any traffic control devices in the area of the alleged accident at the time of the accident? If so, describe the devices.

17. Describe the streets involved in the alleged accident in terms of traffic lanes (e.g. parking, travel, turn-only lanes).

18. At or shortly before the accident, were you using any functions on your cell phone or on any portable

handheld electronic device? If so, please provide your cell phone carrier name, cell phone number and account number or the provider name and account number for your handheld electronic device.

19. State in detail the manner in which the alleged accident occurred, specifying the position, lane, direction and location of each motor vehicle involved, just before, at the time of, and immediately after the alleged accident.

20. With regard to the alleged accident, state:

(a) When you first observed the other motor vehicle (or pedestrian, bicycle, etc.) involved in the alleged accident in terms of distance;

(b) The speed of your vehicle at the time of contact;

(c) Whether your (or your operator's) view was clear or what obstruction, if any, existed at the time of the alleged accident;

(d) What you (or your operator) did in an attempt to avoid the alleged accident;

(e) The parts of the vehicles that contacted each other.

21. Was there any physical evidence of the alleged accident at the scene including skid marks, yaw marks, debris or other physical evidence? If so, describe.

22. Was there a Police investigation conducted? If so, state the control number, the incident number and/or the report number, and whether any citations were issued.

23. If you (or your operator) appeared before any Traffic Court, Municipal Court or District Court for a summons, ticket or charge related to this accident, state the date and location and whether testimony was offered.

24. Describe what, if any, injuries you and/or your occupants sustained as a result of this alleged accident.

25. State the name, home and business addresses of the following:

(a) Those who actually witnessed the alleged accident;

(b) Those who were present at or near the scene at the time of the alleged accident;

(c) Those who have any knowledge or information as to any facts pertaining to the circumstances and/or manner of the happening of the alleged accident and/or the nature of the injuries sustained in the alleged accident.

26. At the time of the alleged accident or immediately thereafter, did you (or your operator) have any conversation(s) with or make any statement(s) to any of the parties or witnesses, or did any of them make any statement(s) to you or in your presence? If so, state the substance of any such conversation(s) or statement(s) and identify in whose presence it/they occurred.

27. Do you believe that the Plaintiff did anything to contribute to the alleged accident? If so, describe what actions contributed to the alleged accident.

MISCELLANEOUS

28. Have you or do you intend to make any claim or file a lawsuit for damages or losses related to this alleged accident?

29. If you have engaged, or expect to engage, healthcare professionals and/or other expert witnesses (e.g. accident reconstructionists), whom you intend to have testify or whose report you intend to submit at trial on your behalf on any matter pertaining to this action, state:

- (a) The name of the expert;
- (b) The expert's professional address;
- (c) The expert's occupation;
- (d) The expert's specialty;
- (e) The expert's qualifications (e.g. Curriculum Vitae);
- (f) The topic or subject matter upon which the expert is expected to testify;
- (g) The substance of the facts to which the expert is expected to testify;
- (h) The substance of the opinion to which the expert is expected to testify;
- (i) A summary of the grounds or foundation for each opinion the expert is expected to testify.

MISCELLANEOUS

30. Have you, your attorney or any representative of yours, conducted any sound, photographic, motion picture film, personal sight or any other type of surveillance of the Plaintiff(s)?

31. From the time of the accident to the present have you had or do you have any social media accounts such as Facebook, Instagram, Twitter, etc? If so, identify all of your social media accounts.

32. State the name and address of the person answering these Interrogatories and his/her relationship to the Defendant.

Esquire
Attorney ID#:

I _____, subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities, state the attached answers and/or documents are submitted in response to the foregoing Interrogatories and/or Requests for Production of Documents and that to the best of my knowledge, information and belief they are true and complete.

Signature

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA**

CIVIL TRIAL DIVISION

PLAINTIFF(S)

Compulsory Arbitration Program

COURT TERM:

v.

NO.

DEFENDANT(S)

**Defendant's Interrogatories Addressed to
Plaintiff(s)
Motor Vehicle Liability Cases**

Defendant(s) hereby make demand that the Plaintiff(s) answer the following Interrogatories pursuant to the Pennsylvania Rules of Civil Procedure 4001 et seq. These Interrogatories must be answered as provided in Pa.R.C.P. 4006 and the Answers must be served on all other parties within thirty (30) days after the Interrogatories are deemed served.

These Interrogatories are deemed to be continuing as to require the filing of Supplemental Answers promptly in the event Plaintiff(s) or their representatives (including

counsel) learn additional facts not set forth in its original Answers or discover that information provided in the Answers is erroneous. Such Supplemental Answers may be filed from time to time, but not later than thirty (30) days after such further information is received, pursuant to Pa.R.C.P. 4007.4.

These Interrogatories are addressed to Plaintiff(s) as a party to this action; Plaintiff(s)' answers shall be based upon information known to Plaintiff(s) or in the possession, custody or control of Plaintiff(s), their attorney or other representative acting on Plaintiff(s)' behalf whether in preparation for litigation or otherwise. These Interrogatories must be answered completely and specifically by Plaintiff(s) in writing and must be verified. The fact that investigation is continuing or that discovery is not complete shall not be used as an excuse for failure to answer each interrogatory as completely as possible. The omission of any name, fact, or other item of information from the Answers shall be deemed a representation that such name, fact, or other item was not known to Plaintiff(s), their counsel, or other representatives at the time of service of the answers. If another motor vehicle was not involved in the alleged accident, then interpret any questions to include a non-motor vehicle (e.g. pedestrian, bicycle, etc.).

BACKGROUND

1. Please identify if you are an individual, corporation or partnership:

- (a) If an individual:
 - (1) full name (maiden name, if applicable)
 - (2) alias(es)
 - (3) date of birth
 - (4) Social Security Number
 - (5) residence and business addresses at time of the alleged accident and currently.
- (b) If a corporation:
 - (1) registered corporation name
 - (2) principal place of business
 - (3) registered address at the time of the alleged accident and currently.
- (c) If a partnership:
 - (1) registered partnership name
 - (2) principal place of business
 - (3) registered address at the time of the alleged accident and currently
 - (4) the identities and residence addresses of each partner at the time of the alleged accident and currently.

2. If you are currently employed, were employed at the time of the alleged accident and/or employed for five (5) years before the accident date, state as to each time period:

- (a) By whom;
- (b) Your stated title or position and accompanying duties and responsibilities;
- (c) The length of your employment;
- (d) Number of hours worked per week and/or number of days worked per week;
- (e) Hourly wage and/or salary as well as supplemental wages (e.g. bonuses, overtime, etc.).

3. If at the time of the alleged accident, you (or your operator) possessed a valid license to operate a motor vehicle, state:

- (a) The Commonwealth or State issuing it;
- (b) The issuance date and expiration date;
- (c) The operator's number of such license;
- (d) The nature of any restriction(s) on said license;
- (d) Whether you ever possessed a valid driver's license.

4. With regard to the motor vehicle in which you were an occupant at the time of the accident, identify:

- (a) The applicable motor vehicle insurance carrier at the time of the alleged accident;
- (b) The applicable liability insurance coverage limits at the time of the alleged accident;
- (c) The applicable umbrella and/or excess liability insurance coverage limits at the time of the alleged accident.

5. If you (or your operator) had a driver's license suspended or revoked in the last ten (10) years, state:

- (a) When, where and by whom it was suspended or revoked;
- (b) The reason(s) for such suspension or revocation;
- (c) The period of such suspension or revocation;
- (d) Whether such suspension or revocation was lifted and if so, when.

6. Have you made a claim or filed a lawsuit for personal injury within the last ten (10) years? If so, state:

- (a) Against whom the claim or lawsuit was made including the name and address of any insurance carrier and/or parties;
- (b) The Commonwealth or State, County, Court, Term and Number of any lawsuits arising from that cause of action;
- (c) The outcome of the claim/lawsuit.

7. Were you the owner or resident relative of an owner of a motor vehicle(s) at the time of the alleged accident? If so, state:

- (a) Where the motor vehicle(s) was registered;
- (b) Was the motor vehicle insured;
- (c) The name of the insurance company and your insurance coverage;
- (d) Your tort status under your insurance policy (full tort or limited tort).

8. Have you been convicted of or pleaded guilty or nolo contendere to any crime(s) in the past ten (10) years to any crime(s) involving dishonesty or false statements as provided in Pa.R.E. 609, or has last date of confinement for said crime(s) been within the past ten (10) years?

ACCIDENT INFORMATION

9. State the purpose of the motor vehicle trip you (or your operator) were on at the time of the alleged accident.

10. State whether or not you (or your operator) were familiar with the scene of the alleged accident and how often you traveled through same.

11. Was the Plaintiff's motor vehicle damaged as a result of the alleged accident? If so, describe the damage in detail.

12. Identify the person and/or company who repaired and/or evaluated your motor vehicle to prepare a repair estimate.

13. If the motor vehicle you were the owner and/or driver or occupant of has been sold since the time of the accident, state the date of the sale, identify by name and address the person who purchased the motor vehicle and the sale price of the motor vehicle.

14. If you (or your operator) consumed any alcoholic beverage(s), medications (prescription and/or over-the-counter) or any illicit drugs, during the forty-eight (48) hours immediately preceding the alleged accident, state:

(a) The nature, amount and type of item(s) consumed;
(a) The period of time over which the item(s) was/were consumed;

(c) The names and addresses of any and all persons who have any knowledge as to the consumption of the aforementioned items (e.g. witnesses, physicians, etc.).

15. At the time of the alleged accident, did you (or your operator) suffer from any deformity, disease, ailment, disability or abnormality that may have affected your ability to operate a motor vehicle? If so, identify the condition and the treating physician for that condition, if any.

16. Identify the date, time and location of the alleged accident.

17. Describe the lighting conditions, weather conditions and the condition of the road(s) surface(s) existing at the time and place of the alleged accident.

18. Were there any traffic control devices in the area of the alleged accident at the time of the accident? If so, describe the devices.

19. Describe the streets involved in the alleged accident in terms of traffic lanes (e.g. parking, travel, turn-only lanes).

20. At or shortly before the alleged accident, were you using any functions on your cell phone or on any portable handheld electronic device? If so, please provide your cell phone carrier name, cell phone number and account number or the provider name and account number for your handheld electronic device.

21. State in detail the manner in which the alleged accident occurred, specifying the position, lane, direction and location of each motor vehicle involved, just before, at the time of, and immediately after the alleged accident.

22. With regard to the alleged accident, state:

(a) When you first observed the other motor vehicle (or pedestrian, bicycle, etc.) involved in the alleged accident in terms of distance;

(b) The speed of your vehicle at the time of contact;

(c) Whether your (or your operator's) view was clear or what obstruction, if any, existed at the time of the alleged accident;

(d) What you (or your operator) did in an attempt to avoid the alleged accident;

(e) The parts of the vehicles that contacted each other.

23. Was there any physical evidence of the alleged accident at the scene including skid marks, yaw marks, debris or other physical evidence? If so, describe.

24. Was there a Police investigation conducted? If so, state the control number, the incident number and/or the report number, and whether any citations were issued.

25. If you (or your operator) appeared before any Traffic Court, Municipal Court or District Court for a summons, ticket or charge related to this accident, state the date and location and whether testimony was offered.

26. State the name, home and business addresses of the following:

(a) Those who actually witnessed the alleged accident;

(b) Those who were present at or near the scene at the time of the alleged accident;

(b) Those who have any knowledge or information as to any facts pertaining to the circumstances and/or manner of the happening of the alleged accident and/or the nature of the injuries sustained in the alleged accident.

27. At any time after the alleged accident, did you have any conversation(s) with or make any statement(s) to any of the parties or witnesses, or did any of them make any statement(s) to you or in your presence? If so, state the substance of any such conversation(s) or statement(s) and identify in whose presence it/they occurred.

28. Do you claim that the Defendant(s) violated any driving rules or laws? If so, state what rules or laws.

INJURY INFORMATION

29. Describe what, if any, injuries you sustained as a result of this alleged accident.

30. On the date of the alleged accident, did you have private health/medical insurance? If yes:

(a) Please identify the name of the private health/medical insurance carrier and provide a copy of the health/medical insurance card and/or identification number;

(b) Has your private health/medical insurance carrier made any payments related to the alleged accident?

(c) If bills have been denied, provide documentation of denials.

(d) If there is lien, state the amount and attach all documentation.

31. Have you received or are you currently receiving any medical benefits from Public Assistance/DPW? If yes:

(a) Please provide a copy of your benefit identification card(s) and/or identification number;

(b) Has Medicaid/DPW made any payments related to this alleged accident?

(c) Has Medicaid/DPW asserted any liens related to the alleged accident?

(d) If there is lien, state the amount and attach all documentation.

32. Have you received or are you currently receiving any benefits from Medicare? If yes:

(a) Please provide a copy of your Medicare Card and/or identification number;

(b) Has Medicare made any payments related to the alleged accident?

(c) Has Medicare asserted any liens related to the alleged accident?

(d) If there is lien, state the amount and attach all documentation.

33. Have you ever applied for, received and/or are you currently receiving Social Security Disability Benefits? If yes, state:

- (a) The reason for disability;
- (b) The identity of the physician(s) who completed the benefits application(s);
- (c) The dates of disability.

34. Have you applied for, received and/or are you currently receiving disability benefits from any other source? If yes, state:

- (a) The reason for disability;
- (b) The identity of the physician(s) who completed the benefits application(s);
- (c) The dates of disability.

35. Have you applied for, received and/or are you currently receiving workers' compensation benefits? If yes, state:

- (a) The type of injury;
- (b) The identity of the treating physician(s);
- (c) Length of the injury;
- (d) Time lost from work as a result of the injury;
- (e) If there is lien, state the amount and attach all documentation.

36. Identify the name(s) of all of your family physician(s)/primary care physician(s) during the last ten (10) years.

37. Describe in detail all economic damages and/or losses you sustained as a direct result of the alleged accident.

38. Describe in detail all injuries, scarring and non-economic damages or losses alleged to have been sustained, including their nature, extent and duration.

39. State:

(a) The identity, by name and address, of each hospital or university medical center where you were examined and/or treated and whether you were admitted;

(b) The identity of any person(s) who examined, evaluated or treated you, noting their name, address and specialty;

(c) The identity, by name and address of any diagnostic test center that provided services and what test were performed;

(d) The date(s) of all examination(s), evaluation(s), treatment(s) and/or confinement(s) by healthcare professionals and their corresponding charges;

(e) Identify any healthcare professional(s) you are currently consulting and/or treating with for any of the injuries and/or damages you sustained as a direct result of the alleged accident and what symptoms you still allegedly suffer from.

40. Did the alleged accident aggravate a pre-existing condition(s)? If so, state:

(a) The nature and extent of such pre-existing condition;

(b) The date upon which you believe you recovered from symptomatology of the pre-existing condition(s), prior to the accident date;

(c) The name and address of the healthcare professional(s) who treated you for the pre-existing condition(s); and

(d) The date of and circumstances causing you to incur the pre-existing condition(s).

41. If you have fully recovered from the injuries you allege to have sustained in the present accident, state the approximate date you fully recovered.

42. If you have not fully recovered from your injuries, then describe any pain, ailment, complaint, injury, scarring or disability that you allege you still suffer from as a direct result of the alleged accident.

43. Did you sustain any injuries or suffer from any disease, deformity, or impairment, before or after the alleged accident, which in any way affected those parts of your body claimed to have been injured as a result of this alleged accident? If so, state:

(a) The nature and extent of any such injury, disease, deformity or impairment;

(b) The date of the occurrence or diagnosis of such injury, disease, deformity or impairment;

(c) The names and address(es) of the healthcare professional(s) you have consulted with and/or treated with and the corresponding dates thereof, for such injury, disease, deformity or impairment.

44. Did you lose time from work as a result of the alleged accident? If so, state:

(a) The dates you lost from work as a result of the alleged accident;

(b) The date that you returned to work;

(c) The name and address of the employer where you returned to work;

(d) Any change in your title or position, duties and/or responsibilities;

(e) Any change in your wage, salary or supplemental wages.

45. Describe in detail any future lost wage claim and/or impairment of earning capacity you will have as a direct result of the alleged accident and the basis thereof.

46. If you have engaged, or expect to engage, healthcare professionals and/or other expert witnesses (e.g. accident reconstructionists), whom you intend to have testify at trial on your behalf on any matter pertaining to this action, state:

(a) The name of the expert;

(b) The expert's professional address;

(c) The expert's occupation;

(d) The expert's specialty;

(e) The expert's qualifications (e.g. Curriculum Vitae);

(f) The topic or subject matter upon which the expert is expected to testify;

(g) The substance of the facts to which the expert is expected to testify;

(h) The substance of the opinion to which the expert is expected to testify;

(i) A summary of the grounds or foundation for each opinion the expert is expected to testify.

MISCELLANEOUS

47. From the time of the accident to the present have you had or do you have any social media accounts such as Facebook, Instagram, Twitter, etc? If so, identify all of your social media accounts.

48. If this case involves a claim for loss of consortium, please describe the basis of that claim and any damages.

49. State the name and address of the person answering these Interrogatories and his/her relationship to the Plaintiff.

Esquire
Attorney ID#:

I _____, subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities, state the attached answers and/or documents are submitted in response to the foregoing Interrogatories and/or Requests for Production of Documents and that to the best of my knowledge, information and belief they are true and complete.

Signature

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA**

CIVIL TRIAL DIVISION

PLAINTIFF(S)

Compulsory Arbitration Program

COURT TERM:

v.

NO.

DEFENDANT(S)

**Plaintiff(s) Interrogatories Directed To
Defendant(s)
Premises Liability Cases**

Plaintiff hereby makes demand that the Defendant(s) answer the following Interrogatories pursuant to the Pennsylvania Rules of Civil Procedure 4001 et seq. These Interrogatories must be answered as provided in Pa.R.C.P. 4006 and the Answers must be served on all other parties within thirty (30) days after the Interrogatories are deemed served.

These Interrogatories are deemed to be continuing as to require the filing of Supplemental Answers promptly in the event Defendants or their representatives (including counsel) learn additional facts not set forth in its original Answers or discover that information provided in the Answers is erroneous. Such Supplemental Answers may be filed from time to time, but not later than 30 days after such further information is received, pursuant to Pa.R.C.P. 4007.4.

These Interrogatories are addressed to Defendants as a party to this action; Defendants' answers shall be based upon information known to Defendants or in the possession, custody or control of Defendants, their attorney or other representative acting on their behalf whether in preparation for litigation or otherwise. These Interrogatories must be answered completely and specifically by Defendants in writing and must be verified. The fact that investigation is continuing or that discovery is not complete shall not be used as an excuse for failure to answer each interrogatory as completely as possible. The omission of any name, fact, or other item of information from the Answers shall be deemed a representation that such name, fact, or other item was not known to Defendants, their counsel, or other representatives at the time of service of the Answers.

BACKGROUND

1. Please identify if you are an individual, corporation or partnership:

(a) If an individual:

- (1) full name (maiden name, if applicable)
- (2) alias(es)
- (3) date of birth
- (4) residence and business addresses at time of the alleged accident and currently.
- (b) If a corporation:
 - (1) registered corporation name
 - (2) principal place of business
 - (3) registered address at the time of the alleged accident and currently.
- (c) If a partnership:
 - (1) registered partnership name
 - (2) principal place of business
 - (3) registered address at the time of the alleged accident and currently
 - (4) the identities and residence addresses of each partner at the time of the alleged accident and currently.

2. Has a claim been made or a lawsuit filed against you for personal injury involving the location of the alleged accident within the last 10 years? If so, state:

- (a) By whom;
- (b) The Commonwealth or State, County, Court, Term and Number of any lawsuits arising from that cause of action;
- (c) The outcome of the claim/lawsuit.

3. Have you been convicted of or pleaded guilty or nolo contendere to any crime(s) in the past ten (10) years to any crime(s) involving dishonesty or false statements as provided in Pa.R.E. 609, or has last date of confinement for said crime(s) been within the past ten (10) years?

4. Identify:

- (a) Your applicable insurance carrier at the time of the alleged accident;
- (b) Your applicable liability insurance coverage limits at the time of the alleged accident;
- (c) Your applicable umbrella and/or excess liability insurance coverage limits at the time of the alleged accident;
- (d) If self-insured, for all or any monetary part of a liability claim, so state (including the limits).

ACCIDENT INFORMATION

5. At the time of the alleged accident, was the location of the alleged accident possessed, controlled and/or maintained by the defendant(s)? If not, identify who did possess, control and/or maintain them.

6. Is the location of the alleged accident owned or leased by the defendant(s)? If leased, state:

- (a) From whom said location of the alleged accident are leased;
- (b) Dates of said lease.

7. Identify the person(s), including name, title, residence and business address(es), who last maintained and/or cleaned the location of the alleged accident.

8. State the name, home and business addresses of the following:

- (a) Those who actually witnessed the alleged accident;

(b) Those who were present at or near the scene at the time of the alleged accident;

(c) Those who have any knowledge or information as to any facts pertaining to the circumstances and/or manner of the happening of the alleged accident and/or the nature of the injuries sustained in the alleged accident;

(d) The person(s) who last examined/inspected the place where the alleged accident occurred before the alleged accident;

(e) The person(s) who last examined/inspected the place where the alleged accident occurred after the alleged accident;

(f) Are any of the people listed in the preceding answers to interrogatories relatives, agents, servants, employees, the spouse, and/or representatives of the Defendants(s)?

9. At the time of the alleged accident or immediately thereafter, did you have any conversation(s) with or make any statement(s) to any of the parties or witnesses, or did any of them make any statement(s) to you or in your presence? If so, state the substance of any such conversation(s) or statement(s) and identify in whose presence it/they occurred.

10. Did Defendant, or anyone acting on behalf of the Defendant, receive any reports or complaints from any source during the six (6) months prior to the alleged accident, concerning the conditions of the location of the alleged accident? If so, state:

(a) When;

(b) From who received;

(c) The nature of each such report or complaint;

(d) Any action(s) taken by defendant in response thereto;

(e) The name, address and job title of the person(s) who has custody, possession and/or control of such reports or complaints.

11. Were any repairs or changes made to the location of the alleged accident after the accident occurred? If so, state:

(a) When they were made;

(b) The kind of repairs or changes made;

(c) Who made such repairs or changes;

(d) Whose decision it was to initiate the repairs or changes.

12. State any violations of City Ordinances or Codes for which Defendant or anyone acting on Defendant's behalf were cited regarding the alleged accident as well as the dates of said violations.

13. Were there any signs, barriers or anything else at or near the scene of the alleged accident warning of the conditions existing thereon? If so, state:

(a) When said warnings were placed at the scene and by whom;

(b) Describe exactly what the warning was and the exact dimensions of said warning;

(c) The exact location of said warning.

14. Do you know of anyone who is in the possession, custody and/or control of any photographs, sketches, reproductions, charts, maps or diagrams of the scene of the accident? If so, state:

(a) The date(s) they were taken or made;

(b) The name, title, residence and business address of the person(s) taking them and in the possession, custody and/or control of them;

(c) The subject or object of the particular site or view of each of them.

15. Was any videotaping performed on the day of this alleged accident at the location where the alleged accident occurred? If so, state:

(a) Whether there any type of log, record, compilation or other documentation of the videotaping performed;

(b) Who has custody, possession and/or control of the recording(s).

16. What were the weather conditions on the day of and the day before the alleged accident?

17. Do you allege that the weather conditions contributed to the happening of Plaintiff(s) alleged accident?

18. Do you believe the Plaintiff did anything to contribute to the alleged accident? If so, describe what actions contributed to the alleged accident.

MISCELLANEOUS

19. If you have engaged, or expect to engage, healthcare professionals and/or other expert witnesses (e.g. accident reconstructionists), whom you intend to have testify or whose report you intend to submit at trial on your behalf on any matter pertaining to this action, state:

(a) The name of the expert;

(b) The expert's professional address;

(c) The expert's occupation;

(d) The expert's specialty;

(e) The expert's qualifications (e.g. Curriculum Vitae);

(f) The topic or subject matter upon which expert is expected to testify;

(g) The substance of the facts to which the expert is expected to testify;

(h) The substance of the opinion to which the expert is expected to testify;

(i) A summary of the grounds for each opinion the expert is expected to testify.

20. Have you, your attorney or any representative of yours, conducted any sound, photographic, motion picture film, personal sight or any other type of surveillance of the Plaintiff(s)?

21. From the time of the accident to the present have you had or do you have any social media accounts such as Facebook, Instagram, Twitter, etc? If so, identify all of your social media accounts.

22. State the name and address of the person answering these Interrogatories and his/her relationship to the Defendant.

Esquire
Attorney ID#:

I _____, subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities, state the attached answers and/or documents are submitted in response to the foregoing Interrogatories and/or Requests for Production of

Documents and that to the best of my knowledge, information and belief they are true and complete.

Signature

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA**

CIVIL TRIAL DIVISION

PLAINTIFF(S)

Compulsory Arbitration Program

COURT TERM:

v.

NO.

DEFENDANT(S)

**Defendant's Interrogatories Addressed To Plaintiff
Premises Liability Cases**

Defendant hereby makes demand that the Plaintiff(s) answer the following Interrogatories pursuant to the Pennsylvania Rules of Civil Procedure 4001 et seq. These Interrogatories must be answered as provided in Pa.R.C.P. 4006 and the Answers must be served on all other parties within thirty (30) days after the Interrogatories are deemed served.

These Interrogatories are deemed to be continuing as to require the filing of Supplemental Answers promptly in the event Plaintiff(s) or Plaintiff(s)' representatives (including counsel) learn additional facts not set forth in its original Answers or discover that information provided in the Answers is erroneous. Such Supplemental Answers may be filed from time to time, but not later than thirty (30) days after such further information is received, pursuant to Pa.R.C.P. 4007.4.

These Interrogatories are addressed to Plaintiff(s) as a party to this action; Plaintiff(s)' answers shall be based upon information known to Plaintiff(s) or in the possession, custody or control of Plaintiff(s), their attorney or other representative acting on their behalf whether in preparation for litigation or otherwise. These Interrogatories must be answered completely and specifically by Plaintiff(s) in writing and must be verified. The fact that investigation is continuing or that discovery is not complete shall not be used as an excuse for failure to answer each interrogatory as completely as possible. The omission of any name, fact, or other item of information from the Answers shall be deemed a representation that such name, fact, or other item was not known to Plaintiff(s), Plaintiff(s)' counsel, or other representatives at the time of service of the answers.

BACKGROUND

1. Please identify if you are an individual, corporation or partnership:

(a) If an individual:

(1) full name (maiden name, if applicable)

(2) alias(es)

(3) date of birth

(4) Social Security Number

(5) residence and business addresses at time of the alleged accident and currently.

(b) If a corporation:

(1) registered corporation name

(2) principal place of business

(3) registered address at the time of the alleged accident and currently.

(c) If a partnership:

(1) registered partnership name

(2) principal place of business

(3) registered address at the time of the alleged accident and currently

(4) the identities and residence addresses of each partner at the time of the alleged accident and currently.

2. If you are currently employed, were employed at the time of the alleged accident and/or employed for five (5) years before the accident date, state as to each time period:

(a) By whom;

(b) Your stated title or position and accompanying duties and responsibilities;

(c) The length of your employment;

(d) Number of hours worked per week and/or number of days worked per week;

(e) Hourly wage and/or salary as well as supplemental wages (e.g. bonuses, overtime, etc.).

3. Did you lose time from work as a result of the alleged accident? If so, state:

(a) The dates you lost from work as a result of the alleged accident;

(b) The date that you returned to work;

(c) The name and address of the employer where you returned to work;

(d) Any change in your title or position, duties and/or responsibilities;

(e) Any change in your wage, salary or supplemental wages.

4. Describe in detail any future lost wage claim and/or impairment of earning capacity you will have as a direct result of the alleged accident and the basis thereof.

5. Have you made a claim or filed a lawsuit for personal injury within the last ten (10) years? If so, state:

(a) Against whom the claim or lawsuit was made including the name and address of any insurance carrier and/or parties;

(b) The Commonwealth or State, County, Court, Term and Number of any lawsuits arising from that cause of action;

(c) The outcome of the claim/lawsuit.

6. Have you been convicted of or pleaded guilty or nolo contendere to any crime(s) in the past ten (10) years to any crime(s) involving dishonesty or false statements as provided in Pa.R.E. 609, or has last date of confinement for said crime(s) been within the past ten (10) years?

ACCIDENT INFORMATION

7. State the purpose of your presence at the location and time of the alleged accident.

8. State whether or not you were familiar with the location of the alleged accident and how often you traveled through same.

9. Did you make any complaints/reports or are you aware of any complaints/reports to anyone during the six

(6) months before the alleged accident, concerning the conditions of the location where the alleged accident occurred? If so, state:

- (a) When;
- (b) Who made the complaint/report;
- (c) Who was the complaint/report made to;
- (d) The reason for the complaint/report;
- (e) Any action(s) taken as a result of the complaint/report;
- (f) The name, address and job title of the person(s) who has custody, possession and/or control of such reports or complaints.

10. If you consumed any alcoholic beverage(s), medications (prescription and/or over-the-counter) or any illicit drugs, during the forty-eight (48) hours immediately preceding the alleged accident, state:

- (a) The nature, amount and type of item(s) consumed;
- (c) The period of time over which the item(s) was/were consumed;
- (c) The names and addresses of any and all persons who have any knowledge as to the consumption of the aforementioned items (e.g. witnesses, physicians, etc.).

11. At the time of the alleged accident, did you suffer from any deformity, disease, ailment, disability or abnormality that may have affected your ability to walk, run, see, hear or otherwise perceive and/or navigate the location of the accident? If so, identify the condition(s) and any treating physician for that condition(s).

12. State in detail the manner in which the alleged accident occurred.

13. With reference to the alleged accident upon which this lawsuit is based, state:

- (a) The exact place of the alleged accident, giving the address of the location and indicating the specific part of the location at which the accident took place;
- (b) Exact date and hour of the alleged accident;
- (c) The surface condition of the location with reference to any surface covering materials (including carpets, rugs, tiles, etc.), depressions, foreign substances, obstructions, or any allegedly dangerous or defective conditions in the area of the alleged accident;
- (d) If the alleged accident occurred outside, please state the weather conditions at the time and place of the accident and indicate whether the location was covered with snow, ice, rain (or water from any source), dirt, tar, concrete or other substance;
- (e) The lighting conditions at the place and time of the alleged accident, indicating the location of all sources of artificial light at the time and place of the alleged accident and whether each such light was operable and turned on;
- (f) Whether there were any handrails, banisters or similar safety devices at the location of the alleged accident and indicate the condition of such devices;
- (g) Whether the area of the alleged accident appeared to be under construction and whether there were any barricades, warning signs or construction tools/materials at the site of the accident;

(h) Whether the location where the alleged accident occurred was open to the general public and, if not, then indicate by what right (e.g. or with whose permission)

Plaintiff was at the location. If the location was not open to the general public then also indicate whether there were any signs or notices to that effect in the area.

14. If you contend that a defect caused or contributed to the alleged accident, describe the defect.

15. Were you aware of the alleged defect prior to the happening of the alleged accident?

16. At or shortly before the alleged accident, were you using any functions on your cell phone or on any portable handheld electronic device? If so, please provide your cell phone carrier name, cell phone number and account number or the provider name and account number for your handheld electronic device.

17. At the time of the alleged accident, please state:

- (a) What kind of footwear you were wearing (e.g. sandals, work-boots, thongs, tennis shoes, loafers, slippers, etc.) and indicate the height of the heel, and indicate whether the footwear is available for inspection by counsel;
- (b) Whether you were carrying anything;
- (c) Whether you were wearing prescription lenses.

18. Was there any investigation conducted? If so, describe by whom and state the results of the investigation.

19. Do you know of anyone who is in the possession, custody and/or control of any photographs, sketches, reproductions, charts, maps or diagrams of the scene of the accident, and if so, state:

- (a) The date(s) they were taken or made;
- (b) The name, title, residence and business address of the person(s) taking them and in the possession, custody and/or control of them;
- (c) The subject or object of the particular site or view of each of them.

20. State the name, home and business addresses of the following:

- (a) Those who actually witnessed the alleged accident;
- (b) Those who were present at or near the scene at the time of the alleged accident;
- (c) Those who have any knowledge or information as to any facts pertaining to the circumstances and/or manner of the happening of the alleged accident and/or the nature of the injuries sustained in the alleged accident;

(d) Are any of the people listed in the preceding answers to interrogatories relatives, agents, servants, employees, the spouse, and/or representatives of the Plaintiff(s)?

21. At any time after the alleged accident, did you have any conversation(s) with or make any statement(s) to any of the parties or witnesses, or did any of them make any statement(s) to you or in your presence? If so, state the substance of any such conversation(s) or statement(s) and identify in whose presence it/they occurred.

22. Do you claim that the Defendant(s) violated any ordinances, codes or laws? If so, state what rules or laws.

INJURY INFORMATION

23. Describe what, if any, injuries you sustained as a result of this alleged accident.

24. On the date of the alleged accident, did you have private health/medical insurance? If yes:

(a) Please identify the name of the private health/medical insurance carrier and provide a copy of the health/medical insurance card and/or identification number;

(b) Has your private health/medical insurance carrier made any payments related to the alleged accident?

(c) If bills have been denied, provide documentation of denials.

(d) If there is lien, state the amount and attach all documentation.

25. Have you received or are you currently receiving any medical benefits from Public Assistance/DPW? If yes:

(a) Please provide a copy of your benefit identification card(s) and/or identification number;

(b) Has Medicaid/DPW made any payments related to this alleged accident?

(c) Has Medicaid/DPW asserted any liens related to the alleged accident?

(d) If there is lien, state the amount and attach all documentation.

26. Have you received or are you currently receiving any benefits from Medicare? If yes:

(a) Please provide a copy of your Medicare Card and/or identification number;

(b) Has Medicare made any payments related to the alleged accident?

(c) Has Medicare asserted any liens related to the alleged accident?

(d) If there is lien, state the amount and attach all documentation.

27. Have you ever applied for, received and/or are you currently receiving Social Security Disability Benefits? If yes, state:

(a) The reason for disability;

(b) The identity of the physician(s) who completed the benefits application(s);

(c) The dates of disability.

28. Have you applied for, received and/or are you currently receiving disability benefits from any other source? If yes, state:

(a) The reason for disability;

(b) The identity of the physician(s) who completed the benefits application(s);

(c) The dates of disability.

29. Have you applied for, received and/or are you currently receiving workers' compensation benefits? If yes, state:

(a) The type of injury;

(b) The identity of the treating physician(s);

(c) Length of the injury;

(d) Time lost from work as a result of the injury;

(e) If there is lien, state the amount and attach all documentation.

30. Identify the name of all of your family physician(s)/primary care physician(s) during the last ten (10) years.

31. Describe in detail all economic damages and/or losses you sustained as a direct result of the alleged accident.

32. Describe in detail all injuries and non-economic damages or losses you sustained, including their nature, extent and duration.

33. State:

(a) The identity, by name and address, of each hospital or university medical center where you were examined and/or treated and whether you were admitted;

(b) The identity of any person(s) who examined, evaluated or treated you, noting their name, address and specialty;

(c) The identity, by name and address of any diagnostic test center that provided services and what test were performed;

(d) The date(s) of all examination(s), evaluation(s), treatment(s) and/or confinement(s) by healthcare professionals and their corresponding charges;

(e) Identify any healthcare professional(s) you are currently consulting and/or treating with for any of the injuries and/or damages you sustained as a direct result of the alleged accident and what symptoms you still allegedly suffer from.

34. Did the alleged accident aggravate a pre-existing condition(s)? If so, state:

(a) The nature and extent of such pre-existing condition;

(b) The date upon which you believe you recovered from symptomatology of the pre-existing condition(s), prior to the accident date;

(c) The name and address of the healthcare professional(s) who treated you for the pre-existing condition(s); and

(d) The date of and circumstances causing you to incur the pre-existing condition(s).

35. If you have fully recovered from the injuries you allege to have sustained in the present accident, state the approximate date you fully recovered.

36. If you have not fully recovered from your injuries, then describe any pain, ailment, complaint, injury or disability that you allege you still suffer from as a direct result of the alleged accident.

37. Did you sustain any injuries or suffer from any disease, deformity, or impairment, before or after the alleged accident, which in any way affected those parts of your body claimed to have been injured as a result of this alleged accident? If so, state:

(a) The nature and extent of any such injury, disease, deformity or impairment;

(b) The date of the occurrence or diagnosis of such injury, disease, deformity or impairment;

(c) The names and address(es) of the healthcare professional(s) you have consulted with and/or treated with and the corresponding dates thereof, for such injury, disease, deformity or impairment.

38. If you have engaged, or expect to engage, healthcare professionals and/or other expert witnesses (e.g. damages or liability), whom you intend to have testify at trial on your behalf on any matter pertaining to this action, state:

(a) The name of the expert;

(b) The expert's professional address;

(c) The expert's occupation;

(d) The expert's specialty;

- (e) The expert's qualifications (e.g. Curriculum Vitae);
- (f) The topic or subject matter upon which the expert is expected to testify;
- (g) The substance of the facts to which the expert is expected to testify;
- (h) The substance of the opinion to which the expert is expected to testify;
- (i) A summary of the grounds or foundation for each opinion the expert is expected to testify.

MISCELLANEOUS

39. From the time of the accident to the present have you had or do you have any social media accounts such as Facebook, Instagram, Twitter, etc? If so, identify all such social media accounts.

40. If this case involves a claim for loss of consortium, please describe the basis of that claim and any damages.

41. State the name and address of the person answering these Interrogatories and his/her relationship to the Plaintiff.

Esquire
Attorney ID#:

I _____, subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities, state the attached answers and/or documents are submitted in response to the foregoing Interrogatories and/or Requests for Production of Documents and that to the best of my knowledge, information and belief they are true and complete.

Signature

[Pa.B. Doc. No. 15-89. Filed for public inspection January 16, 2015, 9:00 a.m.]

PHILADELPHIA COUNTY

Philadelphia Real Estate Liens Filed Pursuant to the Municipal Claim and Tax Lien Act, 53 P. S. §§ 7101—7505; Administrative Order No. 2 of 2014

Order

And Now, this 19th day of December, 2014, it is hereby *Ordered and Decreed* as follows:

(1) effective January 1, 2015 and thereafter, the City of Philadelphia may electronically file and the Office of Judicial Records (formerly the "Prothonotary") shall receive, City of Philadelphia Real Estate Tax Liens which shall be indexed and searchable through the dockets maintained by the Office of Judicial Records and the First Judicial District of Pennsylvania; and

(2) effective January 1, 2015 the Office of Judicial Records shall assess and collect the filing fee required by its fee bill, 42 Pa.C.S. § 1725, as itemized in the Fee Schedule of the Office of Judicial Records which is available on the website of the First Judicial District at www.courts.phila.gov/pdf/prothyfees.pdf (see "Filing of a Lien as a First Filing"). Provided, however, that the filing fee may be added by the City of Philadelphia to the amount owed by the owner(s) of the real estate, shall be collected by the City of Philadelphia, and shall be paid to

the Office of Judicial Records by the City of Philadelphia within ninety (90) days of the date the lien is marked satisfied.

It is further *Ordered and Decreed* that:

(a) the Office of Judicial Records shall migrate, as soon as practicable, all existing and unsatisfied Real Estate Tax Liens filed pursuant to the Municipal Claim and Tax Liens Act ("MCTLA"), 53 P. S. §§ 7101—7505, to the Banner case management system, and such liens shall be indexed and searchable through the dockets maintained by the Office of Judicial Records and the First Judicial District of Pennsylvania; and

(b) the Office of Judicial Records shall continue to maintain an in rem index, the form and location of which shall be within the discretion of the Office of Judicial Records.

This Order is issued in accordance with the Municipal Claim and Tax Liens Act ("MCTLA"), Act of May 16, 1923, P. L. 207, 53 P. S. §§ 7101—7505. This Order is issued in accordance with Pa.R.C.P. No. 239 and the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration. The original order shall be filed with the Office of Judicial Records in a Docket maintained for Administrative orders issued by the Administrative Judge of the Trial Division, Court of Common Pleas of Philadelphia County, and shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the order shall be submitted to the Administrative Office of Pennsylvania Courts, American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://www.courts.phila.gov/regs>.

By the Court

HONORABLE KEVIN M. DOUGHERTY,
Administrative Judge, Trial Division

[Pa.B. Doc. No. 15-90. Filed for public inspection January 16, 2015, 9:00 a.m.]

SUPREME COURT

Extension of Pilot Program for Electronic Filing and Service of Motions and Other Legal Papers in the First Judicial District Court of Common Pleas, Trial Division—Criminal Section and the Philadelphia Municipal Court—Criminal Section; No. 460 Criminal Procedural Rules Doc.

Order

Per Curiam

And Now, this 2nd day of January, 2015, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the pilot program for electronic filing in the First Judicial District Court of Common Pleas, Trial Division—Criminal Section and the Philadelphia Municipal Court—Criminal Section, as authorized by Order No. 424, Criminal Procedural Rules Docket (February 6, 2013) and its accompanying local rule, and Order No. 449, Criminal Procedural Rules Docket (March 28, 2014), shall be extended for a period of one year, from April 1, 2015—April 1, 2016.

During the pilot program, the provisions of the local rule shall control to the extent that the local rule's provisions conflict with the Pennsylvania Rules of Criminal Procedure, the Electronic Case Record Public Access Policy and the Records Retention and Disposition Schedule With Guidelines.

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

[Pa.B. Doc. No. 15-91. Filed for public inspection January 16, 2015, 9:00 a.m.]

RULES AND REGULATIONS

Title 7—AGRICULTURE

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 128]

Pesticides; Third Party Transactions

The Department of Agriculture (Department) amends § 128.3 (relating to fees) to read as set forth in Annex A.

Statutory Authority

This final-form rulemaking is adopted under the authority in sections 34(3) and (4) and 37.1 of the Pennsylvania Pesticide Control Act of 1973 (act) (3 P.S. §§ 111.54(3) and (4) and 111.57a), which allow: (1) the Department to cooperate and enter into agreements with other agencies, private or public, and to contract for training with other agencies for the purpose of training certified applicators; and (2) the Secretary to change fees through regulation.

This final-form rulemaking amends § 128.3 to allow for the administration of and payment for examination of certified applicators and pesticide dealer managers conducted by other agencies or private contractors, or both, under agreements with the Department.

Purpose of the Final-Form Rulemaking

This final-form rulemaking is necessary to meet the demands of the regulated community for the Department to provide additional locations where and a broader spectrum of times when pesticide certification examinations are available. The Department, at this time, only has the resources available to offer examination opportunities for certifying pesticide applicators and dealer managers on a monthly basis at the seven regional offices and some additional examination locations during normal business hours. The regulated community has been requesting that the Department provide examination opportunities on a more frequent basis and at expanded locations across this Commonwealth. In an effort to address the needs of the regulated community and expand the examination opportunities, the Department reached out to other agencies of the Commonwealth, including the State Civil Service Commission and the Department of Transportation, and contacted private industry to assess whether they may have the resources, physical facilities, technology and capability to offer certification examinations in a manner that is consistent with the act and regulations. Both of the agencies mentioned and private industry have the resources and capabilities to address the needs and concerns expressed herein and to thereby enable the Department to better attend to the needs of the regulated community.

Former § 128.3 did not expressly permit the Department to contract with other agencies or private vendors to administer pesticide examinations or to collect or process a service charge levied by a third party. Therefore, the Department adds § 128.3(f)(6) to allow the Department to contract with public agencies and private vendors to administer pesticide examinations. This paragraph also provides for the ability of contracted vendors to charge and collect or be reimbursed for the services provided, including the cost of the utilization of their testing facilities. Section 128.3(f)(6) authorizes a contracted private vendor to levy and collect additional fees for use of its facilities and services provided. In addition, it allows

the Department to pass along fees that would be charged by a contracted public agency to the person taking the test and then reimburse the contracted public agency. The reason for the difference in the collection of fees is that contracted public agencies are unable to charge the individual test participants directly and must instead enter into a contract with the Department setting forth the amount of the fees to be charged and reimbursed for the services provided. The Department will add the public agencies' fees to the cost of the test and then repay the contracted public agencies for the utilization of their testing facilities and services provided. The Department is required to continue to offer examination on at least a monthly basis at Department sites where additional charges are not assessed.

In summary, the Department is satisfied there is a need for the final-form rulemaking, and that the regulation is otherwise consistent with Executive Order 1996-1, "Regulatory Review and Promulgation."

Comment and Response Document

The Department received one comment on the proposed rulemaking from the Independent Regulatory Review Commission (IRRC) concerning implementation procedures and clarity.

Comment—Implementation procedures; clarity

IRRC stated that the proposed amendment would allow the Department to collect and pass on any additional service charges or costs levied by a contracted State agency or private vendor that provides additional testing opportunities for certified applicator or pesticide dealer manager applicants. Based on conversations with the Department, it is IRRC's understanding that the Department will not collect additional service charges or costs associated with the administration of an examination administered by a private vendor. Under this circumstance, the applicant would register to take the examination with the Department and pay the Department the required fees in § 128.3(f)(6). The applicant would then pay any additional service charges or costs directly to the private vendor. This understanding conflicts with the proposed language in subsection (f)(6) and language in the Regulatory Analysis Form (RAF) and preamble to the proposed rulemaking that indicates the Department will collect and pass on the additional service charges or costs to contracted State agencies and vendors. IRRC asked the Department to provide further clarification on how the proposed amendment will be implemented and how an applicant will pay the additional service charges or costs associated with taking a test at the site of a private vendor.

Response

The Department agrees that the proposed amendment did not provide clarity with regard to the difference in collection of fees and costs charged by a contracted private vendor and those fees and costs charged by a contracted State agency. The intent of the regulation is to allow contracted private vendors to charge any fees and costs associated with providing the test site and administration of an examination directly to the person taking the test. Contracted State agencies cannot directly charge fees and costs associated with providing a test site and administration of an examination directly to the person taking the test. Therefore, one of the goals of the final-form rulemaking is to establish those two separate

procedures for collection of fees and costs. The Department agrees that proposed § 128.3(f)(6) did not address this procedural issue with enough clarity and that the proposed paragraph conflicted with the preamble to the proposed rulemaking and the RAF. Therefore, the Department made the following changes in this final-form rulemaking to ensure it has addressed the procedural and clarity issues detected by IRRC.

In this final-form rulemaking, the Department added sentences to subsection (f)(6) that specifically enumerate the separate procedures that will be utilized to collect fees charged by a contracted agency and fees charged by a private vendor for costs such as use of facilities, administration of the test and services provided. In addition, the Department deleted the final proposed phrase of the last sentence of subsection (f)(6) which read “. . . and assessed by the Department.” That phrase was deleted to ensure consistency and clarification that not all fees will be “assessed by the Department.”

The Department added language to the “purpose of the final-form rulemaking” and “summary of major features” sections of this preamble to more clearly distinguish between private vendors and public agencies and to clarify the difference in the fee collection process.

To ensure complete clarity and consistency between this final-form rulemaking and the RAF, the Department made slight changes to the responses to paragraphs (7), (10), (15), (17), (18) and (26) of the RAF.

Summary of Overall Changes

The major features of and changes to the final-form rulemaking are summarized as follows.

The Department agrees that the proposed rulemaking did not provide clarity with regard to the difference in collection of fees and costs charged by a contracted private vendor and those fees and costs charged by a contracted State agency. The intent of § 128.3(f)(6) is to allow contracted private vendors to charge any fees and costs associated with providing the test site and administration of an examination directly to the person taking the test. Contracted State agencies cannot directly charge fees and costs associated with providing a test site and administration of an examination directly to the person taking the test. Therefore, one of the goals of this final-form rulemaking is to establish those two separate procedures for collection of fees and costs. The Department agrees that the proposed rulemaking did not address this procedural issue with enough clarity and that the proposed amendment to § 128.3 conflicted with the preamble and the RAF. Therefore, the Department made the following changes to the final-form rulemaking to ensure it has addressed the procedural and clarity issues detected by IRRC.

In this final-form rulemaking, the Department added sentences to subsection (f)(6) that specifically enumerate the separate procedures that will be utilized to collect fees charged by a contracted agency and fees charged by a private vendor for costs such as use of facilities, administration of the test and services provided. In addition, the Department deleted the final proposed phrase of the last sentence of subsection (f)(6) which read “. . . and assessed by the Department.” That phrase was deleted to ensure consistency and clarification that not all fees will be “assessed by the Department.”

The Department added language to the “purpose of the final-form rulemaking” and “summary of major features” sections of this preamble to more clearly distinguish

between private vendors and public agencies and to clarify the difference in the fee collection process.

To ensure complete clarity and consistency between the final-form rulemaking and the RAF, the Department made slight changes to the responses to paragraphs (7), (10), (15), (17), (18) and (26) of the RAF.

Summary of Major Features

Section 128.3(f)(6) allows the Department to contract with another public agency or private vendor to utilize its facility to administer pesticide examinations. The Department is authorized to bill or pass through costs or service charges levied by a contracted public agency offering pesticide examinations. A contracted private vendor would be authorized to levy and collect any additional fees it may charge for use of its testing facilities and services provided. These costs would only be assessed when a person chooses to take a pesticide examination offered by an agency or vendor that is under contract with the Department. The Department will continue to offer examinations on at least a monthly basis at Department sites where additional charges are not assessed.

Fiscal Impact

Commonwealth

The final-form rulemaking imposes minimal additional fiscal impacts upon the Department's Bureau of Plant Industry (Bureau). The Bureau already invoices persons for pesticide examinations. The outside vendor charge would only require an additional line item be added to the invoice. The fund transfers would not cost additional money and changes to the computer program to administer the outside vendor programs and charges would be minimal and would be done internally. The Department would not incur additional costs for the use of the contracted facilities and the convenience offered to the regulated community.

Political subdivisions

The final-form rulemaking does not impose additional fiscal impacts upon political subdivisions. There is not a role, enforcement or otherwise, for political subdivisions with regard to this final-form rulemaking.

Private sector

The final-form rulemaking imposes additional costs only on those persons that chose to utilize the outside vendor locations to take pesticide certification examinations. The Department will continue to offer certification at Department locations on at least a monthly basis and additional costs will not be incurred by the regulated community.

General public

The final-form rulemaking does impose additional costs on the general public.

Paperwork Requirements

The Department will not have to develop new application forms or review procedures. The Department will need to amend billing statements to include any additional charges by the contracted vendor and will need to interface with the vendor's payment systems. Transfers of information between the Bureau and an outside vendor will be done by computer with no new computer systems and only minor programming modification will have to be developed to effectuate the exchanges.

Effective Date

The final-form rulemaking will be effective February 17, 2015.

Further Information

Further information is available by contacting the Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, Attention: Chief of the Division of Health and Safety, Dave Scott, (717) 772-5214 or Bureau Director, John Breitsman, (717) 772-5200. A copy of the final-form rulemaking, RAF and the comment and response document is available on the Department's web site at www.agriculture.state.pa.us.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 21, 2014, the Department submitted a copy of the notice of proposed rulemaking, published at 44 Pa.B. 2058 (April 5, 2014), to IRRC and the Chairpersons of the House and Senate Agriculture and Rural Affairs Committees 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 October 22, 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 October 23, 2014, and approved the final-form rulemaking.

Findings

The Department finds that:

(1) Public notice of intention to adopt this final-form regulation has been given under 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and the comments received were considered.

(3) Revisions to this regulation in response to comments received were made within the scope of the original proposed rulemaking. There was not an enlargement of the purpose of the proposed rulemaking published at 44 Pa.B. 2058.

(4) The adoption of the regulation in the manner provided in this order is necessary and appropriate for the administration of the act.

Order

The Department, acting under the act, orders that:

(a) The regulations of the Department, 7 Pa. Code Chapter 128, are amended by amending § 128.3 to read as set forth in Annex A.

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

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

(d) This order shall take effect February 17, 2015.

GEORGE D. GREIG,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 7145 (November 8, 2014).)

Fiscal Note: Fiscal Note 2-179 remains valid for the final adoption of the subject regulation.

Annex A**TITLE 7. AGRICULTURE****PART V. BUREAU OF PLANT INDUSTRY****CHAPTER 128. PESTICIDES****Subchapter A. GENERAL PROVISIONS****§ 128.3. Fees.**

(a) *Pesticide dealer's license.* The annual fee for a pesticide dealer's license is \$10 per location. The fee for a duplicate pesticide dealer's license is \$3.

(1) The annual fee for a pesticide dealer manager's certificate is \$15 per individual.

(2) The fee for a duplicate pesticide dealer manager's certificate is \$3.

(b) *Pest management consultant's license.* The annual fee for a pest management consultant's license is \$25. The fee for a duplicate pest management consultant license is \$8.

(c) *Pesticide application business' license.* The annual fee for a pesticide application business' license is \$35. The fee for a duplicate pesticide application business license is \$8.

(d) *Commercial applicator's certificate.* The annual fee for the commercial applicator's certificate is \$40. When the initial certification requires examination, no fee will be charged. The fee for a duplicate commercial applicator's certificate is \$10. If an applicator is employed by more than one pesticide application business, a separate certificate and fee is required.

(e) *Public applicator's certificate.* The triennial fee for a public applicator's certificate is \$10. A fee is not required when the initial certification requires examination. The fee for a duplicate public applicator's certificate is \$3.

(f) *Examination fees.* Examination fees are nonrefundable. The following examination fees, with payment made in advance, will be charged:

(1) Commercial/public applicator's core examination—\$50.

(2) Commercial/public applicator's category examination—\$10.

(3) Pesticide dealer manager's examination—\$50.

(4) Private applicator's examination—no charge.

(5) Pest management consultant's examination—no charge except that a fee of \$5 will be charged if an examination is requested on other than a regularly scheduled examination date.

(6) In addition to the examination fees in this subsection, when a person chooses to take a pesticide examination offered by an agency or vendor that is under contract with the Department, any additional costs as may be charged by the contracted agency or vendor shall be assessed to the person taking the examination. When a contracted agency assesses an additional fee for costs

such as use of its facilities, administration of the test and services provided, the Department will pass that fee along to the person taking the test. When a private vendor under contract with the Department is utilized, the private vendor shall collect any additional fees it may charge for costs such as use of its facilities, administration of the test and services provided. The Department will continue to offer pesticide certification examinations on at least a monthly basis at Department sites where additional charges will not be assessed. The Department will post on its web site the addresses of the contracted examinations, the dates and times examinations are offered at those locations, and the additional costs that will be charged by the contracted agency or vendor.

(g) *Registration fee for a pesticide application technician.*

(1) *Commercial pesticide application technician.* An annual registration fee of \$30 will be charged to register a

commercial pesticide application technician with the Department. The fee for a duplicate technician registration is \$7.

(2) *Public pesticide application technician.* An annual registration fee of \$20 will be charged to register a public pesticide application technician with the Department. The fee for a duplicate technician registration is \$7.

(h) *Private applicator's permit.* The triennial fee for a private applicator's permit is \$10. The fee for a duplicate private applicator's permit is \$3. A fee will not be charged for a special permit which may be issued in conjunction with the private applicator's permit.

(i) *Product registration.* The annual fee to register a pesticide is \$250.

[Pa.B. Doc. No. 15-92. Filed for public inspection January 16, 2015, 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 Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 6, 2015.

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

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-29-2014	BB&T Winston-Salem Forsyth County, NC Application for approval to acquire Semper Trust Company, King of Prussia.	Filed

Holding Company Acquisitions

12-29-2014	BB&T Corporation Winston-Salem Forsyth County, NC Application for BB&T Corporation to acquire 100% of Susquehanna Bancshares, Inc., Lititz, and thereby indirectly acquire Susquehanna Bank, Lititz as well as Susquehanna Trust and Investment Company, Lancaster.	Filed
1-1-2015	Bryn Mawr Bank Corporation Bryn Mawr Montgomery County Application for Bryn Mawr Bank Corporation to acquire 100% of Continental Bank Holdings, Inc., Plymouth Meeting, and thereby indirectly acquire Continental Bank, Plymouth Meeting.	Effective
1-1-2015	Univest Corporation of Pennsylvania Souderton Montgomery County Application for approval to acquire 100% of Valley Green Bank, Philadelphia.	Effective

Consolidations, Mergers and Absorptions

1-1-2015	The Bryn Mawr Trust Company Bryn Mawr Montgomery County Application for approval to merge Continental Bank, Plymouth Meeting, with and into The Bryn Mawr Trust Company, Bryn Mawr. As a result of the merger, the following branch offices of Continental Bank became branch offices of The Bryn Mawr Trust Company:	Effective
----------	---	-----------

301 East Montgomery Avenue	599 Skippack Pike
Bala Cynwyd	Blue Bell
Montgomery County	Montgomery County
528 Fayette Street	227 Lancaster Avenue
Conshohocken	Devon
Montgomery County	Chester County

<i>Date</i>	<i>Name and Location of Applicant</i>		<i>Action</i>
	113 West Germantown Pike East Norriton Montgomery County	197 East DeKalb Pike King of Prussia Montgomery County	
	33 West Ridge Pike Limerick Montgomery County	7133 Ridge Avenue Philadelphia Philadelphia County	
	1000 and 2000 Shannondell Drive Audubon Montgomery County	436 Egypt Road West Norriton Montgomery County	
1-1-2015	Univest Bank and Trust Co. Souderton Montgomery County		Effective
	Application for approval to merge Valley Green Bank, Philadelphia, with and into Univest Bank and Trust Co., Souderton.		
	All branch offices of Valley Green Bank will become branch offices of Univest Bank and Trust Co. including the former main office of Valley Green Bank located at:		
		7226 Germantown Avenue Philadelphia Philadelphia County	

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-18-2014	Noah Bank Elkins Park Montgomery County	2337 Lemoine Avenue Fort Lee Bergen County, NJ	Opened
12-22-2014	Peoples Security Bank & Trust Company Scranton Lackawanna County	2355 City Line Road Bethlehem Lehigh County	Opened
12-30-2014	S&T Bank Indiana Indiana County	Route 19 and Duncan Avenue Town of McCandless Allegheny County	Filed
12-30-2014	S&T Bank Indiana Indiana County	227 Butler Road Kittanning Armstrong County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-12-2014	Noah Bank Elkins Park Montgomery County	1550 Lemoine Avenue Fort Lee Bergen County, NJ	Closed

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>		<i>Action</i>
12-31-2014	Butler Armco Employees Credit Union Butler Butler County		Effective
	Application for approval to merge Southern Butler County Community Credit Union, Mars, with and into Butler Armco Employees Credit Union, Butler.		
	The former main office of Southern Butler County Community Credit Union became a branch office Butler Armco Employees Credit Union.		
		963 Route 228 Mars Butler County	

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 15-93. Filed for public inspection January 16, 2015, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of February 2015

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of February, 2015, is 5%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.53 to which was added 2.50 percentage points for a total of 5.03 that by law is rounded off to the nearest quarter at 5%.

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 15-94. Filed for public inspection January 16, 2015, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Community Conservation Partnerships Program Grants; Webinars Scheduled

The Department of Conservation and Natural Resources (Department) announces the 2015 open application period for the Community Conservation Partnerships Program Grants administered by the Bureau of Recreation and Conservation (Bureau). The open application period opened January 14, 2015, and will end at 4 p.m. on April 16, 2015. Depending on the funding source, eligible applicants include municipalities and appropriate nonprofit organizations in this Commonwealth.

Applications must be submitted electronically through the Department's new Grants Portal. No paper, faxed or e-mailed applications will be accepted. Grant information, project guidance documents, program policies, applications and instructions are available at <http://www.dcnr.state.pa.us/brc/grants>. For assistance with the Department's new Grants Portal, call the Department's Grants Customer Service Center at (800) 326-7734 or DCNR-Grants@pa.gov.

Grant assistance from the Department helps communities and organizations in this Commonwealth plan, acquire and develop recreation, park and trail facilities and conserve open space. The Bureau administers the Com-

munity Conservation Partnerships Program which combines several State and Federal funding sources including the Keystone Recreation, Park and Conservation Fund, Environmental Stewardship Fund, Pennsylvania Recreation Trails Program and the Land and Water Conservation Fund.

In 2015, the Department's grant program encourages applications that advance local conservation and recreation priorities and those that implement the Commonwealth's 2014-2018 Comprehensive Outdoor Recreation Plan (plan). The new plan will be adopted early in 2015. Plan documents and research findings are available at <http://paoutdoorrecreplan.com>. Specific priorities include: the planning and development of improvements to existing community park and recreation facilities to update playgrounds and modernize facilities; land conservation; rivers implementation; trails and Statewide and regional partnerships.

Two Winter Grant Program Webinars for Recreation and Conservation Projects will be provided for those interested in applying for the Department's 2015 grant funding on the following dates and times. To register go to <http://events.dcnr.pa.gov/search/events?search=webinar> and select a webinar and click "Register" located on the right side of the screen under the Department logo. For additional information, contact Linda Manning, (717) 783-4736, linmanning@pa.gov.

DCNR's BRC Grant Funding for Recreation and Conservation Projects

January 28, 2015, 10—11:30 a.m.

This webinar is designed for new applicants interested in obtaining grant funding for public recreation and conservation projects. Participants will receive an overview of the Bureau's grant program, the new online application process, eligible types of projects and applicants, matching fund requirements and strategies on how to create a "ready-to-go" competitive grant application. This webinar will also provide participants with the opportunity to ask questions to Bureau staff.

Grant Funding for Partnerships Projects

February 3, 2015, 10—11:30 a.m.

This webinar is designed for those interested in obtaining grant funding to support public recreation, conservation or heritage initiatives across a Statewide or regional landscape. Partnerships Program project categories include: Convening, Education and Training; Special Purpose Planning; Implementation; and Mini-Grant programs. This webinar will provide a general Partnerships Program overview to include: eligible project activities; funding sources; matching requirements; and strategies on how to create a competitive grant application. Participants will also have the opportunity to ask general Partnerships Program questions.

Persons with a disability who wish to submit an application or participate in a webinar and require assistance should contact Darrel Siesholtz at (717) 787-7672 to discuss how the Department may best accommodate their needs. Voice/TTY users should call (800) 654-5984.

ELLEN FERRETTI,
Secretary

[Pa.B. Doc. No. 15-95. Filed for public inspection January 16, 2015, 9:00 a.m.]

Request for Bids

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

FDC-009-100654.1—Structure Replacement, Bridge No. 09-0021, Ames Road over Deer Creek, Forest District 9, Moshannon State Forest, Clearfield County. Work included under this contract includes demolition of existing structure #17 7935 5109 0021 consisting of an existing steel I beam bridge on concrete abutments with a 19'-0" clear span. It will be replaced with a precast reinforced concrete rigid frame and cast-in-place concrete end sections with a 16'-0" clear roadway width. The rigid frame will have a 20'-0" span, a 4'-0" underclearance. Replacement also includes driving surface aggregate, rock lining and architectural surface treatment, construction of guiderail, structure mounted guiderail and associated end treatments.

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

FDC-001-7808.1—Rifle/Pistol Range Construction, Forest District #1—Michaux State Forest, Adams County. Work included under this contract consists of the clearing and grubbing of a rifle/pistol range network system including parking areas and trails.

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

Bid documents will be available on or after January 12, 2015. The bid opening will be held on February 12, 2015.

ELLEN FERRETTI,
Secretary

[Pa.B. Doc. No. 15-96. Filed for public inspection January 16, 2015, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Brian D. McGill for Reinstatement of Teaching Certificates; Doc. No. RE-14-04

Under the Educator Discipline Act (act) (24 P.S. §§ 2070.1a—2070.18c), the Professional Standards and Practices Commission (Commission) will consider the application of Brian D. McGill for reinstatement of his teaching certificates.

Brian D. McGill filed an application for reinstatement of his teaching certificates under section 16 of the act (24 P.S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education, on December 31, 2014, advised the Commission that it did not oppose the application for reinstatement.

In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 22 Pa. Code § 233.123(d), the Commission will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hear-

ing is filed with the Commission, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protests and requests for hearing shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Suzanne Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,
Executive Director

[Pa.B. Doc. No. 15-97. Filed for public inspection January 16, 2015, 9:00 a.m.]

Proposed Grant Application by the Department of Education under Part B of the Individuals with Disabilities Education Act for Federal Fiscal Year 2015

Public comment is invited regarding the Department of Education's (Department) proposed grant application under Part B of the Individuals with Disabilities Education Act (IDEA-B). The annual grant application provides assurances that the Commonwealth's policies and procedures in effect are consistent with the Federal requirements to ensure that a free appropriate public education is made available to all children with a disability from 3 to 21 years of age, including children who have been suspended or expelled from school. The current IDEA-B policies and procedures are available on the Department's web site at www.education.state.pa.us (click "Programs," select "Special Education," under "Funding Sources," see "IDEA-B Policies and Procedures—Pennsylvania").

Section 300.165 of 34 CFR (relating to public participation) requires states to provide notice and opportunity for public comment to ensure reasonable opportunities for participation by local agencies, representatives of the class of individuals affected by this program and other interested institutions, organizations and individuals in the planning for the provision of special education and related services. Each state must publish the proposed IDEA-B grant application. Copies of the proposed IDEA-B grant application for 2015 are available on the Department's web site at www.education.state.pa.us (click "Programs," select "Special Education," under "Funding Sources," select "Proposed 2015 IDEA-B Application"). Alternative formats of the documents (for example, Braille, large print, CD) can be made available to members of the public upon request. Public comment is welcomed in alternative formats such as Braille, recorded comments and telephone comments for individuals with disabilities. Individuals who are disabled and wish to submit comments by telephone should contact Beth Runkle at (717) 783-2311.

Written public comments will be accepted beginning January 26, 2015, until April 17, 2015. The written comments should be directed to Patty Todd, Special

Education Adviser, Bureau of Special Education, Department of Education, 333 Market Street, 7th Floor, Harrisburg, PA 17126-0333.

Additionally, opportunity for verbal testimony will be held by the Department's Bureau of Special Education for individuals wishing to present verbal testimony on the proposed IDEA-B application and the current State plan. One written copy of verbal testimony at the time of presentation would be appreciated. Presentations should be limited to 15 minutes.

Dates, locations and times for verbal testimony regarding the proposed grant application and current policies and procedures as follows:

March 17, 2015	PaTTAN—King of Prussia 200 Anderson Road King of Prussia, PA 19406 (3 p.m.—6 p.m.)
March 18, 2015	PaTTAN—Harrisburg 6340 Flank Drive Harrisburg, PA 17112 (3 p.m.—6 p.m.)

March 19, 2015

PaTTAN—Pittsburgh
3190 William Pitt Way
Pittsburgh, PA 15238
(3 p.m.—6 p.m.)

To schedule an opportunity to present verbal testimony, or for persons with a disability who require an accommodation to participate in the proceedings, contact Beth Runkle at (717) 783-2311 no later than March 11, 2015.

Following receipt of all written and verbal comments, the Department will consider all comments and make any necessary modifications to the proposed grant application before submission of the 2015 IDEA-B grant application to the Secretary of the United States Department of Education.

CAROLYN C. DUMARESQ,
Acting Secretary

[Pa.B. Doc. No. 15-98. Filed for public inspection January 16, 2015, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of

this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062618 (Industrial Waste)	Bethlehem Water Treatment Plant 355 Granger Road Northampton, PA 18067-9111	Northampton County Lehigh Township	Unnamed Tributary to Indian Creek (2-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0246816 (Sew)	Lenker Estates Homeowners Association PO Box 123 Dauphin, PA 17018-0123	Dauphin County Halifax Township	UNT to Susquehanna River / 6-C	Y
PA0248720 (Sew)	Nicodemus Res 6091 Cortland Road Alum Bank, PA 15521	Bedford County West Saint Clair Township	Unnamed Tributary to Dunning Creek (11-C)	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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0209686 (sewage)	Tom Harris SFTF 9855 Curwensville-Tyrone Hwy Curwensville, PA 16833	Clearfield County Pike Township	Unnamed Tributary to Little Clearfield Creek (8-C)	Y
PA0209236 (Sewage)	Tioga Borough Sanitary Sewer STP Krieger Lane Tioga, PA 16946	Tioga County Tioga Township	Tioga River (4-A)	Y
PA0208647 (Sewage)	Kratzer Run Sewer Authority Treatment Facility 1265 Stronach Road Grampian, PA 16838	Clearfield County Grampian Borough	Kratzer Run (8-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032182 (Sewage)	Mingo Park Estates STP 92 Little Mingo Road Finleyville, PA 15332	Washington County Nottingham Township	Swale to an Unnamed Tributary of Mingo Creek (19-C)	Y
PA0095036 (Sewage)	Smithton Truck Stop STP Motordrome Road Smithton, PA 15479	Westmoreland County South Huntingdon Township	Swale to an Unnamed Tributary of the Youghiogheny River (19-D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0103772 (Sewage)	Joseph & Patrick Hodapp Apt 9277 Kuhl Road Erie, PA 16510	Erie County Greene Township	Unnamed Tributary to Fourmile Creek (15-A)	Y
PA0033588 (Sewage)	Country Estates MHP 1011 South Lake Road Mercer, PA 16137	Mercer County Jefferson Township	Unnamed Tributary to Lackawannock Creek (20-A)	Y
PA0238571 (Sewage)	Pinehurst Manor MHP 112 Jan Drive Butler, PA 16001	Butler County Center Township	Unnamed Tributary to the Stony Run (20-C)	Y

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

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

PA0085448, Sewage, SIC Code 4952, **East Earl Sewer Authority**, PO Box 339, East Earl, PA 17506. Facility Name: Goodville Industrial Center WWTP. This existing facility is located in East Earl Township, **Lancaster 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, Unnamed Tributary of Conestoga River, is located in State Water Plan watershed 7-J and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.004 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report Avg Mo	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.50	XXX	1.6
CBOD ₅	0.83 Avg Mo	1.3	XXX	25	40	50
Total Suspended Solids	1.0 Avg Mo	1.5	XXX	30	45	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
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				

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

The EPA Waiver is in effect.

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

PA0027375, Sewage, SIC Code 4952, **City of DuBois**, 16 W Scribner Avenue, DuBois, PA 15801-2210. Facility Name: City Of DuBois Wastewater Treatment Plant. This existing facility is located in City of DuBois, **Clearfield 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), Sandy Lick Creek, is located in State Water Plan watershed 17-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.4 MGD.

PA0007498 A-1, Industrial Waste, SIC Code 2096, **Wise Foods, Inc.**, 228 Rasely Street, Berwick, PA 18603-4533. Facility Name: Wise Foods Berwick Snack Food Plant. This existing facility is located in Berwick Borough, **Columbia County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 5-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2721 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅ (lbs/year)	XXX	66,015 Annl Avg	XXX	XXX	XXX	XXX
CBOD ₅ (Interim)	450	715	XXX	Report	Report	315
(Final)	99	201	XXX	44	89	110
Total Suspended Solids (Interim)	930	1,295	XXX	Report	Report	570
(Final)	204	360	XXX	90	158	225
Total Suspended Solids (lbs/year)	XXX	123,993 Annl Avg	XXX	XXX	XXX	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	Report	Report	XXX	15	20	XXX
Ammonia-Nitrogen	79	161	XXX	35	71	87

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	19,957			
Net Total Phosphorus	Report	898			

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

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

The EPA Waiver is not in effect.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen (Interim)	XXX	XXX	5.0	XXX	XXX	XXX
(Final)	XXX	XXX	6.5	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.16	XXX	0.52
CBOD ₅ May 1 - Oct 31 (Interim)	550	807	XXX	15	22	30
Nov 1 - Apr 30 (Interim)	917	1,468	XXX	25	40	50
May 1 - Oct 31 (Final)	270	405	XXX	7.4	11.1	14.8
Nov 1 - Apr 30 (Final)	810	1,220	XXX	22.2	33.3	44.4
BOD ₅ Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX

NOTICES

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1,100	1,650	XXX	30	45	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31 (Interim)	92	128	XXX	2.5	3.5	5.0
Nov 1 - Apr 30 (Interim)	275	404	XXX	7.5	11	15
May 1 - Oct 31 (Final)	80	120	XXX	2.2	3.3	4.4
Nov 1 - Apr 30 (Final)	240	360	XXX	6.6	9.9	13.2
Total Aluminum	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Copper (Interim)	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
(µg/L) (Final)	0.52	1.05 Daily Max	XXX	14.43	28.86 Daily Max	36.07
Total Iron	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Manganese	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Chronic Toxicity—Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	1.5 Daily Max	XXX
Reproduction (TUc)	XXX	XXX	XXX	XXX	1.5 Daily Max	XXX
Chronic Toxicity—Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	1.5 Daily Max	XXX
Growth (TUc)	XXX	XXX	XXX	XXX	1.5 Daily Max	XXX

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

The EPA Waiver is not in effect.

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

PA0272795, Sewage, SIC Code 6515, **Matthew R. Hinkle**, 5137 Clayton Circle, New Castle, PA 16101. Facility Name: Majors MHP. This proposed facility is located in Slippery Rock Township, **Lawrence County**.

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

The receiving stream, an Unnamed Tributary to the Brush Run, is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00735 MGD.

Parameters	Mass (lbs/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000 Geo Mean	XXX	10,000

Parameters	Mass (lbs/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	16.6	XXX	33.2
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Requirement to use eDMR System
- Solids Management

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

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

WQM Permit No. 3314401, Sewage, **Anne Reiff**, 301 Earth & Sea Lane, Dubois, PA 15801.

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

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

IV. NPDES Applications for Stormwater Discharges from MS4

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

PAI132242, MS4, **Scott Township**, RR 1 Box 432 A, Olyphant, PA 18447-9788. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Scott Township, **Lackawanna County**. The receiving streams, Hull Creek and South Branch Tunkhannock Creek, are located in State Water Plan watershed 4-F and 5-A and are classified for Trout Stocking, Migratory Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is not in effect.

PAI132246, MS4, **Carbondale City**, 1 N Main Street Suite 1, Carbondale, PA 18407-2356. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Carbondale City, **Lackawanna County**. The receiving streams, Fall Brook, Lackawanna River and Racket Brook, are located in State Water Plan watershed 5-A and are classified for High Quality Waters—Cold Water Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is not in effect.

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
PAI010914002	McDonald's USA, LLC 801 Lakeview Drive Blue Bell, PA 19422	Bucks	Milford Township	Molasses Creek HQ-TSF

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

Northampton County Conservation District, 14 Gracedale Avenue Greystone Building, Nazareth PA 18064-9211

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024814016	Pennsylvania American Water David R. Kaufman 800 West Hershey Park Drive Hershey, PA 17033	Northampton	Plainfield Township	Bushkill Creek (HQ-CWF, MF)
PAI024814013	Blue Moo & Company Brian Crocefoglia 181 Blackstone Drive Wind Gap, PA 18091	Northampton	Bushkill Township	UNT to Bushkill Creek (HQ-CWF, MF)
ESG00115140002	Timothy Powell 2800 Post Oak Blvd Level 17 Houston, TX 77056	Susquehanna	Brooklyn, Harford, New Milford, Jackson, Tohmson, Harmony and Oakland Townships	Hop Bottom Creek (CWF, MF) Martins Creek (CWF, MF) Meylert Creek (HQ-CWF, MF) Wellmans Creek (HQ-CWF, MF) Salt Lick Creek (HQ-CWF, MF) East Lake Creek (HQ-CWF, MF) Lewis Creek (CWF, MF) Drinker Creek (CWF, MF) Canawacta Creek (CWF, MF) Starrucca Creek (CWF, MF) Roaring Run (CWF, MF) Little Roaring Brook (CWF, MF) Cascade Creek (CWF, MF)

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

PAG-12 CAFOs

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Edward Hartman 900 Galen Hall Road Reinholds, PA 17569	Lancaster	95.3	1,481.5	Dairy	NA	Renewal
John Nolt 10190 Mountain Road Port Royal, PA 17082	Juniata	69.11	278.69	Poultry	None	Renewal
David Weaver, 740 Marion Drive, Womelsdorf, PA 19567	Berks	176.3	337.05	Laying Hens	N/A	Renewal
Neilson Farm 177 Seip Lane Shoemakersville, PA 19555	Berks	50.3	120.61	Laying Hens	N/A	Renewal
Bethel Farm 1301 Airport Road Bethel, PA 19507	Berks	31.1	47.40	Grow out Ducks	NA	Renewal
Home Farm (Jurgielewicz) 189 Cheese Lane Hamburg, PA 19554	Berks	223.8	505.36	Laying Hens and Grow out Ducks	NA	Renewal
Joel Frey 1170 Breneman Road Conestoga, PA 17516	Lancaster	74	400.73	Pullets	NA	R
BDS Farms, LLC LaMar Troup 282 Troup Road Beaver Springs, PA 17812	Snyder	394.9	489.64	Swine, Poultry, Beef, Horses	Some rented acres in HQ	Application

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

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 0110504, Public Water Supply.

Applicant	New Oxford Municipal Authority
Municipality	Oxford Township
County	Adams
Responsible Official	H J. Spalding, Authority Chairman 409 Water Works Road New Oxford, PA 17350-1511
Type of Facility	Public Water Supply
Consulting Engineer	Randolph S. Bailey, P.E. Wm. F. Hill & Assoc., Inc. 207 Baltimore Street Getysburg, PA 17325
Application Received:	4/28/2010

Description of Action Installation of the Oxen Country Meadows Well No. 1 (OCM-1), treatment building, 370,000-gallon storage tank and chlorine contact piping to meet GWR 4-log inactivation of viruses.

Permit No. 2214505 MA, Minor Amendmant, Public Water Supply.

Applicant **Capitol Region Water**
Municipality Harrisburg
County **Dauphin**
Responsible Official David Stewart PE, BCEE, Director of Engineering
212 Locust Street
Suite 302
Harrisburg, PA 17101

Type of Facility Public Water Supply
Consulting Engineer Erin N. Threet, P.E.
Herbert Rowland & Grubic, Inc.
130 Buffalo Road
Suite 302
Lewisburg, PA 17837

Application Received: 12/8/2014
Description of Action Installation of a bulk water loading station at the Dr. Robert E. Young Water Services Center.

Permit No. 0114509, Public Water Supply.

Applicant **New Oxford Municipal Authority**
Municipality Oxford Township
County **Adams**
Responsible Official Thomas R. Beamer, Manager,
NOMA
409 Water Works Road
New Oxford, PA 17530

Type of Facility Public Water Supply
Consulting Engineer Randolph S. Bailey, P.E.
Wm. F. Hill & Assoc., Inc.
207 Baltimore Street
Getysburg, PA 17325

Application Received: 12/12/2014
Description of Action Replacement of the existing high service pumps at the water treatment plant with higher capacity pumps equipped with VFDs.

Permit No. 6714507 MA, Minor Amendmant, Public Water Supply.

Applicant **The York Water Company**
Municipality West Manchester Township
County **York**
Responsible Official Mark S. Snyder, Engineering Manager
130 East Market Street
PO Box 15089
York, PA 17405-7089

Type of Facility Public Water Supply

Consulting Engineer Mark S. Snyder, P.E.
The York Water Company
130 East Market Street
PO Box 15089
York, PA 17405-7089

Application Received: 12/19/2014
Description of Action Repainting of the West Manchester Standpipe.

RESIDUAL WASTE GENERAL PERMITS

Application Received for Registration under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application No. WMGR097R026, American Ash Recycling Corp. of Pennsylvania, 613 Memory Lane York, PA 17402. The registration to operate under General Permit Number WMGR097 is for research and development activities to support the beneficial use or processing prior to beneficial use. The project involves the beneficial use of recycled aggregate and sand (rock, glass, ceramics) from municipal solid waste incinerator ash encapsulated in asphalt and concrete landscape pavers, block and masonry units used as a construction material. The registration application was deemed administratively complete by Central Office on September 29, 2014.

Written comments concerning the registration application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at rapenbenuseallpa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR0097R026" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGR017NE001. Borough of Schuylkill Haven, 12 West Main Street, Schuylkill Haven, PA 17972. For the beneficial use of water supply treatment plant sludge in Blythe Township, **Schuylkill County**, as (i) a soil additive by land application upon, agricultural, agronomic, horticultural, and silvicultural lands and (ii) land application on disturbed

lands to facilitate re-vegetation for land reclamation purposes. The Department has deemed the renewal application to be administratively complete on December 19, 2014.

Written comments concerning the renewal application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at rapbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR017NE001" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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 name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this

type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

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

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

39-00011C: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) for addition of natural gas as a fuel for No. 1 raw mill at their Whitehall Plant in Whitehall Township, **Lehigh County**. The current emission limits for this source will not change as a result of this modification. The Plan Approval will contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 39-00011. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

40-00067A: Wyoming Valley Sanitary Authority (P.O. Box 33A, Wilkes-Barre, PA 18703) for addition of an active carbon mercury adsorption system at their facility in Hanover Township, **Luzerne County**. The current emission limits for this source will not change as a result of this modification. The Plan Approval will contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 40-00067. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

40-00020A: Pennsylvania Department of Public Welfare/White Haven Center (827 Oley Valley Road, White Haven, PA 18661) has submitted an application to the Pennsylvania Department of Environmental Protection for plan approval to operate the three (3) existing coal boilers with a voluntary limit on coal usage to no more than 10% of their annual capacity to comply with 40 CFR 63 Subpart JJJJJJ at their facility in Foster Township, **Luzerne County**.

Plan Approval No. 40-00020A will also contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00020A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

18-00030B: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on December 22, 2014 the Department received an application for plan approval for the construction of a paper towel and tissue manufacturing operation at their facility located in Castanea Township, **Clinton County**.

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

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

43-373A: Ellwood Crankshaft & Machine Company (2575 Freedland Road, Hermitage, PA 16148), for the construction of a crankshaft manufacturing facility consisting of horizontal multi-directional hot forging, heat treatment, and machining in Sharon City, **Mercer County**. This is a State Only facility.

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

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

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

25-971H: Erie Plating Company (656 W. 12th St., Erie, PA 16501) for the replacement of an existing wet scrubber at their facility in the City of Erie, **Erie County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 25-971H to Erie Plating Company for the replacement of an existing wet scrubber at the company's facility located at 656 W. 12th St., City of Erie, Erie County. The facility currently has a State Only Operating Permit No. 25-00971. The Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 25-971H is for the replacement of an existing wet scrubber used to control emissions from the existing chrome plating tanks (Source ID #102). The Plan Approval will also authorize operation of eleven (11) additional existing tanks, controlled by an existing wet scrubber. Based on the information provided by the applicant and DEP's own analysis, the subject source(s) will emit 0.6 ton of particulate matter per year.

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

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 25-971H and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward Orris, Regional Air Quality Manager, Department

of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6636.

43-366B: National Fuel Gas Supply Corporation (6363 Main Street, Williamsville, NY 14221); The Department intends to issue a plan approval for authorization to construct and operate the following at their existing Mercer Compressor Station located in Jefferson Township, **Mercer County**:

- One (1) lean burn four stroke natural gas fuel fired compressor engine, Caterpillar model G3612, rated 3,750 bhp at 1,000 rpm, Source ID: CE-3
 - Equipped with an oxidation catalyst manufactured by EmeraChem, Model EC-OX-PX-SQ-2425-2425-3000
 - Equipped with an air fuel ratio controller
- Four (4) natural gas fired Catalytic Heaters, each rated 0.06 mmBtu/hr

The engine's emissions will be reduced by means of oxidative catalytic reduction technology which is consistent with current best available technology (BAT). This source will be subject to 40 CFR Part 60 Subpart JJJJ—*Stationary Spark Ignition Internal Combustion Engines*. The plan approval will require compliance with this Federal regulation.

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

Emissions from the facility will increase as a result of this project. Estimated emissions from the new Caterpillar G3612 engine (as quantified in tons per year): 18.1 of NO_x, 9.1 of VOC, 12.0 of CO, and 1.8 of HCHO. Total estimated emissions for the facility after the new source's installation (as quantified in tons per year): 37.5 of NO_x, 26.5 of VOC, 38.5 of CO, 43,230 of CO₂e, and 2.5 of PM₁₀.

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

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

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

Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit 43-366B: National Fuel Gas Supply Corporation and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient.

Written comments or requests for a public hearing should be directed to the New Source Review Section, Air Quality Program, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335, 814-332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs. For additional information contact Edward F. Orris at (814) 332-6636.

61-147A: Department of Public Welfare Polk Center (Main Street, Polk, PA 16342) Notice is hereby given in accordance with 25 Pa. Code § 127.44(b) and § 127.424(b) that the Department of Environmental Protection (DEP) intends to issue a plan approval for the installation of a combustion source (boiler) at their Polk Center Facility in Polk Borough, **Venango County**.

The facility currently has a Title V Operating Permit No. TV-61-00147. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

This Title V facility has a potential to emit SO_x and NO_x emissions at a rate which exceeds the Title V threshold. The facility has a potential to emit SO_x in excess of 250 tpy making it a PSD facility.

This plan approval (61-147A) concerns the installation and operation of a 28.6 MmBtu/hr boiler.

The new boiler will primarily combust natural gas but will be capable of combusting #2 Fuel Oil. The boiler will be equipped with a low NO_x burner, will operate with low excess air, and be equipped with a flue gas recirculation system.

This Plan Approval will contain emission restrictions along with testing, monitoring, recordkeeping, reporting, work practice, and additional requirements, which will satisfy 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions). Best Available Technology for the source will be contained in the plan approval. Emissions from the source are as follows: NO_x 4.5 tpy, CO 4.7 tpy, SO_x 0.4 tpy, VOC 0.6 tpy, and PM₁₀/PM_{2.5} 1.4 tpy. This project has been reviewed for PSD/NSR applicability. PSD/NSR program action will not be triggered. Emissions from the facility will increase as a result of this project; however, none of the increases in emissions are considered a major modification and only small amounts of emissions have been created during the contemporaneous period.

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

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward Orris, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6636.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit [Plan Approval No. 61-147A] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Edward Orris or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

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

PLAN APPROVAL

PUBLIC HEARINGS

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

Contact: William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

38-03062: Sunoco Pipeline LP (525 Fritztown Road, Sinking Spring, PA 19608) for the natural gas liquid (ethane, propane, butane or a mixture of these) pumping station located in West Cornwall Township, **Lebanon County**.

The public hearing concerns draft operating permit No. 38-03062 which has been prepared by the Department for the natural gas liquids pumping station. The potential emissions from the facility, including emissions from equipment leaks and operation of an enclosed flare, are estimated at 0.25 ton per year of Volatile Organic Compounds. The Operating Permit will include work practice standards along with recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the operating permit application, DEP's analysis of the application and other relevant information are available for public review at DEP's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. An appointment to review the documents may be scheduled by contacting Ms. Stacy Burns at 717-705-4732 between 8:00 A.M. and 3:30 P.M., Monday through Friday, except holidays.

The hearing will be held on Tuesday February 17, 2015 from 7:00 p.m. to 10:00 p.m. at Quentin Volunteer Fire Company Hall, 20 South Lebanon St., Lebanon. The public is invited to comment on the proposed operating permit. Persons wishing to give testimony at the hearing should contact Eileen Bitting at 717-705-4703 to reserve a time to present any testimony. Oral testimony will be limited to 5 minutes per person. All groups or organizations are required to designate one witness to present testimony on its behalf. Commenters shall provide two

written copies of their remarks at the time of the hearing. Persons interested in submitting written comments should send their comments to Thomas Hanlon, Air Quality Permitting Chief, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, by close of business on February 24, 2015.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Eileen at the number provided above or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

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

Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174

Tenaska Pennsylvania Partners, LLC Notice of a Change in the Date for the Joint Public Hearing for the Air Quality Plan Approval 65-00990C and NPDES Permit PA0254771

Air Quality Plan Approval 65-00990C and NPDES Permit PA0254771: Tenaska Pennsylvania Partners, LLC (1044 N 115th Street, Suite 400, Omaha, NE 68154) Notice is hereby given pursuant to 25 Pa. Code §§ 127.44, 127.45, 127.48, 92a.82 and 92a.83 that the Pennsylvania Department of Environmental Protection (DEP) will hold a public hearing on Wednesday February 11, 2015 beginning at 6:00 p.m. at South Huntingdon Township Turkeytown Volunteer Fire Department at 90 Supervisor Drive West Newton, PA 15089. This hearing was rescheduled from January 21, 2015.

The public hearing will be held to receive oral and written testimony regarding the DEP's intent to issue AQ Plan Approval no. 65-00990C and Clean Water NPDES Permit PA0254771 to Tenaska Pennsylvania Partners, LLC (Tenaska) for the construction, temporary operation (Air Quality Plan Approval), the discharge of treated cooling tower blowdown, low volume wastewater and stormwater to the Youghiogheny River (NPDES) from a proposed 930—1,065 MW combined cycle natural gas-fired electric generating facility known as the Westmoreland Generating Station in South Huntingdon Township, Westmoreland County. In addition, the NPDES permit authorizes discharges of stormwater from parking lots and vegetated areas to Barren Run and an Unnamed Tributary to the Youghiogheny River. Persons wishing to present testimony at the hearing should contact Community Relations Coordinator John Poister at 412-442-4203 before 3:00 p.m. on February 11, 2015. Individuals who do not register may also present testimony the day of the hearing. Organizations are encouraged to designate one witness to present testimony on behalf of the organization. A stenographer will be present to record the testimony. The hearing will adjourn when all the testimony has been gathered.

Persons unable to attend the hearing may submit three copies of a written statement and exhibits within 10 days thereafter to the Pennsylvania Department of Environmental Protection, Air Quality Program or Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA, 15222. Deadline for submittal will be February 23, 2015. Written submittals must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00990C) or NPDES Permit (PA0254771) and a concise statement of the objections to the Plan Approval or NPDES Permit issuance and the relevant facts upon which the objections are based.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act of 1990 should contact John Poister or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how DEP may accommodate your needs.

The Air Quality Plan Approval application, draft Plan Approval, NPDES application and NPDES draft permit are available for review at the South Huntingdon Township Municipal Building, 1380 Mount Pleasant Road, West Newton, PA 15089, (724) 872-8474 or by appointment at PA DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 from 8:00 a.m. to 4:00 p.m. Phone: (412) 442-4000.

OPERATING PERMITS

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

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

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

67-05022: Leisters Furniture Inc., (433 Ridge Avenue, Hanover, PA 17331) to issue a State Only Operating Permit for their wood furniture manufacturing operation in Hanover Borough, **York County**. The actual 2013 emissions were 0.15 ton of PM per year, 0.2 ton of CO per year, 0.2 ton of NO_x per year, 0.001 ton of SO_x per year, 3.4 tons of VOC per year, and 1.04 ton of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52, 129.101 through 129.107, and 40 CFR Part 64 Compliance Assurance Monitoring (CAM).

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

09-00168: Fiberglass Technologies, Inc. (1610 Hanford Street, Levittown, PA 19057) for a renewal of A State Only Operating Permit in Bristol Township, **Bucks County**. This manufactures architectural ornamentation products (e.g., column covers, cornice, mouldings, door surroundings, etc.) out of reinforced plastics/composites for use in the building industry. To this end, FTI operates and maintains a gelcoat and a resin spray booth, from which the main pollutant emitted is styrene, a volatile organic compound (VOC) and a hazardous air pollutant (HAP). The potential to emit styrene from the facility exceeds 25 tons per year; however, VOC and HAP emissions from the facility are each restricted to less than 2.7 tons per year. Therefore, the facility is categorized as Synthetic Minor. No changes have occurred at the facility since the State Only Operating Permit (SOOP) was originally issued in March 2009. The renewal SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

45-00024: Eureka Stone Quarry, Inc. Pocono Quarry and Asphalt Plant (P.O. Box 249, Chalfont, PA 18914) a renewal State Only (Synthetic Minor) operating permit for operation for a facility in Hamilton Township, **Monroe County**. The facility has the potential to emit major quantities of Particulate Matter (PM) and Sulfur Oxides (SO_x) above Title V emission thresholds. The facility shall operate as a Synthetic Minor facility by limiting production of asphalt to 495,000 tons per year. The State Only (Synthetic Minor) operating permit also includes emissions, monitoring, record keeping, reporting, testing and any additional conditions designed to ensure compliance with all applicable Federal and State air pollution control 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.

67-03166: C & S Wholesale Grocers, Inc. (4875 N. Susquehanna Trail, York, PA 17406) to issue a State Only Operating Permit for operation of ten existing backup generators to be used for emergencies, testing/maintenance, and demand response in Conewago Township, **York County**. The estimated potential emissions from the proposed sources will be 0.7 ton per year of PM, 1.2 ton per year of SO_x, 4.4 tons per year of CO, 52.6 tons per year of NO_x, 0.04 ton per year of Total HAPs, and 1.3 ton per year of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. A compliance schedule may be included. Additionally, among other items, the conditions include provisions derived from 40 CFR 60 Subpart JJJJ (Standards of Performance for New Stationary Spark Ignition Internal Combustion Engines), 40 CFR 60 Subpart IIII (Standard of Performance for Stationary Compression Ignition Internal Combustion Engines), and 40 CFR 63 Subpart ZZZZ (National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines).

36-03186: Kline's Services, Inc. (5 Holland Street, Salunga, PA 17538) to issue a State Only Operating Permit for Kline's Services, Inc. located in East Hempfield Township, **Lancaster County**. The potential emissions from the facility are estimated at 8.8 tpy of NO_x, 13.0 tpy of CO, 0.7 tpy of VOC and 1.6 tpy of Formaldehyde. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

38-03001: Lebanon Chemical Corp., (1600 East Cumberland Street, Lebanon, PA 17042) to issue a State Only Operating Permit for their fertilizer drying and bagging operations controlled by a fabric collector in South Lebanon Township, **Lebanon County**. The estimated potential emissions are: 43 tons of PM per year; 14.3 tons of CO per year; 17.2 tons of NO_x per year; 0.1

ton of SO_x per year; 1 ton of VOCs per year; and 1 ton of HAPs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

28-05031: Borough of Chambersburg (100 S. 2nd Street, Chambersburg, PA 17201) to issue a State Only Operating Permit for their Orchard Park generating station engines located in Chambersburg Borough, **Franklin County**. The primary emissions from the facility are NO_x; the actual 2013 emissions from the facility were 3.77 tons. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the permit conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

67-05022: Leisters Furniture Inc., (433 Ridge Avenue, Hanover, PA 17331) to issue a State Only Operating Permit for their wood furniture manufacturing operation in Hanover Borough, **York County**. The actual 2013 emissions were 0.15 ton of PM per year, 0.2 ton of CO per year, 0.2 ton of NO_x per year, 0.001 ton of SO_x per year, 3.4 tons of VOC per year, and 1.04 ton of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52 and 129.101—129.107, and 40 CFR Part 64 Compliance Assurance Monitoring (CAM).

17-00060: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201-1504) for the Lady Jane facility located in Huston Township, **Clearfield County**. In accordance with 25 Pa. Code § 127.461(2), the Department of Environmental Protection (DEP) has received an application and intends to issue a revised Air Quality Operating Permit for the abovementioned facility. Rosebud Mining Company proposes to remove the fabric collector (Control Device C101A) and wet centrifugal collector (Control Device C101B) due to the ineffectiveness of each control device in controlling the air contaminant emissions from the coal preparation plant. The subject facility has the following potential emissions: 0.39 TPY of carbon monoxide; 1.58 TPY of nitrogen oxides; 0.56 TPY of sulfur oxides; 26.17 TPY of particulate matter (including particulate matter less than 10 microns in size); 0.04 TPY of volatile organic compounds and 1,758 TPY of carbon dioxide equivalent. Upon approval, the revised operating permit will contain will contain the above changes and all applicable regulatory requirements.

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. Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should

contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-654-5984.

49-00036: Anthracite Industries, Inc. (P.O. Box 112, Sunbury, PA 17801-0112) to issue a renewal State Only Operating Permit for their Sunbury facility located in Upper Augusta Township, **Northumberland County**. The facility is currently operating under State Only Operating Permit 49-00036. The facility's main sources include one 12 MMBtu/hr natural-gas fired rotary dryer, two natural-gas fired dryers (with a total combined heat input of 8.4 MMBtu/hr), and various carbon (coal/coke/graphite) product processing equipment, which are controlled by baghouses.

The facility has potential annual emissions of 5.37 tons of carbon monoxide, 6.68 tons of nitrogen oxides, 1.07 ton of sulfur oxides, 99.9 tons of particulate matter (including particulate matter less than 10 microns in size), 3.06 tons of volatile organic compounds, less than 10 tons of any single hazardous air pollutant, less than 25 tons of any multiple hazardous air pollutants, and 8,023 tons of carbon dioxide equivalent. The facility has incorporated a 99.9 tons of particulate matter (including particulate matter less than 10 microns in size) facility-wide emission limitation to ensure synthetic minor status. The dryer heat input ratings and equipment-baghouse associations have been updated based on more accurate data. Additionally, the facility has replaced #2-fuel oil with natural gas as fuel in their dryers, which greatly reduces sulfur oxide emissions.

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

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. Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-654-5984.

41-00071: Williamsport Steel Container, Co., Inc. (360 Arch St., Williamsport, PA 17701) to issue a renewal State Only Operating Permit for their Arch Street Plant facility located in the City of Williamsport, **Lycoming County**. The facility is currently operating under State Only Operating Permit 41-00071. The facility's main sources include four paint booths and six natural-gas fired ovens with a total combined maximum rated heat input of 10.27 MMBtu/hr.

The facility has potential annual emissions of 3.43 tons of carbon monoxide, 4.09 tons of nitrogen oxides, 0.02 ton of sulfur oxides, 0.31 ton of particulate matter (including particulate matter less than 10 microns in size), 13.92 tons of volatile organic compounds, 2.20 tons of hazardous air pollutants, and 5,259 tons of carbon dioxide equivalent.

The emission limits, throughput limitations and work practice standards along with testing, monitoring, record

keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

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. Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-654-5984.

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

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

25-00954: National Fuel Gas Supply Corporation, Summit Station (520 Robison Road, Summit Township, PA) for a Synthetic Minor Permit to operate a natural gas compressor station located in Summit Township, **Erie County**. The primary emissions are from the two 440 Hp compressor engines at the facility.

Source ID: 1001—440 HP Ingersoll Rand Engine No. 1, Source ID: 1002—440 HP Ingersoll Rand Engine No. 2, and Source ID: 1004—175 HP Emergency Generator (Unit G1) 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 version of that subpart has been attached to those sources.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM = 0.34, PM₁₀/PM_{2.5} = 0.34, SO_x = 0.03, NO_x = 25.17, VOC = 7.36, CO = 41.12, CO_{2e} = 5017.00, Methane = 61.75 and Formaldehyde = 0.46.

25-00954: National Fuel Gas Supply Corporation, Summit Station (520 Robison Road, Summit Township, PA) for a Synthetic Minor Permit to operate a natural gas compressor station located in Summit Township, **Erie County**. The primary emissions are from the two 440 Hp compressor engines at the facility.

Source ID: 1001—440 HP Ingersoll Rand Engine No. 1, Source ID: 1002—440 HP Ingersoll Rand Engine No. 2, and Source ID: 1004—175 HP Emergency Generator (Unit G1) 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 version of that subpart has been attached to those sources.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM = 0.34, PM₁₀/PM_{2.5} = 0.34, SO_x = 0.03, NO_x = 25.17, VOC = 7.36, CO = 41.12, CO_{2e} = 5017.00, Methane = 61.75 and Formaldehyde = 0.46.

OPERATING PERMITS

PUBLIC HEARINGS

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **BioSpectra, Inc.** (100 Majestic Way, Bangor, PA 18013-2860) for the facility located in Stroud Twp., **Monroe County**. This Plan Approval No. 45-00032A will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 45-00032A is for the installation of a new dust collection system. Particulate emissions will not exceed 0.02 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of a baghouse/cyclones. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 45-00032A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **BioSpectra, Inc.** (100 Majestic Way, Bangor, PA 18013-2860) for the facility located in Stroud Twp., **Monroe County**. This Plan Approval No. 45-00032A will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 45-00032A is for the installation of a new dust collection system. Particulate emissions will not exceed 0.02 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of a baghouse/cyclones. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 45-00032A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900

Permit No. 56130109 and NPDES No. PA0279358. Berwind Coal Sales Co., 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface and auger mine in Paint and Ogle Townships, **Somerset County**, affecting 316.7 acres. Receiving stream: unnamed tributaries to/and Paint Creek, Seese Run and Babcock Creek, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 2, 2014.

Permit No. 56753119 and NPDES No. PA0606201. Jenners, Inc., P.O. Box 171, Shelocta, PA 15774, renewal for the continued operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 485.9 acres. Receiving streams: unnamed tributaries to Quemahoning and Hoffman Creeks, classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: December 2, 2014.

Permit No. 56080107 and NPDES No. PA0262684. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, renewal for the continued operation and restoration of a bituminous surface mine in Southampton Township, **Somerset County**, affecting 162.1 acres. Receiving streams: Powder Run to Gladdens Creek to Wills Creek and unnamed tributaries to Wills Creek classified for the following use: high quality cold water fishery. There are no potable water supply intakes within 10 downstream. Application received: December 15, 2014.

Permit No. 56940105 and NPDES No. PA0212890. Rosebud Mining Co., 301 Market Street, Kittanning, PA 16201, renewal for the continued operation and restoration of a bituminous surface mine in Elk Lick and Summit Townships, **Somerset County**, affecting 108.0 acres. Receiving streams: unnamed tributaries to/and Casselman River, classified for the following uses: cold and warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2014.

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

16831604. RFI Energy, Inc. (P.O. Box 162, Sligo, PA 16255) Revision to an existing coal preparation plant to change the post-mining land use from forestland to industrial/commercial on the lands of C & K Coal Company in Piney & Toby Townships, **Clarion County**. Receiving streams: Little Licking Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 16, 2014.

16140106 and NPDES Permit No. PA0259535. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous surface mine in Redbank & Limestone Townships, **Clarion County**, affecting 133.0 acres. Receiving streams: Three unnamed tributaries to Glade Run and two unnamed tributaries to Town Run; both classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is the Redbank Valley Municipal Authority. Application received: December 23, 2014.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 40940101R4. Pioneer Aggregates, Inc., (215 East Saylor Avenue, Laflin, PA 18702), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Laflin Borough and Plains Township, **Luzerne County** affecting 64.2 acres, receiving stream: Gardner Creek, classified for the following use: cold water fishes. Application received: November 13, 2014.

Permit No. 49080105R. Keystone Anthracite Co., Inc., (259 N. 2nd Street, Girardville, PA 17935), renewal of an existing anthracite surface mine operation in Zerbe and West Cameron Townships, **Northumberland County** affecting 938.4 acres, receiving streams: Zerbe Run and Mahanoy Creek, classified for the following uses: cold water, migratory and warm water fishes. Application received: November 25, 2014.

Permit No. 40663034C6. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to an existing anthracite surface mine and coal refuse reprocessing operation to update the permit boundary and post-mining land use to unmanaged natural habitat in Foster Township, **Luzerne County** affecting

347.3 acres, receiving streams: Oley and Pond Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: December 5, 2014.

Coal Permits Returned

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900

Permit No. 56070110 and NPDES No. PA0262498, PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, revision of a bituminous surface mine, by adding 36 acres to the total SMP acres for support activities and highwall mining, including overburden blasting in Stonycreek Township, **Somerset County**, affecting 249 acres. Receiving streams: Schrock Run and unnamed tributary #2 to Glades Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 1, 2014. Application returned: December 29, 2014.

Noncoal Applications Received

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 58120806. Jeremy M. Adams, (1649 McCarthy Road, Nicholson, PA 18446), Stage I & II bond release of a quarry operation in Gibson Township, **Susquehanna County** affecting 4.0 acres on property owned by Palma Gun Club and Ervin D. Belcher. Application received: November 17, 2014.

Permit No. 66060807. Annita R. Breitweiser, (6233 Italy Valley Road, Naples, NY 14512), Stage I & II bond release of a quarry operation in Meshoppen Township, **Wyoming County** affecting 4.0 acres on property owned by Bruce G. Breitweiser. Application received: November 24, 2014.

Permit No. 40080301C5. Hazleton Materials, LLC, (PO Box 196, Skippack, PA 19474), depth correction of an existing quarry operation and extraction of incidental coal extraction in Foster Township, **Luzerne County** affecting 163.7 acres, receiving stream: unnamed tributary of Sandy Run, classified for the following use: HQ-cold water fishes. Application received: December 1, 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.

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 limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

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 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0033677 (Mining Permit No. 56841328), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642). A revision to the NPDES and mining activity permit for the Mine 78 in Paint Township, **Somerset County** to reroute current NPDES Outfall 001 to an injection borehole to the St. Michael Treatment Plant via abandoned underground Lower Kittanning mine workings. Surface Acres Affected 220.7. Receiving stream: South Fork Little Conemaugh River, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on October 6, 2014. Application received: September 17, 2014.

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

^A Limits in effect when discharging to UNT to Paint Creek

Outfall 001^A discharges to: UNT to Paint Creek

The proposed effluent limits for *Outfall 001^A* (Lat: 40° 14' 12.9" Long: 78° 47' 52.6") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.04	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	62	78
Sulfates (mg/l)		-	-	Report
Chlorides (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

^B Limits in effect when discharging to St. Michael Treatment Facility through Lower Kittanning Mine Workings

Outfall 001^B discharges to: UNT to South Fork Little Conemaugh River via Underground Injection to Lower Kittanning Mine Workings and St. Michael Treatment Plant

The proposed effluent limits for *Outfall 001^B* (Lat: 40° 14' 12.9" Long: 78° 47' 52.6") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.04	-
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	70	90
Sulfates (mg/l)		-	-	Report
Osmotic Pressure (mos/kg)		-	-	Report
Chlorides (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

NPDES No. PA0235695 (Mining Permit No. 56743705), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642). A revision to the NPDES and mining activity permit for the Mine 78 Coal Refuse Disposal Area in Paint Township, **Somerset County** to reroute current NPDES Outfall 001 to an injection borehole at Mine 78 to the St. Michael Treatment Plant via abandoned underground Lower Kittanning mine workings. Surface Acres Affected 116.0. Receiving stream: South Fork Little Conemaugh River, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on October 6, 2014. Application received: September 17, 2014.

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

^A Limits in effect when discharging to UNT to Paint Creek.

Outfall 001^A discharges to: UNT Paint Creek

The proposed effluent limits for *Outfall 001^A* (Lat: 40° 14' 29" Long: 78° 47' 43") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	8.66	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	78	125
Sulfates (mg/l)		-	-	Report
Chlorides (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

^B Limits in effect when discharging to St. Michael Treatment Facility through Lower Kittanning mine workings.

Outfall 001^B discharges to: Underground Injection to Lower Kittanning Mine Workings

The proposed effluent limits for *Outfall 001^B* (Lat: 40° 14' 29" Long: 78° 47' 43") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	8.66	-
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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids	(mg/l)	35	70	90
Osmotic Pressure	(mos/kg)	-	-	Report
Sulfates	(mg/l)	-	-	Report
Chlorides	(mg/l)	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	Report

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

NPDES No. PA0278092 (GFCC No. 65-13-03), David L. Patterson, Jr., 12 Short Cut Road, Smithfield, PA 15478, NPDES permit for a Government Financed Construction Contract to an abandoned mine reclamation project in Loyalhanna Township, **Westmoreland County**, affecting 25 acres. Receiving stream: unnamed tributary to Getty Run, classified for the following use(s): WWF. This receiving stream is included in the Getty Run TMDL. Application received: September 15, 2014.

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

The treated wastewater outfall(s) listed below discharge to unnamed tributary to Getty Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
001	Y	Sedimentation Pond
002	N	Sedimentation Pond
003	N	Treatment Pond

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35	50	50

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

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E51-265—City of Philadelphia, Division of Aviation, Philadelphia City and Tincum Townships; **Philadelphia and Delaware Counties**. ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodplain of the Delaware River (WWF-MF) associated the Project 3 Capacity Enchantment Project (CEP) Installation of Runway 9R replacement localizer:

1) To place approximately 5,500 cubic yards of fill within the floodway of the stream to facilitate the construction of an embankment to support the proposed localizer array.

The project site is located approximately 450 feet Southeast of Taxiway SA on the Philadelphia Interna-

tional Airport in Tinicum Township, Delaware County (Woodbury NJ-PA USGS Quadrangle, Longitude 75° 13' 48" Latitude 39° 52' 11").

The Department of Environmental Protection (DEP) is concurrently reviewing this permit application for consistency with the Pennsylvania Coastal Resources Program's enforceable policies, as required by the Federal Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq). This project is subject to DEP review for federal consistency because the applicant is seeking authorization under a joint Federal/State permit and the project is located within Pennsylvania's designated coastal zone.

DEP will consider all comments relating to federal consistency that are received within 15 days of the date of this notice before issuing a final federal consistency determination. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by electronic mail must include the originator's name and address. Written comments should be submitted to Matt Walderon, Federal Consistency Coordinator, Interstate Waters Office, 400 Market Street, P.O. 8465, RCSOB, Harrisburg, PA 17101-8465, (717) 772-2196, mwalderon@pa.gov.

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

E18-492. Woodward Township Board of Supervisors, 86 Riverside Terrace, Lock Haven, PA 17745. Riverview Municipal Park, in Woodward Township, **Clinnton County**, ACOE Baltimore District (Lock Haven, PA Quadrangle N: 41° 08' 36.43"; W: -77° 26' 58.71").

To construct and maintain: 1) a 24-foot by 40-foot open-sided wood post ADA accessible pavilion with an at-grade concrete slab floor, 2) a 25-foot by 138-foot at-grade ADA accessible gravel parking lot, 3) a 5-foot wide at-grade concrete sidewalk between the parking lot, pavilion and a pre-existing paved walking track located at the up-river end of Riverview Municipal Park along West River Drive in the 100-year left flood fringe of the West Branch Susquehanna River. This project proposes to: 1) temporarily impact 0 linear feet of the West Branch Susquehanna River and 0 acres of wetland, 2) permanently impact 0 linear feet of West Branch Susquehanna River and 0 acres of wetland, with the river being classified as Warm Water Fishery.

E41-660. Paul E. Bower, 1505 Torbert Lane, Jersey Shore, PA 17740-8727. Bower Streamside Property in Watson Township, **Lycoming County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle Lat: 41° 14' 12.9"; Long: -77° 20' 4.78").

To reconstruct and maintain a new structure in Watson Township—Lycoming County, which is located within the floodway/floodplain of Pine Creek. The scope of the repairs is to construct an elevated house supported on concrete blocks with engineered automatic opening vents.

The proposed modifications will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Pine Creek is classified with an existing use of Exception Value (EV).

E49-333. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0015 Section 088, Central Susquehanna Valley Transportation (CSV) Project, West Chillisquaque and Point Townships, **Northum-**

berland County, Baltimore ACOE (Northumberland, PA Quadrangle N: 40° 54' 12"; W: -76° 50' 07").

The Central Susquehanna Valley Transportation (CSV) Project is a four lane limited access freeway that will connect the end of the Selinsgrove Bypass (US Routes 11 & 15) in Snyder County to the southern end of the SR 147 freeway in Northumberland County. The project has been divided into two sections for final design and construction purposes. The Southern Section starts at the Selinsgrove Bypass and continues to just south of SR 1022, County Line Road. The Northern Section starts at SR 1022, crosses the West Branch of the Susquehanna River near Winfield and continues north to SR 147.

The project is divided into counties for permitting. The CSV project will include the following impacts in Northumberland County:

1. 18 inch pipe outfall into Chillisquaque Creek.
2. 24 inch pipe outfall into Chillisquaque Creek.
3. 30 inch pipe outfall into Chillisquaque Creek.
4. 10 inch pipe outfall into (Channel 40).
5. 36 inch pipe outfall into (Channel 40).
6. 36 inch pipe outfall into (Channel 42).
7. 10 inch pipe outfall into (Channel 39).
8. 10 inch pipe outfall into (Channel 39).
9. 10 inch pipe outfall into (Channel 39).
10. 10 inch pipe outfall into (Channel 40).
11. 18 inch pipe outfall into (Channel 41).
12. 18 inch pipe outfall into (Channel 42).
13. 10 inch pipe outfall into (Channel 42).
14. 66 inch pipe outfall into (Channel 43).
15. 24 inch pipe outfall into (Channel 43).
16. A 420 Ft. long, 48 inch Stream Enclosure in an Unnamed Tributary (Channel 40) to the Susquehanna River.
17. A 214 Ft. long, 60 inch Stream Enclosure in an Unnamed Tributary (Channel 40) to the Susquehanna River.
18. A 600 Ft. long 66 inch Stream Enclosure in an Unnamed Tributary (Channel 43) to the Susquehanna River.
19. A 60 Ft. long, 54 inch Stream Crossing in an Unnamed Tributary (Channel 42) to the Susquehanna River.
20. An 890 Ft. long, 11 Ft. x 8 Ft. Culvert in an Unnamed Tributary (Channel 39) to the Susquehanna River.
21. 303 Ft of channel relocation in an Unnamed Tributary (Channel 42) to the Susquehanna River.
22. Fill in the Floodway of an Unnamed Tributary to Chillisquaque Creek (Channel 52). Approximate dimensions 1,138 Ft. long, 18 Ft. high and 50 wide.
23. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 43). Approximate dimensions 864 Ft. long, 58 Ft. high and 50 wide.
24. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 42). Approximate dimensions 850 Ft. long, 72 Ft. high and 50 wide.

25. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 41). Approximate dimensions 110 Ft. long, 12 Ft. high and 50 wide.

26. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 40). Approximate dimensions 818 Ft. long, 21 Ft. high and 50 wide.

27. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 39). Approximate dimensions 935 Ft. long, 81 Ft. high and 50 wide.

28. Fill in the Floodplain of Chillisquaue Creek (Channel 44). Approximate dimensions 390 Ft. long, 8 Ft. high and 30 wide.

29. River Bridge Piers 16, 17, 18, 19 (approximately 60 Ft. x 45 Ft.) in the Floodplain of the Susquehanna River

30. River Bridge Piers 10, 11, 12, 13, 14, 15 (approximately 60 Ft. x 26 Ft.) in the Channel of the Susquehanna River

31. River Bridge Total of 22 Spans over the Susquehanna River.

32. Three Span Steel Bridge over Chillisquaue Creek, Approximately 28 Ft. x 39 Ft.

33. An Unnamed Tributary to the Susquehanna River (Channel 42) channel modification that includes approximately 487 of channel fill.

34. An Unnamed Tributary to the Susquehanna River (Channel 40) channel modification that includes approximately 593 of channel fill.

35. An Unnamed Tributary to the Chillisquaue Creek (Channel 52) channel modification that includes approximately 1,138 of channel fill.

36. A total of 0.32 acre of temporary and 1.01 acre of permanent wetland impact.

The project will utilize a phased half width causeway. The project impacts are primarily due to the roadway fill slopes required to support the proposed roadway. The project will be mitigated through the Center and Vargo wetland banks. The Unnamed Tributaries to the Susquehanna River are classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards.

E55-230. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0015 Section 088, Central Susquehanna Valley Transportation (CSVT) Project, Monroe Township, **Snyder County**, Baltimore ACOE (Northumberland, PA Quadrangle N: 40° 52' 54"; W: -76° 50' 36").

The Central Susquehanna Valley Transportation (CSVT) Project is a four lane limited access freeway that will connect the end of the Selinsgrove Bypass (US Routes 11 & 15) in Snyder County to the southern end of the SR 147 freeway in Northumberland County. The project has been divided into two sections for final design and construction purposes. The Southern Section starts at the Selinsgrove Bypass and continues to just south of SR 1022, County Line Road. The Northern Section starts at SR 1022, crosses the West Branch of the Susquehanna River near Winfield and continues north to SR 147.

The project is divided into counties for permitting. The CSVT project will include the following impacts in Snyder County:

1. 18 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 08) at Station 226+15.

2. 18 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 08) at Station 221+95.

3. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 08). Approximate dimensions 905 Ft. long, 65 Ft. high and 50 wide.

4. An Unnamed Tributary to the Susquehanna River (Channel 08) channel modification that includes approximately 240 Ft. of channel fill at Station 846+75.

5. A 60 inch diameter stream enclosure in an Unnamed Tributary (Channel 08) to the Susquehanna River at Station 846+75. The stream enclosure is approximately 462 Ft. long.

6. A total of 0.16 acre of permanent wetland impact.

The project impacts are primarily due to the roadway fill slopes required to support the proposed roadway. The project will be mitigated through the Center and Vargo wetland banks. The Unnamed Tributary to the Susquehanna River (Channel 08) is classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards.

E60-223. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0015 Section 088, Central Susquehanna Valley Transportation (CSVT) Project, Union Township, **Union County**, Baltimore ACOE (Northumberland, PA Quadrangle N: 40° 53' 23"; W: -76° 50' 35").

The Central Susquehanna Valley Transportation (CSVT) Project is a four lane limited access freeway that will connect the end of the Selinsgrove Bypass (US Routes 11 & 15) in Snyder County to the southern end of the SR 147 freeway in Northumberland County. The project has been divided into two sections for final design and construction purposes. The Southern Section starts at the Selinsgrove Bypass and continues to just south of SR 1022, County Line Road. The Northern Section starts at SR 1022, crosses the West Branch of the Susquehanna River near Winfield and continues north to SR 147.

The project is divided into counties for permitting. The CSVT project will include the following impacts in Union County:

1. 18 inch pipe outfall into wetland PJD-093.

2. 24 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 37).

3. 18 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).

4. 60 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).

5. 36 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).

6. 18 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).

7. 10 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).

8. River Bridge Piers 5, 6, 7, 8, 9 (approximately 60 Ft. x 45 Ft.) in the Floodway of the Susquehanna River.

9. River Bridge Piers 2, 3, 4 (approximately 60 Ft. x 45 Ft.) in the Floodplain of the Susquehanna River.

10. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 36). Approximate dimensions 1,775 Ft. long, 120 Ft. high and 50 wide.

11. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 37). Approximate dimensions 80 Ft. long, 13 Ft. high and 50 wide.

12. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 45). Approximate dimensions 1,091 Ft. long, 45 Ft. high and 50 wide.

13. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 46). Approximate dimensions 1,556 Ft long, 65 Ft. high, and 50 wide.

14. A 596 Ft. long, 36 inch diameter stream enclosure in an Unnamed Tributary (Channel 45) to the Susquehanna River.

15. A 1,556 Ft. long, 36 inch diameter stream enclosure in an Unnamed Tributary (Channel 46) to the Susquehanna River.

16. A 1,436 Ft., 36 inch diameter stream enclosure in an Unnamed Tributary (Channel 36) to the Susquehanna River.

17. An 80 Ft. long, 42 inch Stream Crossing in an Unnamed Tributary (Channel 37) to the Susquehanna River.

18. An Unnamed Tributary to the Susquehanna River (Channel 36) channel modification that includes approximately 295 of channel fill.

19. An Unnamed Tributary to the Susquehanna River (Channel 45) channel modification that includes approximately 495 of channel fill.

20. A total of 0.83 acre of temporary and 0.51 acre of permanent wetland impact.

The project impacts are primarily due to the roadway fill slopes required to support the proposed roadway. The project will be mitigated through the Center and Vargo wetland banks. The Unnamed Tributaries to the Susquehanna River are classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards.

E60-224. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0015 Section 088, Central Susquehanna Valley Transportation (CSVT) Project Boat Launch Mitigation, Union Township, **Union County**, Baltimore ACOE (Northumberland, PA Quadrangle N: 40° 54' 10"; W: -76° 50' 18").

The Central Susquehanna Valley Transportation (CSVT) Project is a four lane limited access freeway that will connect the end of the Selinsgrove Bypass (US Routes 11 & 15) in Snyder County to the southern end of the SR 147 freeway in Northumberland County. As a result of the impacts to recreational boating during the time of construction of the CSVT project, PA DOT has agreed to construct a boat launch and access area. The boat launch dimensions are approximately 210 Ft. x 31 Ft. Access and parking area dimensions are approximately 300 Ft. x 177 Ft. The boat launch and access area will impact the floodway of the West Branch of the Susquehanna River. The Susquehanna River is classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards. The boat launch project will not impact any wetlands.

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

E20-595, Raymond Slater, 11934 Conneaut Lake Road, Conneaut Lake, PA 16316. Silver Shores Restaurant Dock Major Amendment, in Sadsbury Township,

Crawford County, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 41°, 36', 13"; W: -80°, 17', 53").

Permit No. 12983 (issued August 19, 1958) authorized the construction and maintenance of a boat dock extending approximately 75 feet from the water's edge on Conneaut Lake (HQ-WWF) at a point approximately 292 feet east of the Conneaut Lake outlet. The Permittee proposes an amendment to allow the relocation, reconstruction, and maintenance of this boat dock. The proposed boat dock measures approximately 4.8 feet wide and extends approximately 134 feet from the water's edge on Conneaut Lake at a point approximately 320 feet east of the Conneaut Lake outlet. A total of four lateral sections, each measuring approximately 15 feet and spaced about 30 feet apart, project to the west—perpendicular to the main dock.

E37-196, Taylor Township, 218 South Industrial Street, West Pittsburgh PA 16160. Taylor Township Wastewater Treatment Plant, in Taylor Township, **Lawrence County**, ACOE Pittsburgh District (New Castle South, PA Quadrangle N: 40°, 55', 48.9"; W: 80°, 21', 40.2").

To upgrade and expand the existing Taylor Township Wastewater Treatment Plant along Sewer Plant Road, occupying approximately 1.9 acre located in the 100 year floodplain of the Beaver River, and to relocate the sewage discharge outfall, approximately 140 feet east of its current location, to a side channel of the Beaver River.

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

E5829-095: Auburn, Dimock, and Springville Townships, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Auburn, Dimock, and Springville Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 32 lineal feet of Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 43", Longitude: -76° 01' 33");

2) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting the 24 lineal feet of the floodway of Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 43", Longitude: -76° 01' 33");

3) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 6 lineal feet of a unnamed tributary to Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 50", Longitude: -76° 01' 18");

4) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting the 33 lineal feet of the floodway of a unnamed tributary to Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 43", Longitude: -76° 01' 33");

5) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 6 lineal feet of a unnamed tributary to Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 52", Longitude: -76° 01' 07");

6) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 3 lineal feet of a unnamed tributary to Nick Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 41' 11", Longitude: -76° 01' 04");

7) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 16 lineal feet of Nick Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 41' 14", Longitude: -76° 00' 47");

8) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,441 square feet (0.03 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Latitude: 41° 41' 16", Longitude: -76° 00' 43");

9) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 9 lineal feet of a unnamed tributary to Riley Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 41' 30", Longitude: -76° 00' 10");

10) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 32 lineal feet of Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 41' 31", Longitude: -75° 59' 54");

11) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,354 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 31", Longitude: -75° 59' 54");

12) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 844 square feet (0.01 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 31", Longitude: -75° 59' 54");

13) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 15,620 square feet (0.36 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 27", Longitude: -75° 59' 41");

14) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 3 lineal feet of a unnamed tributary to Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 41' 29", Longitude: -75° 59' 30");

15) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 9,632 square feet (0.22 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 29", Longitude: -75° 59' 30");

16) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,614 square feet (0.11 acre) of a PSS wetland (Springville, PA Quadrangle; Latitude: 41° 41' 29", Longitude: -75° 59' 30");

17) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 12,384 square feet (0.28 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 36", Longitude: -75° 59' 21");

18) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 11,013 square feet (0.25 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 39", Longitude: -75° 59' 17");

19) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 18 lineal feet of a unnamed tributary to Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 41' 58", Longitude: -75° 59' 05");

20) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 15,975 square feet (0.37 acre) of a PSS wetland (Springville, PA Quadrangle; Latitude: 41° 41' 58", Longitude: -75° 59' 05");

21) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,061 square feet (0.14 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 58", Longitude: -75° 59' 05");

22) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 158 square feet (0.01 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 58' 54");

23) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 4 lineal feet of a unnamed tributary to Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 58' 52");

24) a temporary timber mat crossing impacting 6 square feet (0.01 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 58' 52");

25) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,767 square feet (0.04 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16");

26) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 787 square feet (0.02 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16");

27) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 9,602 square feet (0.22 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16");

28) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 9 lineal feet of a unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16");

29) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 7 lineal feet of a unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 58' 02");

30) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,600 square feet (0.04 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 58' 02");

31) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,551 square feet (0.17 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 58' 02");

32) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,157 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 57' 57");

33) a temporary timber mat crossing impacting 668 square feet (0.01 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 57' 57");

34) a temporary timber mat crossing impacting 929 square feet (0.02 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 42' 00", Longitude: -75° 57' 09");

35) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,366 square feet (0.08 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 57' 07");

36) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 54 lineal feet of White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 06", Longitude: -75° 56' 58");

37) a temporary timber mat crossing impacting 1,323 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 56' 50");

38) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,846 square feet (0.04 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 11", Longitude: -75° 56' 48");

39) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,576 square feet (0.13 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 12", Longitude: -75° 56' 48");

40) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,517 square feet (0.10 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 13", Longitude: -75° 56' 47");

41) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,319 square feet (0.17 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 44");

42) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,911 square feet (0.04 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 44");

43) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,315 square feet (0.14 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 44");

44) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 4 lineal feet of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 44");

45) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 49 lineal feet of White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 30", Longitude: -75° 56' 45");

46) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 638 square feet (0.01 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 31", Longitude: -75° 56' 46");

47) a temporary timber mat crossing impacting 1,964 square feet (0.05 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 32", Longitude: -75° 56' 47");

48) a temporary timber mat crossing impacting 1,232 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 48", Longitude: -75° 56' 48");

49) a temporary timber mat crossing impacting 1,511 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 53", Longitude: -75° 56' 46");

50) a temporary timber mat crossing impacting 1,956 square feet (0.04 acre) of a PUB wetland (Springville, PA Quadrangle; Latitude: 41° 41' 38", Longitude: -75° 59' 18");

51) a temporary timber bridge crossing impacting 65 lineal feet of the floodway of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 30", Longitude: -75° 56' 45").

The project consists of constructing approximately 6.8 miles of 16" steel natural gas gathering line located in Auburn, Dimock, and Springville Townships, Susquehanna County, connecting the Shields Compressor Station and the Anderson Dehydration Station. The project will result in 252 lineal feet of temporary stream impacts, 108,938 square feet (2.50 acres) of temporary wetland impacts, add 33,699 square feet (0.77 acre) of permanent wetland conversion all for the purpose of conveying Marcellus Shale natural gas to market.

Wilkes-Barre: Attn: Mike Korb Environmental Program Manager, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701

EA4011-004. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Wilkes-Barre Office, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701. Abandoned Mine Land Reclamation Project, in Newport Township, **Luzerne County**, Baltimore ACOE District.

The applicant proposes to relocate a 1,320 feet of Reservoir Creek which has been impacted by past coal mining. This project will create a new stable channel and fill in the existing unstable channel. (Nanticoke Quadrangle 41° 10'28.65", 76°1'30.92"W)

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0033529 (Sewage)	Penn State Wilkes-Barre Campus STP Huntsville Road Lehman, PA 18627-0217	Luzerne County Lehman Township	Unnamed Tributary to East Fork Harveys Creek (5-B)	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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0233871 (Sewage)	Scott Davies Development 112 Whites Church Road Bloomsburg, PA 17815-7155	Columbia County, Mount Pleasant Township	Unnamed Tributary to Fishing Creek (5-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0101176 (Sewage)	Harvey J Wolfe SFTF 1547 Rosely Road St Marys, PA 15857	Elk County Saint Marys City	Unnamed Tributary of South Fork West Creek (8-A)	Y
PA0263443 (Sewage)	Linesville Pine Joint STP 13609 Hartstown Road Linesville, PA 16424	Crawford County Pine Township	Shenango River (20-A)	Y

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

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

NPDES Permit No. PA0058769, Industrial, **Laura Biordi**, 538 South New Middletown Road, Media, PA 19063

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

Description of Action/Activity: Approval for permit transfer from facility known as Former Wawa Food Market No. 133 GWCU to Laura Biordi to unnamed Tributary to Rock Run in Watershed 3-G.

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

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

WQM Permit No. 4614405, Sewage, **Whitemarsh Township Authority**, P.O. Box 447, 462 Germantown Pike, Suite 1, Lafayette Hill, PA 19444.

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

Description of Action/Activity: Construction and operation of a new wastewater pump station and force main.

WQM Permit No. WQG02231419, Sewage, **DELCTORA**, 100 East Fifth Street, P.O. Box 999, Chester, PA 19016-0999.

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

Description of Action/Activity: Construction and operation of a low pressure sewer system

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

WQM Permit No. 2514202, Industrial Waste, **Greater Erie Industrial Development Corporation**, 5240 Knowledge Parkway, Erie, PA 16510.

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

Description of Proposed Action/Activity: Process Wastewater Treatment Plant for Snack Food Facility.

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: Low pressure sewer system and 150,000 GPD activated sludge wastewater treatment plant.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010914005	Temple Partners I, LP 251 Veterans Way Warminster, PA 18974	Bucks	Solebury Township	Paunacussing Creek HQ-CWF-MF
PAI011514035	Robert Whalen 120 South Warner Road King of Prussia, PA 19422	Chester	Tredyffrin Township	Unnamed Tributary to Valley Creek EV-MF
PAI011514026	Scott Hirst 609 Marshallton Thorndale Road West Chester, PA 19380	Chester	West Bradford Township	Unnamed Tributary to Broad Run EV
PAI015114010-2	The Church of Jesus Christ of Latter-day Saints 50 East North Temple Street Salt Lake, UT 84150	Philadelphia	City of Philadelphia	Schuylkill River

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI023914022	Hospital Central Services Coop., Inc. c/o Mr. Daniel Marcante 2171 28th Street Allentown, PA 18103	Lehigh	City of Allentown	Trout Creek (HQ-CWF, MF)
PAI023914025	Liberty Property Limited Partnership 74 West Broad Street Bethlehem, PA 18018	Lehigh	Lower Macungie Township	UNT to Little Lehigh Creek (HQ-CWF, MF)
PAI023914014	Salisbury Township 2900 South Pike Avenue Allentown, PA 18103	Lehigh	Salisbury Township	Little Lehigh Creek (HQ-CWF, MF)
PAI024014009	Drums DG, LLC 361 Summit Boulevard Suite 110 Birmingham, AL 35243	Luzerne County	Butler Township	Nescopeck Creek (HQ-CWF, MF)
PAI025409003(1)	Hyline North America, LLC 79 Industrial Road Elizabethtown, PA 17022	Schuylkill	Rush Township	UNT to Nesquehoning Creek (HQ-CWF, MF)

VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

General Permit Type—PAG-02

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Doylestown Township Bucks County	PAG02000914082	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976	Unnamed Tributary to Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Darby Township Delaware County	PAG02002314026	Cornell Drexel, L.P. 126 East State Street Media, PA 19063	Naylors Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Whitpain Township Montgomery County	PAG02004609006R(2)	Montgomery County Community College 340 Dekalb Pike Blue Bell, PA 19422	Stony Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Moreland Township Montgomery County	PAG02004614057	Artis Senior Living LLC 1651 Old Meadow Road Suite 100 McLean, VA 22102	Pennypack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Gwynedd Township Montgomery County	PAG02004611036(3)	Janssen Research & Development Welsh & McKean Roads P.O. Box 776 Spring House, PA 19477	Oak Terrace—Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Providence Township Montgomery County	PAG02004614059	HTC Associates LLC 1741 Valley Forge Road P.O. Box 1210 Worcester, PA 19490	Perkiomen Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG02004608061R(1)	SEI Investment 100 Cider Mill Road Oaks, PA 19456	Perkiomen Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Douglass Township Montgomery County	PAG02004613081	Danny Jake Corporation 3625 Welsh Road Willow Grove, PA 19090	Middle Creek & Schlegel Run Creek TSF	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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Upper Saucon Township Lehigh County	PAG02003914009	Mahendra Patel Hotel Saucon, LLC 7540 Windsor Drive Suite 206 Allentown, PA 18195	Saucon Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Mayfield Borough Lackawanna County	PAG02003514009	Bluestone Environmental Inc. 203 Eighmy Road Honesdale, PA 18431	UNT to Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Borough of Kingston Luzerne County	PAG02004014026	AutoZone Development Corporation Kevin Murphy 123 South Front Street Memphis, TN 38103	Toby Creek (WWF, MF)	Luzerne Conservation District 570-674-7991
Jenkins Township Luzerne County	PAG02004014022	Audi Management IV 71 W Northampton Street Wilkes-Barre, PA 18701	Susquehanna River (WWF, MF)	Luzerne Conservation District 570-674-7991
Washington Township Schuylkill County	PAG02-0054-14-015	Lamar Zimmerman 138 Hetzels Church Road Pine Grove, PA 17963	UNT to Upper Little Swatara Creek (CWF, MF) and UNT to Upper Little Swatara Creek (CWF, MF)	Schuylkill County Conservation District 570-622-3742

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
West Hempfield Township Lancaster County	PAG02003604080R Issued	DDP Enterprises, Inc. 3850 Continental Dr Columbia, PA 17512	UNT Susquehanna River/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Manheim Township Lancaster County	PAG02003612077R Issued	The Stonehouse Group 616 Paxton Place Suite 100 Lititz, PA 17543	Little Conestoga Creek/TSF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Lancaster City Lancaster County	PAG02003614068 Issued	Oak Tree Development Company 2450 Marietta Avenue Lancaster, PA 17601	UNT Little Conestoga Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Penn Township Lancaster County	PAG02003614071 Issued	Kreider Farms 1461 Lancaster Avenue Manheim, PA 17545	Little Conestoga Creek/TSF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
East Lampeter Township Lancaster County	PAG02003614086 Issued	Glick Fire Equipment Company 350 Mill Creek Road Bird-in-hand, PA 17505	Mill Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Bethel Township Lebanon County	PAG02003814034 Issued	Leroy H. Zimmerman 1491 Greble Road Myerstown, PA 17067	UNT to Little Swatara Creek/WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, ext 4
South Annville Township Lebanon County	PAG02003809002R Issued	Stuart Knickerbocker 2151 Linglestown Road Suite 300 Harrisburg, PA 17110	Quittapahilla Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, ext 4
East Hempfield Township Lancaster County	PAG02003614095 Issued	Hempfield School District 200 Church St Landisville, PA 17538	Brubaker Run/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
East Donegal Township Lancaster County	PAG02003614096 Issued	Jay Kauffman 261 Beattys Tollgate Road Marietta, PA 17547	UNT Susquehanna River/WWF, MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Hamburg Borough Berks County	PAG02000609032R Issued	Reading Company Technical and Historical Society PO Box 15143 Reading, PA 19612-5143	Schuylkill River/WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-0520 610.372.4657

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
West Hanover Township Dauphin County	PAG02002214060 Issued	Gregory Culbertson 4096 Tilden Road Harrisburg, PA 17112	Fishing Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
West Hanover Township Dauphin County	PAG02002214054 Issued	Michels Corporation 817 West Main Street Brownsville, WI 53006	Beaver Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Swatara Township Dauphin County	PAG02002214051 Issued	RD America LLC 15-24 132nd Street College Point, NY 11356	Spring Creek-West/ CWF, MF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Swatara Township Dauphin County	PAG02002204060R Issued	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Spring Creek/ CWF, MF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Susquehanna Township Dauphin County	PAG02002214059 Issued	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Paxton Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Bern Township Berks County	PAG02000614055 Issued	The Carriage House, LLC 1160 Old Bernville Road Reading, PA 19605	Plum Creek, Tulpehocken Creek/ WWF, MF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-0520 610.372.4657
Exeter Township Berks County	PAG02000604024R Issued	Red School, LLC 3335 Morgantown Road Mohnton, PA 19540	UNT Antietam Creek/CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-0520 610.372.4657
Cumberland Township Adams County	PAG02000114040 Issued	Sommers Farm, LLC PO Box 120 Allenwood, NJ 08720	Marsh Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Centre County College Township	PAG02001414019	Penn State Univ. 139 J Physical Plant Bldg University Park, PA 16802	Big Hollow CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Columbia County North Centre Township	PAG02001914009	Angela M Klingerman 125 Country Rd Danville, PA 17821	UNTs to W B Briar Cr & Fishing Cr CWF, MF	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Northumberland County Point Township	PAG02004910008R	Robert Bost Norrey East/Northumberland Site PO Box 2621 Harrisburg, PA 17105	UNTs to Susquehanna River CWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4
<i>General Permit Type—PAG-03</i>				
<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Scott Township Lackawanna County	PAG032209	Lesjofors Springs America, Inc. P.O. Box 840 Scranton, PA 18501	Unnamed Tributary to Leggetts Creek—5-A CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Wright Township Luzerne County	PAR702218	Shamokin Filler Co., Inc. P.O. Box 568 Shamokin, PA 17872	Unnamed Tributary to Bow Creek—5-B CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Sandy Township Clearfield County	PAR224847	Stella-Jones Corp 392 Larkeytown Road Dubois, PA 15801	Slab Run—CWF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Potter Township Centre County	PAR604830	Moyers Auto Wrecking 138 Lower Georges Valley Road Spring Mills, PA 16875-9123	Potter Run—6-A CWF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
<i>General Permit Type—PAG-8 (SSN)</i>				
<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Lebanon County/ Swatara Township	PAG07/PAG08/ WMGR099	Synagro 1605 Dooley Road PO Box B Whiteford, MD 21160	Eisenhauer Farms 1 and 2	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-8

*Facility Location:
Municipality &
County*

Permit No.
PAG084820

*Applicant Name &
Address*
Lewisburg Area Joint
Sewer Authority
PO Box 305
Lewisburg, PA 17837

*Site Name &
Location*
Lewisburg Area
Joint Sewer
Authority Treatment
Plant
East Buffalo
Township,
Union County

*Contact Office &
Phone No.*
DEP Northcentral
Regional Office
Clean Water Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.0530

General Permit Type—PAG-10

*Facility Location
Municipality &
County*

Permit No.
PAG102330

*Applicant Name &
Address*
Williams Field Service
Co. LLC
310 State Route 29 North
Tunkhannock, PA 18657

*Receiving
Water/Use*
Unnamed Tributary
to Hop Bottom
Creek—4-F/CWF &
MF

*Contact Office &
Phone No.*
DEP Northeast
Regional Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2511

General Permit Type—PAG-13

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133560	Dillsburg Borough 151 South Baltimore Street Dillsburg, PA 17019	York County	Dillsburg Borough	Fishers Run UNT to Dogwood Run / CWF and MF	Y

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Brook Corner Holsteins Reid & Diane Hoover 400 Mt. Wilson Road Lebanon, PA 17042	Lebanon	260.1	752.32	Dairy	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 2520096, Operations Permit Public Water Supply.

Applicant	PA American Water 800 W. Hershey Park Drive Hershey, PA. 17033
[Borough or Township]	Lehman Township
County	Pike
Type of Facility	PWS
Consulting Engineer	Daniel Rickard, PE PA American Water 800 W. Hershey Park Drive Hershey, PA. 17033
Permit to Operate Issued	12/24/2014

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 0613519, Public Water Supply.

Applicant	New Morgan Borough Utilities Authority
Municipality	New Morgan Borough
County	Berks

Responsible Official	Jill Greene, Secretary/Treasurer 75 Grace Boulevard Morgantown, PA 19543
Type of Facility	Groundwater sources Well Nos. 1 & 3.
Consulting Engineer	Frederick E. Ebert, P.E. Ebert Engineering, Inc. 4092 Skippack Pike Skippack, PA 19474
Permit to Construct Issued	12/31/2014

Permit No. 2114502 MA, Minor Amendment, Public Water Supply.

Applicant	United Water Pennsylvania, Inc.
Municipality	Upper Allen Township
County	Cumberland
Responsible Official	John D. Hollenbach, Vice President 4211 East Park Circle Harrisburg, PA 17111-0151
Type of Facility	Cleaning and replacement of liner and cover on 3.0 Million gallons finished water reservoir.
Consulting Engineer	Mark Baker, P.E. United Water Pennsylvania, Inc 4405 North 6th Street Harrisburg, PA 17110
Permit to Construct Issued	12/24/2014

Comprehensive Operation Permit No. 7360076 issued to: **Spring Lake Park (PWS ID No. 7360076)**, Elizabeth Township, **Lancaster County** on 11/14/2014 for the operation of facilities approved under Construction Permit No. 3614501.

Transferred Comprehensive Operation Permit No. 4446353 issued to: **Berube's Crystal Clear Water, LLC (PWS ID No. 4446353)**, Mifflin County on 12/24/2014. Action is for a Change in Ownership for Berube's Crystal Clear Water, **Mifflin County** for the operation of facilities previously issued to Stephanie J. Neff.

Wellhead Protection Program Approval issued to **Warriors Mark General Authority**, PO Box 122, Warriors Mark, PA 16877, PWSID 4310031, Warriors Mark Township, **Huntingdon County** on December 18, 2014.

Wellhead Protection Program Approval issued to **Municipal Authority of the Township of East Hempfield**, 920 Church Street, PO Box 97, East Hempfield, PA 17538, PWSID 7360063, East Hempfield Township, **Lancaster County** on December 18, 2014.

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

Operation Permit issued to **Pennsylvania American Water Company**, PWSID No. 51000102, Butler Township, **Butler County**. Permit Number 1069502-T1-MA9 issued December 20, 2014 for the operation of the storage tank known as the "Meridian tank" in the Butler District Water Supply system. This permit is issued in

response to the Certificate of Construction/Modification Completion and subsequent Bacteriological and VOCs sample test results.

Operation Permit issued to Guys Mills Water Association, PWSID No. 6200062, Randolph Township, **Crawford County**. Permit Number 2013505 issued December 31, 2014 for the operation of the "Tulsion A-62 MP N" Nitrate Selective Anion Exchange Treatment Units to Provide Nitrate Treatment to 100% of the Spring Source Water. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on December 18, 2014.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

Southcentral Region: Clean Water 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>
Ayr Township	5844 Cito Rd, McConnellsburg PA 17233	Fulton

Plan Description: Approval of a revision to the official plan of Ayr Township, Fulton County. The project is known as the Bivouac Swine Farm. The plan provides for installation of an on lot sewage disposal system to serve restroom facilities for the employees of the farming operation. The property is located at 15197 Great Cove Road, Big Cove Tannery PA 17212. 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 B3-29901-145-2 and the APS Id is 856155. The permit for the on lot sewage disposal system must be obtained from the Township by the property owner.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act

Southcentral Region: Clean Water 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>
Upper Frankford Township	600 Mohawk Rd, Newville, PA 17241	Cumberland

Plan Description: The planning module for Dogwood Acres Campground, DEP Code No. A3-21930-110-3s, APS Id 805185, consisting of the expansion of an existing campground to be served by a Small Flow Treatment Facility, is disapproved. The proposed development is located on the north side of Enola Road in Upper Frankford Township, Cumberland County. The plan is disapproved because additional information requested by the Department by letter dated April 26, 2013 has not been received. The Department's letter requested that the

additional information be submitted within 120 days of the date of the letter. More than 120 days has passed since the date of the request for additional information.

HAZARDOUS SITES CLEANUP ACT OF OCTOBER 18, 1988

Notice of Prompt Interim Response

Pyrra Road Drums Site; Kittanning Township; Armstrong County

The Pennsylvania Department of Environmental Protection ("DEP"), under the authority of the Hazardous Sites Cleanup Act, 35 P.S. section 6020.101 et. seq. ("HSCA"), has initiated a prompt interim response at the Pyrra Road Drums site. On October 24, 2014 the Department of Environmental Protection's (DEP) Bureau of Investigation (BOI) staff investigated a complaint regarding the alleged illegal disposal of eight 16 gallon drums on property along Pyrra Road in Kittanning Township, Armstrong County. DEP's sample results found that the drums contained hazardous substances BOI arranged for the drums to be over packed and placed in a secure location. This response has been initiated pursuant to sections 501(a) and 505(b) of the HSCA, 35 P.S. sections 6020.501(a) 6020.505(b) to properly dispose of the contents of these drums.

The Department considered the following three alternatives to address the threats at the Site: 1) no action; 2) properly dispose of the contents of the drums. Alternative 2 was chosen because it complies with the applicable or relevant and appropriate requirements.

This notice is being provided under Section 506 (b) of the Hazardous Sites Cleanup Act. The Administrative Record which contains information forming the basis and documenting the selection of this response action is available for public review and comment at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 and is available for review between 9 a.m. and 4 p.m.

The Administrative Record will be open for comment until April 24, 2015. Persons may submit written comments into the record, during this time only, by sending them or delivering them to Edward Litwin, Project Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

In addition, persons may present oral comments for inclusion in the Administrative Record at a public hearing scheduled for March 3, 2015 at 5:00 p.m. at the Kittanning Township Volunteer Fire Department located at 13126 US Route 422, Kittanning, PA 16201. Persons wishing to present comments must register with John Poister at the Department's Southwest Regional Office, in writing at: 400 Waterfront Drive, Pittsburgh, PA 15222 or by telephone at (412) 442-4203 before noon, March 3, 2015.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding, should contact John Poister at (412) 442-4203 or through the Pennsylvania AT&T Relay Service at (800) 654-5954 (TDD) to discuss how the Department may accommodate their needs.

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 Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Stroup/Gehres Property, 599 Cleveland Street, City of Hazleton, **Luzerne County**, James P. Sposito, James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407, has submitted a Notice of Intent to Remediate on behalf of his clients (Dale Stroup and Kathryn Gehres), concerning the remediation of fuel oil #2 found to be present in soil at the property location cited above as a result of a release due to the legs of the storage tank failing. The applicant proposed to remediate the site to meet the Residential Statewide Health Standard for soils. The intended future use of the site is residential. A summary of the Final Report was published in *The Standard Speaker* on November 8, 2014.

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

EK Services, Inc.—Diesel Fuel Release, 400 Block of St. John's Church Road, Camp Hill, PA 17011, Hampden Township, **Cumberland County**. EP&S of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Three TCL LLP, 4590 Industrial Park, Camp Hill, PA 17011, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Report is intended to document remediation of the site to meet the Residential 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 Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Former RUS Facility, 164 East Main Street, Emmaus Borough, **Lehigh County**, Bryn Hartley, ARCADIS U.S., Inc., 6 Terry Drive, Newtown, PA 18940, has submitted a Risk Assessment and Cleanup Plan, (on behalf of her client, Mr. Jim Buckman, Cintas Company, 27 Whitney Drive, Milford, OH 45150), concerning the remediation of dry cleaning related constituents (PCE) found to be present in soil and groundwater at the property location cited above due to historical dry cleaning operations. The report was submitted to document partial attainment of the Site-Specific Standard for soil and groundwater. The report was approved on December 29, 2014.

710 Chestnut Street Property, 710 Chestnut St. Freeland, PA 18224, Freeland Borough, **Luzerne County**, Scott R. Morgan, Groundwater Sciences Corp., has submitted a Remedial Investigation Report and Final Report on behalf of his client, James Malloy, 844 Strawberry Lane, Langhorne, PA 19047, concerning the remediation of #2 Fuel Oil from groundwater and soil due to vandalism. The applicant proposes to remediate the site to meet the Site Specific Standard for soil. The intended use of the site will be for residential purposes. The report was approved on December 31, 2014.

1126 Ventures LLC, 449 Manor Drive, Lower Nazareth Township, **Northampton County**, David Crowther, BlackRock Environmental LLC, has submitted an NIR and Final Report, on behalf of his client, 1126 Ventures LLC, 701 W Broad Street, Bethlehem, PA 18018, concerning the remediation of soil from heating oil due to a release. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. The intended use of the site is residential. The report was approved on December 29, 2014.

Bethlehem Commerce Center—Lot 61, 2485 Commerce Center Boulevard, Bethlehem City, **Northampton County**, James Koval, HDR Engineering Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, has submitted a Final Report on behalf of his client, Lehigh Valley Industrial Park Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164, concerning the remediation of soil and groundwater found to have been impacted by volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and heavy metals as a result of historical manufacturing operations at the site. The applicant proposes to remediate the site to meet the Site Specific Standard for soil. The report was approved on December 22, 2014.

Aldrich 1H Well Pad, 2758 Great Bend Turnpike, Gibson Township, **Susquehanna County**, Dawn Washo, Resource Environmental, 36 Taylor Lane, Montrose, PA 18801 has submitted a Final Report, (on behalf of her client, Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276, concerning the remediation of soils impacted by a release of ethylene glycol from a gas production unit (GPU) associated with the 1H gas well. The report documented attainment of the Residential Statewide Health Standard and Background Standard for soil, and was approved on November 24, 2014. The report was originally submitted within 90 days of the release.

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

Custom Tool & Die (former), 2970 Old Tree Drive, East Hempfield Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of William Woratyla, 3932 Marietta Avenue, Columbia, PA 17512, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Report demonstrated attainment of the Site Specific Standard, and was approved by the Department on December 31, 2014.

Lancaster Dodge/Former Wolf Motor Company, 1473 Manheim Pike, Lancaster, PA, Manheim Township, **Lancaster County**. Becker Engineering, LLC, 115 Millersville Road, Lancaster, PA 17603, on behalf of Lancaster Dodge, 1473 Manheim Pike, Lancaster, PA 17601; Fay Lee Monte, Estate of Romayne Fisher, 23 A Compass Road, Parkesburg, PA 19365; Patti Spencer, Attorney for the Estate of Romayne Fisher, Spencer Law Firm, 901 Rohrerstown Road, Lancaster, PA 17601; and Alan J. Jarvis, Attorney for the Estate of Romayne Fisher, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline. The Report demonstrated attainment of the Non-Residential Statewide Health and Site Specific Standards, and was approved by the Department on December 30, 2014.

Phil Walsh Residence, 443 McCormick Road, Mechanicsburg, PA 17055, Upper Allen Township, **Cumberland County**. Cardno, 2 Gunpowder Road, Mechanicsburg, PA 17050, on behalf of Susquehanna Oil Company, 1105 Shaffer Road, Dillsburg, PA 17019, and Phil Walsh, 443 McCormick Road, Mechanicsburg, PA 17055 submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 30, 2014.

Eugenia Naversen Property, 5198 Oley Turnpike Road Reading, PA 19606, Exeter Township, **Berks County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Allstate Insurance Company, 1200 Atwater Drive, Suite 110, Malvern, PA 19355, and Eugenia Naversen, 5198 Oley Turnpike Road, Reading, PA 19606 submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 23, 2014.

Kenneth R. Royer Property, 165 South Reading Road, Ephrata Borough, **Lancaster County**. GemChem, Inc., 52 North Cedar Street, PO Box 384, Lititz, PA 17543, on behalf of K & J Realty, 1526 Oak Street, Lebanon, PA 17042, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with leaded and unleaded gasoline. The combined Report demonstrated attainment of the Non-Residential Site Specific Standard, and was approved by the Department on December 23, 2014.

Carol Millhouse Residence, 2722 Royal Road, Lancaster, PA 17603, Manor Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Carol Millhouse, 109 Arrowwood Court, Lancaster, PA 17603, submitted a Remedial Investigation Report, Cleanup Plan, and Final

Report for site soils contaminated with #2 fuel oil. The combined Report demonstrated attainment of the Residential Statewide Health and Site Specific Standards, and was approved by the Department on December 23, 2014.

MUNICIPAL WASTE GENERAL PERMITS

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

South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit No. WMGM027SC002. Evergreen Community Power, LLC, 802 South Street, Reading, PA 19602

A minor permit modification was issued under General Permit WMGM027SC002 to Evergreen Community Power, LLC located in the City of Reading, Berks County to: 1) use an existing building adjacent to the cogeneration facility for storage of up to 750 tons of alternative fuel; 2) use the area in front of the building for staging trailers containing alternative fuel; and 3) install an electric grappling machine to crush and feed wood pallets to the existing receiving shredder. This permit modification was issued on December 22, 2014.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

RESIDUAL WASTE GENERAL PERMITS

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

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGR101. Cedar Hollow Recycling, Phoenixville, **Chester County**, PA. This application is for the renewal of a general permit for the processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag, reclaimed asphalt pavement materials (RAP) in quantities greater than 10 cubic yards and uncontaminated brick, block and concrete from sidewalk and highway projects as a construction material. The general permit was issued by Central Office on December 16, 2014.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

General Permit Application No. WMGR101D001. Ervin Industries Inc., 681 East Butler Road Butler, PA 16002. General Permit Number WMGR101 authorizes the processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag, reclaimed asphalt pavement materials (RAP) in quantities greater than 10 cubic yards and uncontaminated brick, block and concrete from sidewalk and highway projects as a construction material. The general permit was issued by Central Office on December 16, 2014.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP7-23-0001: Dee Paper Company (100 Broomall Street, Chester, PA 19013) On December 29, 2014, for the installation and operation of a sheet-fed, offset lithographic printing press in City of Chester, **Delaware County**.

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

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

GP5-58-022A: Williams Field Services Company, LLC (2000 Commerce Drive, Pittsburgh, PA 15275) on December 19, 2014 to construct and operate two (2) IC Engines, one (1) IC generator engine, two (2) dehydrators with reboilers, and one (1) condensate tank at the Jones Compressor Station site in Middletown Township, **Susquehanna County**.

GP1-35-007: Pennsylvania Department of Public Welfare/Clarks Summit State Hospital (1451 Hillside Drive, Clarks Summit, PA 18411) on December 16, 2014 to construct a new natural gas/No. 2 oil boiler at their facility in Newton Township, **Lackawanna County**.

GP1-54-001A: PA Department of Corrections/SCI Mahanoy (301 Morea Road, Frackville, PA 17932) on December 23, 2014 to construct and operate one (1) natural gas/No. 2 oil fired boiler in Frackville Borough, **Schuylkill County**.

GP5-58-031: Angelina Gathering Co., LLC (2350 North Sam Houston Parkway, Suite 125, Houston, TX 77032) on December 19, 2014 to construct and operate five (5) IC Engines, one (1) emergency generator, two (2) dehydrators, and two (2) condensate tanks at the North-west Range CD#1 Compressor Station site in New Milford Township, **Susquehanna 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.

GP7-06-03016: Kutztown Publishing Co. (15076 Kutztown Road, PO Box 346, Kutztown, PA 19530) on December 29, 2014, for their one sheet-fed offset lithographic printing press, under GP7, at the facility in Maxatawny Township, **Berks County**. The general permit authorization was renewed.

GP3-67-05069B: Pennsy Supply, Inc. (1001 Paxton Street, PO Box 3331, Harrisburg, PA 17105) on January 2, 2015, for a portable nonmetallic mineral processing plant under GP3 at the Thomasville Quarry, in Jackson Township, **York County**.

GP11-67-05069B: Pennsy Supply, Inc. (1001 Paxton Street, PO Box 3331, Harrisburg, PA 17105) on January 2, 2015, for one nonroad engine under GP11, to power portable nonmetallic mineral processing equipment at the Thomasville Quarry, in Jackson Township, **York County**.

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

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

GP5-08-307A: Appalachia Midstream Services, LLC (P.O. Box 54382, Oklahoma City, OK 73154-1382) on December 22, 2014, for the operation of five (5) 3,550 bhp Caterpillar G3612LE natural gas-fired compressor engines, each equipped with an EMIT Technologies catalytic oxidizer; five (5) 140 MMscfd TEG dehydration units, each equipped with a 2 MMBtu/hr natural gas-fired reboiler, condensers and burner management systems; eight (8) 400 bbl production water storage tanks; six (6) 546 gallon methanol tanks; two (2) 650 bhp Baldor IGLC420-2N natural gas-fired emergency generator engines, each equipped with a 3-way catalyst; various fugitive emissions, blowdowns and truck unloading operations pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Stagecoach Compressor Station located in Wyalusing Township, **Bradford County**.

GP5-08-303A: Talisman Energy USA, Inc. (50 Penwood Place, Warrendale, PA 15086) on December 24, 2014, for the construction and operation of one 1380 bhp Caterpillar model G3516 ULB four-stroke lean-burn natural-gas fired compressor engine (identified as K2503 JEF00173) and a Miratech model IQ-26-12-EH1 oxidation catalyst to permanently replace an existing identical 1380 bhp Caterpillar model G3516 ULB four-stroke lean-burn natural-gas fired compressor engine (K-2503 JEF00184) under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Watkins Compressor Station in Columbia Township, **Bradford County**.

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

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

GP2-10-021J: Indspec Chemical Corporation (133 Main Street, Petrolia, PA 16050) on December 23, 2014 for the authorization to replace the V-8 tank with a 101,500 gallon tank (Tank T-2030) (BAQ-GPA/GP2) located in Petrolia Borough, **Butler County**.

GP5-42-243A: NFG Midstream Clermont East Station (70 Billy Buck Tie Road, Wilcox, PA 15870) on December 12, 2014 for the construction and/or operation of six (6) IC natural gas engines each equipped with an Air/Fuel ratio controller and a NSCR manufactured NSCR by Maxim model QAC1-67-14, two (2) triethylene glycol dehydration units rated at 150 mmscf each with associated flash tanks and natural gas fired reboilers rated at 2.25 mmbtu/hr, seven (7) storage tanks and associated piping and components (BAQ-GPA/GP5) located in Sergeant Township, **McKean County**.

GP5-43-300C: Laurel Mountain Midstream Hurtt Compressor Station (57 Drake Road, Mercer, PA 16137) on December 11, 2014 for the authority to construct and/or operate a 1,340 bhp compressor engine (Caterpillar G3516LE) with a Miratech oxidation catalyst, a TEG Dehydrator rate at 0.5 MMBtu/hr with a 0.56 MMBtu/hr reboiler, three (3) storage tanks and station fugitive emissions (BAQ-GPA/GP5) located in East Lackawannock Township, **Mercer County**.

GP5-43-301B: Laurel Mountain Midstream Jackson Center Compressor Station (103 Hosack Road, Jackson Center, PA 16133) on December 19, 2014 for the authority to construct and/or operate a 1,150 bhp compressor engine (Caterpillar G3516LE), a TEG Dehydrator rated at 5.0 MMscfd with a 0.28 MMBtu/hr reboiler, a produced water tank and station fugitive emissions (BAQ-GPA/GP5) located in Jackson Township, **Mercer County**.

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

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.

22-05057A: Michels Pipeline Construction, Inc. (817 West Main Street, Brownsville, WI 53006) on December 22, 2014, to construct a cured-in-place pipe (CIPP) wetout operation which will include resin storage tanks, catalyst drums, mix tank, injection metering pump, conveyor and rollers used to produce a polyester resin-saturated felt tube which will be used in repairing offsite pipe(s). The facility is to be located in West Hanover Township, **Dauphin County**.

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

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

16-132K: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254) on December 31, 2014 has issued a plan approval for exhausting the 2nd and 3rd stage dryers to atmosphere through baghouses, for removal of the press enclosure, and for inclusion of existing sources not included in the facility operating permit in Paint Township, **Clarion County**. This is a Title V facility.

25-987F: Hanes Erie, Inc. (7601 Klier Drive, Fairview, PA 16415) on December 4, 2014 has issued a plan approval for installation of a paint booth at their facility in Fairview Township, **Erie County**.

37-023F: NRG Power Midwest LP—New Castle Plant (2189 State Route 168 South, West Pittsburgh, PA 16160) on December 30, 2014, has issued a plan approval

for the gas addition project for the 3 existing coal fired boilers in Taylor Township, **Lawrence County**. This is a Title V facility.

43-363A: Pennex Aluminum Company (93 Werner Road, Greenville, PA 16125-9499) on December 12, 2014, has issued a plan approval for the reclassification of source 103 (#1 Melting Furnace, 20 MMBtu/hr, Group 2) from a Group 2 furnace to a Group 1 furnace in accordance with 40 CFR Part 63, Subpart RRRR. This facility will be located in Sugar Grove Township, **Mercer County**.

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

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

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

23-0004: Covanta Delaware Valley L.P.: (10 Highland Avenue, Chester, PA 19013) On December 19, 2014, for the installation of the cooling tower drift eliminators in Chester City, **Delaware County**.

23-00016C: PQ Corporation: (1201 West Front Street, Chester, PA 19013) On December 24, 2014, for the sodium silicate furnace in Chester City, **Delaware County**.

46-0044B: Glasgow, Inc. (P.O. Box 1089, Glenside, PA 19038-1089) On December 17, 2014 for the operations for the crusher in Upper Merion, 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.

01-05003A: Columbia Gas Transmission, LLC (1700 MacCorkle Avenue, S.E., Charleston, WV 25314) on December 23, 2014, for the construction of a 4,700 bhp natural gas-fired combustion turbine and a 530 hp natural gas-fired emergency internal combustion engine, and ancillary small natural gas-fired heating sources at its Gettysburg Compressor Station in Straban Township, **Adams County**. The plan approval was extended.

28-05003A: Columbia Gas Transmission, LLC (1700 MacCorkle Avenue, S.E., Charleston, WV 25314) on December 23, 2014, for the construction of a 4,700 bhp natural gas-fired combustion turbine and a 530 hp natural gas-fired emergency internal combustion engine, and ancillary small natural gas-fired heating sources at its Greencastle Compressor Station in Montgomery Township, **Franklin County**. The plan approval was extended.

07-03055A: Advanced Metals Processing—PA LLC (129 South Sparks Street, Suite 1, State College, PA 16801-3913) on December 24, 2014, for a nonferrous metal delacquering oven at their facility in Hollidaysburg Borough, **Blair County**. The plan approval was extended, with a revised compliance schedule.

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

63-00965A: Rice Poseidon Midstream, LLC (400 Woodcliff Drive, Canonsburg, PA 15317) Plan Approval Modification issuance date effective December 30, 2014, to include two (2) G3608TALE, natural gas fired engines; each rated at 2,370 bhp, and one (1) Cummins emergency diesel engine rated at 1,220 bhp at their Twilight Compressor Station located in West Pike Run Township, **Washington County**. The Plan Approval has also been extended until July 8, 2015.

63-00955B: National Fuel Gas Supply Corp. (1100 State Street, Erie, PA 16512) Extension effective November 23, 2014, to extend the period of temporary operation of two natural gas-fired turbines rated at 10,280 hp each, one natural gas-fired emergency generator engine rated at 803 bhp, and two lean burn natural gas-fired engines rated at 2,370 bhp each and controlled by oxidation catalysts, until May 23, 2015, at Buffalo Compressor Station located in Buffalo Township, **Washington County**.

30-00116A: Columbia Gas Transmission Co. (1700 MacCorkle Avenue, Charleston, WV 25314-1518) on November 20, 2014, to begin the period of temporary operation of the emergency generator and natural gas-fired turbine authorized under this plan approval at the Waynesburg Compressor Station located in Waynesburg Borough, **Greene County**. The new expiration date is April 20, 2015.

63-00983A: Columbia Gas Transmission, LLC (1700 MacCorkle Avenue, SE Charleston WV 25314-1518) Plan Approval modification issuance on November 25, 2014, to initiate the period of temporary operation for their Redd Farm Compressor Station located in Amwell Township, **Washington County**.

04-00738A: Aliquippa Metal Recovery, LLC (100 Bet Tech Drive, Aliquippa, PA 15001) Extension effective December 6, 2014, to extend the period of temporary operation until June 6, 2015, for Aliquippa Metal Recovery's slag processing and metals recovery facility located in Hopewell Township, **Beaver County**.

30-00195: Equitrans, LP (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) Plan Approval Extension effective December 28, 2014, with expiration date of June 28, 2015, for continued temporary operation of air contamination sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**.

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

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

42-238A: CARES McKean, LLC (2458 Campbelltown Road, Kane, PA 16735), on December 30, 2014, effective December 31, 2014, will issue a plan approval extension for the construction of twelve additional AltelaRain 600 modules to process produced water and frac flow-back water generated by natural gas wells in Sergeant Township, **McKean County**. This is a State Only facility.

62-017V: United Refining Company (P.O. Box 780, Warren, PA 16365) on January 5, 2015, effective January 31, 2015, has issued a plan approval extension for the construction and operation of an additional 80 mmBtu/hr boiler at their existing facility in the City of Warren, **Warren County**.

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

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

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

46-00045: PECO Energy Company-West Conshohocken Gas Plant (300 Front Street, building 33, West Conshohocken, PA 19428) for the compression and storage of liquid natural gas I West Conshohocken borough, **Montgomery County**. The facility's major air emission pints include: vaporizers, preheaters, emergency generators, and a combustion turbine, which emit major levels of Nox. The facility is not subject to compliance Assurance Monitoring under 40 CFR Part 64. The renewal contains applicable monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-00018: Exelon Generation Co., LLC (3901 N. Delaware Avenue, Philadelphia, PA 19137) for renewal of the Title V Operating Permit for their Chester Generating Station in the City of Chester, **Delaware County**. The facility is a peak power plant, containing three simple cycle combustion turbines, which generate a maximum of 18 MW each. Due to the potential emissions of NO_x and SO_x, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit Renewal does not reflect any change in air emissions from the facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

04-00033: NOVA Chemicals Inc. (400 Frankfort Road, Monaca, PA 15061-2298) In accordance with 25 PA Code § 127.431, notice is hereby given that on December 31, 2014, DEP issued a renewal TVOP-04-00033 to authorize continued operation of a chemical manufacturing facility engaged in the production of various grades of polystyrene. This facility is known as the Beaver Valley Plant, and is located in Potter Township, **Beaver County**.

Existing sources at this facility include storage tanks, (16) natural-gas fired boilers rated at 11.7 mmbtu/hr each, production areas that include raw material mixing, reactors equipped with condensers, wash kettles, centrifuges, driers, extrusion lines, storage and packaging. Control devices include scrubbers, filters, dust collectors and baghouses and thermal oxidizers. No emission or equipment changes were approved by this action. This facility has the potential to emit the following type and quantity of air contaminants (on a tons per year basis): 17.0 tons of PM₁₀, 0.6 ton of SO_x, 22.0 tons of NO_x, 110.0 tons of CO, 392.0 tons of VOCs, 40.0 tons of Styrene, and 120,245 tons of greenhouse gas equivalents, on a 12-month rolling total basis.

This facility is subject to the applicable requirements of 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 63 Subpart H—National Emission Standards for Organic Hazardous Air Pollutants for

Equipment Leaks, 40 CFR 63 Subpart UU—National Emission Standards for Equipment Leaks—Control Level 2 Standards, 40 CFR 63 Subpart JJJ—National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins, 40 CFR 63 Subpart FFFF—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing, 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers, 40 CFR Part 64—Compliance Assurance Monitoring and 25 PA Code, Chapters 121 through 145. TVOP-04-00033 includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

04-00059: IPSCO Koppel Tubulars, LLC (P.O. Box 750, Ambridge, PA 15003) on January 5, 2015 a Title V Operating Permit renewal to IPSCO Koppel Tubulars LLC, Koppel plant for the operation of a scrap steel melting and hot forming of alloy or carbon steels into solid steel “blooms” manufacturing facility located in the Boroughs of Koppel and Big Beaver, **Beaver County**.

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

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

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

15-00078: Janssen Biotech, Inc. (200 Great Valley PKWY, Malvern, PA 19355) On December 29, 2014, submitted a renewal for a Non-Title V Facility, State-Only, Synthetic Minor Permit in East Whiteland Township, **Chester County**. Janssen Biotech Inc is a manufacturing facility. The sources of emissions include: boilers and generators. The facility voluntarily took emission limits for NO_x (24.9 tpy), SO_x (17.0 tpy) and PM (3.97 tpy). Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

46-00160: BASF Corp. (300 Brookside Avenue, Ambler, PA 19002), located in Lower Gwynedd Township, **Montgomery County**, On December 29, 2014, for a renewal of State Only (Natural Minor) Operating Permit No. 46-00160. The facility's main sources of air contaminant emissions are four boilers, nine indirect-fired water heaters, and eighteen space heaters. All of these units consume natural gas except for one of the indirect-fired water heaters (No. 2 fuel oil) and one of the space heaters (propane). Three of the four boilers may also consume No. 2 fuel oil. Since the State Only Operating Permit (SOOP) was renewed in 2009, a Maximum Achievable Control Technology (MACT) standard was promulgated for boilers. BASF Corp. has stated that the three dual-fuel boilers will only consume No. 2 fuel oil during periods of gas curtailment or supply interruption, startups, or periodic testing not to exceed 48 hours per year; as such, each of these boilers will meet the definition of the term “gas-fired boiler” indicated in 40 C.F.R. § 63.11237 and not be subject to the provisions of 40 C.F.R. Part 63, Subpart JJJJJJ (though this requirement will be included in the renewal SOOP). The renewed SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

15-00133: Immaculata University (1145 King Road, Immaculata, PA 19345-9903), On December 29, 2014, for the renewal of a State Only, Synthetic Minor Operating Permit in East Whiteland Township, **Chester County**. The facility operates four boilers for heating purposes and seven emergency generators for backup power. The proposed renewal of the Operating Permit does not authorize any increase in air emissions, of regulated pollutants, above previously approved levels. This renewal also includes a change in the responsible official for the facility. The renewed permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and federal air quality requirements.

09-00165: Boekel Industries, Inc. (855 Pennsylvania Blvd., Feasterville, PA 19053) located in Lower Southampton Township, **Bucks County**, On December 29, 2014, for a renewal of State Only (Synthetic Minor) Operating Permit No. 09-00165. The main source of air contaminant emissions at the facility is a batch vapor degreaser. The degreaser uses trichloroethylene (TCE), a hazardous air pollutant (HAP), as the cleaning solvent. While TCE emissions from the degreaser are restricted to 9.5 tons/yr, the average annual TCE emissions from the degreaser over the previous five calendar years (i.e., 2009-2013) have been 0.86 ton/yr.

46-00174: Montgomery County SPCA (19 E. Ridge Pike, Conshohocken, PA 19428-0222), located in White-marsh Township, **Montgomery County**, On December 29, 2014, for a renewal of State Only (Natural Minor) Operating Permit No. 46-00174. The Montgomery County SPCA operates and maintains an animal crematory unit, from which the main pollutants emitted are nitrogen oxides (NO_x) and particulate matter (PM). The actual emission rates of NO_x and PM from the crematory unit are each less than one ton per year. No changes have occurred at the facility since the State Only Operating Permit (SOOP) was previously renewed in 2009. The renewed SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

54-00019: Air Products and Chemicals, Inc., (357 Marian Avenue, Tamaqua, PA 18252) A renewal State Only (Synthetic Minor) operating permit was issued December 31, 2014, for an Industrial Gas manufacturing facility in Rush Township, **Schuylkill County**.

45-00019: Haines & Kibblehouse, Inc., Locust Ridge Quarry (PO Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) on January 6, 2015 for quarry operations in Tobyhanna Township, **Monroe County**. The primary sources consist of crushers, screens, and conveyors. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

58-00002: Diaz Manufacturing Co., LLC (747 Grow Avenue, Montrose Avenue) on January 2, 2015 for wood window and door manufacturing in Bridgewater Township, **Susquehanna County**. The sources consist of a wood fired boiler and wood working equipment with a dual multi-clone and baghouse as the control devices. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

Southcentral Region: Air Quality Program, 909 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.

21-05064: Atlas Roofing Corp. (817 Spangler Road, Camp Hill, PA 17011-5823) on December 22, 2014, for the foam laminate manufacturing facility in Camp Hill Borough, **Cumberland County**. The State-only permit was renewed.

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

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

49-00062: Sun Re Cheese Corporation (178 Lenker Avenue, Sunbury, PA 17801) on December 16, 2014, issued a State Only operating permit renewal for their Sunbury facility located in the city of Sunbury, **Northumberland County**. The State Only operating permit renewal includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

49-00055: Jeff's Autobody and Recycling Center, Inc. (5446 Snyderstown Road, Paxinos, PA 17860-7534) on December 23, 2014, issued State Only Operating Permit 49-00055 for their auto body and recycling center facility located in Shamokin Township, **Northumberland County**. All applicable Federal and State regulatory requirements including monitoring, recordkeeping, reporting and work practice conditions in order to demonstrate compliance with the applicable regulatory requirements have been included in the renewal state only operating permit for this facility.

49-00019: Sunoco Partners Marketing & Terminals, L.P. (RD #1 box 285, Northumberland, PA 17857) on December 26, 2014, issued State Only Operating Permit 49-00019 for continued operation of their petroleum bulk storage and distribution (Northumberland Terminal) facility located in Point Township, **Northumberland County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

57-00004: Central New York Oil & Gas Co., LLC (800 Robinson Road, Owego, NY 13827-6801) on January 5, 2015 issued a state only operating permit for their facility located in Davidson Township, **Sullivan County**. The state only operating permit contains all applicable regulatory requirements including monitoring, record-keeping and reporting conditions.

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

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

03-00151: Rosebud Mining Company (301 Market Street, 435, Kittanning, PA 16201), On November 10, 2014, the Department issued an initial facility-wide Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Dutch Run Coal Preparation Plant, DARMAC #2, located in Plumcreek Township, **Armstrong County**.

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

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, and 63 and PA Code Title 25, Article III, Chapters 121 through 145.

11-00423: Johnstown Wire Technologies, Inc. (124 Laurel Avenue, Johnstown, Cambria County, PA 15906-2246) On December 30, 2014, State Only Operating Permit SOOP-11-00423 was renewed to authorize the continued operation of the Johnstown Wire Plant located in Johnstown Township, **Cambria County**. Renewal SOOP-11-00423 included conditions derived from Plan Approval PA-11-00423A, issued on June 8, 2012, to authorize the installation of a replacement Cleaning House equipped with an HCl Fume Scrubber.

65-00881: Innovative Carbide, LLC (11040 Parker Drive, Irwin, PA 15642) on December 18, 2014 a State Only Operating Permit (SOOP) renewal to Innovative Carbide, LLC to authorize the continued operation of their Plant located in North Huntingdon Township, **Westmoreland County**.

30-00040: Cumberland Coal Resources, LP (158 Portal Road, Waynesburg, PA 15370) On January 5, 2015, the Department issued an initial facility-wide Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Cumberland Coal Preparation Plant, located in Whitely Township, **Greene County**.

The facility contains air contamination sources consisting of coal stockpiles, conveyers, breakers, screens, gravimetric and froth flotation separation equipment, loadout, roadways, and a 1,000-bhp, diesel emergency generator engine. Air pollution prevention equipment at the facility includes enclosures, a water truck, and tarping of truck loads. Processed coal throughput is a maximum of 15,800,000 tons per year. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to applicable requirements of 40 CFR 60, Subpart Y, and 40 CFR 63, Subpart ZZZZ.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, and 63 and PA Code Title 25, Article III, Chapters 121 through 145.

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

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

24-00119: Advanced Heat Treating Incorporated (1057 Trout Run Road, Saint Marys, PA 15857-3124) on December 22, 2014 for a renewal of the Natural Minor Operating Permit to operate a metal heat treating operation facility located in City of Saint Marys, **Elk County**. The emitting sources include: 1) Tempering Furnaces (DF-2, DF-3, and DF-4), 2) Tempering Furnaces (DF-8, DF-10), 3) Miscellaneous natural gas usage, 4) Draw Furnaces DF-5, DF-6, & DF-7 and, 5) Draw Furnaces, DF-11, & DF-12. The potential emissions from the facility are less than the Title V threshold limits. Thus, the facility is a natural minor. The PM₁₀ emissions from the facility are less than 3.63 tons per year (TPY). The emissions of other criteria pollutants are less than 3.5 TPY each.

42-00172: Momentive Specialty Chemicals, Inc. (P.O. Box 7227, Mount Jewett, PA 16740) On December 15, 2014, the Department re-issued a Natural Minor Operating Permit to this urea-formaldehyde resin producing facility in Sergeant Township, **McKean County**. The facility's primary emission sources include storage tanks and a resin kettle. The potential emissions from this facility are as follows. Formaldehyde: 8.56 tons per year (TPY), Methanol: 0.29 TPY, Dimethyl Ether: 0.12 TPY, Total HAPs: 8.85 TPY, Total VOCs: 9.42 TPY, CO: 3.0 TPY, NO_x: 11.5 TPY, PM_{2.5}: 1.2 TPY, and SO_x: 05 TPY.

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,

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

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

10-00319: Main Steel LLC (2200 Pratt Blvd., Elk Grove Village, IL 60007) on December 23, 2014 issued an administrative amendment to the State Only Operating Permit for the facility located at 6 Whitney Drive in Harmon Township, **Butler County**. The amendment incorporates the change of ownership, responsible official, and permit contact.

09 De Minimi Emissions Increases Authorization (25 Pa. Code § 127.449(i))

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.

67-03113: Advanced Industrial Services, Inc. (3250 Susquehanna Trail, York, PA 17406). Pursuant to 25 Pa. Code § 127.449(i), this PA Bulletin Notice is for the following de minimis emissions increases resulting from the construction of a plasma metal cutting table controlled by a settling chamber and cartridge collector in series at its metal fabrication job shop located in Manchester Township, **York County**: 0.04 TPY PM₁₀. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

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

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

03-00027: NRG Energy, Inc. (121 Champion Way, Suite 200, Canonsburg, PA 15317). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at the GenOn Northeast Management Company, Keystone Power Plant, located in Plum Creek Township, **Armstrong County**:

Project to apply additives to coal prior to combustion for mercury and NO_x emission control. Total emissions from this project will not exceed 0.3 tpy PM₁₀.

The list of de minimis increases for this facility includes only this project.

04-00235: FirstEnergy Generation, LLC (128 Ferry Hill Road, Shippingport, PA 15077). Per 25 Pa. Code Section 127.449(i), this Notice is for the following de minimis emission increase at the FirstEnergy Generation, Bruce Mansfield Power Plant, located in Shippingport Borough, **Beaver County**:

Additives are to be applied to the existing fuel stream prior to combustion as part of a Refined Coal project for mercury and NO_x emission control. Total emissions from this project will not exceed 2.147 tons of PM, 0.579 ton of PM₁₀, and 0.199 ton of PM_{2.5} per year.

The list of de minimis increases for this facility includes only this project.

32-00055: Homer City Generation, LP (1750 Power Plant Rd., Homer City, PA 15748). Per 25 Pa. Code Section 127.449(i), this Notice is for the following de minimis emission increase at the Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**:

Additives are to be applied to the existing fuel stream prior to combustion as part of a Clean Coal Solutions LLC project for mercury and NO_x emission control. Total emissions from this project will not exceed 0.061 ton of NO_x, 0.035 ton of CO, 1.63 ton of PM, 0.36 ton of PM₁₀, 0.11 ton of PM_{2.5}, and 0.005 ton of VOC per year.

The list of de minimis increases for this facility includes only this project.

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

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

10-00267: Alcoa Commercial Windows LLC (71 Progress Avenue, Cranberry Township, PA 16066) for its facility located in Cranberry Township, **Butler County**. The De minimis emission increase is for the proposed construction of a Solvent Distillation Unit. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the facility Operating Permit renewal on September 22, 2010.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
1-5-15	Solvent Distillation Unit				0.1	
Total Reported Increases					0.1	
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

33-00002: Owens-Brockway Glass Container Plant 19 (3831 Route 219, Brockport, PA 15823) for its facility located in Snyder Township, **Jefferson County**. The De minimis emission increase is for the proposed construction of a Hi-Vac System with baghouse. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on December 7, 2009.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
12-31-14	Hi-Vac System with baghouse	0.3				
Total Reported Increases		0.3				
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

61-00210: G. O. Hawbaker Inc., Barkeyville Facility Plant #19 (711 East College Avenue, Bellefonte, PA 16823) for its facility located at 157 Hawbaker Industrial Boulevard, in Grove City, PA (16127). This site is located in Barkeyville Borough, **Venango County**. The de minimis emission increase is due to the temporary use of a Metso LT106 Portable Jaw Crusher driven by a Caterpillar model C9 engine. The portable crusher will be in use at the plant for 21 days. The Department has started a list of de minimis increases as prescribed in 25 Pa. Code 127.449(i).

Since the April 26, 2011, Synthetic Minor Permit issuance date, G. O. Hawbaker Inc. has notified the Department of the following de minimis emission increases at the Plant #19 Barkeyville Facility:

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
12-30-14	Temporary use of a jaw crusher and engine.	0.11	0.05	0.58	0.2	0.46
Total Reported Increases		0.11	0.05	0.58	0.2	0.46
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC, (1525 Pleasant Grove Road, PO Box J, Claysville, PA 15323). To operate the Harvey Mine in Richhill and Morris Townships, **Greene County** and East Finley Township, Washington County. To operate a new underground mine and related NPDES permit for development mining (acreage and outfall to Patterson Creek and Brown's Creek from sedimentation ponds were permitted as part of Bailey Mine and Prep Plant permit No. 30841316, NPDES No. PA0213535). Surface Acres Proposed 162.40, Underground Acres Proposed 3068.0, Subsidence Control Plan Acres Proposed 3068.0. Receiving Stream: Patterson Creek, classified for the following uses: HQ-WWF. Receiving Stream: Brown's Creek, classified for the following uses: HQ-WWF. The application was considered administratively complete on July 22, 2013. Application received: May 24, 2013. Permit issued: December 23, 2014.

56841608 and NPDES No. PA0213721 and GP12-56841608-R12. PBS Coals, Inc., (1575 Stoystown Road, PO Box 260, Friedens, PA 15541). To renew the permit for the Cambria Fuel Prep Plant in Stonycreek Township, **Somerset County** and related NPDES permit. Includes renewal of Bureau of Air Quality GPA/GP12 authorization under GP12-56841608-R12. Approval is authorized under General Permit BAQ-GAP/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56841608-R12. No additional discharges. The application was considered administratively complete

on November 7, 2011. Application received: May 16, 2011. Permit issued: December 23, 2014.

56071301 and NPDES No. PA0235814 and GP12-56071301-R5. RoxCOAL, Inc., (PO Box 149, Friedens, PA 15541). To renew the permit for the Horning Deep Mine in Stonycreek Township, **Somerset County** and related NPDES permit. Includes renewal of Air Quality GPA/GP12 authorization under GP12-56071301-R5. Approval is authorized under General Permit BAQ-GAP/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56071301-R5. No additional discharges. The application was considered administratively complete on January 16, 2014. Application received: November 7, 2013. Permit issued: November 26, 2014.

NPDES No. PA0033511 (Mining Permit No. 30743711), Cumberland Coal Resources LP, (158 Portal Road PO Box 1020). A revision to the NPDES permit for the Cumberland Mine Coal Refuse Disposal Facility in Whiteley and Monongahela Townships, **Greene County** to include new average monthly concentration limits for sulfate (3,000 mgs/l) and TDS (9,500 mgs/l) with the five (5) load limits reached and applied to the permit in years three (3), four (4), and five (5), as outlined in the approved compliance schedule. This provides a significant load reduction in year three (3) of the permit instead of year (5) as previously approved. Surface Acres Affected 152.0. Receiving stream: Monongahela River, classified for the following use: WWF. Monongahela River. The application was considered administratively complete on October 28, 2014. Application received: October 28, 2014. NPDES Permit issued: December 24, 2014.

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

33940102. Mahoning Mining, Inc. (P.O. Box 44, New Bethlehem, PA 16242) Renewal of an existing bituminous surface and auger mine in Knox Township, **Jefferson County**, affecting 101.0 acres. Receiving streams: Two unnamed tributaries to Lick Run. This renewal is issued for reclamation only. Application received: September 29, 2014. Permit issued: December 18, 2014.

33080106. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Young Township, **Jefferson County**, affecting 100.0 acres. Receiving streams: Five unnamed tributaries to Little Elk Run. This renewal is issued for reclamation only. Application received: September 4, 2014. Permit issued: December 18, 2014.

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

17130107 and NPDES PA0269611. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Commencement, operation, and restoration of a bituminous surface and auger mine located in Penn Township,

Clearfield County affecting 126.5 acres. Receiving streams: Unnamed Tributaries to Daily Run and Daily Run to Curry Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: May 16, 2014. Permit issued: December 23, 2014.

17020112 and NPDES No. PA0243337. Junior Coal Contracting, Inc. (2330 Six Mile Road, Philipsburg, PA 16866). Permit renewal of an existing bituminous surface and auger mine in Decatur Township, **Clearfield County** affecting 228.0 acres. Receiving stream(s): Big Run, Shimel Run, and Unnamed Tributary to Moshannon Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 21, 2014. Permit issued: December 23, 2014.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

65100101 and NPDES Permit No. PA0251887. Britt Energies, Inc. (P.O. Box 515, Indiana, PA 15701). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Derry Township, **Westmoreland County**, affecting 69.6 acres. Receiving streams: unnamed tributary to McGee Run and Conemaugh River. Renewal application received: October 16, 2014. Permit issued: December 19, 2014.

3373SM10 and NPDES Permit No. PA0251062. Shenango, Inc. (200 Neville Road, Pittsburgh, PA 15225). Permit renewal issued for continued passive treatment system to an existing bituminous surface mine, located in Luzerne Township, **Fayette County**, affecting 99.2 acres. Receiving stream: unnamed tributary to Monongahela River. Renewal application received: January 31, 2013. Permit issued: December 31, 2014.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 40-305-014GP12. Susquehanna Coal Company, (PO Box 27, Nanticoke, PA 18643), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 40920102 in Newport Township, **Luzerne County**. Application received: September 30, 2014. Permit issued: December 19, 2014.

Noncoal Permits Issued

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

08140301. Dalrymple Gravel & Contracting Company, Inc. (2105 South Broadway, Pine City, NY 14871). Commencement, operation and restoration of a large industrial sand and gravel mine located in Athens Township, **Bradford County** affecting 12.5 acres. NPDES permit PA0608874 associated with adjacent surface mine permit 08830301 will be modified to include this permit. Receiving stream(s): Chemung River classified as the following use(s): Warm Water Fishes and Migratory Fishes. Application received: June 9, 2014. Permit issued: December 19, 2014.

4475SM10 and NPDES PA022043. Harbison-Walker Refractories Company (400 Fairway Drive, Moon Township, PA 15108). NPDES renewal to an existing large industrial minerals mine for water treatment only located in Woodward Township, **Clearfield County** affecting 12.0 acres. Receiving stream(s): Unnamed Tributary to Upper Morgan Run classified for the following uses(s): CWF. Application received: October 9, 2014. Permit issued: January 2, 2015.

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

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

30144002. Energy Corporation of America (501 56th Street SE, Charleston, WV 25304). Blasting activity permit for the construction of the ECA gas well pad and water impoundment, to conduct seismic activity located in Whitley Township, **Greene County** with an exploration date of December 1, 2015. Blasting permit issued: December 29, 2014.

02144003. Waste Management, Inc. (600 Thomas Street, Monroeville, PA 15146). Blasting activity permit for the construction of a cell development at Monroeville Landfill, located in Monroeville Township, **Allegheny County** with an exploration date of December 31, 2015. Blasting permit issued: December 30, 2014.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 15144113. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Honeybrook Twin Valley transmission line in Honey Brook and Caernarvon Townships, **Chester County** with an expiration date of December 16, 2015. Permit issued: December 24, 2014.

Permit No. 36144167. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Riverview Estates in West Lampeter Township, **Lancaster County** with an expiration date of December 11, 2015. Permit issued: December 24, 2014

Permit No. 48144111. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Saratoga Farms in Lower Nazareth Township, **Northampton County** with an expiration date of December 19, 2015. Permit issued: December 24, 2014.

Permit No. 36144168. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Lamar Weaver basement in West Earl Township, **Lancaster County** with an expiration date of June 30, 2015. Permit issued: December 30, 2014.

Permit No. 36144169. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Clair Hurst dwelling in Warwick Township, **Lancaster County** with an expiration date of April 30, 2015. Permit issued: December 30, 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 sec-

tions 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-508. DELCORA, 100 E. Fifth Street, Chester, PA 19013, Edgemont Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a new sanitary sewer line/expansion known as Phase 1, crossing Crum Creek and its tributaries including Springton Reservoir at seven different locations, utilizing open cut and directional drillings.

The site is located near the intersection of Gradyville and Providence Roads (Media, PA USGS Map; L at: 399172; Long; -75.4551).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335.

E20-594, PA Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301. S.R. 0173, Segment 0070, Offset 0000 Across French Creek, in

Cochranton Borough and Fairfield Township, **Crawford County**, ACOE Pittsburgh District (Cochranton, PA Quadrangle N: 41°, 31', 06"; W: 80°, 03', 14").

To remove the existing structure and to construct and maintain a composite bulb-tee beam bridge having three spans of 113.25 feet (bearing to bearing) and an underclearance of 11.57 feet on a 90° skew across French Creek on S.R. 0173, Segment 0070, Offset 0000 approximately 500 feet downstream of the confluence of Little Sugar Creek.

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

E5829-085: Bridgewater Township, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Bridgewater Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 114 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 48' 42" Lat., W -75° 54' 25" Long.),

2) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 569 square feet (0.01 acre) of a PEM wetland (Montrose West, PA Quadrangle; N 41° 48' 33" Lat., W -75° 54' 22" Long.),

3) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 59 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 48' 30" Lat., W -75° 54' 28" Long.),

4) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,725 square feet (0.04 acre) of a PEM wetland (Montrose West, PA Quadrangle; N 41° 48' 30" Lat., W -75° 54' 28" Long.),

5) a temporary timber mat crossing impacting 718 square feet (0.02 acre) of a PEM wetland (Montrose West, PA Quadrangle; N 41° 48' 28" Lat., W -75° 54' 30" Long.),

6) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 51 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 48' 18" Lat., W -75° 54' 31" Long.),

7) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,256 square feet (0.03 acre) of a PEM wetland (Montrose West, PA Quadrangle; N 41° 48' 18" Lat., W -75° 54' 31" Long.).

The project consists of constructing approximately 1.6 miles of 12" steel natural gas gathering line, located in Bridgewater Township, Susquehanna County. The project will result in 224 lineal feet of temporary stream impacts, and 4,268 square feet (0.10 acre) of temporary wetland impacts all for the purpose of conveying Marcellus Shale natural gas to market.

E5829-086: Auburn Township, Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Auburn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. one 8 inch and one 6 inch diameter steel natural gas pipelines and a temporary timber bridge crossing impact-

ing 86 lineal feet of Little Meshoppen Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 42' 32", Long. -76° 02' 58"),

2. one 8 inch and one 6 inch diameter steel natural gas pipelines and a temporary timber bridge crossing impacting 84 lineal feet of Unnamed tributary to Meshoppen Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 42' 49", Long. -76° 03' 38"),

3. one 8 inch and one 6 inch diameter steel natural gas pipelines and a temporary timber mat crossing impacting 8,083 square feet (0.19 acre) of a PSS wetland (Auburn Center, PA Quadrangle; Lat. 41° 42' 32", Long. -76° 02' 58"),

4. one 8 inch and one 6 inch diameter steel natural gas pipelines and a temporary timber mat crossing impacting 1,934 square feet (0.04 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 41' 04", Long. -76° 03' 00"),

5. a temporary timber mat crossing impacting 396 square feet (0.01 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 42' 37", Long. -76° 03' 15").

The Parkhurst Pipeline will consist of an 8" and 6" steel natural gas gathering line from the Parkhurst Well Pad to existing pipeline, all located within Auburn Township, Susquehanna County. The project will result in 170 linear feet of temporary stream impacts, 330 (0.008 acre) square feet of permanent wetland impacts and 10,413 (0.24 acre) square feet of temporary wetland impacts all for the purpose of conveying Marcellus Shale natural gas to market.

E5829-087. Apolacon Township and Little Meadows Borough; Talisman Energy USA, Inc.; 337 Daniel Zenker Drive, Horseheads, NY 14845; Apolacon Township and Little Meadows Borough, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber bridge crossing impacting 62 lineal feet of an unnamed tributary to Cork Hill Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 59' 06" N; -76° 06' 30" W),

2. one 12 inch diameter steel natural gas pipeline and one 8 inch diameter flex-steel waterline crossing impacting 475 square feet (0.01 acre) of a palustrine forested wetland (PFO) (Friendsville, PA Quadrangle: 41° 59' 06" N; -76° 06' 30" W),

3. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber bridge crossing impacting 132 lineal feet of an unnamed tributary to Cork Hill Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 59' 05" N; -76° 06' 24" W),

4. a timber mat crossing impacting 988 square feet (0.02 acre) of a palustrine scrub shrub wetland (PSS) (Friendsville, PA Quadrangle: 41° 59' 06" N; -76° 06' 24" W),

5. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber mat crossing impacting 1,264 square feet (0.03 acre) of a palustrine scrub shrub wetland (PSS) (Friendsville, PA Quadrangle: 41° 59' 05" N; -76° 06' 23" W),

6. right of way crossing impacting 55 lineal feet of an unnamed tributary to Cork Hill Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 59' 05" N; -76° 06' 23" W),

7. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber mat crossing impacting 550 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 59' 05" N; -76° 06' 22" W),

8. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber mat crossing impacting 489 square feet (0.01 acre) of a palustrine scrub shrub wetland (PSS) (Friendsville, PA Quadrangle: 41° 59' 05" N; -76° 06' 22" W),

9. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber mat crossing impacting 1,103 square feet (0.03 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 59' 00" N; -76° 06' 16" W),

10. a timber mat crossing impacting 2,963 square feet (0.07 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 58' 55" N; -76° 06' 13" W),

11. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber bridge crossing impacting 71 lineal feet of Cork Hill Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 58' 56" N; -76° 06' 11" W),

12. one 12 inch diameter steel natural gas pipeline and one 8 inch diameter flex-steel waterline crossing impacting 56 lineal feet of an unnamed tributary to Cork Hill Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 58' 55" N; -76° 06' 09" W),

13. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber mat crossing impacting 1,597 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 58' 55" N; -76° 06' 08" W),

14. a timber mat crossing impacting 505 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 58' 55" N; -76° 06' 06" W),

15. one 12 inch diameter steel natural gas pipeline, one 8 inch diameter flex-steel waterline, and a timber mat crossing impacting 913 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 58' 55" N; -76° 06' 00" W),

16. a timber mat crossing impacting 384 square feet (0.01 acre) of a palustrine forested wetland (PFO) (Friendsville, PA Quadrangle: 41° 58' 55" N; -76° 06' 00" W).

The project consists of constructing approximately 0.91 miles of 12" steel natural gas gathering line and an 8" flex-steel waterline, within a 50' permanent right of way, connecting the York 088 well site to the Thorne Field Riser located in Apolacon Township and Little Meadows Borough, Susquehanna County. The project will result in 376 lineal feet of temporary stream impacts and 11,231 square feet (0.26 acre) of temporary wetland, all for the purpose of conveyance of Marcellus Shale natural gas to market.

E5829-071. Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Ararat and Jackson Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 8-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 41 linear feet of an

unnamed tributary of Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 24" Lat., W -75° 33' 30" Long.),

2) a 8-inch diameter natural gas pipeline crossing impacting 3,604 square feet (0.08 acres) of a PSS wetland (Thompson, PA Quadrangle; N 41° 49' 29" Lat., W -75° 33' 56" Long.),

3) a 8-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 102 linear feet of an unnamed tributary of Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 31" Lat., W -75° 33' 51" Long.),

4) a 8-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 52 linear feet of an unnamed tributary of Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 29" Lat., W -75° 33' 48" Long.),

5) a 8-inch diameter natural gas pipeline crossing and timber mat crossing impacting 6,880 square feet (0.16 acre) of a PFO wetland (Thompson, PA Quadrangle; N 41° 49' 38" Lat., W -75° 34' 30" Long.),

6) a 8-inch diameter natural gas pipeline crossing and timber mat crossing impacting 2,855 square feet (0.07 acre) of a PEM wetland and 1,394 square feet (0.03 acre) of a PFO wetland (Thompson, PA Quadrangle; N 41° 49' 35" Lat., W -75° 34' 23" Long.),

7) a timber mat crossing impacting 2,189 square feet (0.05 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 49' 46" Lat., W -75° 34' 35" Long.),

8) a 8-inch diameter natural gas pipeline crossing and timber mat crossing impacting 2,776 square feet (0.06 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 49' 40" Lat., W -75° 34' 35" Long.),

9) a 8-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 82 linear feet of an unnamed tributary of Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 40" Lat., W -75° 34' 34" Long.),

10) a 8-inch diameter natural gas pipeline crossing and timber mat crossing impacting 4,610 square feet (0.11 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 49' 52" Lat., W -75° 34' 34" Long.).

The project consists of constructing approximately 9,418 lineal feet (1.78 mile) of 8" steel natural gas gathering line, within a maintained 50 to 75 foot permanent right of way located in Ararat and Jackson Townships, Susquehanna County. The project will result in 277 lineal feet of temporary stream impacts, 1.24 acre of temporary wetland impacts, and 0.19 acre of permanent wetland conversion impacts; all for the purpose of conveying Marcellus Shale natural gas to market.

DAM SAFETY

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

D04-049. FirstEnergy Generation, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601. Permit issued to modify, operate, and maintain Little Blue Run Dam, located across Little Blue Run (TSF), and the associated Little Blue Run Saddle Dam (D04-068), located across a tributary to Mill Creek (TSF), for the purpose of ceasing disposal operations and closing out the impoundment. The existing impoundment area will be capped, covered, and vegetated. Through the closure process, a small

settling pool will be maintained adjacent to the dam that will assist conveyance of the spillway design flood. (East Liverpool North, PA Quadrangle Latitude: 40.618, Longitude: -80.513) Greene Township, **Beaver County**.

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.

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

ESCP 2 # ESG00037140001
Applicant Name Transcontinental Gas Pipeline Co LLC
Contact Person Trey Moore
Address 2800 Post Oak Blvd
City, State, Zip Houston, TX 77056
County Columbia
Township(s) Jackson Twp.
Receiving Stream(s) and Classification(s) West Creek,
CWF-MF

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-2 #ESG14-019-0061—Geibel C D Well Pad
Applicant XTO Energy, Inc.
Contact Melissa Breitenbach
Address 502 Keystone Drive
City Warrendale State PA Zip Code 15086-7537
County Butler Township(s) Summit(s)
Receiving Stream(s) and Classification(s) UNT to Little Buffalo Run HQ-CWF

ESCGP-2 #ESG14-019-0068—Landgraf Gas Pipeline
Applicant Mountain Gathering LLC
Contact Dewey Chalos
Address 810 Houston Street
City Fort Worth State TX Zip Code 76102
County Butler Township(s) Donegal(s)
Receiving Stream(s) and Classification(s) Little Buffalo Run (HQ-CWF)/Buffalo Creek

ESCGP-2 #ESX14-085-0031—Delaware-Micsky Well Pad
 Applicant Hilcorp Energy Company
 Contact Stephanie McMurray
 Address 1201 Louisiana Street, Suite 140
 City Houston State TX Zip Code 77002
 County Mercer Township(s) Delaware(s)
 Receiving Stream(s) and Classification(s) UNT to
 Lawango Run, WWF; Lawango Run WWF

ESCGP-2 #ESX14-085-0027—Worth Geiger Well Pad
 Applicant Hilcorp Energy Company
 Contact Stephanie McMurray
 Address 1201 Louisiana St. Suite 1400
 City Houston State TX Zip Code 77002
 County Mercer Township(s) Worth(s)
 Receiving Stream(s) and Classification(s) UNT to Yellow
 Creek-TSF

*Eastern Region: Oil & Gas Management Program Manager,
 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX29-117-14-0018
 Applicant Name SWEPI LP
 Contact Person Jason Shoemaker
 Address 2100 Georgetown Drive, Suite 400
 City, State, Zip Sewickley, PA 15143
 County Tioga County
 Township(s) Charleston Township
 Receiving Stream(s) and Classification(s) Catlin Hollow to
 Crooked Creek to Tioga River (WWF/MF);
 Secondary: Tioga River

ESCGP-2 # ESX29-115-14-0116
 Applicant Name Cabot Oil & Gas
 Contact Person Kenneth Marcum
 Address 5 Penn Center West, Suite 401
 City, State, Zip Pittsburgh, PA 15276
 County Susquehanna County
 Township(s) Brooklyn Township
 Receiving Stream(s) and Classification(s) UNT to Martins
 Creek (CWF/MF);
 Secondary: Martins Creek (CWF/MF)

ESCGP-2 # ESX29-115-14-0119
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Susquehanna County
 Township(s) Auburn Township
 Receiving Stream(s) and Classification(s) Benninger
 Creek (CWF/MF);
 Secondary: Transue Creek (CWF/MF)

ESCGP-2 # ESX29-115-14-0118
 Applicant Name Angelina Gathering Company, LLC
 Contact Person Danny Spaulding
 Address 2350 N Sam Houston Pkwy E., Suite 125
 City, State, Zip Houston, TX 77032
 County Susquehanna County
 Township(s) Oakland Township, Lanesboro Borough,
 Harmony Township
 Receiving Stream(s) and Classification(s) Susquehanna
 River (WWF), 2 UNTs to Susquehanna River (CWF/
 MF), Starrucca Creek, Pigpen Creek, UNT to Pigpen
 Creek (All CWF/MF);
 Secondary: Susquehanna River

ESCGP-2 # ESX10-015-0168(1)
 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) Pike Township
 Receiving Stream(s) and Classification(s) UNT to Mill
 Creek (WWF/MF), UNT to Rockwell Creek (WWF/MF)

ESCGP-2 # ESX29-115-14-0117
 Applicant Name Cabot Oil & Gas
 Contact Person Kenneth Marcum
 Address 5 Penn Center West, Suite 401
 City, State, Zip Pittsburgh, PA 15276
 County Susquehanna County
 Township(s) Gibson Township
 Receiving Stream(s) and Classification(s) UNT to Butler
 Creek, UNT to Tunkhannock Creek (CWF);
 Secondary: Tunkhannock Creek

ESCGP-2 # ESG29-115-14-0108
 Applicant Name Bluestone Pipeline Company of
 Pennsylvania, LLC
 Contact Person Herman Van Eck
 Address 1429 Oliver Road
 City, State, Zip New Milford, PA 18834-7516
 County Susquehanna County
 Township(s) Thompson and Jackson Townships
 Receiving Stream(s) and Classification(s) South Branch
 Canawacta Creek, Tribs. 32171, 32173, 32174, 32176 To
 South Branch Canawacta Creek, Tunkhannock Creek,
 Trib. 29237, 29235 To Tunkhannock Creek, Drinker
 Creek, Trib. 32148 To Drinker Creek, Butler Creek,
 Tribs. 28138, 29139 To Butler Creek (CWF), Salt Lick
 Creek, Trib. 32069 To Salt Lick Creek (HG-CWF).
 Secondary: Canawacta Creek (CWF), South Branch
 Canawacta Creek (CWF), Susquehanna River (WWF),
 Tunkhannock Creek (CWF), Drinker Creek (CWF),
 Nine Partners Creek (CWF), Butler Creek (CWF), Salt
 Lick Creek (HG-CWF)

ESCGP-2 # ESG29-023-14-0013
 Applicant Name Seneca Resources Corporation
 Contact Person Doug Kepler
 Address 5800 Corporate Drive, Suite 300
 City, State, Zip Pittsburgh, PA 15237
 County Cameron County
 Township(s) Shippen Township
 Receiving Stream(s) and Classification(s) UNT Elk Fork,
 UNT Eighteen Hollow & Eighteen Hollow/Sinnema-
 honing Creek (CWF/MF); Driftwood Branch Sin-
 nemahoning Creek

ESCGP-2 # ESX29-115-14-0122
 Applicant Name Susquehanna Gathering Company, LLC
 Contact Person Herman Van Eck
 Address 1429 Oliver Road
 City, State, Zip New Milford, PA 18834-7516
 County Susquehanna County
 Township(s) Jackson Township
 Receiving Stream(s) and Classification(s) Butler Creek
 (CWF);
 Secondary: Tunkhannock Creek

ESCGP-2 # ESX29-115-14-0123
 Applicant Name Susquehanna Gathering Company, LLC
 Contact Person Herman Van Eck
 Address 1429 Oliver Road
 City, State, Zip New Milford, PA 18834-7516
 County Susquehanna County
 Township(s) Jackson & New Milford Townships
 Receiving Stream(s) and Classification(s) Little Butler
 Creek/Butler Creek (CWF);
 Secondary: Susquehanna River

ESCGP-2 # ESG10-117-0025 (01)
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Tioga County
 Township(s) Ward Township
 Receiving Stream(s) and Classification(s) Fellows Creek
 (CWF)

ESCGP-2 # ESG29-023-14-0012
 Applicant Name NFG Midstream Clermont, LLC
 Contact Person Duane Wassum
 Address 6363 Main Street
 City, State, Zip Williamsville, NY 14221
 County Cameron County
 Township(s) Shippen Township
 Receiving Stream(s) and Classification(s) Right Branch
 Cooks Run (EV/MF), North Creek (HQ-CWF/MF)

ESCGP-2 # ESG29-023-14-0014
 Applicant Name NFG Midstream Clermont, LLC
 Contact Person Duane Wassum
 Address 6363 Main Street
 City, State, Zip Williamsville, NY 14221
 County Cameron County
 Township(s) Shippen Township
 Receiving Stream(s) and Classification(s) UNT North
 Creek (HQ-CWF/MF), North Creek (HQ-CWF/MF)

ESCGP-2 # ESG29-015-14-0084
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Randy DeLaune
 Address 400 IST Center
 City, State, Zip Horseheads, NY 14845
 County Bradford County
 Township(s) Overton Township
 Receiving Stream(s) and Classification(s) Mill Creek,
 Lick Creek (EV/MF), Millstone Creek, Chilson Run
 HQ-CWF/MF)

ESCGP-2 # ESX29-131-14-0020
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Wyoming County
 Township(s) Forkston Township
 Receiving Stream(s) and Classification(s) Farr Hollow
 (CWF/MF);
 Secondary: Mehoopany Creek (CWF/MF)

ESCGP-2 # ESX29-115-14-0121
 Applicant Name Susquehanna Gathering Company, LLC
 Contact Person Herman Van Eck
 Address 1429 Oliver Road
 City, State, Zip New Milford, PA 18834-7516
 County Susquehanna County
 Township(s) Jackson Township
 Receiving Stream(s) and Classification(s) Drinker Creek
 (CWF);
 Secondary: Susquehanna River

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr., Pittsburgh, PA*

ESCGP-2 No: ESX14-007-0018
 Applicant Name: Cardinal PA Midstream LLC
 Contact Person Josh Corey
 Address: 144 Emeryville Drive Suite 230
 City: Cranberry Township State: PA Zip Code: 16066
 County: Beaver Township: New Sewickley
 Receiving Stream (s) and Classifications: UNTs to Brush
 Creek/Brush Creek; Other WWF

ESCGP-2 No.: ESX14-005-0009
 Applicant Name: Snyder Brothers Inc
 Contact Person: Carl Rose
 Address: PO Box 1022
 City: Kittanning State: PA Zip Code: 16201
 County: Armstrong Township(s): East Franklin
 Receiving Stream(s) and Classifications: Tributary 46962
 to Allegheny River/Allegheny; Tributary 46963 to
 Allegheny River/Allegheny; Tributary 46964 to
 Allegheny River/Allegheny; Allegheny River/
 Allegheny; Other WWF; Siltation-Impaired

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
14-39-011	Smooth-On, Inc. 5600 Lower Macungie Road Macungie, PA 18062-9039 Attn: Sandra Collins	Lehigh	Lower Macungie Township	8 ASTs storing petroleum products and hazardous substances	52,500 gallons total

SPECIAL NOTICES

Schuylkill County; Request for Proposals for Additional Waste Disposal or Processing Capacity for Municipal Solid Waste

In accordance with 25 Pa. Code § 272.225 (Municipal Waste Planning Recycling and Waste Reduction), the Board of Commissioners of Schuylkill County has determined that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the county is required for a period covering the next ten years. The Schuylkill County Office of Solid Waste on behalf of the Schuylkill County Board of Commissioners is hereby soliciting proposals for disposal capacity for MSW generated in Schuylkill County PA with contract approval and execution anticipated by June 2015.

The Request for Proposals (RFP) will be available from the Schuylkill County Office of Solid Waste on or after Monday January 5, 2015. There is a \$50 fee for printed copies. All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposals at any time prior to the scheduled closing time for receipt of proposals. The Schuylkill County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

The Schuylkill County Office of Solid Waste will receive sealed proposals until 3:00 p.m., Prevailing Time on Wednesday, February 25, 2015. The Proposer is required to submit two (2) hard copies, each executed in blue ink and labeled "original" and two (2) separate electronic media, (CD-ROM's or Flash Drives) each with a copy of the proposal in MS Word or PDF format. The proposals must be packaged, sealed, and clearly labeled to show the statement "Proposal Disposal Capacity" and the name and address of the Proposer.

Proposals should be submitted and be addressed to: the Schuylkill County Office of Solid Waste, Schuylkill County Courthouse, 401 North Second Street, Pottsville, PA 17901 Attention: Mr. Joseph Scribbick, Recycling Coordinator.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of December 2014 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Allied Inspection Services, Inc.	PO Box 651 Macungie, PA 18062	Testing
A-Stat Inspection Services	4 Versailles Circle Doylestown, PA 18901	Testing
Clerkin Home Inspections, LLC	424 Marion Ave. Lower Gwynedd, PA 19002	Testing
Mark Dilts	2844 Slifer Valley Rd. Riegelsville, PA 18077	Mitigation
Raymond Fonos	1216 Edgewood Dr. West Homestead, PA 15120	Testing
John Fordyce	7844 Old Rte. 56 Highway W Indiana, PA 15701	Testing
David Glick	2061 Kenbrook Rd. Lebanon, PA 17046	Testing
Lindsey Golubosky	5193 Forest Ave. Bedford, PA 15522	Testing
Margie Gordon	125 Nevin Way Coatesville, PA 19320	Testing & Laboratory Analysis
Zachary Hay	421 W. Chocolate Ave. Hershey, PA 17033	Testing
JCN Radon Services, Inc.	613 Zimmermans Hollow Rd. Sunbury, PA 17801	Mitigation
Steven Johnson Homecheck, Inc.	1529 Rodney Rd. York, PA 17408	Testing
Daniel Jones Alpha Detection & Control	6 Chestwood Dr. Connellsville, PA 15425	Mitigation
Randy Knesnik	413 Long Meadow Rd. Milford, PA 18337	Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Eric Kraklio	69 Curtis St. Pittston, PA 18640	Testing
Bruce Lampe	9615 Berea St. Philadelphia, PA 19116	Testing
Daniel Loebrich	1830 Frankstown Rd. Johnstown, PA 15902	Testing
Karl May, Jr.	82 Walnut St. Wellsboro, PA 16901	Testing
Jocelyne Melton Baxter Group	941 Progress Rd. Chambersburg, PA 17201	Testing & Mitigation
Thomas Poole Testing Services, Inc.	1844 Swatara St. Harrisburg, PA 17104	Testing
Timothy Quinn, Jr.	322 Mall Blvd., Ste. 305 Monroeville, PA 15146	Testing
RHIS, Inc.	100 Old Kennett Rd. Wilmington, DE 19807	Mitigation
David Scott Rawlings	8001 Rosevelt Blvd., Ste. 400 Philadelphia, PA 19154	Testing
Lloyd Scarborough	600 Valley Rd., A53 Warrington, PA 18976	Testing
Joel Schachter Precise Home Inspections, LLC	2901 Hemlock Farms Lords Valley, PA 18428	Testing
Edward Schluth	472 Indian Crest Dr. Harleysville, PA 19438	Mitigation
John Staz, III	1738 N. 3rd St., Ste. A Harrisburg, PA 17102	Mitigation
Matthew Steger	2133 Andrew Ave. Elizabethtown, PA 17022	Testing

Drinking Water State Revolving Fund Special Notice

Special Notice Under the federal Safe Drinking Water Act (SDWA) (42 U.S.C.A. 300f, et. seq.)

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 East Arthur Gardner Parkway Hazleton, PA 18201	Hazle Township Luzerne 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. The Hazleton City Authority is proposing the construction of a waterline extension to provide potable water service to the Stockton village area. The proposed waterline extension includes the installation of 12-inch waterline approximately 2 miles east along Club 40 Road (Stockton Street) from an existing 12-inch waterline located near the intersection of Broad Street and Club 40 Road. 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 impact resulting from this proposal. The Department hereby approves the Environmental Assessment for the proposed project.

Water Obstruction and Encroachment Permit

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

CDO-005. Consol Pennsylvania Coal Company LLC, 1525 Pleasant Grove Road, PO Box J, Claysville, PA 15323. Tenmile Creek Mitigation Area, South Franklin Township, **Washington County**, Pittsburgh ACOE District (Prosperity, PA Quadrangle, Tenmile Creek project area centroid latitude 40° 04' 30" N, Longitude 80° 19' 31" W). The applicant proposes to offset the stream and wetlands affected by the 4 North #1 Airshaft and Bathhouse Site for Enlow Fork Mine located in Morris Township, Washington County, by developing a restoration site along a portion of Tenmile Creek along State Route 221 located just south of the intersection of State Route 221 and Pleasant Grove Road.

This is a Chapter 105 Water Obstruction and Encroachment permit application and 401 Water Quality Certification request.

In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provision of sections 301—303, 306, and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards. Application Received: June 23, 2013.

Permit Issued: December 22, 2014.

Received—Water Obstruction and Encroachment Permit

CDO-006. AMD Reclamation Inc. (AMDRI), 308 Dents Run Road, Morgantown, WV 26501. Maiden Stream Restoration Project, Dunkard Township, **Greene County**, Pennsylvania, Pittsburgh ACOE District (Morgantown North, WV Quadrangle, Maiden Stream Project area centroid latitude 39° 44' 20" N, Longitude 79° 58' 33" W). The applicant proposes a reclamation project to prevent an unnamed tributary of Dunkard Creek from flowing into underground mine workings as well as reducing safety concerns related to the abandoned mine features. Reclamation of an existing sinkhole and abandoned mine opening will reduce flow to abandoned mine discharges, known as the "Taylortown Discharges 2A & 2B", located down gradient of the project area located south of Taylortown Road, east of Schoolhouse Road, and west of Shelby Lane. Reclamation includes filling the existing sinkhole and abandoned mine opening and re-routing the Unnamed Tributary.

AMDRI is requesting a waiver of permit requirements for restoration activities under the provisions of Chapter 105.12 (a) (16).

Written comments or objections on the request for Section 401 Water Quality Certification or to the issuance of the Water Obstruction and Encroachment Permit may be submitted to the Department within 30 days of the date of this notice to the California District Office, 25 Technology Park, Coal Center, PA 15423, Phone: 724.769.1100. Comments should contain the name, address, and telephone number of the person commenting. Identification of the request for 401 Water quality Certification and Chapter 105 permit application, to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including relevant facts upon which they are based.

The Water Obstruction and Encroachment permit application is available for review at the California District Office, by appointment, at the address listed above. Application Received: November 10, 2014

[Pa.B. Doc. No. 15-99. Filed for public inspection January 16, 2015, 9:00 a.m.]

Availability of the Final Modifications to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5)

The Department of Environmental Protection (Department) finalized modifications to the General Plan Approval and/or Operating Permit (BAQ-GPA/GP-5 or General Permit) for Natural Gas Compression and/or Processing Facilities. The General Permit modifications include the following:

1. Removal of the 100,000-ton per year greenhouse gas emissions applicability threshold for the use of GP-5.
2. Clarifying that the Applicability/Scope of GP-5 applies to all types of natural gas-fired compressors.
3. Addition of an annual compliance certification requirement signed by a Responsible Official.
4. Clarifying that EPA Method 323 is the appropriate test method to determine formaldehyde emissions.

5. Deletion of references to 40 CFR Part 63, Subpart HH (relating to National emission standards for hazardous air pollutants from oil and natural gas production facilities).

6. Other minor clarifying modifications.

The notice of availability of the proposed GP-5 modifications was published at 44 Pa.B. 7243 (November 15, 2014). The Department received written comments on the proposed amendments from ten commentators during the 45-day comment period, as required under 25 Pa. Code § 127.612 (relating to public notice and review period). A comment and response document has been prepared, which summarizes the Department's response to the comments.

BAQ-GPA/GP-5 applies to the construction, modification and/or operation of any natural gas compression and/or a gas processing facility. The modified General Permit is now available for use by qualifying applicants. Applicants may seek authorization to use GP-5 by submitting the General Permit application to the appropriate Department regional office. Applicants must receive the Department's written approval prior to constructing and/or operating sources under this General Permit.

A copy of the General Permit with related documents can be obtained by contacting Maisha Webb, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-9702. The documents have also been placed on the Department's web site www.dep.state.pa.us (DEP Keywords: "Air Permits").

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 15-100. Filed for public inspection January 16, 2015, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at www.elibrary.dep.state.pa.us. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.²

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final Technical Guidance Documents: Substantive Revisions

DEP ID: 383-3301-106. **Title:** Turbidity and LT2 ESWTR Reporting Instructions for Public Water Systems Using Filtered Surface Water or GUDI Sources. **Description:** The Department provides accredited laboratory and public water supplier staff with the information necessary to properly report filtered surface water or Groundwater Under the Direct Influence of Surface Water (GUDI) turbidity monitoring data and to complete electronic Safe Drinking Water Act forms under the safe drinking water program. This manual establishes uniform instructions and protocol for completing the electronic forms and for implementing the public drinking water reporting requirements for turbidity and recent additional treatment requirement reporting under the long Term 2 Enhanced Surface Water Treatment Rule (LT2 ESWTR) for public water systems (PWS) using surface water or GUDI sources. This guidance applies to PWSs that are required to submit public drinking water turbidity data, including for the recent requirements for the LT2 ESWTR reporting to the Department. Notice of availability of the draft guidance was published at 44 Pa.B. 6995 (November 1, 2014) for a 30-day comment period ending December, 1, 2014; no public comments were received.

Contact: Pauline Risser-Clemens, (717) 772-5970, prissercle@pa.gov.

Effective Date: January 17, 2015

DEP ID: 820-4000-001. **Title:** Standards and Guidelines for Identifying, Tracking, and Resolving Oil and Gas Violations. **Description:** This policy provides direction to District Oil and Gas Operations staff in following a consistent approach in identifying, tracking and resolving violations. It also provides standards and guidelines for initiating, documenting and resolving water supply investigation requests. It outlines the enforcement actions the Department may pursue to achieve compliance with applicable laws and regulations related to conventional and unconventional oil and gas development. The policy also provides advisory information to the regulated industry. The finalization of this document replaces the previous policies "Compliance Monitoring of Oil and Gas Wells and Related Facilities and Activities" (550-3000-001) and "Enforcement Actions by the Department's Oil and Gas Management Program" (550-4000-001). Revisions were necessary to reflect changes to the organizational structure of the Department and to update the policies and procedures to reflect current oil and gas development activities in this Commonwealth. Notice of availability of the draft guidance was published at 44 Pa.B. 6290 (October 4, 2014) as a substantive revision to document 550-3000-001 for a 30-day comment period that was extended at 44 Pa.B. 6853 (October 25, 2014) for an additional 15 days to November 18, 2014. The final guidance has been renumbered to reflect the reorganization of the Office of Oil and Gas Management.

Contact: John Ryder, (570) 327-3636, ra-epoilandgas@pa.gov.

Effective Date: January 17, 2015

Final Technical Guidance Documents: Rescissions

DEP ID: 550-3000-001. **Title:** Compliance Monitoring of Oil and Gas Wells and Related Facilities and Activities. **Description:** The purpose of this guidance document was to provide the Department's interpretation of applicable laws and regulations, and to provide instructional guidance to oil and gas operators as well as Department staff. With the finalization of the "Standards and Guidelines for Identifying, Tracking, and Resolving Oil and Gas Violations" (820-4000-001), this policy is outdated and is therefore being rescinded.

Contact: John Ryder, (570) 327-3636, ra-epoilandgas@pa.gov.

Effective Date: January 17, 2015

DEP ID: 550-4000-001. **Title:** Enforcement Actions by the Department's Oil and Gas Management Program. **Description:** The purpose of this document was to provide guidance to the Department's Oil and Gas Management staff in determining what courses of enforcement to pursue to resolve violations and bring about compliance, and to provide advisory information to the regulated industry. With the finalization of the "Standards and Guidelines for Identifying, Tracking, and Resolving Oil and Gas Violations" (820-4000-001), this policy is outdated and is therefore being rescinded.

Contact: John Ryder, (570) 327-3636, ra-epoilandgas@pa.gov.

Effective Date: January 17, 2015

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 15-101. Filed for public inspection January 16, 2015, 9:00 a.m.]

Oil and Gas Technical Advisory Board Meeting Cancellation

The Oil and Gas Technical Advisory Board (Board) meeting scheduled for Thursday, January 22, 2015, has been cancelled. The next board meeting is scheduled for Thursday, March 5, 2015, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

For additional information, contact Kurt Klapkowski, (717) 772-2199, kklapkowski@pa.gov. The agenda and materials for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (select "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Kurt Klapkowski at (717) 772-2199 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 15-102. Filed for public inspection January 16, 2015, 9:00 a.m.]

Recycling Grant Awards under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (Department) announces the following grants to municipalities for recycling programs under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P. S. § 4000.902). Over \$16.8 million in grant funding was awarded to 120 municipalities as follows.

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed by the Department of Community and Economic Development under the Municipalities Financial Recovery Act (53 P. S. §§ 11701.101—11701.712), also known as the Financially Distressed Municipalities Act, are eligible for 100% of approved costs. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of the act (53 P. S. §§ 4000.701 and 4000.702) and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mark Vottero, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382, mvottero@pa.gov.

<i>Municipality/County</i>	<i>Project</i>	<i>Award</i>
Southeast Region		
Bristol Township Bucks County	Curbside Recycling and Educational Programs	\$116,957
Lower Southampton Township Bucks County	Curbside Recycling Collection Program	\$249,975
Northampton Township Bucks County	Curbside Recycling Collection Program	\$249,975
Quakertown Borough Bucks County	Leaf Waste Processing and Curbside Recycling	\$225,000
Upper Southampton Township Bucks County	Curbside Recycling Collection Program	\$250,000
Chester County Chester County	Curbside Recycling and Community Events	\$9,219
Chester County Solid Waste Authority Chester County	Leaf Waste Facility	\$250,000
East Brandywine Township Chester County	Curbside Recycling and Educational Programs	\$178,119
Upper Uwchlan Township Chester County	Curbside Collection and Education Programs	\$145,354
West Bradford Township Chester County	Leaf Waste Processing Center	\$204,057
West Brandywine Township Chester County	Curbside Recycling Program	\$150,972
Aldan Borough Delaware County	Curbside Recycling Program	\$5,670
Eddystone Borough Delaware County	Curbside Recycling and Educational Program	\$222,084
Milbourne Borough Delaware County	Program Development and Curbside Collection Program	\$10,345
Nether Providence Township Delaware County	Leaf Waste Processing and Collection Programs	\$163,740
Norwood Borough Delaware County	Curbside Recycling and Leaf Waste Collection Programs	\$69,460
Ridley Township Delaware County	Curbside Recycling Collection Program	\$177,706
Cheltenham Township Montgomery County	Curbside Recycling Collection Program	\$250,000
Douglass Township Montgomery County	Recycling and Compost Facility	\$130,732
East Norriton Township Montgomery County	Leaf Waste Processing Program	\$250,000
Lower Merion Township Montgomery County	Leaf Waste Processing and Curbside Collection Programs	\$250,000

NOTICES

373

<i>Municipality / County</i>	<i>Project</i>	<i>Award</i>
Plymouth Township Montgomery County	Leaf Waste Collection Program	\$200,178
Rockledge Borough Montgomery County	Curbside Recycling Collection Programs	\$72,969
Springfield Township Montgomery County	Leaf Waste Collection Program	\$110,949
Upper Dublin Township Montgomery County	Curbside Recycling and Educational Programs	\$245,570
Upper Hanover Township Montgomery County	Recycling Program Development	\$6,514
Upper Moreland Township Montgomery County	Curbside Recycling Collection Program	\$171,932
Whitemarsh Township Montgomery County	Leaf Waste Collection Program	\$108,472
Northeast Region		
Lehighon Borough Carbon County	Curbside Recycling and Community Events Program	\$125,421
Carbondale City Lackawanna County	Curbside Recycling and Education Program	\$20,037
Lackawanna County Lackawanna County	Recycling Education Program	\$16,272
Scranton City Lackawanna County	Curbside Recycling Program	\$250,000
Allentown City Lehigh County	Leaf Waste Processing Program	\$250,000
Catasauqua Borough Lehigh County	Curbside Recycling and Education Programs	\$20,212
Fountain Hill Borough Lehigh County	Leaf Waste Collection and Education Program	\$59,479
Black Creek Township Luzerne County	Drop-off Recycling and Education Programs	\$17,384
Dallas Borough Luzerne County	Leaf Waste Collection Program	\$4,462
Dallas Township Luzerne County	Leaf Waste Collection and Processing Programs	\$192,313
Dupont Borough Luzerne County	Leaf Waste Collection Program	\$153,104
Edwardsville Borough Luzerne County	Curbside Recycling and Leaf Waste Site	\$60,627
Forty Fort Borough Luzerne County	Curbside Recycling and Leaf Waste Programs	\$127,170
Kingston Borough Luzerne County	Curbside Recycling Program	\$250,000
Pittston City Luzerne County	Curbside Recycling and Education Programs	\$102,013
Pittston Township Luzerne County	Curbside Recycling Program	\$16,897
Wilkes-Barre City Luzerne County	Curbside Recycling Program	\$147,600
Wyoming Borough Luzerne County	Curbside Recycling and Education Programs	\$17,925
Borough of Delaware Water Gap Monroe County	Curbside Recycling and Education Program	\$1,445
East Stroudsburg Borough Monroe County	Curbside Recycling and Leaf Waste Programs	\$245,799

<i>Municipality / County</i>	<i>Project</i>	<i>Award</i>
Middle Smithfield Township Monroe County	Leaf Waste Collection and Processing Programs	\$249,660
Monroe County MWMA Monroe County	Drop-off Recycling and Recycling Center	\$250,000
Polk Township Monroe County	Drop-off Recycling and Leaf Waste Program	\$246,766
Stroud Township Monroe County	Leaf Waste Processing Program	\$250,000
First Regional Compost Authority Northampton County	Leaf Waste Program	\$250,000
Forks Township Northampton County	Curbside Recycling Program	\$250,000
Hanover Township Northampton County	Curbside Recycling Program	\$68,957
Palmer Township Northampton County	Recycling Center	\$250,000
Tatamy Borough Northampton County	Curbside Recycling Program	\$10,926
Upper Nazareth Township Northampton County	Recycling Center and Leaf Waste Collection	\$71,393
Walnutport Borough Northampton County	Curbside Recycling Program	\$55,334
Williams Township Northampton County	Leaf Waste Processing Center	\$12,924
Rush Township Schuylkill County	Leaf Waste Collection Program	\$64,532
Schuylkill Haven Borough Schuylkill County	Curbside Recycling and Leaf Waste Processing	\$124,466
Susquehanna County Susquehanna County	Recycling Center	\$163,734
South Central Region		
Amity Township Berks County	Curbside and Drop-off Recycling Programs	\$32,293
Kenhorst Borough Berks County	Leaf Waste Collection and Processing Programs	\$114,848
Leesport Borough Berks County	Compost Site Development and Curbside Recycling Program	\$55,283
Mohnton Borough Berks County	Recycling Collection and Educational Programs	\$207,612
Reading City Berks County	Recycling Center and Collection Programs	\$250,000
Shillington Borough Berks County	Leaf Waste Collection and Processing Programs	\$216,267
Sinking Spring Township Berks County	Leaf Waste Collection and Development Programs	\$125,075
Spring Township Berks County	Leaf Waste Center and Recycling Collection Programs	\$247,620
West Reading Borough Berks County	Leaf Waste and Curbside Recycling Programs	\$104,286
Antis Township Blair County	Drop-off Recycling Program	\$77,678
Blair County IRC Blair County	Recycling Center and Compost Processing Program	\$250,000
Middlesex Township Cumberland County	Leaf Waste Processing and Recycling Education Programs	\$14,625
Shippensburg Borough Cumberland County	Curbside Recycling Collection and Education Programs	\$250,000

NOTICES

375

<i>Municipality / County</i>	<i>Project</i>	<i>Award</i>
Silver Spring Township Cumberland County	Leaf Waste Collection and Recycling Education Programs	\$165,000
Lower Paxton Township Dauphin County	Leaf Waste Processing Program	\$225,000
Chambersburg Borough Franklin County	Leaf Waste Recycling Center	\$225,000
Columbia Borough Lancaster County	Curbside Recycling and Leaf and Food Waste Site	\$102,015
Lancaster City Lancaster County	Curbside and Leaf Waste Collection Programs	\$195,316
Lancaster County SWMA Lancaster County	Leaf Waste Processing Program	\$225,000
Rapho Township Lancaster County	Leaf Waste Compost Facility	\$163,886
Annville Township Lebanon County	Leaf Waste Collection Program	\$245,253
Lebanon City Lebanon County	Leaf Waste Program	\$225,000
North Lebanon Township Lebanon County	Leaf Waste Processing Program	\$250,000
West Lebanon Township Lebanon County	Leaf Waste Collection and Compost Facility	\$62,141
Hanover Borough York County	Drop-off Recycling and Education Program	\$158,857
Penn Township York County	Recycling Facility	\$249,999
Red Lion Borough York County	Curbside Recycling and Education Programs	\$5,355
Springettsbury Township York County	Community Event Recycling Program	\$4,668
Windsor Township York County	Leaf Waste Collection Program	\$148,578
York County SW and RA York County	Curbside Recycling Program	\$250,000
North Central Region		
Northern Tier Solid Waste Authority Bradford County	Processing Center and Drop-off Recycling Programs	\$249,998
County of Cameron Cameron County	Drop-off Recycling Program	\$89,174
Clearfield County SWA Clearfield County	Recycling Educational Program	\$17,277
Old Lycoming Township Lycoming County	Leaf Waste Collection and Processing Programs	\$147,836
Danville Borough Montour County	Leaf Waste Collection and Educational Program	\$67,554
Kulpmont Borough Northumberland County	Curbside Recycling and Educational Programs	\$76,191
Northumberland Borough Northumberland County	Recycling Facility	\$54,011
Sunbury City Municipal Authority Northumberland County	Recycling Processing Center	\$250,000
Southwest Region		
Allegheny County Allegheny County	School Recycling and Special Events Recycling	\$72,000
Carnegie Borough Allegheny County	Leaf Waste Collection Program	\$75,544

<i>Municipality / County</i>	<i>Project</i>	<i>Award</i>
Municipality of Monroeville Allegheny County	Curbside Recycling Program	\$250,000
North Fayette Township Allegheny County	Curbside Recycling Collection Program	\$250,000
O'Hara Township Allegheny County	Leaf Waste Processing Program	\$33,461
South Park Township Allegheny County	Recycling Education Program	\$8,978
Upper Saint Clair Township Allegheny County	Curbside Recycling Program	\$250,000
Wilkins Township Allegheny County	Curbside Recycling Collection Program	\$47,587
Brighton Township Beaver County	Recycling Drop-off Program	\$43,987
New Brighton Borough Beaver County	Leaf Waste, Curbside and Recycling Education	\$44,255
Cambria County Solid Waste Authority Cambria County	Curbside Recycling Program	\$250,000
Johnstown City Cambria County	Curbside Recycling and Educational Programs	\$79,595
Westmont Borough Cambria County	Leaf Waste, Curbside and Educational Programs	\$29,632
Washington City Washington County	Leaf Waste Collection and Compost Facility	\$63,000
Westmoreland County Westmoreland County	Recycling Processing Facility	\$55,143
Northwest Region		
City of Meadville Crawford County	Curbside Recycling and Leaf Waste Program	\$202,746
Mercer County Mercer County	Curbside Recycling Program	\$103,380
City of Oil City Venango County	Curbside Recycling and Educational Programs	\$139,615
Warren City Warren County	Curbside Recycling and Leaf Waste Program	\$139,635

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 15-103. Filed for public inspection January 16, 2015, 9:00 a.m.]

DEPARTMENT OF HEALTH

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):

Barbara J. Egan Nursing and Rehabilitation Center
200 Luther Road
Shrewsbury, PA 17361
FAC ID # 970902

Skilled Care Center at UTZ Terrace
2100 UTZ Terrace
Hanover, PA 17331
FAC ID # 17620201

Wood River Village
3200 Bensalem Boulevard
Bensalem, PA 19020
FAC ID # 233802

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. 15-104. Filed for public inspection January 16, 2015, 9:00 a.m.]

Scope of Practice for Emergency Medical Service Providers; Update to 2014 Notice

In the notice published at 44 Pa.B. 7487 (November 29, 2014), the Department of Health (Department) published the scope of practice for emergency medical service (EMS) providers under 35 Pa.C.S. §§ 8101—8157 (relating to Emergency Medical Services System Act). This notice updates the notice published at 44 Pa.B. 7487. Changes to the scope of practice for EMS providers follow.

Under 28 Pa. Code §§ 1023.24(d)(1), 1023.25(d)(1), 1023.26(d)(1), 1023.27(d)(1), 1023.28(d), 1023.29(d) and 1023.30(e), the Department of Health is publishing the scope of practice for emergency medical responders (EMR), emergency medical technicians (EMT), advanced emergency medical technicians (AEMT), paramedics (P), prehospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital physicians (PHP) under 35 Pa.C.S. §§ 8101—8157.

Skills identified may be performed by an EMS provider at the provider's level of certification or registration only if the provider has successfully completed the approved education (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate. EMRs, EMTs, AEMTs and Ps may only perform the skills identified, through either Statewide or other Department-approved protocols, or skills that may be ordered online by a medical command physician.

As the following chart indicates, a PHRN, PHPE and PHP may perform all skills identified as within a P's scope of practice. Each of these EMS providers may perform additional skills as outlined as follows.

A PHRN who is appropriately credentialed by the EMS agency medical director may perform other services authorized by The Professional Nursing Law (63 P.S. §§ 211—225.5), when authorized by a medical command physician through either online medical command or through the applicable Statewide or Department-approved EMS protocols.

A PHPE who is appropriately credentialed by the EMS agency medical director may perform services within the scope of practice of a physician assistant under the Medical Practice Act of 1985 (63 P.S. §§ 422.1—422.51a) or the Osteopathic Medical Practice Act (63 P.S. §§ 271.1—271.18), when authorized by a medical com-

mand physician through either online medical command or through applicable Statewide or Department-approved EMS protocols. When a PHPE functions as an EMS provider, the physician supervision requirements applicable to a physician assistant under the Medical Practice Act of 1985 and the Osteopathic Medical Practice Act do not apply.

A PHP who is appropriately credentialed by the EMS agency medical director may perform skills within a P's scope of practice and other skills within the practice of medicine or osteopathic medicine. A PHP may not perform a skill that the PHP has not been educated and trained to perform.

Under 28 Pa. Code § 1023.1(a)(1)(vi) and (vii) (relating to EMS agency medical director), the EMS agency medical director must make an initial assessment of each EMS provider at or above the AEMT level, and then within 12 months of each prior assessment, to determine whether the EMS provider has the knowledge and skills to competently perform the skills within the EMS provider's scope of practice, and a commitment to adequately perform other functions relevant to the EMS provider providing EMS at that level. EMS providers at or above the AEMT level may only perform skills that the EMS agency medical director has credentialed them to perform.

The Department highlights the following changes to the skills listed since this notice was last published at 44 Pa.B. 7487. The Department is phasing-in changes for some of the skills listed as indicated with a footnote added to those skills now being phased-in. Additionally, the following skills, which have been numbered in the same manner as on the skills list that follows, have been revised as described:

8—The description of the skill (chest tube thoracostomy, monitoring of existing tube in a closed system) was expanded to provide examples of types of closed systems.

11 and 12—The applicable scope of practice for the skill (Biphasic positive airway pressure (BiPAP)) has been revised to distinguish between patients chronically on BiPAP for more than 48 hours and patients acutely on BiPAP for less than 48 hours.

48 and 49—The applicable scope of practice for the skill (ventilators, transport) was revised to distinguish between types of patients for whom the skill is being provided based upon the patient's ultimate destination.

109—This skill now contains a new footnote relating to the administration of Naloxone and clarifies the specific training that is required before this skill can be performed by EMRs and EMTs.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Richard Gibbons, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

	Category	Skill	EMR	EMT	AEMT	P*
1	Airway/Ventilation/Oxygenation	Airway—Nonsurgical Alternative/Rescue Airway—CombiTube™, King LT-D Airway™, or King LTS-D Airway™	No	No	Yes	Yes
2	Airway/Ventilation/Oxygenation	Airway—Oropharyngeal (OPA) & Nasopharyngeal (NPA)	Yes	Yes	Yes	Yes
3	Airway/Ventilation/Oxygenation	Airway—Pharyngeal tracheal lumen (PTL)	No	No	No	No
4	Airway/Ventilation/Oxygenation	Bag-valve-ETT/Nonsurgical alternative airway ventilation	Yes ²	Yes ²	Yes	Yes
5	Airway/Ventilation/Oxygenation	Bag-valve-ventilation—with in-line small-volume nebulizer	No	Yes ²	Yes	Yes
6	Airway/Ventilation/Oxygenation	Bag-valve-mask (BVM) ventilation	Yes	Yes	Yes	Yes
7	Airway/Ventilation/Oxygenation	Chest decompression—needle	No	No	No	Yes
8	Airway/Ventilation/ Oxygenation	Chest tube thoracostomy, monitoring of existing tube in a closed system (for example water seal or suction)	No	No	No	No
9	Airway/Ventilation/Oxygenation	Chest tube thoracostomy, acute insertion	No	No	No	No
10	Airway/Ventilation/Oxygenation	Continuous positive airway pressure (CPAP)	No	Yes ¹	Yes	Yes
11	Airway/Ventilation/Oxygenation	Biphasic positive airway pressure (BiPAP) for patients chronically on BiPAP for >48 hours	No	No	No	Yes
12	Airway/Ventilation/Oxygenation	Biphasic positive airway pressure (BiPAP) for patients acutely on BiPAP for <48 hours	No	No	No	No
13	Airway/Ventilation/Oxygenation	Cricothyrotomy—needle	No	No	No	Yes
14	Airway/Ventilation/Oxygenation	Cricothyrotomy—open/surgical	No	No	No	Yes
15	Airway/Ventilation/Oxygenation	Cricothyrotomy—overwire (Seldinger) technique	No	No	No	Yes
16	Airway/Ventilation/Oxygenation	End tidal CO ₂ monitoring/capnography	No	No	Yes	Yes
17	Airway/Ventilation/Oxygenation	Esophageal obturator airway (EOA)/esophageal gastric tube airway (EGTA)	No	No	No	No
18	Airway/Ventilation/Oxygenation	Extubation—removal of ETT	No	No	No	Yes
19	Airway/Ventilation/Oxygenation	Gastric decompressions—Orogastric or nasogastric tube insertion	No	No	No	Yes
20	Airway/Ventilation/Oxygenation	Gastric decompression by means of alternative/rescue airway (CombiTube™ or King LTS-D™)	No	No	Yes	Yes
21	Airway/Ventilation/Oxygenation	Head-tilt/chin lift	Yes	Yes	Yes	Yes
22	Airway/Ventilation/Oxygenation	Inspiratory Impedance Threshold Device (ITD)	No	No	Yes ¹	Yes
23	Airway/Ventilation/Oxygenation	Endotracheal Intubation—by direct laryngoscopy (including video intubation devices), nasotracheal, digital, and transillumination/lighted stylet techniques	No	No	No	Yes
24	Airway/Ventilation/Oxygenation	Endotracheal Intubation—paralytic assisted, rapid sequence induction (RSI)	No	No	No	No
25	Airway/Ventilation/Oxygenation	Ventilation—maintenance of previously initiated neuromuscular blockade	No	No	No	No
26	Airway/Ventilation/Oxygenation	Endotracheal Intubation—retrograde technique	No	No	No	No
27	Airway/Ventilation/Oxygenation	Jaw thrust and modified jaw thrust (trauma)	Yes	Yes	Yes	Yes
28	Airway/Ventilation/Oxygenation	Laryngeal mask airway (LMA)	No	No	No	No

	Category	Skill	EMR	EMT	AEMT	P*
29	Airway/Ventilation/Oxygenation	Mouth-to-mouth, nose, stoma, barrier and pocket mask	Yes	Yes	Yes	Yes
30	Airway/Ventilation/Oxygenation	Obstruction—direct laryngoscopy (remove with forceps)	No	No	No	Yes
31	Airway/Ventilation/Oxygenation	Obstruction—manual (abdominal thrusts, finger sweep, chest thrusts) upper airway	Yes	Yes	Yes	Yes
32	Airway/Ventilation/Oxygenation	Oxygen therapy—blow-by delivery	Yes	Yes	Yes	Yes
33	Airway/Ventilation/Oxygenation	Oxygen therapy—humidifiers	No	Yes	Yes	Yes
34	Airway/Ventilation/Oxygenation	Oxygen therapy—nasal cannula	Yes	Yes	Yes	Yes
35	Airway/Ventilation/Oxygenation	Oxygen therapy—non-rebreather	Yes	Yes	Yes	Yes
36	Airway/Ventilation/Oxygenation	Oxygen therapy—partial rebreather	No	Yes	Yes	Yes
37	Airway/Ventilation/Oxygenation	Oxygen therapy—regulators	Yes	Yes	Yes	Yes
38	Airway/Ventilation/Oxygenation	Oxygen therapy—simple face mask	No	Yes	Yes	Yes
39	Airway/Ventilation/Oxygenation	Oxygen therapy—Venturi mask	No	Yes	Yes	Yes
40	Airway/Ventilation/Oxygenation	Peak expiratory flow assessment	No	No	Yes	Yes
41	Airway/Ventilation/Oxygenation	Suctioning—meconium aspiration	No	No	No	Yes
42	Airway/Ventilation/Oxygenation	Suctioning—stoma/tracheostomy	Yes	Yes	Yes	Yes
43	Airway/Ventilation/Oxygenation	Suctioning—tracheobronchial by means of advanced airway	No	Yes ²	Yes	Yes
44	Airway/Ventilation/Oxygenation	Suctioning—upper airway (nasal)	Yes	Yes	Yes	Yes
45	Airway/Ventilation/Oxygenation	Suctioning—upper airway (oral)	Yes	Yes	Yes	Yes
46	Airway/Ventilation/Oxygenation	Transtracheal jet ventilation	No	No	No	Yes
47	Airway/Ventilation/Oxygenation	Single mode, volume controlled automated ventilator (without blender)	No	Yes	Yes	Yes
48	Airway/Ventilation/Oxygenation	Ventilators, transport—used in multi-modal settings, blended gas transport ventilator on patients >1 year of age and ventilated >48 hours and no anticipated need to actively titrate ventilator settings in patients transported to or from residence, skilled nursing facility, rehabilitation hospital or long term acute care hospital (LTACH)	No	No	No	Yes ^{1,5}
49	Airway/Ventilation/Oxygenation	Ventilators, transport—used in multi-modal settings, blended gas transport ventilator on patients >1 year of age and ventilated >48 hours and no anticipated need to actively titrate ventilator settings in patients transported between acute care hospitals	No	No	No	No ⁵
50	Airway/Ventilation/Oxygenation	Ventilators, transport—used in multi-modal settings, blended gas transport ventilator on patients ventilated <48 hours or anticipated need to actively titrate ventilator settings	No	No	No	No ⁵
51	Airway/Ventilation/Oxygenation	Ventilators—transport	No	No	No	Yes ⁴
52	Cardiovascular/Circulation	Blood pressure—auscultation	Yes	Yes	Yes	Yes
53	Cardiovascular/Circulation	Blood pressure—electronic non-invasive	Yes	Yes	Yes	Yes
54	Cardiovascular/Circulation	Blood pressure—palpation	Yes	Yes	Yes	Yes
55	Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—apply electrodes for single leads	No	Yes ²	Yes ²	Yes
56	Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—obtain and transmit 12-lead ECG	No	No	Yes	Yes

	Category	Skill	EMR	EMT	AEMT	P*
57	Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—12-lead (interpret)	No	No	No	Yes
58	Cardiovascular/Circulation	Cardiac monitoring—single lead (interpret)	No	No	No	Yes
59	Cardiovascular/Circulation	Manual chest compressions—adult, child, infant	Yes	Yes	Yes	Yes
60	Cardiovascular/Circulation	Cardioversion—synchronized	No	No	No	Yes
61	Cardiovascular/Circulation	Carotid massage (vagal maneuvers)	No	No	No	Yes
62	Cardiovascular/Circulation	Defibrillation—counter shock—manual	No	No	No	Yes
63	Cardiovascular/Circulation	Transcutaneous cardiac pacing	No	No	No	Yes
64	Cardiovascular/Circulation	Transvenous or Epicardial pacing, Management of	No	No	No	No
65	Cardiovascular/Circulation	Defibrillation—automated external defibrillator (AED)	Yes	Yes	Yes	Yes
66	Cardiovascular/Circulation	Hemodynamic monitoring/assist (Swan Ganz, central venous pressure)	No	No	No	No
67	Cardiovascular/Circulation	Intra-aortic balloon pump or invasive cardiac assist device monitoring/assist	No	No	No	No
68	Cardiovascular/Circulation	Mechanical chest compression device use	No	Yes ¹	Yes ¹	Yes ¹
69	Cardiovascular/Circulation	Thrombolytic therapy—initiation	No	No	No	No
70	Cardiovascular/Circulation	Thrombolytic therapy—monitoring	No	No	No	No
71	IV Initiation/Maintenance/Fluids	Central venous cannulation/insertion	No	No	No	No
72	IV Initiation/Maintenance/Fluids	Central venous line—access of existing catheters with external ports	No	No	No	Yes
73	IV Initiation/Maintenance/Fluids	External jugular vein cannulation	No	No	No	Yes
74	IV Initiation/Maintenance/Fluids	Saline lock insertions as no-flow IV	No	No	Yes	Yes
75	IV Initiation/Maintenance/Fluids	Intraosseous—needle placement and infusion—tibia, femur and humerus	No	No	Yes ³	Yes
76	IV Initiation/Maintenance/Fluids	IV insertion, peripheral venous—initiation (cannulation)	No	No	Yes	Yes
77	IV Initiation/Maintenance/Fluids	Sub-cutaneous indwelling catheters—access of existing catheters	No	No	No	No
78	IV Initiation/Maintenance/Fluids	Venous blood sampling, peripheral—for clinical diagnostic purposes only, not for legal purposes	No	No	Yes ³	Yes
79	IV Initiation/Maintenance/Fluids	Venous central line (blood sampling)—obtaining	No	No	No	No
80	IV Initiation/Maintenance/Fluids	Arterial line—capped—transport	No	Yes	Yes	Yes
81	IV Initiation/Maintenance/Fluids	Arterial line—monitoring/assist	No	No	No	No
82	IV Initiation/Maintenance/Fluids	Blood/Blood-by-products administration (initiation and continuation)	No	No	No	No
83	Lifting & Moving	Patient lifting, moving and transfers	Yes	Yes	Yes	Yes
84	Lifting & Moving	Patient restraints on transport devices	Yes	Yes	Yes	Yes
85	Medication administration routes	Endotracheal (ET)	No	No	No	Yes
86	Medication administration routes	Inhalation (aerosolized/nebulized)	No	No	Yes	Yes
87	Medication administration routes	Intramuscular (IM)	No	No	Yes	Yes
88	Medication administration routes	Intranasal	No	No	Yes	Yes
89	Medication administration routes	Intraosseous—tibia, humerus, or femur	No	No	No	Yes
90	Medication administration routes	Intravenous (IV)—fluid bolus	No	No	Yes	Yes

	Category	Skill	EMR	EMT	AEMT	P*
91	Medication administration routes	Intravenous (IV)—monitoring or maintaining existing intravenous infusion (crystalloid fluid as published in the EMS medication list in the <i>Pennsylvania Bulletin</i>) during interfacility transport	No	No	Yes	Yes
92	Medication administration routes	Intravenous (IV) infusion, with added medication, including by intravenous pump	No	No	No	Yes
93	Medication administration routes	Nasogastric	No	No	No	Yes
94	Medication administration routes	Enteral feeding devices, management of	No	No	No	No
95	Medication administration routes	Oral—glucose and aspirin (other medications addressed elsewhere)	No	Yes	Yes	Yes
96	Medication administration routes	Rectal	No	No	No	Yes
97	Medication administration routes	Subcutaneous	No	No	Yes	Yes
98	Medication administration routes	Sublingual (<i>Note: EMT may only assist patient with his/her prescribed Nitroglycerin (NTG)</i>)	No	Yes	Yes	Yes
99	Medication administration routes	Topical	No	No	No	Yes
100	Medications	Auto-injector benzodiazepine for seizure	No	No	No	Yes
101	Medications	Auto-injector epinephrine (assist patient with his/her prescribed medication)	No	Yes	Yes	Yes
102	Medications	Auto-injected epinephrine—primary use—not patient's own prescription	No	Yes ¹	Yes	Yes
103	Medications	Medications as published in <i>Pennsylvania Bulletin</i> by the Department	No	No	Yes	Yes
104	Medications	Immunizations as published in the <i>Pennsylvania Bulletin</i> by the Department	No	No	Yes	Yes
105	Medications	Over-the-counter (OTC) medications (<i>Note: aspirin and glucose covered elsewhere</i>)	No	No	No	No
106	Medications	Oxygen	Yes ¹	Yes	Yes	Yes
107	Medications	Auto-injector nerve agent antidote—self rescue treatment	No	Yes ³	Yes ³	Yes
108	Medications	Metered-dose inhaler (MDI) bronchodilator (<i>Note: EMT may only assist patient with his/her own prescribed medication</i>)	No	Yes	Yes	Yes
109	Medications	Naloxone—Intranasal or auto-injector	Yes ⁶	Yes ⁶	Yes	Yes
110	Patient assessment/management	Behavioral—Restrain violent patient	Yes ¹	Yes	Yes	Yes
111	Patient assessment/management	Blood glucose assessment	No	No	Yes	Yes
112	Patient assessment/management	Portable blood analysis devices, use of (glucometer covered elsewhere)	No	No	No	No
113	Patient assessment/management	Childbirth—umbilical cord cutting	Yes	Yes	Yes	Yes
114	Patient assessment/management	Childbirth (abnormal/complications)	No	Yes	Yes	Yes
115	Patient assessment/management	Childbirth (normal)—cephalic delivery	Yes	Yes	Yes	Yes
116	Patient assessment/management	Carbon Monoxide CO-oximetry monitoring	No	Yes ¹	Yes ¹	Yes ¹
117	Patient assessment/management	Carbon Monoxide monitoring, with environmental surveillance devices	Yes	Yes	Yes	Yes
118	Patient assessment/management	Hemodynamic monitoring/assist (Swan Ganz, central venous pressure)	No	No	No	No
119	Patient assessment/management	Dislocation reduction	No	No	No	No

	Category	Skill	EMR	EMT	AEMT	P*
120	Patient assessment/management	Eye irrigation (<i>Note: irrigation through corneal contact device limited to AEMT and Paramedic</i>)	Yes	Yes	Yes	Yes
121	Patient assessment/management	Intracranial monitoring/assist	No	No	No	No
122	Patient assessment/management	Patient management per Statewide EMS Protocols and Department approved protocols	Yes	Yes	Yes	Yes
123	Patient assessment/management	Pulse oximetry monitoring	No	Yes	Yes	Yes
124	Patient assessment/management	Splinting, extremity—manual, rigid, soft, vacuum	No	Yes	Yes	Yes
125	Patient assessment/management	Splinting, femur—traction	No	Yes	Yes	Yes
126	Patient assessment/management	Urinary catheterization	No	No	No	No
127	Patient assessment/management	Wound care, dressing, bandaging	Yes	Yes	Yes	Yes
128	Patient assessment/management	Wound care, removal of Taser probe/barb	No	No	No	No
129	Patient assessment/management	Wound drainage vacuum devices, monitoring	No	Yes	Yes	Yes
130	Patient assessment/management	Wound care, hemorrhage control—direct pressure, tourniquet, bandaging, hemostatic agents	Yes	Yes	Yes	Yes
131	Patient assessment/management	Wound care, irrigation and skin closure with tape or adhesive glue	No	No	No	No
132	Spine Care	Restrict spinal motion—Cervical collar application	No	Yes	Yes	Yes
133	Spine Care	Restrict spinal motion—Helmet removal or stabilization	No	Yes	Yes	Yes
134	Spine Care	Restrict spinal motion—manual cervical spine stabilization	Yes	Yes	Yes	Yes
135	Spine Care	Restrict spinal motion—rapid extrication with precautions to restrict spinal movement	No	Yes	Yes	Yes
136	Spine Care	Devices to restrict spinal motion—for example—vacuum mattress, extrication devices, scoop stretcher and spine board)	No	Yes	Yes	Yes

EMR—Emergency Medical Responder

EMT—Emergency Medical Technician

AEMT—Advanced Emergency Medical Technician

P*—Paramedic (*includes-PHRN/PHPE/PHP)

No—The skill is not in the scope of practice for the level of certification.

Yes—The skill is in the scope of practice for the level of certification.

1. Additional training and authorization by EMS agency medical director is required, and this skill may only be used when functioning with a licensed EMS agency that complies with Department requirements for providing this skill.

2. May assist a P, PHRN, PHPE or PHP with this skill only when in the physical presence of and under the direct supervision of the higher level provider.

3. May perform this skill only in the physical presence of and under the direct supervision of a P, PHRN, PHPE or PHP.

4. After July 1, 2015, Statewide ALS Protocols will include any restrictions placed upon the use of this skill.

5. This revision becomes effective July 1, 2015.

6. Department-approved Act 139 training required and approval of the EMS medical director, and this skill may only be used when functioning with a licensed EMS agency that complies with Department requirements for providing this skill.

[Pa.B. Doc. No. 15-105. Filed for public inspection January 16, 2015, 9:00 a.m.]

Sexual Assault Victim Emergency Services Regulation; Listing of Hospitals that may not Provide Emergency Contraception and Hospitals that may not Provide Any Sexual Assault Emergency Services

The Department of Health (Department) published final-form sexual assault victim emergency services regulations at 38 Pa.B. 573 (January 26, 2008). The sexual assault victim emergency services regulations became effective on January 26, 2008, and amended 28 Pa. Code Part IV, Subpart B (relating to general and special hospitals) to add specific requirements for hospitals relating to the provision of sexual assault emergency services. See 28 Pa. Code §§ 117.51—117.58 (relating to sexual assault victim emergency services).

Hospitals that decide they may not provide emergency contraception due to a stated religious or moral belief contrary to providing this medication are required to give notice to the Department of the decision. See 28 Pa. Code § 117.57 (relating to religious and moral exemptions). Hospitals that refer all emergency patients to other hospitals after institution of essential life-saving measures and decide not to provide any sexual assault emergency services are required to give notice to the Department of the decision. See 28 Pa. Code § 117.58 (relating to exemption for hospitals providing limited emergency services).

Sections 117.57(1)(ii) and 117.58(1)(ii) of 28 Pa. Code state that the Department will annually publish the lists of hospitals in the *Pennsylvania Bulletin* that have chosen not to provide emergency contraception under 28 Pa. Code § 117.57 or any sexual assault emergency services under 28 Pa. Code § 117.58. The following lists are published in accordance with those provisions and do not create any new obligations for hospitals or relieve hospitals of any existing obligations.

Hospitals that may not Provide Emergency Contraception

Under 28 Pa. Code § 117.57(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide emergency contraception due to a stated religious or moral belief:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Holy Spirit Hospital	Camp Hill, 17011
Jersey Shore Hospital	Jersey Shore, 17740
Mercy Fitzgerald Hospital	Darby, 19023
Mercy Philadelphia Hospital	Philadelphia, 19143
Mercy Suburban Hospital	Norristown, 19401
Millcreek Community Hospital	Erie, 16509
Nazareth Hospital	Philadelphia, 19152
Muncy Valley Hospital	Muncy, 17756
Physicians Care Surgical Hospital	Royersford, 19468
Regional Hospital of Scranton	Scranton, 18501
St. Joseph Medical Center	Reading, 19603
St. Mary Medical Center	Langhorne, 19047
UPMC Mercy Hospital	Pittsburgh, 15219
Williamsport Regional Medical Center	Williamsport, 17701

Hospitals that may not Provide any Sexual Assault Emergency Services

Under 28 Pa. Code § 117.58(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide any sexual assault emergency services due to the limited services provided by the hospital:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Allied Services Institute of Rehabilitation—Scranton	Scranton, 18501
John Heinz Institute of Rehabilitation Medicine—Wilkes-Barre	Wilkes-Barre Township, 18702
Millcreek Community Hospital	Erie, 16509
Physicians Care Surgical Hospital	Royersford, 19468
Rothman Orthopedic Specialty Hospital	Bensalem, 19020
Shamokin Area Community Hospital	Coal Township, 17866-9697
Kindred Hospital South Philadelphia	Philadelphia, 19145

Additional information regarding the sexual assault victim emergency services regulations and emergency contraception and an up-to-date list of hospitals not providing emergency contraception under 28 Pa. Code § 117.57 or not providing any sexual assault emergency services under 28 Pa. Code § 117.58 is available on the Department's web site at www.health.state.pa.us.

The notice in the *Pennsylvania Bulletin* or on the Department's web site of the lists of hospitals not providing emergency contraception under 28 Pa. Code § 117.57, or not providing any sexual assault emergency services under 28 Pa. Code § 117.58, may not be deemed an acknowledgement or confirmation by the Department that the hospitals are in compliance with the requirements of the regulations.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 783-8980, fax (717) 772-2163 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 15-106. Filed for public inspection January 16, 2015, 9:00 a.m.]

Special Pharmaceutical Benefits Program Advisory Council Public Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the Department of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public meeting on Thursday, January 29, 2015, from 10

a.m. to 12 p.m. by teleconference at the Health and Welfare Building, 625 Forster Street, Room 129, Harrisburg, PA 17120.

The SPBP Advisory Council will provide program guidance and recommendations to the Department's SPBP in regard to the following: drug formulary; covered lab services; drug utilization review; clinical programs; eligibility; and program management.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact John Haines, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 611, Health and Welfare Building, Harrisburg, PA 17120, (800) 922-9384 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. 15-107. Filed for public inspection January 16, 2015, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Unemployment Compensation; Table Specified for the Determination of Rate and Amount of Benefits

The purpose of this notice is to announce the Table Specified for the Determination of Rate and Amount of Benefits (Table) and the maximum weekly benefit rate for 2015.

The Table, in section 404(e)(1) of the Unemployment Compensation Law (law) (43 P.S. § 804(e)(1)), was amended by the act of June 12, 2012 (P.L. 577, No. 60) (Act 60). Under sections 18 and 20 of Act 60, the amended Table was effective January 1, 2013, and applies to benefit years that begin on or after that date.

As enacted, the amended Table establishes a maximum weekly benefit rate of \$573. Section 404(e)(2)(i) of the law provides that the Table shall be extended or contracted annually to the point where the maximum weekly benefit rate for a calendar year equals 66 2/3% of the average weekly wage for the 36-month period ending on the previous June 30. However, section 404(e)(2)(iii) of the law, as amended by Act 60, contains limitations on the growth of the maximum weekly benefit rate. Section 404(e)(2)(iii) of the law provides that the maximum weekly benefit rate for 2013 through 2019 may not exceed \$573. Therefore, the Department of Labor and Industry is not extending the Table for 2015, and the maximum weekly benefit rate will remain at \$573.

The Table, as amended by Act 60, was published at 43 Pa.B. 378 (January 19, 2013) and is codified in Appendix A to 34 Pa. Code Chapter 65 (relating to employee provisions). Under section 201(a) of the law (43 P.S. § 761(a)), section 404(e)(2) of the law and 34 Pa. Code § 65.111 (relating to benefit table), the Table in Appendix A to 34 Pa. Code Chapter 65 is being adopted by this notice for 2015.

Questions concerning this notice should be directed to Gregg D. Shore, Deputy Secretary for Unemployment Compensation Programs, Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121.

JULIA K. HEARTHWAY,
Secretary

[Pa.B. Doc. No. 15-108. Filed for public inspection January 16, 2015, 9:00 a.m.]

DEPARTMENT OF REVENUE

PICK 2 Terminal-Based Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based lottery game is PICK 2.

2. *Effective Date:* PICK 2 game sales will commence on January 27, 2015 and will continue until the Secretary publicly announces a suspension or termination date.

3. *Price:* A PICK 2 play is \$1.

4. *Description of the PICK 2 game:*

(a) PICK 2 is designed to give players the opportunity to win one prize per play.

(b) *Game Play:* PICK 2 offers players the following primary game play selections: Straight, Box, Front Digit, and Back Digit.

(1) A Straight game play involves two numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9, and requires matching, in the same order, both of the numbers drawn by the Lottery.

(2) A Box game play involves two numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9, and requires matching, in any order, both of the numbers drawn by the Lottery.

(3) A Front Digit game play involves one number, selected by the player or through the Quick Pick option, ranging from 0 to 9. An asterisk will follow the number so a total of two characters will appear on the ticket. A Front Digit play requires matching, in the same order, the first number drawn by the Lottery.

(4) A Back Digit game play involves one number, selected by the player or through the Quick Pick option, ranging from 0 to 9. An asterisk will precede the number so that a total of two characters will appear on the ticket. A Back Digit play requires matching, in the same order, the second number drawn by the Lottery.

(c) *Game Play Combination Options:* In addition to the primary methods of game play described in section 4(b), PICK 2 offers players the opportunity to combine a Straight play and a Box play ("Straight Box") or enter multiple sequences of a single set of numbers as multiple Straight plays ("Super Straight"). These options involve purchasing multiple plays based on a single set of numbers. The player pays \$1 for each play, per section 3. The "Straight Box" and "Super Straight" options operate as follows:

(1) The Straight Box option enters the player's numbers as a Straight play, as described in section 4(b)(1), and a Box play, as described in section 4(b)(2).

(2) The Super Straight option enters the player's numbers as a two Straight plays, described in section 4(b)(1); one for each of the two possible combinations of the player's numbers.

(d) PICK 2 game tickets may be purchased from an authorized retailer or at a Pennsylvania Lottery self-service terminal, also known as a PlayCentral Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and submit a completed PICK 2 bet slip to the authorized retailer. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, and select the drawing date or dates for which the number selection should be entered by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price and a completed PICK 2 bet slip. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, and select the drawing date or dates for which the number selection should be entered by manually entering the information into the Lottery self-service terminal.

(e) Players can win a prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners).

(f) A player may purchase plays for up to seven drawings in advance for either the day drawing or the evening drawing.

(g) A PICK 2 game ticket may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *PICK 2 bet slip and ticket characteristics and restrictions:*

(a) *PICK 2 bet slips.*

(1) PICK 2 bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to make play selections. Using a PICK 2 bet slip, the player may select up to two numbers, each ranging from 0 to 9, the play type for the number selection, and the number of drawings in which the number selection is played. For additional plays desired, a player must complete their number selections in a separate game area on the bet slip (GAME A, GAME B, GAME C, GAME D, and GAME E).

(2) PICK 2 bet slips shall be available at no cost to the player.

(3) Plays shall be selected in accordance with the instructions printed on the PICK 2 bet slip.

(4) A PICK 2 bet slip has no pecuniary or prize value, does not constitute evidence of the purchase of a ticket or the numbers selected, and may not be used to claim a prize.

(5) A PICK 2 bet slip must be completed manually. The use of mechanical, electronic, computer generated or any other nonmanual method of marking bet slips is prohibited.

(6) A player may choose to have their number selection made using the Quick Pick option by marking the box for Quick Pick on the bet slip under each desired GAME area.

(b) *PICK 2 tickets.*

(1) A PICK 2 ticket shall contain one number selection, the drawing date or range of dates for which the number selection is entered, a designation that the ticket is for the day drawing or the night drawing, the cost of the play, the total cost of the ticket, the designation of the type of play, and validation data.

(2) A PICK 2 ticket shall be the only valid proof of the wager(s) placed, and the only valid documentation for claiming a prize.

(3) A PICK 2 ticket shall only be valid for the drawing date or range of dates printed on the ticket.

(4) A separate PICK 2 ticket shall be issued for each number selection but a ticket can be valid for multiple drawing dates.

6. *Time, place and manner of conducting drawings.*

(a) *Time of drawing.* A PICK 2 drawing will be held at a time as determined and publicly announced by the Secretary.

(b) *Place of drawing.* A PICK 2 drawing will be conducted in the Harrisburg, Pennsylvania area unless the Secretary directs and publicly announces that a drawing or part of the drawing procedure will be conducted at another location.

(c) *Manner of conducting drawings.* The Lottery will select, at random, two numbers from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The two numbers selected will be used to determine winners for each individual drawing. The validity of a drawing will be determined solely by the Lottery.

(d) *Special drawings.* The Secretary may announce special drawings to be held in addition to regularly scheduled PICK 2 drawings. A play purchased for a regular drawing shall be valid for that drawing's associated special drawing held on the same date. Plays eligible for a regular drawing's associated special drawing shall be eligible for the prizes as provided in section 7 (relating to prizes available to be won and determination of prize winners).

7. *Prizes available to be won and determination of prize winners:*

(a) The determination of PICK 2 prize winners for a player's number selections correctly matching the winning numbers selected by the Lottery during a regular PICK 2 drawing or an associated special drawing will be as follows:

(1) Holders of a Straight play ticket upon which the player's two numbers match the two winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Straight play and shall be entitled to a prize of \$50.

(2) Holders of a Box play ticket upon which the player's two numbers, each of which are a different number, match the two winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a Box play and shall be entitled to a prize of \$25.

(3) Holders of a Front Digit play ticket upon which the player's one number matches the first of the two winning numbers selected by the Lottery for the drawing in which the player's number selection is entered, shall be the winner of a Front Digit play and shall be entitled to a prize of \$5.

(4) Holders of a Back Digit play ticket upon which the player's one number matches the second of the two winning numbers selected by the Lottery for the drawing in which the player's number selection is entered, shall be the winner of a Back Digit play and shall be entitled to a prize of \$5.

(b) All PICK 2 prize payments will be made as a one-time, lump-sum payment.

(c) A player's winning PICK 2 number selection is entitled only to the highest prize for which it is eligible.

(d) The Lottery reserves the right to stop play on any number or combination of numbers at any time during the course of the PICK 2 game.

(e) The prizes available to be won and the determination of prize winners may be changed at the discretion of the Secretary and will be announced by public notice. Any such changes will apply prospectively to PICK 2 drawings as of the date specified in the public notice.

(f) The Secretary may alter any prize amount stated in section 7(a)(1)–(4) temporarily for marketing or promotional purposes. Such change will be announced by public notice.

8. *Probability of winning.* The following table sets forth all possible ways that a prize can be won for a single play; the probability of winning each prize; and the corresponding prize won.

<i>Win With The Following Types Of Play:</i>	<i>Probability Of Winning Per Play Is 1 In:</i>	<i>Prize Won:</i>
Straight	100	\$50
Box	50	\$25
Front Digit	10	\$5
Back Digit	10	\$5

9. *Retailer Incentive and Marketing Promotion Programs.*

(a) The Lottery may conduct a separate retailer incentive program for retailers who sell PICK 2 tickets as authorized by 61 Pa. Code § 875.17 (relating to retailer promotion programs).

(b) The Pennsylvania Lottery may conduct promotional drawings associated with PICK 2 game. PICK 2 game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular PICK 2 drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 15-109. Filed for public inspection January 16, 2015, 9:00 a.m.]

PICK 3 Terminal-Based Lottery Game

The Secretary of Revenue hereby provides public notice that, effective for ticket sales occurring on or after January 27, 2015, the Pennsylvania Lottery will cease operating The Daily Number game under the regulations at 61 Pa. Code §§ 815.41–815.50, and will begin operating the PICK 3 game in accordance with the terminal-based lottery game regulations at 61 Pa. Code §§ 875.1–875.17 and this game notice.

Under the State Lottery Law (72 P. S. §§ 3761-101–3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based lottery game is PICK 3.

2. *Effective Date:* Effective for ticket sales occurring on or after January 27, 2015 the PICK 3 game will be operated in accordance with the terminal-based lottery game regulations at 61 Pa. Code §§ 875.1–875.17 and this game notice and will continue until the Secretary publicly announces a suspension or termination date.

3. *Price:* The price of a PICK 3 ticket is based on the amount a player wagers for each play on the ticket. The minimum wager is \$.50 per play. Players can wager up to \$5^{.00} per play, in increments of \$.50.

4. *Description of the PICK 3 game:*

(a) PICK 3 is designed to give players the opportunity to win one prize per play.

(b) *Game Play:* PICK 3 offers players the following game play options: Straight, Box, Front Pair, and Back Pair.

(1) A Straight play involves three numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9, and requires matching, in the same order, all three of the numbers drawn by the Lottery.

(2) A Box play involves three numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9, and requires matching, in any order, all three of the numbers drawn by the Lottery.

(3) A Front Pair play involves two numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9. An asterisk will follow the numbers so a total of three characters will appear on the ticket. A Front Pair play requires matching, in the same order, the first two numbers drawn by the Lottery.

(4) A Back Pair play involves two numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9. An asterisk will precede the numbers so that a total of three characters will appear on the ticket. A Back Pair play requires matching, in the same order, the last two numbers drawn by the Lottery.

(c) *Game Play Combination Option:* In addition to the primary methods of game play described in section 4(b), PICK 3 offers players the opportunity to combine a Straight play and a Box play ("Straight Box") or enter multiple sequences of a single set of numbers as multiple Straight plays ("Super Straight"). These options involve purchasing multiple plays based on a single set of numbers. The "Straight Box" and "Super Straight" options operate as follows:

(1) The Straight Box option enters the player's numbers as a \$.50 Straight play, as described in section 4(b)(1), and a \$.50 Box play, as described in section 4(b)(2).

(2) If the player's numbers are all different, the Super Straight option enters the player's numbers as six Straight plays, as described in section 4(b)(1); one for each of the six possible combinations of the player's numbers. If two of the player's numbers are the same the Super Straight option enters the player's numbers as three Straight plays, as described in section 4(b)(1); one for each of the three possible combinations of the player's numbers. The player pays from \$.50 to \$5.00 per play for each Straight play made using the Super Straight option.

(d) PICK 3 game tickets may be purchased from an authorized retailer or at a Pennsylvania Lottery self-service terminal, also known as a PlayCentral Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and submit a completed PICK 3 bet slip to the authorized retailer. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, and select the play amount by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price and a completed PICK 3 bet slip. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, and select the play amount by manually entering the information into the Lottery self-service terminal.

(e) Players can win a prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners).

(f) A player may purchase plays for up to seven drawings in advance for either the day drawing or the evening drawing.

(g) A PICK 3 game ticket may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *PICK 3 bet slip and ticket characteristics and restrictions:*

(a) *PICK 3 bet slips.*

(1) PICK 3 bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to make play selections. Using a PICK 3 bet slip, the player may select up to three numbers, each ranging from 0 to 9, the play type for the number selection, the play amount, and the number of drawings in which the number selection is played. For additional plays desired, a player must complete their number selections in a separate game area on the bet slip (GAME A, GAME B, GAME C, GAME D, and GAME E).

(2) PICK 3 bet slips shall be available at no cost to the player.

(3) Plays shall be selected in accordance with the instructions printed on the PICK 3 bet slip.

(4) A PICK 3 bet slip has no pecuniary or prize value, does not constitute evidence of the purchase of a ticket or the numbers selected, and may not be used to claim a prize.

(5) A PICK 3 bet slip must be completed manually. The use of mechanical, electronic, computer generated or any other nonmanual method of marking bet slips is prohibited.

(6) A player may choose to have their number selection made using the Quick Pick option by marking the box for Quick Pick on the bet slip.

(b) *PICK 3 tickets.*

(1) A PICK 3 ticket shall contain one number selection, the drawing date or range of dates for which the number selection is entered, a designation that the ticket is for the day drawing or the evening drawing, the cost of the play, the total cost of the ticket, the designation of the type of play, and validation data.

(2) A PICK 3 ticket shall be the only valid proof of the wager(s) placed, and the only valid receipt for claiming a prize.

(3) A PICK 3 ticket shall only be valid for the drawing date or range of dates printed on the ticket.

(4) A separate PICK 3 ticket shall be issued for each number selection but a ticket can be valid for multiple drawing dates.

6. *Time, place and manner of conducting drawings.*

(a) *Time of drawing.* A PICK 3 drawing will be held at a time as determined and publicly announced by the Secretary.

(b) *Place of drawing.* A PICK 3 drawing will be conducted in the Harrisburg, Pennsylvania area unless the Secretary directs and publicly announces that a drawing or part of the drawing procedure will be conducted at another location.

(c) *Manner of conducting drawings.* The Lottery will select, at random, three numbers from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The three numbers selected will be used to determine winners for each individual drawing. The validity of a drawing will be determined solely by the Lottery.

(d) *Special drawings.* The Secretary may announce special drawings to be held in addition to regularly scheduled PICK 3 drawings. A play purchased for a regular drawing shall be valid for that drawing's associated special drawing held on the same date. Plays eligible for a regular drawing's associated special drawing shall be eligible for the prizes as provided in section 7 (relating to prizes available to be won and determination of prize winners).

7. *Prizes available to be won and determination of prize winners:*

(a) The determination of PICK 3 prize winners for a player's number selections correctly matching the winning numbers selected by the Lottery during a regular PICK 3 drawing or an associated special drawing will be as follows:

(1) Holders of a Straight play ticket upon which the player's three numbers match the three winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Straight play and shall be entitled to a prize of \$250 for each \$.50 wagered.

(2) Holders of a Box play ticket upon which the player's three numbers, of which two are identical, match the three winning numbers selected by the Lottery, in any

order, for the drawing in which the player's number selection is entered, shall be the winner of a 3-Way Box play and shall be entitled to a prize of \$80 for each \$.50 wagered.

(3) Holders of a Box play ticket upon which the player's three numbers, all of which are different, match the three winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 6-Way Box play and shall be entitled to a prize of \$40 for each \$.50 wagered.

(4) Holders of a Front Pair play ticket upon which the player's two numbers match the first two of the three winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Front Pair play and shall be entitled to a prize of \$25 for each \$.50 wagered.

(5) Holders of a Back Pair play ticket upon which the player's two numbers match the last two of the three winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Back Pair play and shall be entitled to a prize of \$25 for each \$.50 wagered.

(b) All PICK 3 prize payments will be made as a one-time, lump-sum payment.

(c) A player's winning PICK 3 number selection is entitled only to the highest prize for which it is eligible.

(d) The Lottery reserves the right to stop play on any number or combination of numbers at any time during the course of the PICK 3 game.

(e) The prizes available to be won and the determination of prize winners may be changed at the discretion of the Secretary and will be announced by public notice. Any such changes will apply prospectively to PICK 3 drawings as of the date specified in the public notice.

(f) The Secretary may alter any prize amount stated in section 7(a)(1)–(5) temporarily for marketing or promotional purposes. Such change will be announced by public notice.

8. *Probability of winning.* The following table sets forth all possible ways that a prize can be won for a single play; the probability of winning each prize for each \$.50 wagered; and the corresponding prize won.

<i>Win With The Following Types Of Play:</i>	<i>Probability Of Winning Per Play Is 1 In:</i>	<i>Prize Won:</i>
Straight	1,000	\$250
3-Way Box	333.33	\$80
6-Way Box	166.67	\$40
Front Pair	100	\$25
Back Pair	100	\$25

9. *Retailer Incentive and Marketing Promotion Programs.*

(a) The Lottery may conduct a separate retailer incentive program for retailers who sell PICK 3 tickets as authorized by 61 Pa. Code § 875.17 (relating to retailer promotion programs).

(b) The Pennsylvania Lottery may conduct promotional drawings associated with PICK 3 game. PICK 3 game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promo-

tional drawings may be held independently of or in conjunction with the regular PICK 3 drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 15-110. Filed for public inspection January 16, 2015, 9:00 a.m.]

PICK 4 Terminal-Based Lottery Game

The Secretary of Revenue hereby provides public notice that, effective for ticket sales occurring on or after January 27, 2015, the Pennsylvania Lottery will cease operating the Big Four game under the regulations at 61 Pa. Code §§ 815.231–815.239, and will begin operating the PICK 4 game in accordance with the terminal-based lottery game regulations at 61 Pa. Code §§ 875.1–875.17 and this game notice.

Under the State Lottery Law (72 P. S. §§ 3761-101–3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based lottery game is PICK 4.

2. *Effective Date:* Effective for ticket sales occurring on or after January 27, 2015, the PICK 4 game will be operated in accordance with the terminal-based lottery game regulations at 61 Pa. Code §§ 875.1–875.17 and this game notice and will continue until the Secretary publicly announces a suspension or termination date.

3. *Price:* The price of a PICK 4 ticket is based on the amount a player wagers for each play on the ticket. The minimum wager is \$.50 per play. Players can wager up to \$5.00 per play, in increments of \$.50.

4. *Description of the PICK 4 game:*

(a) PICK 4 is designed to give players the opportunity to win one prize per play.

(b) *Game Play:* PICK 4 offers player the following game play options: Straight and Box.

(1) A Straight play involves four numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9, and requires matching, in the same order, all four of the numbers drawn by the Lottery.

(2) A Box play involves four numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9, and requires matching, in any order, all four of the numbers drawn by the Lottery.

(c) *Game Play Combination Option:* In addition to the primary methods of game play described in section 4(b), PICK 4 offers players the opportunity to combine a Straight play and a Box play by choosing "Straight Box". This option involves purchasing both game play options for a single number sequence. The "Straight Box" option

enters the players numbers as a \$.50 Straight play, as described in section 4(b)(1), and a \$.50 Box play, as described in section 4(b)(2).

(d) PICK 4 game tickets may be purchased from an authorized retailer or at a Lottery self-service terminal, also known as a PlayCentral Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and submit a completed PICK 4 bet slip to the authorized retailer. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, and select the play amount by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price and a completed PICK 4 bet slip. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, and select the play amount by manually entering the information into the Lottery self-service terminal.

(e) Players can win a prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners).

(f) A player may purchase plays for up to seven drawings in advance for either the day drawing or the evening drawing.

(g) A PICK 4 game ticket may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *PICK 4 bet slip and ticket characteristics and restrictions:*

(a) *PICK 4 bet slips.*

(1) PICK 4 bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to make play selections. Using a PICK 4 bet slip, the player may select up to four numbers, each ranging from 0 to 9, the play type for the number selection, the play amount, and the number of drawings in which the number selection is played. For additional plays desired, a player must complete their number selections in a separate game area on the bet slip (GAME A, GAME B, GAME C, GAME D, and GAME E).

(2) PICK 4 bet slips shall be available at no cost to the player.

(3) Plays shall be selected in accordance with the instructions printed on the PICK 4 bet slip.

(4) A PICK 4 bet slip has no pecuniary or prize value, does not constitute evidence of the purchase of a ticket or the numbers selected, and may not be used to claim a prize.

(5) A PICK 4 bet slip must be completed manually. The use of mechanical, electronic, computer generated or any other nonmanual method of marking bet slips is prohibited.

(6) A player may choose to have their number selection made using the Quick Pick option by marking the box for Quick Pick on the bet slip.

(b) *PICK 4 tickets.*

(1) A PICK 4 ticket shall contain one number selection, the drawing date or range of dates for which the number selection is entered, a designation that the ticket is for the day drawing or the evening drawing, the cost of the play, the total cost of the ticket, the designation of the type of play, and validation data.

(2) A PICK 4 ticket shall be the only valid proof of the wager(s) placed, and the only valid receipt for claiming a prize.

(3) A PICK 4 ticket shall only be valid for the drawing date or range of dates printed on the ticket.

(4) A separate PICK 4 ticket shall be issued for each number selection but a ticket can be valid for multiple drawing dates.

6. *Time, place and manner of conducting drawings.*

(a) *Time of drawing.* A PICK 4 drawing will be held at a time as determined and publicly announced by the Secretary.

(b) *Place of drawing.* A PICK 4 drawing will be conducted in the Harrisburg, Pennsylvania area unless the Secretary directs and publicly announces that a drawing or part of the drawing procedure will be conducted at another location.

(c) *Manner of conducting drawings.* The Lottery will select, at random, four numbers from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The four numbers selected will be used to determine winners for each individual drawing. The validity of a drawing will be determined solely by the Lottery.

(d) *Special drawings.* The Secretary may announce special drawings to be held in addition to regularly scheduled PICK 4 drawings. A play purchased for a regular drawing shall be valid for that drawing's associated special drawing held on the same date. Plays eligible for a regular drawing's associated special drawing shall be eligible for the prizes as provided in section 7 (relating to prizes available to be won and determination of prize winners).

7. *Prizes available to be won and determination of prize winners:*

(a) The determination of PICK 4 prize winners for a player's number selections correctly matching the winning numbers selected by the Lottery during a regular PICK 4 drawing or an associated special drawing will be as follows:

(1) Holders of a Straight play ticket upon which the player's four numbers match the four winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Straight play and shall be entitled to a prize of \$2,500 for each \$.50 wagered.

(2) Holders of a Box play ticket upon which the player's four numbers, of which three are identical, match the four winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 4-Way Box play and shall be entitled to a prize of \$600 for each \$.50 wagered.

(3) Holders of a Box play ticket upon which the player's four numbers consist of two unique pairs of matching numbers that match the four winning numbers selected

by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 6-Way Box play and shall be entitled to a prize of \$400 for each \$.50 wagered.

(4) Holders of a Box play ticket upon which the player's four numbers consist of a pair of matching numbers and two other unique numbers that match the four winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 12-Way Box play and shall be entitled to a prize of \$200 for each \$.50 wagered.

(5) Holders of a Box play ticket upon which the player's four numbers, all of which are different, match the four winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 24-Way Box play and shall be entitled to a prize of \$100 for each \$.50 wagered.

(b) All PICK 4 prize payments will be made as a one-time, lump-sum payment.

(c) A player's winning PICK 4 number selection is entitled only to the highest prize for which it is eligible.

(d) The Lottery reserves the right to stop play on any number or combination of numbers at any time during the course of the PICK 4 game.

(e) The prizes available to be won and the determination of prize winners may be changed at the discretion of the Secretary and will be announced by public notice. Any such changes will apply prospectively to PICK 4 drawings as of the date specified in the public notice.

(f) The Secretary may alter any prize amount stated in section 7(a)(1)–(5) temporarily for marketing or promotional purposes. Such change will be announced by public notice.

8. *Probability of winning.* The following table sets forth all possible ways that a prize can be won for a single play; the corresponding prize won; and the probability of winning each prize for each \$.50 wagered.

<i>Win With The Following Types Of Play:</i>	<i>Probability Of Winning Per Play Is 1 In:</i>	<i>Prize Won:</i>
Straight	10,000	\$2,500
4-Way Box	2,500	\$600
6-Way Box	1,667	\$400
12-Way Box	833.33	\$200
24-Way Box	416.67	\$100

9. *Retailer Incentive and Marketing Promotion Programs.*

(a) The Lottery may conduct a separate retailer incentive program for retailers who sell PICK 4 tickets as authorized 61 Pa. Code § 875.17 (relating to retailer promotion programs).

(b) The Pennsylvania Lottery may conduct promotional drawings associated with the PICK 4 game. The PICK 4 game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular PICK 4 drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's

publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 15-111. Filed for public inspection January 16, 2015, 9:00 a.m.]

PICK 5 Terminal-Based Lottery Game

The Secretary of Revenue hereby provides public notice that, effective for ticket sales occurring on or after January 27, 2015, the Pennsylvania Lottery will cease operating the Quinto game under the game rules that were published at 38 Pa.B. 4166 (August 2, 2008) and amended at 41 Pa.B. 2788 (May 28, 2011) and 44 Pa.B. 862 (February 8, 2014), and will begin operating the PICK 5 game in accordance with the terminal-based lottery game regulations at 61 Pa. Code §§ 875.1–875.17 and this game notice.

Under the State Lottery Law (72 P. S. §§ 3761-101–3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based lottery game is PICK 5.

2. *Effective Date:* Effective for ticket sales occurring on or after January 27, 2015, the PICK 5 game will be operated in accordance with the terminal-based lottery game regulations at 61 Pa. Code §§ 875.1–875.17 and this game notice and will continue until the Secretary publicly announces a suspension or termination date.

3. *Price:* A PICK 5 play is \$1.

4. *Description of the PICK 5 game:*

(a) PICK 5 is designed to give players the opportunity to win one prize per play.

(b) The types of play that may be designated by the player are Straight, Box, Front Four, Back Four, Front Three, Back Three, Front Pair and Back Pair.

(1) A ticket for a Straight play will contain five numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9. A Straight play requires matching, in the same order, all five of the numbers drawn by the Lottery.

(2) A ticket for a Box play will contain five numbers, selected by the player or through the Quick Pick option, each ranging from 0 to 9. A Box play requires matching, in any order, all five of the numbers drawn by the Lottery.

(3) A ticket for a Front Four will contain four numbers, selected by the player or through the Quick Pick option, ranging from 0 to 9. An asterisk will follow the numbers so a total of five characters will appear on the ticket. A Front Four play requires matching, in the same order, the first four numbers drawn by the Lottery.

(4) A ticket for a Back Four will contain four numbers, selected by the player or through the Quick Pick option, ranging from 0 to 9. An asterisk will precede the numbers so a total of five characters will appear on the ticket. A Back Four play requires matching, in the same order, the last four numbers drawn by the Lottery.

(5) A ticket for a Front Three will contain three numbers, selected by the player or through the Quick Pick option, ranging from 0 to 9. Two asterisks will follow the numbers so a total of five characters will appear on the ticket. A Front Three play requires matching, in the same order, the first three numbers drawn by the Lottery.

(6) A ticket for a Back Three will contain three numbers, selected by the player or through the Quick Pick option, ranging from 0 to 9. Two asterisks will precede the numbers so a total of five characters will appear on the ticket. A Back Three play requires matching, in the same order, the last three numbers drawn by the Lottery.

(7) A ticket for a Front Pair will contain two numbers, selected by the player or through the Quick Pick option, ranging from 0 to 9. Three asterisks will follow the numbers so a total of five characters will appear on the ticket. A Front Pair play requires matching, in the same order, the first two numbers drawn by the Lottery.

(8) A ticket for a Back Pair will contain two numbers, selected by the player or through the Quick Pick option, ranging from 0 to 9. Three asterisks will precede the numbers so a total of five characters will appear on the ticket. A Back Pair play requires matching, in the same order, the last two numbers drawn by the Lottery.

(c) PICK 5 game tickets may be purchased from an authorized retailer or at a Lottery self-service terminal, also known as a PlayCentral Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and submit a completed PICK 5 bet slip to the authorized retailer. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, and select the play amount by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price and a completed PICK 5 bet slip. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, and select the play amount by manually entering the information into the Lottery self-service terminal.

(d) Players can win a prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners).

(e) A player may purchase plays for up to seven drawings in advance for either the day drawing or the evening drawing.

(f) A PICK 5 game ticket may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *PICK 5 bet slip and ticket characteristics and restrictions:*

(a) *PICK 5 bet slips.*

(1) PICK 5 bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to make play selections. Using a PICK 5 bet slip, the player may select up to five numbers, each ranging from 0 to 9, the play type for the number selection, and the number of

drawings in which the number selection is played. For additional plays desired, a player must complete their number selections in a separate game area on the bet slip (GAME A, GAME B, GAME C, GAME D, and GAME E).

(2) PICK 5 bet slips shall be available at no cost to the player.

(3) Plays shall be selected in accordance with the instructions printed on the PICK 5 bet slip.

(4) A PICK 5 bet slip has no pecuniary or prize value, does not constitute evidence of the purchase of a ticket or the numbers selected, and may not be used to claim a prize.

(5) A PICK 5 bet slip must be completed manually. The use of mechanical, electronic, computer generated or any other nonmanual method of marking bet slips is prohibited.

(6) A player may choose to have their number selection made using the Quick Pick option by marking the box for Quick Pick on the bet slip.

(b) *PICK 5 tickets.*

(1) A PICK 5 ticket shall contain one number selection, the drawing date or range of dates for which the number selection is entered, a designation that the ticket is for the day drawing or the evening drawing, the cost of the play, the total cost of the ticket, the designation of the type of play, and validation data.

(2) A PICK 5 ticket shall be the only valid proof of the wager(s) placed, and the only valid receipt for claiming a prize.

(3) A PICK 5 ticket shall only be valid for the drawing date or range of dates printed on the ticket.

(4) A separate PICK 5 ticket shall be issued for each number selection but a ticket can be valid for multiple drawing dates.

6. *Time, place and manner of conducting drawings.*

(a) *Time of drawing.* A PICK 5 drawing will be held at a time as determined and publicly announced by the Secretary.

(b) *Place of drawing.* A PICK 5 drawing will be conducted in the Harrisburg, Pennsylvania area unless the Secretary directs and publicly announces that a drawing or part of the drawing procedure will be conducted at another location.

(c) *Manner of conducting drawings.* The Lottery will select, at random, five numbers from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The five numbers selected will be used to determine winners for each individual drawing. The validity of a drawing will be determined solely by the Lottery.

(d) *Special drawings.* The Secretary may announce special drawings to be held in addition to regularly scheduled PICK 5 drawings. A play purchased for a regular drawing shall be valid for that drawing's associated special drawing held on the same date. Plays eligible for a regular drawing's associated special drawing shall be eligible for the prizes as provided in section 7 (relating to prizes available to be won and determination of prize winners).

7. *Prizes available to be won and determination of prize winners:*

(a) The determination of PICK 5 prize winners for a player's number selections correctly matching the win-

ning numbers selected by the Lottery during a regular PICK 5 drawing or an associated special drawing will be as follows:

(1) Holders of a Straight play ticket upon which the player's five numbers match the five winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Straight play and shall be entitled to a prize of \$50,000.

(2) Holders of a Box play ticket upon which the player's five numbers, of which four are identical, match the five winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 5-Way Box play and shall be entitled to a prize of \$10,000.

(3) Holders of a Box play ticket upon which the player's five numbers are comprised of a set of three identical numbers and a set of two identical numbers, with each set being different from the other, match the five winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 10-Way Box play and shall be entitled to a prize of \$5,000.

(4) Holders of a Box play ticket upon which the player's five numbers, of which three are identical and the remaining two are different from each other the other three, match the five winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 20-Way Box play and shall be entitled to a prize of \$2,500.

(5) Holders of a Box play ticket upon which the player's five numbers, of which there are two unique pairs of numbers and the remaining one is different from both pairs, match the five winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 30-Way Box play and shall be entitled to a prize of \$1,700.

(6) Holders of a Box play ticket upon which the player's five numbers, of which two are identical and the remaining three are different from each other and the pair, match the five winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 60-Way Box play and shall be entitled to a prize of \$850.

(7) Holders of a Box play ticket upon which the player's five numbers, all of which are different numbers, match the five winning numbers selected by the Lottery, in any order, for the drawing in which the player's number selection is entered, shall be the winner of a 120-Way Box play and shall be entitled to a prize of \$425.

(8) Holders of a Front Four play ticket upon which the player's four numbers match the first four of the five winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Front Four play and shall be entitled to a prize of \$5,000.

(9) Holders of a Back Four play ticket upon which the player's four numbers match the last four of the five winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Back Four play and shall be entitled to a prize of \$5,000.

(10) Holders of a Front Three play ticket upon which the player's three numbers match the first three of the five winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Front Three play and shall be entitled to a prize of \$500.

(11) Holders of a Back Three play ticket upon which the player's three numbers match the last three of the five winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Back Three play and shall be entitled to a prize of \$500.

(12) Holders of a Front Pair play ticket upon which the player's two numbers match the first two of the five winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Front Pair play and shall be entitled to a prize of \$50.

(13) Holders of a Back Pair play ticket upon which the player's two numbers match the last two of the five winning numbers selected by the Lottery, with the matching numbers appearing in the same order as drawn by the Lottery, for the drawing in which the player's number selection is entered, shall be the winner of a Back Pair play and shall be entitled to a prize of \$50.

(b) All PICK 5 prize payments will be made as a one-time, lump-sum payment.

(c) A player's winning PICK 5 number selection is entitled only to the highest prize for which it is eligible.

(d) The Lottery reserves the right to stop play on any number or combination of numbers at any time during the course of the PICK 5 game.

(e) The prizes available to be won and the determination of prize winners may be changed at the discretion of the Secretary and will be announced by public notice. Any such changes will apply prospectively to PICK 5 drawings as of the date specified in the public notice.

(f) The Secretary may alter any prize amount stated in section 7(a)(1)—(13) temporarily for marketing or promotional purposes. Such change will be announced by public notice.

8. *Probability of winning.* The following table sets forth all possible ways that a prize can be won for a single play; the probability of winning each prize; and the corresponding prize won.

<i>Win With The Following Types Of Play:</i>	<i>Probability Of Winning Per Play Is 1 In:</i>	<i>Prize Won:</i>
Straight	100,000	\$50,000
5-Way Box	20,000	\$10,000
10-Way Box	10,000	\$5,000
20-Way Box	5,000	\$2,500
30-Way Box	3,333.3	\$1,700
60-Way Box	1,666.7	\$850
120-Way Box	833.3	\$425
Front Four	10,000	\$5,000
Back Four	10,000	\$5,000
Front Three	1,000	\$500
Back Three	1,000	\$500
Front Pair	100	\$50
Back Pair	100	\$50

9. *Retailer Incentive and Marketing Promotion Programs.*

(a) The Lottery may conduct a separate retailer incentive program for retailers who sell PICK 5 tickets as authorized 61 Pa. Code § 875.17 (relating to retailer promotion programs).

(b) The Pennsylvania Lottery may conduct promotional drawings associated with the PICK 5 game. The PICK 5 game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular PICK 5 drawings. The Secretary will announce the existence of the promotional

drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 15-112. Filed for public inspection January 16, 2015, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
#16A-5125	State Board of Nursing General Revisions 44 Pa.B. 6934 (November 1, 2014)	12/1/14	12/31/14
#54-80	Pennsylvania Liquor Control Board Breweries 44 Pa.B. 7075 (November 8, 2014)	12/8/14	1/7/15
#18-461	Department of Transportation Authorizing Appropriately Attired Persons to Direct, Control or Regulate Traffic 44 Pa.B. 7069 (November 8, 2014)	12/8/14	1/7/15

State Board of Nursing Regulation #16A-5125 (IRRC #3080)

General Revisions

December 31, 2014

We submit for your consideration the following comments on the proposed rulemaking published in the November 1, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the State Board of Nursing (Board) to respond to all comments received from us or any other source.

1. Statutory authority; Determining whether the regulation is in the public interest; Economic or fiscal impacts; Protection of the public health, safety and welfare; Reasonableness of requirements, implementation procedures and timetables for compliance.

Section 5.2 of the RRA (71 P. S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed regulation and the reasons for the new or amended

language. The Commission also considers the information a promulgating agency is required to provide under Section 5 of the RRA in the Regulatory Analysis Form (RAF) (71 P. S. § 745.5(a)).

Section 215(a) of the Professional Nursing Law (RN Law) states, "The Board shall . . . examine all eligible applicants for licensure. . . ." (63 P. S. § 215(a)). Section 215(d) of the RN Law states,

In establishing the education requirements for admittance to the nursing licensure examination under this section, the Board shall not deny access to the examination for licensure as a registered nurse to a graduate of a State-approved associate degree, diploma or baccalaureate degree nursing program.

(63 P. S. § 215(d)).

Regarding eligibility, Section 216(a) of the RN Law states,

Every applicant, to be eligible for examination for licensure as a registered nurse, shall furnish evidence satisfactory to the Board that he or she is of good moral character, has completed work equal to a standard high school course as evaluated by the Board and has satisfactorily completed an approved program of professional nursing.

(63 P. S. § 216(a)).

The Board proposes to amend Section 21.25 (relating to re-examination) by adding a new requirement in Subsection (c) that states, "If a candidate does not pass the examination within 2 years of completion of the candidate's nursing education program, the candidate shall complete a plan of remediation developed by a nursing education program for the candidate prior to applying for re-examination."

It is unclear how the Board can deny access to the examination to a candidate who meets the eligibility requirements of Section 216(a) of the RN Law. We ask the Board either to remove this requirement from the final-form regulation, or to explain why this proposed regulatory requirement is consistent with the statute in terms of access to the exam.

If the proposed requirement in Section 21.25(c) is retained in the final-form regulation, we ask the Board to address the following concerns.

The Board should explain in the Regulatory Analysis Form (RAF) and Preamble of the final-form regulation the need for the two-year time frame, and why it is reasonable.

In the Preamble, the Board describes this change as requiring the candidate to complete a remedial plan developed by a "Board-approved" nursing education program. The proposed language in Section 21.25(c) does not specifically state that the remedial plan must be developed by a Board-approved nursing education program, and we recommend the Board include this requirement in the final-form regulation.

Section 21.25(c) states that the plan of remediation will be developed "for the candidate," indicating that each failing candidate's plan of remediation will be customized. Such a requirement could have a significant economic or fiscal impact on both the programs and the candidates. In response to RAF #19 related to costs to the regulated community, the Board states, "The remedial education costs for those candidates who fail after the 2 years cannot be predicted as different programs charge different fees and the amount of remedial education required will be candidate-specific." The RRA requires the Board to provide "a specific estimate" of the costs to the regulated community associated with compliance. In order to assist us in our determination of whether the regulation is reasonable and in the public interest, we ask the Board to provide more details in the RAF regarding the economic impact on the programs and candidates.

In response to RAF #21 regarding costs to state government, the Board states that the regulation does not impose any additional costs to state government. However, it seems that the proposed requirements in Sections 21.25(c) and (d) would impact the Board in some manner. We ask the Board to clarify in the RAF and Preamble of the final-form regulation how the processing of a new class of candidates will not impose new costs on the Board. Specifically, would the Board need to verify that these candidates have completed a plan of remediation developed by a Board-approved nursing education program prior to reapplying? Would the Board need to verify that these candidates satisfy the administrative and education requirements prevailing at the time of reapplication?

We also have concerns related to the implementation of the proposed requirement in Section 21.25(c). We ask the Board to clarify what will be required of a candidate who fails the examination following completion of a remediation plan.

Finally, the Board states in the Preamble that since October 1, 2010, a nursing education program must achieve a minimum pass rate for first-time test takers of 80 percent. According to the Board, currently 22 of the approximately 142 approved nursing education programs are on provisional approval due to their pass rates which did not reach the 80 percent threshold. While success or failure on the examination ultimately rests with the candidate, we ask the Board to clarify whether a correlation exists between the failing candidates and any of the education programs on provisional approval. The Board did not provide this information, nor did the Board include the pass rate for the 22 education programs. Without this information, we question whether there would be value in candidates turning to certain provisional approval education programs for remediation plans. We ask the Board to explain how it determined that requiring candidates to complete a remedial plan, rather than addressing the education offered by provisional approval programs, is reasonable.

These concerns also apply to Section 21.153 and Section 21.722.

2. Section 21.2. Scope.—Clarity.

In Subsection (e) the Board states that it may approve professional nursing education programs conducted in hospitals, colleges and universities, and will make available a list of approved programs. We ask the Board to be more specific as to how and where the list of approved programs will be made available.

Additionally, could other types of postsecondary education institutions that are not hospitals, colleges or universities be approved? If so, we ask the Board to consider including these other types of institutions, or explain in the Preamble why they are not included. We ask the Board to also consider this comment in reference to Section 21.142.

3. Section 21.21. Application for examination.—Protection of the public health, safety and welfare; Reasonableness of requirements.

Subsection (c) currently requires a copy of the transcript validating the applicant's completion of the program to be filed at least two weeks prior to the testing dates. The Board states in the Preamble that it proposes to delete this requirement for graduates of in-state programs and maintain the requirement only for out-of-state graduates. The Board notes that it is retaining this requirement for graduates who attend programs outside of the Commonwealth because the Board does not approve these programs. However, proposed Subsection (c) no longer requires the transcript to be filed at least two weeks prior to the testing dates. Does the Board intend to remove the filing deadline from Subsection (c)? If so, we ask the Board to explain the reasonableness of removing the filing deadline for transcripts for out-of-state graduates and how doing so protects the public health, safety and welfare.

4. Section 21.23. Qualifications of applicant for examination.—Clarity.

Subsection (a) should state "... that the applicant has, prior to *being* approved to take the licensure examination. . . ." (Emphasis added.)

Also, Subsection (a) addresses demonstration of proficiency in English, and refers to the possibility that an applicant may have satisfied the requirement of Section 21.7(a) (relating to temporary practice permits). A parallel provision related to practical nurses, Section 21.151(d),

refers to the possibility that an applicant may have satisfied the requirement of Section 21.149(b)(2) (relating to temporary practice permits). Should Subsection (a) reference Section 21.7(b)(2)? (Emphasis added.)

In the Preamble, the Board states that Subsection (b) is “identical for endorsement candidates in Sections 21.28(c) and 21.155(d) (relating to licensure by endorsement).” However, the language of these three subsections is not identical. We ask the Board to revise the provisions or revise the description in the Preamble of the final-form regulation.

5. Section 21.25. Re-examination.—Clarity; Reasonableness of requirements.

Subsection (b) states, “The candidate may take the licensing examination *as many times as necessary* to pass the licensure examination within 2 years of completion of the candidate’s nursing education program.” [Emphasis added.] However, in the Preamble, the Board states, “To preserve the integrity of the examination, it may be administered to a single applicant *every 45 days*. Under proposed subsection (b), candidates are allowed to take the licensure examination *up to 16 times* without additional requirements.” (Emphasis added.) The proposed language in Subsection (b) does not limit a candidate to 16 exams. If it is the Board’s intention to impose such a limit, Subsection (b) should be revised to make clear the limitation on re-examination.

This comment also applies to Section 21.153(b). Additionally, we ask the Board to consider the impact of this comment on Section 21.722, which the Board describes in the Preamble as “identical” to the proposed re-examination requirements for registered and practical nurses. We ask the Board to revise the final-form regulation as appropriate, or to explain the reasonableness of any differences between these sections.

6. Section 21.28. Licensure by endorsement.—Clarity.

We ask the Board to make the language of Subsections (b) and (d) consistent. Specifically, Subsection (b) states, “An applicant for licensure in this Commonwealth by endorsement . . .” while Subsection (d) states, “An applicant for endorsement . . .”

Similar to Comment #4 regarding demonstration of proficiency in English, should Subsection (e) reference Section 21.7(b)(2)? (Emphasis added.)

7. Section 21.151. Application for examination.—Clarity.

Subsection (f) references completion of the “*professional* nursing education program.” (Emphasis added.) Should this subsection reference the “*practical* nursing education program”? (Emphasis added.)

8. Section 21.153. Re-examination.—Clarity.

In Subsection (c), the Board should clarify that the plan of remediation must be developed by a “Board-approved” nursing education program.

9. Section 21.155. Licensure by endorsement.—Clarity.

Similar to Comment #4 regarding demonstration of proficiency in English, should Subsection (e) reference Section 21.7(b)(2)? (Emphasis added.)

10. Section 21.701. Definitions.—Clarity.

The Board should revise the definition for ACEND to state “Accreditation Council for Education in Nutrition and Dietetics.”

11. Section 21.722. Education, examination and re-examination of applicants.—Clarity.

The Board states in the Preamble that it is adding Subsection (c) which is “identical” to the proposed language for registered and practical nurses in proposed Sections 21.25(b) and (c) and 21.153(b) and (c). However, the proposed language is not identical. For example, Subsection (c) references completing the licensure process, whereas Sections 21.25(b) and (c) and 21.153(b) and (c) reference passing the licensure examination. We ask the Board to ensure that where it intends to make language identical, it does so. Additionally, does the Board intend for Paragraph (c)(3), Section 21.25(d) and Section 21.153(d) to be identical?

In reviewing Sections 21.21 and 21.151 (relating to application for examination), we note that Subsection (a) in each requires submission of an application for examination and the required fee. In reviewing Sections 21.25 and 21.153 (relating to re-examination), we note that Subsection (a) in each requires a candidate to submit a re-examination application and the required fee. Does the Board intend for candidates for examination and re-examination under Section 21.722 to do the same? The proposed language related to examination and re-examination does not include requirements for submission of applications or fees.

The Board states in the Preamble that it believes that all of its licensees should be subject to the same re-examination requirements. In keeping with this statement, the Board should clarify in Paragraph (c)(2) that the plan of remediation must be developed by a “Board-approved” dietetics-nutrition education program.

12. RAF #4 Short title.—Clarity.

The existing title for 49 Pa. Code Chapter 21, Subchapter A is “General Provisions.” Should the short title provided in response to RAF #4 and noted in Annex A also be “General Provisions”? We ask the Board to clarify whether it intends this change.

**Pennsylvania Liquor Control Board Regulation
#54-80 (IRRC #3082)**

Breweries

January 7, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the November 8, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Liquor Control Board (Board) to respond to all comments received from us or any other source.

Section 3.93. Breweries.—Whether the regulation is consistent with the intent of the General Assembly; Possible conflict with or duplication of statutes or existing regulations; Need for the regulation; Reasonableness of the requirements.

Subsection (c) sets forth the conditions that the holder of a brewery license must meet if it plans to allow on-premises consumption of alcohol. The Brewers of Pennsylvania submitted comments noting that Subsections (c)(2) and (d) contain language that is not consistent with Pennsylvania law, Board regulations and Board advisory opinions. The language at issue in both sections reads as follows: “malt or brewed beverages produced on the licensed premises by brewery.” (Emphasis added.) We agree that this language is not consistent with Section

446(a)(1) of the Liquor Code. 47 P. S. § 4-446(a)(1). That section of the Code states, in part, that holders of a brewery license may, “sell malt or brewed beverages produced and *owned* by the brewery.” (Emphasis added.) We ask the Board to amend the final-form rulemaking to be consistent with the Liquor Code and the intention of the General Assembly.

In addition, we ask the Board to explain the need and rationale for the conditions set forth in Subsection (c). Without this information, we are unable to determine if the requirements being imposed are reasonable and in the public interest.

**Department of Transportation Regulation #18-461
(IRRC #3083)**

**Authorizing Appropriately Attired Persons to
Direct, Control or Regulate Traffic**

January 7, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the November 8, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

1. Determining whether the regulation is in the public interest.

Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b) directs the Independent Regulatory Review Commission (IRRC) to determine whether a regulation is in the public interest. When making this determination, IRRC considers criteria such as economic or fiscal impact and reasonableness. To make that determination, IRRC must analyze the text of the Preamble and proposed regulation and the reasons for the new or amended language. IRRC also considers the information a promulgating agency is required to provide under § 745.5(a) in the Regulatory Analysis Form (RAF).

The explanation of the regulation in the Preamble and the information contained in the RAF are not sufficient to allow IRRC to determine if the regulation is in the public interest. In the Preamble and RAF submitted with the final-form rulemaking, the Department should provide more detailed information required under § 745.5(a) of the Regulatory Review Act, including a description of the language proposed for each section of the regulation and why the requirements or amendments are needed.

2. Section 101.1. Purpose.—Clarity.

Section 101.1 states “this chapter indicates those persons, *other than* a uniformed police officer, sheriff, constable or, in an emergency, a railroad or street railway police officer, who are authorized to direct . . . traffic . . .” (Emphasis added.) However, Section 101.2 lists persons authorized to direct traffic and Paragraph (10) references persons authorized by 75 Pa.C.S. § 3102, which includes “any uniformed police officer, sheriff or constable or, in an emergency, a railroad or street railway police officer. . . .” Therefore, Section 101.1 contradicts Paragraph 101.2(10) and should be amended to reconcile the two provisions.

3. Section 101.2. Persons authorized to direct traffic.—Need; Protection of the public safety; Clarity; Reasonableness; Economic impact.

Flagging procedures training

This section sets forth 10 categories of persons authorized to direct traffic. The persons described in Para-

graphs (8) and (9) are required to “have successfully completed and participated in a formal flagging procedures and guidelines training course as defined and outlined by the Department.” It is not clear why two categories need training, whereas the remaining eight do not. If training is needed for persons controlling traffic at a parade, why is training not needed for traffic control persons at construction projects, school crossing guards, personnel of emergency organizations or highway service personnel? If a person is trained, what documentation of that training is acceptable to the Department? Why is training no longer required for Department of Conservation and Natural Resources personnel? How is the public safety adequately protected unless all categories of persons directing traffic are trained in flagging procedures? The Department should provide support for its determination of which persons need training and which persons do not need training.

Additionally, if a person is trained, what documentation of that training is acceptable to the Department? The regulation should provide direction regarding what documentation of training is acceptable.

“Successfully completed and participated in a formal flagging procedures and guidelines training course as defined and outlined by the Department”

This phrase, used in Paragraphs (8) and (9), is vague. The regulation does not provide the information needed to find a valid training course or determine whether a particular course would meet the Department’s standards. The final-form regulation should address the following concerns:

- What constitutes a “formal flagging procedures and guidelines training course”?
- How can a person determine whether a course is “as defined and outlined by the Department”?
- Does the Department maintain a list of approved courses and providers on its website? If so, that should be referenced in the regulation.
- Is training valid forever, or must the course be retaken after a certain period of time?
- Is a course provider required to produce documentation such as a certificate that the trained person can use to verify their training?

Another concern is that the regulation relies on information provided by the Department outside of the regulation. The regulation should define the course, its content and how a person can find an approved course.

We ask the Department to provide a full description of the training in the Preamble to the final-form regulation. We recommend amending the regulation to provide clear direction on courses a person can take to meet the Department’s training requirement.

Need, economic impact and reasonableness

In regard to the training requirement in Paragraph (8), the Pennsylvania Funeral Directors Association commented that not all funeral personnel direct traffic and believes the regulation would unduly burden those who do not direct traffic. They assert that the regulation, as written, would apply to all licensees. The Department should explain whether the regulation applies to all funeral personnel and, if so, the Department should provide justification for the need to train all funeral personnel.

In addition, the response to Regulatory Analysis Form (RAF) 19 addresses the impact of the clothing require-

ments. It does not appear from this response, or other responses, that the costs of training were considered, both in the regulated community's time that must be devoted to training and the cost charged for the training course. The Department should include in the RAF responses the impact of training on the regulated community so that the need for and cost of training can be fully evaluated.

4. Section 101.3. Minimum attire.—Statutory authority; Need; Clarity.

“Or an equivalent designated by the Department through publication in the Pennsylvania Bulletin”

Paragraphs (1), (2) and (3) cite standards of the American National Standards Institute/International Safety Equipment Association (ANSI/ISEA), but conclude with the phrase “or an equivalent designated by the Department through publication in the *Pennsylvania Bulletin*” or similar language. These phrases do not comply with the requirements of the Regulatory Review Act (Act). 71 P. S. §§ 745.1—745.15. Under the Act, regulations cannot be amended without being subject to the regulatory review process. An alternative standard should be subject to review and comment by the public before adoption or implementation. In addition, codification cannot occur simply through notification in the *Pennsylvania Bulletin* without a regulation being reviewed and approved by both IRRC and the Office of the Attorney General, unless there is a legal authorization to do so. See *id.* at §§ 745.5b and 732-204(b). Therefore, this phrase should be removed from the final-form regulation.

Including future amendments

The citations to ANSI/ISEA in Paragraphs (1), (2) and (3) also include future amendments to ANSI/ISEA. Why does the regulation reference future amendments? The final-form regulation should either delete the language pertaining to future amendments or provide a justification for retaining it.

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 15-113. Filed for public inspection January 16, 2015, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-14-003, Dated December 9, 2014. Authorizes the Interest Arbitration Award entered into between the Commonwealth and the Pennsylvania State Correction Officers Association for the period of July 1, 2014 through June 30, 2017. The award provides for wage

increases of 2% effective January 1, 2015; 3% effective July 1, 2016; and 3% effective January 1, 2017.

Governor's Office

Management Directive No. 325.2—Audit Inquiry Relative to Agency Litigation, Claims, and Assessments, Amended December 17, 2014.

Management Directive No. 325.7—Implementation of the Commonwealth's State-Level Single Audit, Amended December 17, 2014.

Management Directive No. 325.8—Remedies for Recipient Noncompliance with Audit Requirements, Amended December 17, 2014.

Management Directive No. 325.9—Processing Audits of Federal Pass-Through Funds, Amended December 23, 2014.

Management Directive No. 325.12—Standards for Internal Controls in Commonwealth Agencies (Effective July 1, 2015), Dated December 17, 2014.

Administrative Circular No. 14-15—Inauguration Day, Dated December 17, 2014.

Administrative Circular No. 14-16—Computation of Interest Penalties, Act 1982-266 Amended, Dated December 17, 2014.

Laura Campbell,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 15-114. Filed for public inspection January 16, 2015, 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, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, January 27, 2015.

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. 15-115. Filed for public inspection January 16, 2015, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cybersecurity Tabletop Exercise; Save the Date

The Pennsylvania Public Utility Commission (Commission) will host a cybersecurity tabletop exercise from 8 a.m. to 4 p.m. on Tuesday, April 28, 2015. The purpose of

this free exercise is for industry and government agencies to address preparations for a cyber or physical attack on their networks and infrastructure.

The exercise will be held in Hearing Room 1, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The simulation will be facilitated by Dr. Paul Stockton (Invited) and managed by the Commission's Office of Commissioner Pamela A. Witmer.

Participants will be separated by sector to simulate how information may or may not flow among them. Parties can choose from three levels of participation:

- *Full participation*—utility or association representative is in the room, interacting with others during the exercise.
- *Communication only*—representative is not onsite, but is receiving information and participating virtually as much as possible.
- *Information only*—representative receives the information but is not an active participant.

Interested parties should contact Juli Bossert at (717) 783-1763 no later than Friday, February 13, 2015. More information will be provided to participants at a later date. Questions about the exercise can be directed to Patrick McDonnell, Executive Policy Manager for Commissioner Pamela A. Witmer, (717) 783-1763, pmcdonnell@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-116. Filed for public inspection January 16, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 2, 2015. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2014-2438797 (Revised). Ishfaq Minhas t/a Sky King Limo Service (522 West Marshall Street, Apartment D, West Chester, Chester County, PA 19380) persons, in limousine service, from points in Bucks, Chester and Montgomery Counties, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2014-2456142. Top Care Transportation, Inc. (4819 Gransback Street, Philadelphia, PA 19120) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to non-

emergency medical transportation for persons who cannot operate a motor vehicle, from points in the County and City of Philadelphia, to medical facilities in Pennsylvania and return.

A-2014-2456209. Pride Transportation, LLC (P. O. Box 631, Blue Bell, PA 19422) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Montgomery, Bucks and Delaware, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2014-2456682. Daniel Benjamin Ingle (3223 Brereton Street, Apartment B, Pittsburgh, PA 15219) for the right to begin to transport as a common carrier, by motor vehicle, persons in limousine service, between points in Allegheny County, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2014-2457948. John Richard Watson (131 South 7th Street, Lebanon, PA 17042) for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in Lebanon County, from points in Pennsylvania, and return.

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 persons by transfer of rights as described under the application.*

A-2014-2438369 (Corrected). Taxi Express, LLC (481 Pennsylvania Avenue, York, PA 17404) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in call or demand service, which is to be a transfer of all rights authorized under the certificate issued at A-6311745 to Taxi Express, LLC subject to the same limitations and conditions.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-117. Filed for public inspection January 16, 2015, 9:00 a.m.]

Transfer of Control

A-2014-2460113. Selectel, Inc. and Compass Capital, Inc. Application of Selectel, Inc. and Compass Capital, Inc. for approval of a General Rule Transfer of Control.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 2, 2015. 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 and at the applicant's business address.

Applicants: Selectel, Inc.; Compass Capital, Inc.

Through and By Counsel: Deanne O'Dell, Esquire, Eckert, Seamans, Cherin & Mellott, LLC, 213 Market Street, 8th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-118. Filed for public inspection January 16, 2015, 9:00 a.m.]

Wastewater and Water Services

A-2015-2460981 and A-2015-2460982. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of: 1) the transfer, by sale, of substantially all of McEwensville Municipal Authority, properties and rights related to its public water and wastewater systems, to Pennsylvania-American Water Company; 2) the rights of Pennsylvania-American Water Company to begin to offer or furnish water service to the public in McEwensville Borough and an additional portion of Delaware Township, Northumberland County; and 3) the rights of Pennsylvania-American Water Company to begin to offer or furnish wastewater service to the public in McEwensville Borough and a portion of Delaware Township, Northumberland County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 2, 2015. 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 and at the applicant's business address.

Applicant: Pennsylvania American Water Company

Through and By Counsel: Susan D. Simms, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-119. Filed for public inspection January 16, 2015, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-150.6, Miscellaneous Sprinkler Repairs of Various Piers, until 2 p.m. on Thursday, February 19, 2015. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 15-120. Filed for public inspection January 16, 2015, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Sarah Lynn Mangan and Sarah's Spa Sensations; Doc. Nos. 10514-45-2012 and 15013-45-2012

On November 14, 2014, Sarah Lynn Mangan and Sarah's Spa Sensations, license nos. CB124665 and CO261466, last known of Carnegie and Bridgeville, Allegheny County, were imposed a \$1,000 penalty for practicing in a place other than a licensed salon and for maintaining an unlicensed salon.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

STEPHEN A. WALLIN,
Chairperson

[Pa.B. Doc. No. 15-121. Filed for public inspection January 16, 2015, 9:00 a.m.]

STATE POLICE

Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

The State Police, under 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4) (relating to exceptions to prohibition of interception and disclosure of communications; and exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), published at 44 Pa.B. 2147 (April 5, 2014) a notice of Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems for use until the next comprehensive list is published.

As an addendum to the listing of approved mobile video recording systems published at 44 Pa.B. 2147, the State Police, under the authority cited previously, has approved for use, until the next comprehensive list is published, subject to interim amendment, the following additional mobile video recording system, which meets the minimum equipment standards published at 44 Pa.B. 2147:

Vehicle-Mounted Mobile Video Recording System:

1200-PA SD2+2, 10-8 Digital Video Evidence Solutions, Fayetteville, TN

Comments, suggestions or questions should be directed to the State Police, Bureau of Patrol, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110.

COLONEL FRANK NOONAN,
Commissioner

[Pa.B. Doc. No. 15-122. Filed for public inspection January 16, 2015, 9:00 a.m.]

