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# PENNSYLVANIA BULLETIN

Volume 44

Number 23

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Pages 3297—3482

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Department of Community and Economic  
Development

Department of Conservation and Natural  
Resources

Department of Environmental Protection

Department of General Services

Department of Health

Department of Public Welfare

Department of Revenue

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Fish and Boat Commission

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Insurance Department

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Philadelphia Regional Port Authority

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**No. 475, June 2014**

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## *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.

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### **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).

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A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us](http://www.legis.state.pa.us).

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

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

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

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# THE COURTS

## Title 237—JUVENILE RULES

### PART I. RULES

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

#### Proposed Rule 405

The Juvenile Court Procedural Rules Committee is soliciting public comment on proposed New Rule 405 before it considers any recommendations to the Supreme Court of Pennsylvania. These proposed modifications address the notice and demand requirements in presentation of a forensic lab report at an adjudicatory hearing without the presence of a live witness while satisfying the juvenile's right to confront witnesses.

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

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

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

All comments shall be received no later than Friday, July 25, 2014.

*By the Juvenile Court  
Procedural Rules Committee*

HONORABLE TODD A. HOOVER,  
*Chair*

### Annex A

## TITLE 237. JUVENILE RULES

### PART I. RULES

#### Subpart A. DELINQUENCY MATTERS

#### CHAPTER 4. ADJUDICATORY HEARING

#### Rule 405. Forensic Laboratory Report Certification.

##### A. Certification in lieu of expert testimony.

1) If the requirements of this rule have been met, the attorney for the Commonwealth may seek to offer a forensic laboratory report into evidence in lieu of testimony in any adjudicatory hearing.

2) The report shall be supported by a certification, as provided in paragraph (E), from the expert who drafted the report and performed the analysis or examination.

##### B. Notice.

1) The attorney for the Commonwealth shall file and serve written notice upon the juvenile's attorney.

2) The notice shall include a statement informing the juvenile that:

a) if no written demand for testimony as provided in paragraph (C)(3) is made, the forensic laboratory report and certification are admissible in evidence; and

b) the expert who drafted the report does not have to testify.

3) Service shall occur no later than 20 days prior to the adjudicatory hearing.

4) Once entered into evidence, the report and certification shall qualify as if the expert had testified personally.

##### C. Demand.

1) Within 10 days of service of the notice, the juvenile's attorney may file and serve a written demand upon the attorney for the Commonwealth requiring the expert to testify at the adjudicatory hearing.

2) If a written demand is filed and served, the expert must testify.

3) If no demand is filed and served as required by paragraph (C)(1), the report and certification are admissible in evidence without the expert's testimony.

D. *Extension.* For cause shown, the judge may:

1) extend the time requirements of this rule; and/or

2) grant a continuance of the adjudicatory hearing.

E. *Certification.* The expert shall complete a certification providing:

1) the education, training, and experience that qualify the expert to perform the analysis or examination;

2) the entity by which the expert is employed and a description of the expert's regular duties;

3) the name and location of the laboratory where the analysis or examination was performed;

4) any state, national, or international accreditations of the laboratory at which the analysis or examination was performed;

5) that the analysis or examination was performed under industry-approved procedures or standards; and

6) the report accurately reflects the findings and opinions of the expert.

#### Comment

This rule was adopted in 201- to create a uniform procedure for delinquency proceedings similar to Pa.R.Crim.P. 574, which was adopted to address the issues raised by the U.S. Supreme Court's decision in *Melendez-Diaz v. Massachusetts*, 129 U.S. 2527 (2009). Its decision held that the 6th Amendment's confrontation right precluded presentation of laboratory reports without a live witness testifying at trial. In *Melendez-Diaz*, the U.S. Supreme Court noted with approval the use of "notice and demand" procedures. These procedures allow routine reports to be admitted without the expense of live expert testimony while protecting a defendant's confrontation rights.

Under the Pennsylvania Constitution, Art. 1, § 9, juveniles are to be afforded the same due process rights as adult defendants, including the right to confront witnesses. See *In re Davis*, 546 A.2d 1149 (Pa. Super. Ct.

1988); *Com. v. McNaughton*, 381 A.2d 929 (Pa. Super. Ct. 1977). See also *In re Winship*, 397 U.S. 358 (1970) and *In re Gault*, 387 U.S. 1 (1967).

This rule provides a “notice and demand” procedure for delinquency proceedings. Under this rule, the attorney for the Commonwealth may seek to admit a forensic laboratory report as evidence without expert testimony if the notice requirements are met and no demand for the presence of the expert is made. If the juvenile makes such a demand, the expert is required to testify before the report can be admitted into evidence.

Nothing in this rule is intended to: 1) preclude a stipulation agreed to by the parties for the admission of the report without the expert’s presence; 2) prevent further stipulation by the parties in light of the admission of the report and certification; or 3) change the discovery requirements pursuant to Rule 340.

Pursuant to paragraph (D), the court may permit filing of the notice or demand after the time period required in the rule if the party seeking the late filing shows cause for the delay. In the situation where the judge permits the late filing of the notice, the juvenile still has ten days to make the demand for the live testimony of the expert. This may necessitate a continuance of the adjudicatory hearing.

The certification in paragraph (E) does not require a description of the actual tests performed for the analysis. This information more properly belongs in the report itself. Because one of the goals of this rule is to permit the juvenile to make an informed decision regarding whether to demand the live testimony of the expert, the report should provide information sufficient to describe the methodology by which the results were determined.

For purposes of this rule, a laboratory is “accredited” when its management, personnel, quality system, operational and technical procedures, equipment, and physical facilities meet standards established by a recognized state, national, or international accrediting organization such as the American Society of Crime Laboratory Directors/Laboratory Accrediting Board (ASCLD/LAB) or Forensic Quality Services—International (FQS-I).

See Rule 345 for filing and service requirements.

#### EXPLANATORY REPORT

The Juvenile Court Procedural Rules Committee (Committee) is seeking public comment on an entirely new proposed Rule 405 regarding the notice and demand requirements in presentation of a forensic lab report at an adjudicatory hearing without the presence of a live witness.

This rule is being proposed to create a uniform procedure for delinquency proceedings similar to Pa.R.Crim.P. 574, which was adopted to address the issues raised by the U.S. Supreme Court’s decision in *Melendez-Diaz v. Massachusetts*, 129 U.S. 2527 (2009). Its decision held that the 6th Amendment’s confrontation right precluded presentation of laboratory reports without a live witness testifying at trial. In *Melendez-Diaz*, the U.S. Supreme Court noted with approval the use of “notice and demand” procedures. These procedures allow routine reports to be admitted without the expense of live expert testimony while protecting a defendant’s confrontation rights.

Under the Pennsylvania Constitution, Art. 1, § 9, juveniles are to be afforded the same due process rights as adult defendants, including the right to confront witnesses. See *In re Davis*, 546 A.2d 1149 (Pa. Super. Ct.

1988); *Com. v. McNaughton*, 381 A.2d 929 (Pa. Super. Ct. 1977). See also *In re Winship*, 397 U.S. 358 (1970) and *In re Gault*, 387 U.S. 1 (1967).

This rule provides a “notice and demand” procedure for delinquency proceedings. Under this rule, the attorney for the Commonwealth may seek to admit a forensic laboratory report as evidence without expert testimony if the notice requirements are met and no demand for the presence of the expert is made. If the juvenile makes such a demand, the expert is required to testify before the report can be admitted into evidence. See paragraph (B) for notice requirements and paragraph (C) for demand requirements.

An adjudicatory hearing may have to be continued if the court permits the filing of the notice or demand after the time period required if the party shows cause for the delay pursuant to paragraph (D). The demand period will run ten days from the date on the late filing of the notice.

Paragraph (E) provides for the requirements of the certification.

[Pa.B. Doc. No. 14-1190. Filed for public inspection June 6, 2014, 9:00 a.m.]

## PART I. RULES

### [ 237 PA. CODE CHS. 13, 15 AND 16 ]

#### Proposed Amendments to Rules 1302, 1515, 1608, 1610 and 1631

The Juvenile Court Procedural Rules Committee is soliciting public comment on modifications to Rules 1302, 1515, 1608, 1610, and 1631 before it considers any recommendations to the Supreme Court of Pennsylvania. These proposed modifications address inter-county transfer, docketing a change in custody, and clarifying the timing of a transition plan hearing.

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

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

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

All comments shall be received no later than Friday, July 25, 2014.

By the Juvenile Court  
Procedural Rules Committee

HONORABLE TODD A. HOOVER,  
Chair

Annex A  
TITLE 237. JUVENILE RULES

PART I. RULES

Subpart B. DEPENDENCY MATTERS

CHAPTER 13. PRE-ADJUDICATORY PROCEDURES

PART A. VENUE

Rule 1302. Inter-County Transfer.

A. *Transfer.* A court may transfer a case to another county at any [ time ] stage of the dependency proceedings.

1) Prior to the transfer of the case, the transferring court and receiving court shall communicate regarding jurisdiction of the case.

2) If there is an agreement to transfer the case:

a) the transferring court shall enter an order transferring the case; and

b) the receiving court shall enter an order accepting jurisdiction and scheduling the next court proceeding in accordance with these Rules.

B. *Transmission of official court record.* If the case is transferred pursuant to paragraph (A):

1) the transferring court shall transfer certified copies of all documents, reports, and summaries in the child's official court record to the receiving court; and

2) the county agency of the transferring court shall transfer all its records to the county agency where jurisdiction has been transferred.

Comment

Prior to the transferring of a case to another judicial district, the judge of the transferring court is to communicate with the judge of the receiving court. See paragraph (A)(1). Communication is essential to ensure all the details of the case are conveyed and any issues are resolved. If there is an agreement between the judges to transfer, each judge is to issue an order. The transferring court is to enter an order: 1) transferring the case to the receiving court; and 2) ordering the official court record and county agency records to be transferred with the case. See paragraphs (A)(2)(a) & (B). Pursuant to paragraph (A)(2)(b), the receiving court shall: 1) enter an order accepting jurisdiction of the case; and 2) schedule the next court proceeding.

To ensure there is no interruption in services to the child, the transferring county is to continue services until the case has been transferred officially by the entrance of court orders pursuant to paragraphs (A)(2)(a) & (b).

See 42 Pa.C.S. § 6321.

\* \* \* \* \*

CHAPTER 15. DISPOSITIONAL HEARING

PART B. DISPOSITIONAL HEARING AND AIDS

Rule 1515. Dispositional Order.

\* \* \* \* \*

Comment

See 42 Pa.C.S. §§ 6310, 6351.

If the dispositional order changes custody of the child, the order should be filed and docketed in

Juvenile Court and in any existing custody case in Civil Court under the Domestic Relations docket.

When issuing a dispositional order, the court should issue an order that is "best suited to the safety, protection, and physical, mental, and moral welfare of the child." 42 Pa.C.S. § 6351(a). See *In re S.J.*, 906 A.2d 547, 551 (Pa. Super. Ct. 2006) (citing *In re Tameka M.*, 525 Pa. 348, 580 A.2d 750 (1990)), for issues addressing a child's mental and moral welfare.

\* \* \* \* \*

CHAPTER 16. POST-DISPOSITIONAL PROCEDURES

PART B(2). PERMANENCY HEARING

Rule 1608. Permanency Hearing.

\* \* \* \* \*

D. *Court's findings.*

\* \* \* \* \*

2) *Additional findings for fifteen of last twenty-two months.* If the child has been in placement for fifteen of the last twenty-two months, the court may direct the county agency to file a petition to terminate parental rights.

3) *Transition plan for children eighteen years of age or older.*

a) A hearing shall be held at least ninety days prior to the child turning eighteen years of age for the purpose of approving a transition plan.

b) Prior to the hearing, the child shall have the opportunity to make decisions about the transition plan and confer with the county agency about the details of the plan. The county agency shall provide the transition plan to the court and the plan shall, at a minimum, include:

- i) the specific plans for housing;
- ii) a description of the child's source of income;
- iii) the specific plans for pursuing educational or vocational training goals;
- iv) the child's employment goals and whether the child is employed;
- v) a description of the health insurance plan that the child is expected to obtain and any continued health or behavioral health needs of the child;
- vi) a description of any available programs that would provide mentors or assistance in establishing positive adult connections;
- vii) verification that all vital identification documents and records have been provided to the child;
- viii) a description of any other needed support services; and

ix) notice to the child that the child can request resumption of juvenile court jurisdiction until the child turns twenty-one years of age if specific conditions are met.

c) At the hearing, the court shall review the transition plan for the child. If the court is not satisfied that the requirements of paragraph (D)(3)(b) have been met, a subsequent hearing shall be scheduled.

E. *Advanced communication technology.* Upon good cause shown, a court may utilize advanced communication technology pursuant to Rule 1129.

\* \* \* \* \*

**Comment**

\* \* \* \* \*

The court is to move expeditiously towards permanency. A goal change motion may be filed at any time.

**Pursuant to paragraph (D)(3)(b), the county agency is to assist the child and provide all the support necessary in developing a transition plan. See 42 U.S.C. § 675(5)(A)—(H).**

**Pursuant to paragraph (D)(3)(c), the court is to approve a transition plan that is suitable for the child and that has been personalized at the direction of the child.**

In addition to the permanency hearing contemplated by this rule, courts may also conduct additional and/or more frequent intermittent review hearings or status conferences, which address specific issues based on the circumstances of the case, and which assist the court in ensuring timely permanency.

\* \* \* \* \*

**Rule 1610. Permanency Hearing for Children over Eighteen.**

A. *Purpose and timing of hearing.* For every case for children over the age of eighteen, the court shall conduct a permanency hearing at least every six months for purposes of determining:

\* \* \* \* \*

2) whether the transition plan of the child is consistent with Rule [ 1631(E)(2) ] 1608(D)(3);

\* \* \* \* \*

**PART D. CESSATION OR RESUMPTION OF COURT SUPERVISION OR JURISDICTION**

**Rule 1631. Termination of Court Supervision.**

\* \* \* \* \*

E. *Children eighteen years of age or older.*

[ 1) Before the court can terminate its supervision of a child who is eighteen years of age or older, a hearing shall be held at least ninety days prior to the child turning eighteen years of age.

2) Prior to the hearing, the child shall have the opportunity to make decisions about the transition plan and confer with the county agency about the details of the plan. The county agency shall provide the transition plan to the court and the plan shall, at a minimum, include:

- a) the specific plans for housing;
- b) a description of the child’s source of income;
- c) the specific plans for pursuing educational or vocational training goals;
- d) the child’s employment goals and whether the child is employed;
- e) a description of the health insurance plan that the child is expected to obtain and any continued health or behavioral health needs of the child;
- f) a description of any available programs that would provide mentors or assistance in establishing positive adult connections;

g) verification that all vital identification documents and records have been provided to the child;

h) a description of any other needed support services; and

i) notice to the child that the child can request resumption of juvenile court jurisdiction until the child turns twenty-one years of age if specific conditions are met.

3) At the hearing, the court shall review the transition plan for the child. If the court is not satisfied that the requirements of paragraph (E)(2) have been met, a subsequent hearing shall be scheduled.

4) ] The court shall not terminate its supervision of the child without approving an appropriate transition plan pursuant to Rule 1608, unless the child, after an appropriate transition plan has been offered, is unwilling to consent to the supervision and the court determines termination is warranted.

\* \* \* \* \*

**Comment**

\* \* \* \* \*

Pursuant to 42 Pa.C.S. § 6351(a)(2.1), a court may transfer permanent legal custody to a person found by the court to be qualified to receive and care for the child. 42 Pa.C.S. § 6351(a)(2.1). See also *Justin S.*, 375 Pa.Super. 88, 543 A.2d 1192 (1988).

[ Pursuant to paragraph (E)(2), the county agency is to assist the child and provide all the support necessary in developing a transition plan. See 42 U.S.C. § 675(5)(A)—(H).

Pursuant to paragraph (E)(3), the court is to approve a transition plan that is suitable for the child and that has been personalized at the direction of the child. ]

If the court has resumed jurisdiction pursuant to Rule 1635, a new transition plan is to be developed for the child. Before the court can terminate supervision, the requirements of paragraph (E) are to be followed. In no case is a juvenile over twenty-one to remain under juvenile court supervision. See Rule 1635(E). See also Rule 1635(E) for termination of juvenile court jurisdiction if the court denies the motion for resumption of jurisdiction.

\* \* \* \* \*

**EXPLANATORY REPORT**

The Juvenile Court Procedural Rules Committee (Committee) is seeking public comment on modifications to Rules 1302, 1515, 1608, 1610, and 1631. These proposed modifications address inter-county transfer, docketing a change in custody, and clarifying the timing of a transition plan hearing.

*Rule 1302*

There have been questions regarding the methodology of transferring a case. These modifications seek to clarify the procedure.

Judges should be communicating informally with each other (e.g. telephone, email) to decide whether a case should be transferred and whether the receiving court is willing to agree to the transfer of the case. There is a multitude of issues that may arise in transfer cases, including where jurisdiction lies if a party has moved, custody has changed to an outside county person, or

another similar situation. There are also frequently many issues in the case and a better understanding of those issues can be relayed by a simple conversation.

After this communication, the judges decide together whether a case will be transferred. If transfer will occur, each judge must issue an order. The transferring court will enter an order: 1) transferring the case to the receiving court; and 2) ordering the official court record and county agency records to be transferred to the receiving court. At the same time, the receiving court will issue an order: 1) accepting jurisdiction of the case; and 2) scheduling the next court event.

At no time should a child be without services while transfer of a case is being discussed. The transferring county must continue to provide services until both orders have been issued.

#### *Rule 1515*

There are times when the judge in juvenile court issues an order changing the custody of the child that could affect an existing custody case. To ensure all parties are notified properly, the order changing custody must be docketed on both dockets: Juvenile Court and Civil Court.

#### *Rule 1608, 1610, and 1631*

Under the current Rules, the transition plan hearing is in the Termination of Court Supervision rule. After thoughtful consideration, the Committee believes it is more appropriately placed in the permanency hearing rule. The entire content of this procedure has been lifted from Rule 1631 and placed into Rule 1608.

The purpose of this move is to ensure hearings occur prior to the child's eighteenth birthday and that the county agency is prepared with achieving these requirements prior to that timeframe. In many instances, a transition plan takes time for thoughtful discussion of the available services with the child. Planning, making decisions, and providing services must occur. If a county agency waits until time of termination of a case, many plans would fail for lack of ample time to complete the plan. It is essential to consider thoughtfully all the details necessary to achieve independence while giving the child the time needed.

[Pa.B. Doc. No. 14-1191. Filed for public inspection June 6, 2014, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [ 246 PA. CODE CH. 300 ]

#### **Order Adopting Rule 320 of the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges; No. 368 Magisterial Doc.**

#### **Order**

#### *Per Curiam*

*And Now*, this 19th day of May, 2014, upon the recommendation of the Minor Court Rules Committee; the proposal having been published for public comment at 43 Pa.B. 5701 (September 28, 2013):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 320 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges is adopted in the following form.

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

#### **Annex A**

### **TITLE 246. MINOR COURT CIVIL RULES**

#### **PART I. GENERAL**

#### **CHAPTER 300. CIVIL ACTION**

#### **Rule 320. Request to Withdraw Complaint; Settlement.**

A(1) A plaintiff may withdraw the complaint prior to the commencement of the hearing by filing a written notice of withdrawal with the magisterial district court. Upon receipt of such notice, the magisterial district court shall note the withdrawal of the complaint on the docket, cancel any scheduled hearing (except for a consolidated hearing on a cross-complaint pursuant to Rule 315B), and notify the parties in writing that the complaint has been withdrawn.

(2) A withdrawal of the complaint filed prior to the commencement of the hearing shall be deemed to be without prejudice. The plaintiff may file a new complaint on the same cause of action upon payment of all applicable fees and costs.

B(1) The parties may file a written notice of settlement of the complaint with the magisterial district court at any time prior to the entry of judgment. Upon receipt of such notice, the magisterial district court shall note the case settled on the docket, cancel any scheduled hearing (except for a consolidated hearing on a cross-complaint pursuant to Rule 315B), and notify the parties in writing that the complaint has been marked settled.

(2) Where the parties have filed a notice of settlement with the magisterial district court and a subsequent breach of the settlement agreement occurs, a party may file a new complaint citing breach of the settlement agreement as the cause of action.

C(1) The withdrawal or settlement of the plaintiff's complaint shall not affect the right of the defendant to proceed with a cross-complaint filed pursuant to Rule 315A.

(2) The defendant may file a written notice of withdrawal of the cross-complaint in the manner set forth in subdivision A.

(3) The parties may file a written notice of settlement of the cross-complaint in the manner set forth in subdivision B.

**Official Note:** A complaint filed pursuant to subparagraph A(2) or B(2) shall not be treated as a "reinstatement" of the underlying action, and is subject to all prescribed fees and costs for filing and service of a complaint. Compare with Rule 314E, which provides for reinstatement of the complaint under the limited circumstance of failure to make timely service.

This rule also applies to the withdrawal or settlement of a cross-complaint. Moreover, a cross-complaint will survive the withdrawal or settlement of the corresponding complaint.

Prior Rule 320, addressing continuances, was rescinded by Order of December 16, 2004, effective July 1, 2005, and its provisions were added to Rule 209.

**FINAL REPORT<sup>1</sup>**  
**Recommendation 1-2014, Minor Court Rules**  
**Committee**

**Adoption of New Rule 320 of the Pennsylvania Rules**  
**of Civil Procedure before Magisterial District**  
**Judges**

**Procedures for Withdrawing the Complaint or**  
**Settling An Action**

On May 19, 2014, effective July 20, 2014, upon recommendation of the Minor Court Rules Committee<sup>2</sup>, the Supreme Court of Pennsylvania adopted new Rule 320<sup>3</sup> of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges.

*I. Background and Discussion*

The Minor Court Rules Committee (“Committee”) recommended adoption of new Rule 320 of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges (“Rules”). The goal of this new rule is to establish procedures for the withdrawal of complaints by plaintiffs, for recording the settlement of actions by the parties, and to clarify the effect of withdrawals and settlements on the action and any cross-complaint filed pursuant to Rule 315A.

The Committee was advised of inconsistencies in statewide practice and uncertainty for litigants resulting from the absence of a rule based practice in the magisterial district courts for withdrawal of the complaint and recording of a settlement of the action. The Committee agreed that there should be a rule or rules providing for the withdrawal of complaints and settlement of actions. Additionally, the Committee thought it would be helpful to clarify that civil actions ended by withdrawal of the complaint or settlement by the parties are not eligible for “reinstatement”, as that term is used in Rule 314E.<sup>4</sup> The Committee published a proposal at Volume 43, *Pennsylvania Bulletin*, p. 5701 (43 Pa.B. 5701, September 28, 2013) that included such procedures.

*II. Approved Rule Changes*

New Rule 320 establishes procedures for the withdrawal of complaints by plaintiffs, and settlement of actions by the parties. Rule 320A permits a plaintiff to withdraw a complaint prior to the start of the hearing upon written notice to the magisterial district court. Upon receipt of such notice, the magisterial district court notes the withdrawal on the docket, cancels the scheduled hearing (if the defendant has not filed a cross-complaint), and notifies the parties in writing. With respect to the future rights of the parties, the withdrawal of a complaint is deemed to be without prejudice, and a plaintiff may file a new complaint upon payment of all applicable fees and costs. Under no circumstances should a new complaint filed pursuant to this rule be treated as a “reinstatement”, as that term is used in Rule 314E (*i.e.*, the limited circumstance of failure to make timely service of the complaint).

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

<sup>2</sup> Minor Court Rules Committee Recommendation 1-2014.

<sup>3</sup> A prior Rule 320, addressing continuances, was rescinded by Order of December 16, 2004, effective July 1, 2005. The provisions of prior Rule 320 were added to Rule 209 in order to have one rule containing all provisions related to continuances. The Committee recommended using number 320 for this new rule because it places the new rule in the logical procedural sequence.

<sup>4</sup> Rule 314E provides that “a complaint that has been dismissed without prejudice for failure to make service pursuant to subdivision D of this rule may be reinstated at any time and any number of times.”

Similarly, Rule 320B permits the parties to file a notice of settlement with the magisterial district court at any time prior to the entry of judgment. Upon receipt of such notice, the magisterial district court notes the case settled on the docket, cancels the scheduled hearing (if the defendant has not filed a cross-complaint), and notifies the parties in writing. If a subsequent breach of the settlement agreement occurs, the party should file a new complaint citing breach of the settlement agreement as the cause of action, subject to all applicable fees and costs. Under Rule 320B(2), the original complaint may not be “reinstated.”

Finally, Rule 320C addresses the effect of a withdrawal or settlement of the complaint on a cross-complaint filed by the defendant, and provides instruction on the method of having a cross-complaint marked withdrawn or settled. A cross-complaint filed pursuant to Rule 315A may be “any claim against the plaintiff that is within the jurisdiction of a magisterial district judge.” Further, “[s]uch a claim need not arise from the same transaction or occurrence from which the plaintiff’s claim arose, nor need it be the same type of claim.” See Rule 315A. Therefore, the withdrawal or settlement of the underlying complaint does not automatically terminate the cross-complaint. Any scheduled hearing on a cross-complaint should proceed, unless the defendant takes affirmative action to withdraw the cross-complaint, or the court is notified that the cross-complaint has been settled.

[Pa.B. Doc. No. 14-1192. Filed for public inspection June 6, 2014, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

**Office of Judicial Records, Philadelphia Civil Rules**  
**\*204.1, \*206.1(a), \*1302, \*1303, \*1304, \*1305 and**  
**\*1308; President Judge General Court Regula-**  
**tion No. 2014-02**

#### Order

*And Now*, this 23rd day of May, 2014, the Board of Judges of Philadelphia County having voted at the Board of Judges’ meeting held on May 15, 2014 to amend all Philadelphia Local Civil Rules to reflect the name change of the Office of the Prothonotary to the “Office of Judicial Records” and to further amend the following Philadelphia local civil rules: \*204.1; \*206.1(a); \*1302; \*1303; \*1304; \*1305; and \*1308,

*It Is Hereby Ordered* that any reference to the “Prothonotary” in any Philadelphia local civil rule shall be changed to the “Office of Judicial Records” and that Philadelphia local civil rules \*204.1; \*206.1(a); \*1302; \*1303; \*1304; \*1305; and \*1308 are amended 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*

**AMENDMENTS TO THE PHILADELPHIA CIVIL RULES**

**Adopted by the Board of Judges on 5-15-14**

**The Rules as Follows Contain the Amended Language**

**Change the reference to "Prothonotary" in all Civil Rules to "Office of Judicial Records."**

**Rule No. \*204.1. Pleadings and other Legal Papers. Format.**

(a) In order to accommodate the filing of documents in an electronic format as authorized by Philadelphia Civil Rule \*205.4, all "legal papers," as defined in Pa.R.C.P. No. 205.4(a)(2), must conform to the following requirements:

- (1) All files must be no larger than 5MB each. . . .

\* \* \* \* \*

**Rule No. \*206.1(a). Designation of Petitions.**

(1) In addition to petitions to open default judgment and petitions to open judgment of non pros, the following applications are designated "petitions" and are governed by the procedures set forth in Pa.R.C.P. 206.1 et seq.:

- (i) Petition to Appoint Arbitrator;
- (ii) Petition to Appoint A Receiver;
- (iii) Petition to Compel Arbitration;
- (iv) Petition to Confirm Arbitration Award;
- (v) Petition to Confirm Settlement;
- (vi) Petition for Contempt;
- (vii) Petition to Set Aside Arbitration Award;
- (viii) Statutory Petitions; and
- (ix) Petition to Appoint a Sequestrator.

**Rule \*1302. Appointment of Arbitrators.**

(a) The Director of the Arbitration Center shall maintain an Arbitrator List of attorneys who have been deemed to be qualified to sit as Arbitrators in the Compulsory Arbitration Program of the Court of Common Pleas of Philadelphia County.

(b) Minimum criteria for qualification includes membership of the Bar of the Supreme Court of Pennsylvania, active practice of law for a minimum of one year subsequent to admission to the Bar of the Supreme Court of

Pennsylvania for panelists and five years for Chairpersons, maintenance of a principal office in Philadelphia County, attendance of a court-approved arbitration seminar and trial of a civil case in any forum in the Commonwealth of Pennsylvania. The Director of the Arbitration Program shall make available an Application for Initial Certification as Arbitration Panelist form, substantially in the form set forth hereunder, requiring the necessary information for determination of qualifications.

(c) Attorneys not currently enrolled on the Arbitration List may request to be included thereon by completing the Court supplied Application Form.

(d) The Director of the Arbitration Center from the Court-approved Arbitration List panelists and chairperson for assignment.

(e) Arbitrators no longer maintaining their principal office in Philadelphia County are required to promptly advise the Director of the Arbitration Center in writing.

(f) The Director of the Arbitration Center may, from time to time, strike the name of an attorney from the Arbitrator List in accordance with this rule.

(g) An issue concerning disqualification of an Arbitrator from a particular case shall first be raised with the Arbitration Panel and, if appropriate, with the Director of the Arbitration Center.

**Rule \*1303. Scheduling of Arbitration Hearings. Relistings. Consolidations.**

\* \* \* \* \*

(b) *Deferred Status.*

- (1) *To Obtain Deferred Status.*

\* \* \* \* \*

(ii) *Other Than Initial Filing.* Any party may seek deferral of a case by filing a Miscellaneous Arbitration Application substantially in the form set forth hereunder, setting forth the reasons for the Deferral. Before filing the Miscellaneous Arbitration Application with the Arbitration Center, counsel shall comply with the instructions set forth on said Form.

\* \* \* \* \*

- (2) *Compulsory Arbitration Hearing Order*

\* \* \* \* \*

(ii) *Other Deferred Cases.* When any party advises the Director of the Arbitration Center that the reasons for the deferral are no longer applicable, or upon Order of Court, the case shall be removed from Deferred Status and appropriate action shall be taken.

(c) *Continuances.* All requests for continuances shall be made as provided herein.

\* \* \* \* \*

(2) *Written Request.* All requests for continuance of Arbitration Hearings shall be in writing on a Continuance & Deferral Application substantially in the form set forth hereunder and shall be filed in accordance with President Judge Administrative Order No. 2009-02. The Continuance & Deferral Application shall set forth the specific reasons for the continuance and the legal basis for the continuance, as provided in Pa.R.C.P. 216 and this rule, the position of all other counsel or unrepresented parties and the date and time mutually convenient to all parties, for the relisting of the Arbitration Hearing.

(3) *Procedure for Obtaining Continuance.* A Continuance & Deferral Application shall be filed with the Arbitration Center and as may otherwise be provided in the Application. A copy of the Continuance & Deferral Application must be served, as required, on opposing counsel and unrepresented parties contemporaneously with its filing with the Arbitration Center. Upon receipt of the Continuance & Deferral Application, the Director of the Arbitration Center, or his/her designee, shall rule on the request, and, in appropriate cases, may consult with the Administrative Judge of the Trial Division or his/her designee. There shall be no hearing or oral argument on the request for continuance or a ruling thereon, and the ruling is not subject to judicial scrutiny at the request of any party.

\* \* \* \* \*

(d) *Advancement.* A hearing date may be advanced by filing a Continuance & Deferral Application with the Director of the Arbitration Program which shall allege that all parties agree to the advancement to a specific date.

\* \* \* \* \*

(i) *Settlement Prior to Hearing Date.* Counsel shall give written notification to the Director of the Arbitration Center of any settlement prior to the Arbitration Hearing date and an appropriate Order will be issued. Failure to provide written notice prior to the Arbitration Hearing date will result in the entry of a judgment of non pros if the parties fail to appear for the Call of the List and hearing.

\* \* \* \* \*

**Rule \*1304. Arbitration Facilities. Call of the List.**

\* \* \* \* \*

(b) *Call of the List.* There shall be a call of the list of all cases scheduled for the same time. If all parties fail to appear, without having previously obtained a continuance or advised the Director of the Arbitration Center in writing that the case has settled, the case shall be non-prossed.

**Rule \*1305. Conduct of Arbitration Hearings.**

(a) *Rules of Evidence. Supervisory Authority.* Hearings shall be conducted in accordance with the established rules of evidence, liberally construed to promote justice. The Arbitration panel, which may seek the assistance of the Director of the Arbitration Center, shall have the general powers of a court including the power to determine the admissibility of evidence, to permit testimony to be offered by depositions and to decide the law and the facts of the case submitted to them. Provided, however, that the Arbitration panel may not continue any case assigned to it.

\* \* \* \* \*

**Rule \*1308. Compensation of Arbitrators.**

All arbitrators, whether panel members or chairpersons, shall be compensated at a rate of \$225.00 per day or \$125.00 for one-half day of service, or as may otherwise be established by the Administrative Judge of the Trial Division.

[Pa.B. Doc. No. 14-1193. Filed for public inspection June 6, 2014, 9:00 a.m.]

**PHILADELPHIA COUNTY**

**Rescission of All Current Domestic Relations Local Rules Pertaining to Protection from Abuse, Support, Custody, and Divorce or Annulment; Adoption of Domestic Relations Local Rule 1901.1, Rule 1901.2, Rule 1901.3, Rule 1901.9, Rule 1901.10, Rule 1901.11, Rule 1901.12, Rule 1905.1, Rule 1920.1, Rule 1920.4, Rule 1920.42, Rule 1920.51, and Rule 1930; President Judge General Court Regulation No. 2014-01**

**Order**

*And Now*, this 23rd day of May, 2014, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on May 15, 2014 to rescind all current Domestic Relations local rules pertaining to Protection from Abuse, Support, Custody, and Divorce or Annulment, and having voted to adopt new Domestic Relations local rules, as provided as follows,

*It Is Hereby Ordered* that all current Domestic Relations local rules pertaining to Protection from Abuse, Support, Custody, and Divorce or Annulment are rescinded, and it is further *Ordered* that the following Domestic Relations local rules are adopted: Rule 1901.1; Rule 1901.2; Rule 1901.3; Rule 1901.9; Rule 1901.10; Rule 1901.11; Rule 1901.12; Rule 1905.1; Rule 1920.1; Rule 1920.4; Rule 1920.42; Rule 1920.51; and Rule 1930, 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 Administrative Order and amended local rule 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 Domestic Relations 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*

**Rescissions and Adoptions of Court of Common Pleas, Family Court Division, Domestic Relations Section, Local Rules**

**May 15, 2014 Board of Judges' Meeting**

#

**LOCAL RULES**

All current Domestic Relations Local Rules pertaining to Protection from Abuse, Support, Custody and Divorce or Annulment are rescinded  
The Following Local Rules are Adopted:

- # **LOCAL RULES**
- Protection from Abuse**
- 1 Rule 1901.1 - Scope
- 2 Rule 1901.2 - Scheduling. Continuances
- 3 Rule 1901.3 - Emergency Orders. Master for  
Emergency Relief
- 4 Rule 1901.9 - Presence of Domestic Violence  
Counselor/Advocate in Proceedings
- 5 Rule 1901.10 - Evidence. Medical Records,  
Affidavits of Repair, Statements of Lost Earnings
- 6 Rule 1901.11 - Order by Consent. Consent  
Agreement
- 7 Rule 1901.12 - Order by Default. Bench Warrant
- 8 Rule 1905.1 - Bilingual Forms

**Divorce and Annulment**

- 9 Rule 1920.1- Scope
- 10 Rule 1920.4- Service
- 11 Rule 1920.42- Documents required to be filed in  
Divorce Actions under Section 3301(c) and Section  
3301(d) of the Divorce Code.
- 12 Rule 1920.51- Proceedings before Master in  
Divorce

**Domestic Relations Matters Generally**

- 13 Rule 1930  
The rules of this chapter shall govern all civil  
actions or proceedings brought in the Court of  
Common Pleas for Philadelphia County in  
Divorce, Support, Custody, and Protection From  
Abuse under the Domestic Relations Code, and  
shall be cited as "Phila.DR.R."

**Proposed Philadelphia County Local Rules  
Pursuant to the Protection From Abuse Act**

**Rule 1901.1. Scope.**

The rules of this chapter shall govern all civil actions or proceedings brought in the Court of Common Pleas for Philadelphia County under the Protection from Abuse Act. 23 Pa.C.S. § 6101 et seq., and shall be cited as "Phila.DR.R."

**Rule 1901.2. Scheduling. Continuances.**

Cases shall be scheduled consistent with Pa.R.C.P. 1901.2. Upon application of any party or by agreement of the parties, the Court may grant a continuance for good cause shown. Upon the granting of a continuance, the temporary order shall remain in effect unless otherwise ordered.

**Rule 1901.3. Emergency Orders. Master for Emergency Relief.**

(a) A party may seek emergency relief pursuant to 23 Pa.C.S. § 6110 by filing a petition with the Emergency Hearing Master presiding at the Justice Juanita Kidd Stout Center for Criminal Justice, 1301 Filbert Street, Philadelphia, PA whenever the Court of Common Pleas is unavailable.

(b) For the purposes of this Rule, the Court of Common Pleas is unavailable from the close of business at the end

of each day to the resumption of business the next morning or from the end of the business week to the beginning of the next business week.

(c) Emergency Protection from Abuse Unit staff shall assist the plaintiff in filling out the necessary forms.

(d) The Emergency Hearing Master on duty shall review the petition for emergency relief and, when appropriate, grant an emergency order.

(e) The Emergency Hearing Master shall advise the plaintiff that the emergency order will automatically be certified to the Family Division of the Court of Common Pleas for a hearing before the assigned Court of Common Pleas Judge.

(f) When an emergency order is certified, the case shall be scheduled for hearing before the assigned Court of Common Pleas Judge within ten business days from the date on which the petition was filed.

(g) All certified emergency orders shall continue in effect until review by the assigned Court of Common Pleas Judge on the next business day.

(h) At the beginning of the next business day, all certified emergency orders and accompanying petitions shall be delivered to the Domestic Violence Unit, Family Division, which shall arrange for docketing and delivery to the assigned Court of Common Pleas Judge for prompt review. After review, the Judge shall enter temporary orders where necessary to protect the plaintiff and/or minor children until the scheduled hearing.

(i) The Philadelphia Police Department shall assist the plaintiff or any other competent adult in serving the petition and emergency order on the defendant. The notice to defend which shall accompany the petition for an emergency order shall advise the parties of how they may learn whether a temporary order has been issued and if so how they may obtain a copy of that order.

**Rule 1901.9. Presence of Domestic Violence Counselor/Advocate in Proceedings.**

(a) Upon request of a plaintiff, the Court shall allow a domestic violence counselor/advocate who has accompanied the plaintiff to Court to be present in the courtroom throughout the proceedings.

(b) Where a plaintiff is unrepresented by counsel, the domestic violence counselor/advocate may provide assistance to the plaintiff in his or her presentation of the facts relevant to the action.

(c) A domestic violence counselor/advocate is an individual who is engaged in a domestic violence program, who provides services to victims of domestic violence, who has undergone 40 hours of training and who is under the control of a direct services supervisor of a domestic violence program, the primary purpose of which is the rendering of counseling or assistance to victims of domestic violence.

**Rule 1901.10. Evidence. Medical Records, Affidavits of Repair, Statements of Lost Earnings.**

The Court shall receive into evidence without further proof copies of bills, hospital and physician reports, and all other records of licensed health care providers which are offered to substantiate claims of personal injury stemming from domestic abuse. The Court shall also receive into evidence without further proof copies of bills, records, reports, affidavits of repair, estimates of value, statements of lost earnings and similar documentation offered to substantiate any other reasonable losses suffered as a result of the abuse. Upon a proper showing, the

Court may continue the hearing to allow any other party to subpoena the person whose testimony is waived by this rule to appear at a later hearing at which time any adverse party may cross-examine him/her as to the document as if he/she were a witness for the party offering the document.

**Rule 1901.11. Order by Consent. Consent Agreement.**

(a) The parties may agree to the entry of a final order by consent.

(b) The consent agreement shall contain only those terms directly related to Protection From Abuse Act issues which are properly before the Court of Common Pleas.

(c) A consent agreement shall be signed by both parties. If the parties are represented, counsel shall witness their signatures.

(d) The signed consent agreement may be submitted to the Court at the hearing.

**Rule 1901.12. Order by Default. Bench Warrant.**

If a defendant who was properly served fails to appear in Court at the time of the hearing, the Court, in its discretion, may issue a bench warrant for the arrest of the defendant, or it may enter a final order by default, granting the plaintiff such relief as is proper under the Act.

**Rule 1905.1. Bilingual Forms.**

Bilingual forms shall be made available to litigants with limited English proficiency in the Spanish language, and in other languages, as the need arises.

**Proposed Philadelphia County Local Rules  
Actions for Divorce and Annulment of Marriage**

**Rule 1920.1. Scope.**

The rules of this chapter shall govern all civil actions or proceedings brought in the Court of Common Pleas for Philadelphia County under the Divorce Code 23 Pa.C.S. § 3101 et seq., and shall be cited as "Phila.DR.R."

**Rule 1920.4. Service.**

(a) Upon good cause shown, the Court may enter a special order directing service by ordinary mail directed to defendant's last known residence or other address.

(b) The requirements of good cause shall be satisfied upon the filing of an affidavit by plaintiff setting forth the extent of unsuccessful efforts to make service if the address is known, or the nature and extent of a good faith investigation made to ascertain the present residence and whereabouts of a defendant whose whereabouts are unknown.

(1) Such affidavit shall set forth the following information:

(i) the time and place at which the parties last resided together as spouses;

(ii) the last time the parties were in contact with each other, and the defendant's address and telephone number at that time;

(iii) the name and address of the last employer of the defendant either during the time the parties resided together or at a later time, if known to the plaintiff;

(iv) the names and addresses and relationship to defendant of those relatives known to be close to the defendant;

(v) proof that inquiry has been made of applicable voter registration records in an effort to ascertain the address of the defendant;

(vi) any other information which could furnish a fruitful basis for one truly bent on learning the present whereabouts of the defendant;

(vii) such affidavit should detail the particular efforts made to ascertain the defendant's present address and to effect service.

(2) A petition seeking such relief shall be filed with the Court requesting entry of a special order for service. The proposed order accompanying such Petition shall set forth the specific address at which counsel or unrepresented party will serve process on the defendant by regular mail. No hearing shall be held on such Petition unless the Court directs otherwise.

(c) When service of the Complaint in Divorce is made by registered mail, or by Acceptance of Service pursuant to Pa.R.C.P. 402(b), service shall not be deemed complete unless (1) the signature on the return receipt or on the Acceptance of Service form is identified to be that of the defendant by affidavit or verification of the plaintiff or other person familiar with said signature, or (2) where service is accepted by an unauthorized agent of the defendant, an affidavit or verification as to the identity of the agent and his or her relationship to the defendant.

**Rule 1920.42. Documents required to be filed in  
Divorce Actions under Section 3301(c) and Section 3301(d) of the Divorce Code.**

(a) Unless previously filed of record, the following documents shall be filed along with the Praeceptum to Transmit Record after all economic claims of record have been resolved or withdrawn:

(1) if the action is brought under Section 3301(c), the Affidavits required under Pa.R.C.P. 1920.42(a)(1);

(2) if the action is brought under Section 3301(d), the Affidavit required under Pa.R.C.P. 1920.42(a)(2);

(3) an Affidavit of Service as to the Complaint;

(4) in the case of actions brought under Section 3301(d), an Affidavit of Service as to the Affidavit required under Pa.R.C.P. 1920.42(a)(2);

(5) a proposed Final Decree in Divorce;

(6) if the proposed Final Decree in Divorce purports to incorporate a written agreement between the parties, a true and correct copy of the fully executed agreement;

(7) a stamped pre-addressed envelope addressed to the counsel of each represented party or, if unrepresented, to each unrepresented party;

(8) if the Defendant has failed to appear or has not filed an Affidavit of Consent in the action, an Affidavit of Non-Military Service;

(9) a copy of the Notice of Intent to File Praeceptum that was earlier sent to the opposing party or to his or her counsel of record; and

(10) current docket entries.

(b) The aforesaid procedure is only applicable in all cases under Section 3301(c) and Section 3301(d) where all issues between the parties have been resolved. The party filing the Praeceptum may withdraw a claim by so noting on the Praeceptum to Transmit Record. Any outstanding claims by the opposing party may only be withdrawn by a separate Praeceptum signed by that party or his attorney of record. If any claims are not specifically withdrawn or

resolved by attached written agreement, the case must be referred to a Master for disposition (unless bifurcated by Order of Court).

(c) If a Praeceptum to Transmit is defective, the Clerk of the Family Court may require that a corrected Praeceptum be filed, preceded by notification to the opposing party. No additional filing fee need be paid when the corrected Praeceptum is filed.

(d) In a case proceeding under Section 3301(c), if any objection is filed to the Praeceptum to Transmit Record, the following procedure shall be followed:

(1) The Clerk of the Family Court shall place any case wherein an objection has been filed on the next available list for the Family Court Motions Judge. All parties or their counsel shall be given at least ten (10) days notice prior to the listing date for the Court to determine whether the objection should be sustained or dismissed.

(2) If the Family Court Motions Judge determines that an objection should be sustained, an Order shall be entered which shall provide one of the following:

- (i) require the filing of additional pleadings;
- (ii) refer the case to the Permanent Master in Divorce, subject to the requirements set forth in Rule 1920.51;
- (iii) enter a Decree in Divorce with jurisdiction reserved over certain claims;
- (iv) grant such other relief as the Court deems necessary.

(3) If the Family Court Motion Judge determines that an objection should be dismissed, that Judge shall enter a Final Decree in Divorce.

(e) In any case where a Section 3301(d) Counter-affidavit is filed, the matter will be promptly listed before the Permanent Master in Divorce for purposes of a hearing on all non-economic issues raised therein. The written notice of said hearing shall clearly state that failure of the non-moving party to appear at the scheduled time will result in the dismissal of all objections and claims raised in the Counter-affidavit and the entry of a Final Decree in Divorce without additional notice to that party.

(1) If the non-moving party fails to appear for the scheduled listing of the case, the Master shall thereupon file a summary Report or Proposed Order recommending dismissal of the Counter-affidavit. If no exceptions are filed to the Report or Proposed Order within twenty days, then the Report or Proposed Order shall forthwith be presented to a Judge for approval and entry of an Order dismissing the Counter-affidavit. A Final Decree pursuant to Section 3301(d) or Order approving grounds for Divorce may then be entered following judicial review of the file.

(2) If both parties appear for the listing of the case, the Permanent Master in Divorce shall then conduct a conference to ascertain what issues are actually in dispute. Following conclusion of the conference, the Master may immediately proceed with a record hearing to dispose of any contest as to grounds, or he may defer the matter to another listing, for which notice shall be given while the parties are in attendance.

(i) After the completion of testimony relating to Grounds under Section 3301(d), the Permanent Master shall expeditiously prepare and file a Report which contains his or her findings as to whether the prerequi-

sites under that Section have been met. Copies of said Report shall be served on counsel and any unrepresented parties.

(ii) Within twenty (20) days after the date of the Report by the Permanent Master, any party may file written exceptions thereto. Any such exceptions shall thereafter be listed for argument before a Judge of the Family Court who shall dispose of the same on the basis of the record compiled before the Permanent Master. In the absence of exceptions within said twenty (20) day period, the Report shall be transmitted to a Judge for approval and entry of an Order consistent with the Master's recommendation as to Grounds for a Section 3301(d) Divorce. If no economic issues remain outstanding in the case, a Final Decree pursuant to Section 3301(d) may then be entered following judicial review of the file.

(iii) If economic issues are raised in a case for the first time through a Counter-affidavit, the Permanent Master shall submit a proposed Order to the Court whereby a deadline is set for the defendant to perfect his/her claims for economic relief through the filing of a Counterclaim or petition pursuant to Pa.R.C.P. 1920.15. If the defendant subsequently fails to comply with such Order, the Clerk of the Family Court, upon praecipe of the plaintiff, shall submit the file to a Judge for entry of a Final Decree.

(iv) If economic issues were raised in a case prior to the filing of a Counter-affidavit, or if the defendant perfects his/her claims for economic relief under the preceding paragraph, it shall be the responsibility of the parties to dispose of such issues through the filing of a Certification for Hearing pursuant to Pa.R.C.P. 1920.51.

#### **Rule 1920.51. Proceedings before Master in Divorce.**

(a) As used in this section, "Master" means a Permanent Master in Divorce who has been authorized by the Court to hear:

(1) matters relating to grounds for Divorce under Sections 3301(a), 3301(b), and 3301(d)(1)(ii), and for Annulment under Sections 3303, 3304 and 3305 of the Divorce Code;

(2) economic issues, including claims for equitable distribution of property, alimony, counsel fees, costs and expenses.

(b) Procedure for Divorce under Sections 3301(a) and 3301(b), and for Annulment:

(1) When a party wishes to proceed under fault grounds for Divorce or an Annulment, said party shall file a "Motion for Divorce Hearing on Fault Grounds or for Annulment" accompanied by a certification of service and a proposed Order of assignment setting forth the issues to be referred by the Court to the Master.

(2) Within ten (10) days following service of a Motion for Divorce Hearing on Fault Grounds or for Annulment, a party may file an Answer thereto for purposes of objecting to the proposed assignment of the case to a Master. It shall not constitute grounds for objection that discovery on economic issues has not been completed.

(3) The Motion for Divorce Hearing on Fault Grounds or for Annulment may be filed by either party as soon as twenty (20) days have elapsed following service of the complaint.

(4) Thirty (30) days advance notice of the hearing shall be given to the attorneys of record and any unrepresented parties. All parties shall be prepared to proceed at that time on the case,

(5) Unless otherwise ordered by the Court, an official Court interpreter of the Court of Common Pleas shall be utilized where a party or witness is unable to communicate in the English language.

(6) In uncontested proceedings, the moving party shall be prepared to present the following to the Master on the day of the hearing:

- (i) an Affidavit setting forth jurisdictional facts;
- (ii) a separate narrative Affidavit setting forth the specific facts relied upon as the basis for the fault allegations in the case, or where an Annulment is requested, the facts establishing grounds for such relief under Sections 3304 or 3305;
- (iii) in cases where no appearance of record has been entered for the defendant, an Affidavit of Non-Military Service as required by the Soldiers' and Sailors' Civil Relief Act; and
- (iv) in actions for Indignities under Section 3301(a)(6), a Certification of Counseling Notice.

(7) In contested cases, all testimony before the Master shall be recorded. Upon request of a party or on the Master's own motion, the attendance of witnesses before the Master may be secured through the issuance of a subpoena from the Clerk of Family Court.

(8) Copies of the Master's Report in Fault Grounds or Annulment cases shall be mailed to counsel of record and to any unrepresented parties. Such copies shall be accompanied by a proposed Decree and notice informing the parties that either side may file exceptions to the Report within twenty (20) days of the date said Report is filed.

(c) *Procedure on Economic Issues.*

(1) No hearing shall be scheduled before the Permanent Master to dispose of economic issues in a case unless one of the following has occurred:

(i) a Master's Report has been filed recommending a divorce under Section 3301(a), 3301(b) or 3301(d)(1)(ii) in a case where economic issues have been raised by a pleading. If no exceptions have been filed to said Report, or after exceptions thereto have been dismissed, the Court shall enter an Order in the following form:

ORDER APPROVING GROUNDS FOR DIVORCE

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, pursuant to the Report of the Master in Divorce, it is hereby Ordered that a Decree in Divorce shall hereafter be entered following resolution by the Permanent Master of all claims of record relating to equitable distribution of marital property, alimony, counsel fees, costs and expenses, and related claims under Divorce Code of 1980, as amended;

(ii) A Praecipe to Transmit Record has been filed pursuant to Section 3301(c) or Section 3301(d)(i) in a case where economic claims have been raised of record. Said Praecipe to Transmit Record and the Notice of Intent that shall precede it shall be accompanied by all other documents required by Rule 1920.42. After any objection to said Praecipe has been dismissed, the Court shall enter an Order in the following form:

ORDER APPROVING GROUNDS FOR DIVORCE

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon receipt of the record setting forth a cause of action under Section 3301(c) or Section 3301(d), a Decree in Divorce shall hereafter be entered following

resolution by the Master of all claims of record relating to equitable distribution of marital property, alimony, counsel fees, costs and expenses, and related claims under Divorce Code of 1980, as amended;

(iii) A bifurcated Decree In Divorce has been entered by the Court.

(2) A Master's hearing may only be scheduled on economic issues after one of the parties or their attorney of record has certified that:

- (i) an Order Approving Grounds for Divorce or a Bifurcated Decree has been entered;
- (ii) all discovery has been completed; and
- (iii) there are no motions or petitions outstanding in the case.

(3) All such Certifications for Hearing before the Master in Divorce shall be filed in the Office of the Clerk of the Family Court following payment of the required fee; provided, however, that no additional fee shall be required where fault grounds have been established pursuant to a hearing before the Permanent Master. At the time of filing the Certification, the attorney for the moving party shall also file with the Clerk of Family Court a verification that a copy of said Certification was served on the opposing attorney of record, or on the opposing party, if unrepresented.

(4) Within ten (10) days following the date of filing a Certification for Hearing before the Permanent Master, opposing counsel or the unrepresented party may file objections to the same in the Office of the Clerk of the Family Court. Any such objections shall state with particularity the basis for denying the representations in the Certification. All objections to Certifications for Hearing before the Permanent Master will be promptly listed for hearing before the Family Court Motions Judge.

(5) If no objections are filed to the Certification for Hearing pursuant to subsection (4) hereof, the case shall be scheduled for a hearing before a Permanent Master. Thirty (30) days advance notice of any such hearing shall be given to counsel and any unrepresented party, unless otherwise ordered by the Court.

(6) At least ten (10) days prior to the scheduled hearing before the Permanent Master, each party shall file a mandatory pre-trial memorandum in accordance with Pa.R.C.P. 1920.33(b). The pre-trial memorandum shall be filed with the Clerk of Family Court and a copy of the same shall be mailed or personally served on the same day to opposing counsel or any unrepresented party.

(7) The Master shall take non-record testimony from the parties only, unless, at the sole discretion of the Master, additional non-record testimony is required. The parties may offer into evidence, without formal proof, documentary evidence in the nature of appraisals, pension evaluations, statements from financial institutions, official or certified records of any governmental or judicial body, and other reports, bills and records relating to real estate, personal property, counsel fees and costs, provided that true and correct copies of all such evidence is provided to all parties or counsel of record at least ten (10) days prior to the hearing.

(8) Within thirty (30) days after conclusion of the final hearing on economic issues, the Permanent Master shall file with the Court a report containing findings of fact and conclusions of law along with a recommendation and proposed Decree and/or Order disposing of all issues of record. Copies of said findings and order shall be mailed

to the counsel of record, or unrepresented parties, together with a notice explaining the procedure for requesting a trial de novo by the Court.

(9) Within twenty (20) days after the mailing date of the Master's Report and proposed Decree, either party may file with the Clerk of Family Court a Praeceptum for a trial de novo before a Judge. Time stamped copies of any such Praeceptum shall forthwith be served on the opposing counsel of record or unrepresented party, and on the Master who heard the matter. The case thereafter shall be listed before a Judge for a full evidentiary hearing.

(10) In the event there is no demand for a trial filed within twenty (20) days following mailing of the Report and proposed Decree, such Report and proposed Decree shall be submitted to the Court for approval and entry of a Decree.

(11) Any willful violation of this Rule including a failure to comply with filing requirements, failing to provide the required pre-trial memorandum, not providing all parties or counsel copies of documentary evidence to be introduced at the hearing before the Master, or not attending a hearing, shall be grounds for contempt of Court and imposition of sanctions. The Master is empowered to recommend that anyone not complying with this Rule be cited for contempt of Court.

**Proposed Philadelphia County Local Rules  
Rules Relating to Domestic Relations Matters  
Generally**

**Rule 1930.**

The rules of this chapter shall govern all civil actions or proceedings brought in the Court of Common Pleas for Philadelphia County in Divorce, Support, Custody, and Protection From Abuse under the Domestic Relations Code, and shall be cited as "Phila.DR.R."

(a) The following shall be filed with the office of the Clerk of Family Court:

(1) the entry of appearance by an attorney on behalf of a party, which shall be substantially in the following form:

See Form on Page 14

(2) the entry of an appearance by a self-represented party pursuant to Pa.R.C.P.1930.8; which shall be substantially in the following form:

See Form on Page 15

(3) the original and four copies of all complaints, petitions, motions, mandatory filings, and all other pleadings and documents in the nature of pleadings.

(b) All local forms shall be posted on the First Judicial District's website: <http://courts.phila.gov/forms>.

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FAMILY DIVISION**

_____	:	DOCKET NO. _____
	:	
vs.	:	
	:	
	:	PACSES No. _____
_____	:	

**ATTORNEY'S ENTRY / WITHDRAWAL OF APPEARANCE**  
PLEASE ENTER/WITHDRAW OF RECORD MY APPEARANCE FOR:

\_\_\_\_\_  
CLIENT'S NAME

\_\_\_\_\_  
ATTORNEY'S NAME

\_\_\_\_\_  
ATTORNEY'S ADDRESS

\_\_\_\_\_  
CITY STATE ZIP CODE

\_\_\_\_\_  
ATTORNEY'S TELEPHONE NUMBER

\_\_\_\_\_  
ATTORNEY'S EMAIL ADDRESS

\_\_\_\_\_  
ATTORNEY'S ID NO. SIGNATURE OF ATTORNEY

\_\_\_\_\_  
DATE

Entry of Appearance Self Represented Party

	:	IN THE COURT OF COMMON PLEAS
	:	OF PHILADELPHIA COUNTY, PENNSYLVANIA
	:	DOMESTIC RELATIONS SECTION
	:	
VS.	:	DOCKET
	:	PACSES CASE ID
PLAINTIFF	:	
	:	
DEFENDANT	:	

## TO THE DOCKETING DIVISION OF THE DOMESTIC RELATIONS SECTION:

I am the \_\_\_ plaintiff \_\_\_ defendant in the above captioned \_\_\_ support \_\_\_ custody \_\_\_ divorce \_\_\_ annulment \_\_\_ protection from abuse case.

I intend to represent myself in upcoming legal proceedings at the Philadelphia County Domestic Relations Section. Remove the counsel of record from my case, if applicable.

Papers may be served at the address set forth below:

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Home Phone Number

\_\_\_\_\_  
Mobile Phone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
For Self Represented Party:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

Pursuant to Pa.R.C.P. 1930.8(b) a self-represented party is under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to attorneys of record.

[Pa.B. Doc. No. 14-1194. Filed for public inspection June 6, 2014, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CUMBERLAND COUNTY

#### Administrative Order; CP-21-MD-559-2014

##### Administrative Order

*And Now*, this 21st day of May, 2014, the creation of a Constable Review Board is hereby authorized in accordance with the following standards and procedures:

##### I. Definitions

a. “Constable.” Any elected or appointed constable or deputy constable performing judicial duties for the Cumberland County Court of Common Pleas or any magisterial district court within the Ninth Judicial District.

b. “Judicial Duties.” Services performed pursuant to 44 Pa.C.S.A. §§ 7161—7161.1 and further defined by the Pennsylvania Unified Judicial System’s Constable Policies, Procedures and Standards of Conduct published by the Administrative Office of Pennsylvania Courts.

##### II. Scope

a. Constables are elected and perform numerous functions at the municipal level, apart from the services performed as independent contractors for the judiciary. The Constable Review Board’s jurisdiction extends only to constables in the performance of judicial duties.

b. Consistent with the Pennsylvania Unified Judicial System’s Constable Policies, Procedures and Standards of Conduct, the Constable Review Board may receive complaints by or against constables regarding:

1. the performance of judicial duties;
2. financial/payment disputes; or
3. other matters relevant to a constable’s judicial duties.

c. The Constable Review Board does not have the authority to revise the Constable Policies, Procedures and Standards of Conduct issued by the Administrative Office of Pennsylvania Courts.

d. Nothing herein shall preclude any person or surety of a constable from filing a verified petition in accordance with 44 Pa.C.S. § 7172 alleging that a constable is incompetent to discharge official duties.

##### III. Authority

a. The Constable Review Board may make recommendations to the President Judge with respect to practices and procedures as they relate to constables generally and make recommendation regarding the judiciary’s continued use of a constable’s services.

b. If a matter involves a financial dispute or other matter within Cumberland County’s control, the Constable Review Board may make recommendations to the Cumberland County Controller regarding payment for services.

c. The Constable Review Board shall forward any findings of suspected criminal activity to the Cumberland County District Attorney.

d. The President Judge remains the ultimate authority with regard to a constable’s performance of judicial duties within the Ninth Judicial District. In that respect, the President Judge may, at any time, temporarily place a moratorium on the use of a particular constable pending review and recommendation of the Constable Review Board on any pending complaint.

##### IV. Membership of the Constable Review Board

- a. A judge of the Court of Common Pleas;
- b. A Magisterial District Judge;
- c. The Court Administrator or her designee;
- d. A Constable and an alternate; and
- e. The County Controller or his designee.



V. *Filing a Complaint*

a. The complaint shall be in writing, signed by the complainant, and contain a statement of the alleged misconduct, financial dispute, or other matter related to the performance of judicial duties.

b. The complaint may be submitted by mail, e-mail, fax, or any other electronic means by which a paper copy may be generated. The contact information for filing the complaint is as follows:

Court Administrator  
Cumberland County Courthouse  
One Courthouse Square  
Carlisle, PA 17013  
FAX: 717-240-6460  
Email: courtadmin@ccpa.net

c. The written complaint shall substantially conform to the form set forth at VIII herein.

d. The complaint shall initially be forwarded to the Court Administrator. Upon receipt of a complaint, the Court Administrator shall:

- 1. Note the date of receipt on the complaint.
- 2. Create a file to contain the complaint and all subsequent communications regarding the complaint.

3. Within three (3) business days, the Court Administrator shall forward a copy of the complaint to the respondent constable, if the complaint is against a constable or to any other respondent if the complaint is by a constable.

4. At the same time as the transmission of the copy of the complaint to the constable/or respondent, the Court Administrator shall provide written notice to the constable/respondent that he or she must provide to the Court Administrator a written response to the complaint within twenty (20) days, or less if the President Judge so orders, from the date of such notice. The notice shall further provide that if a constable/respondent fails to respond, such failure may result in a decision by the judiciary based on the information available for review.

VI. *Constable Review Board Action*

a. Upon receipt of a respondent's written response, or expiration of the response period, whichever comes first, the Court Administrator shall, within three (3) business days forward a copy of the complaint, response, and all corroborating documentation to each Constable Review Board member for review.

b. Within thirty (30) days of receipt of the file information, the Constable Review Board shall:

1. in matters falling outside the Constable Review Board's authority, forward the complaint file to the President Judge with written notification to the President Judge, and the complainant, that the complaint falls outside the scope of the Board's authority and list the reason(s) for that finding.

2. in matters involving payment and/or possible termination or suspension of the Court's use of a constable, interview the complainant, the constable and all other relevant witnesses. If scheduling conflicts prevent the Board from meeting to conduct interviews before the Board as a whole, the Board may request the President Judge to select two Board members to conduct interviews who shall prepare and submit a report to the Board.

Unless the President Judge grants an extension of time, interviews shall be completed and a recommendation to the President Judge shall be made within the thirty (30)-day time period.

3. in all other matters, the Constable Review Board may conduct interviews or make a recommendation to the President Judge based exclusively upon the complaint, response, and all other written documentation submitted.

VII. *Notice by President Judge*

a. Within thirty (30) days of receipt of the Constable Review Board's recommendation, the President Judge shall issue a written notice to the complainant and any constable of the Court's decision.

VIII. *Form Complaint*

CONSTABLE REVIEW BOARD FOR THE NINTH JUDICIAL DISTRICT OF PENNSYLVANIA COMPLAINT

A. COMPLAINANT:

Your Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone # \_\_\_\_\_

B. CONSTABLE COMPLAINED OF:

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

Contact Info (if known): \_\_\_\_\_

C. STATEMENT OF COMPLAINT: PLEASE BE SPECIFIC—relevant dates, names of witnesses and any relevant documents. Explain the conduct or practice complained of, the date(s), names of witnesses and attach copies of relevant documents. You may attach as many additional pages as necessary to fully set forth your complaint.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

The Complaint may be e-mailed, faxed, or mailed to the following:

Court Administrator  
Cumberland County Courthouse  
One Courthouse Square  
Carlisle, PA 17013  
FAX: 717-240-6460  
Email: courtadmin@ccpa.net

This order shall take effect June 1, 2014, or thirty (30) days from the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

KEVIN A. HESS,  
*President Judge*

[Pa.B. Doc. No. 14-1195. Filed for public inspection June 6, 2014, 9:00 a.m.]

## MONTGOMERY COUNTY

**Adoption of Local Rule of Civil Procedure 1920.73(c); Notice of Intention to Request Entry of Divorce Decree; Praecepto to Transmit Record; Motion for Entry of Grounds Order and Appointment of Equitable Distribution Master; Forms**

## Order

And Now, this 20th day of May, 2014, the Court hereby Adopts Montgomery County Local Rule of Civil Procedure 1920.73(c). Notice of Intention to Request Entry of Divorce Decree. Praecepto to Transmit Record. Motion for Entry of Grounds Order and Appointment of Equitable Distribution Master. Forms. This Rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.C.P. 239, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and one (1) certified copy shall be filed with the Domestic Relations Procedural Rules Committee. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court.

By the Court

WILLIAM J. FURBER, Jr.,  
President Judge

**Rule 1920.73(c). Notice of Intention to Request Entry of Divorce Decree. Praecepto to Transmit Record. Motion for Entry of Grounds Order and Appointment of Equitable Distribution Master. Forms.**

(1) A Praecepto to Transmit the Record to request a final Decree in Divorce shall be filed where:

(a) there have been no claims for equitable distribution of marital property, alimony or counsel fees, costs, and expenses raised in the pleadings, or

(b) all claims have been withdrawn and grounds for divorce have been established, and the Moving party is seeking a final decree in divorce, or

(c) the parties have reached a written agreement, which resolves all issues of equitable distribution of marital property, alimony and counsel fees, costs, and expenses, and grounds for divorce have been established, and the Moving party is seeking a final decree in divorce which incorporates the written agreement.

See Form Praecepto to Transmit the Record

(2) A Motion for Entry of Grounds Order and Appointment of Equitable Distribution Master shall be filed where:

(a) there are pending claims for equitable distribution of marital property, alimony or counsel fees raised in the pleadings, and

(b) no written agreement has been reached by the parties; and

(c) grounds for divorce exist and can be established.

See Form Motion for Entry of Grounds Order and Appointment of Equitable Distribution Master

(3) The Moving party, filing the Motion for Entry of Grounds Order and Appointment of Equitable Distribution Master, upon filing said Motion shall:

(a) pay a required fee to the Prothonotary at the time of filing the Motion; and

(b) certify in the Motion that discovery is complete by including a listing of all assets and liabilities, including values as of the date of filing of the Motion; and

(c) attach to the Motion the Moving party's Initial Hearing Statement, which shall include a completed Inventory and Appraisal, pursuant to Local Rule 1920.33(f); and

(d) the Motion and Initial Hearing/Inventory Statement, pursuant to Local Rule 1920.33(f), shall be filed with the Court and served upon the Non-Moving party, and a Certificate of Service of same shall be filed with the Court.

(4) The Non-Moving party shall have forty-five (45) days from the date of service of the Moving party's Motion and Initial Hearing/Inventory Statement in which to complete all discovery, and provide the same certification to the Court and the Moving party, that the Non-Moving party's discovery is complete and includes a listing of all assets and liabilities, including values as of the date of filing of the certification by the Non-Moving party:

(a) the listing of all assets and liabilities shall be in the form of an Initial Hearing/Inventory Statement, pursuant to Local Rule 1920.33(f), and shall be filed with the Court and served upon the Moving party, and a Certificate of Service of same shall be filed with the Court.

(5) The failure of either party to comply with any provisions of this Rule may result in Sanctions to that non-compliant party and/or the barring of the non-compliant party's testimony or introduction/admission of evidence at the time of the equitable distribution proceedings.

*Comment:* the forms referenced in this rule are available online at [www.montcopa.org/prothonotary](http://www.montcopa.org/prothonotary).

[Pa.B. Doc. No. 14-1196. Filed for public inspection June 6, 2014, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 55—PUBLIC WELFARE

### DEPARTMENT OF PUBLIC WELFARE

[ 55 PA. CODE CH. 1187 ]

#### Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities

The Department of Public Welfare (Department), under the authority of sections 201(2), 206(2), 403(b) and 443.1 of the Public Welfare Code (62 P.S. §§ 201(2), 206(2), 403(b) and 443.1), amends § 1187.94 (relating to peer grouping for price setting).

##### *Purpose of the Final-Form Rulemaking*

The purpose of this final-form rulemaking is to amend § 1187.94 to provide for a distinct method of calculating peer group medians and prices between the initial four special rehabilitation facilities (SRF) and the facilities classified as SRFs after 2000.

The final-form rulemaking is needed to amend the manner in which the peer group medians and peer group prices are set for facilities classified as SRFs as defined in § 1187.2 (relating to definitions).

##### *Summary*

A complete description of the amendment was included in the proposed rulemaking published at 43 Pa.B. 4599 (August 10, 2013).

##### *Affected Individuals and Organizations*

This final-form rulemaking primarily affects the initial SRFs enrolled in the Medical Assistance Program. This change in rate methodology provides three of the four initial SRFs an estimated additional \$0.736 million in revenue for the period November 1, 2011, through June 30, 2012. For Fiscal Year (FY) 2012-2013 and beyond, this change in rate methodology provides an estimated decrease of \$1.191 million in revenue for the initial four SRFs. Other nonpublic nursing facilities may see a minimal positive impact estimated to be an average of 7¢ per bed day or \$2,006 per nonpublic nursing facility. This change does not adversely impact the facilities classified as SRFs after July 1, 2000.

##### *Accomplishments and Benefits*

This final-form rulemaking provides a distinct method of calculating peer group medians and prices between the initial four SRFs and the facilities classified as SRFs after 2000. In addition, this change ensures that residents with chronic impairments continue to have access to medically necessary nursing facility services.

##### *Fiscal Impact*

The estimated fiscal impact to the Commonwealth for the change in payment rates related to the initial four special rehabilitation nursing facilities for the period November 1, 2011, through June 30, 2012, is \$0.331 million in State funds. There is no fiscal impact associated with this final-form rulemaking for FY 2012-2013 and beyond. Adjustments to peer groups do not have a fiscal impact because of the Budget Adjustment Factor.

##### *Paperwork Requirements*

There are no new or additional paperwork requirements needed to comply with the final-form rulemaking.

##### *Public Comment*

Written comments, suggestions and objections regarding the proposed rulemaking were requested within a

30-day period following publication of the proposed rulemaking. No public comments were received within the 30-day time frame. The Independent Regulatory Review Commission (IRRC) did not comment on the proposed rulemaking.

##### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on July 31, 2013, the Department submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 4599, to IRRC and the Chairpersons of the House Committee on Human Services and the Senate Committee on Public Health and Welfare 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 April 9, 2014, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective April 9, 2014.

##### *Findings*

The Department finds that:

(1) Public notice of proposed rulemaking was 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of this final-form rulemaking in the manner provided by this order is necessary and appropriate for the administration and enforcement of the Public Welfare Code.

##### *Order*

The Department, acting under sections 201(2), 206(2), 403(b) and 443.1 of the Public Welfare Code, orders that:

(1) The regulations of the Department, 55 Pa. Code Chapter 1187, are amended by amending § 1187.94 to read as set forth at 43 Pa.B. 4599.

(2) The Secretary of the Department shall submit this order and 43 Pa.B. 4599 to the Offices of General Counsel and Attorney General for approval as to legality and form as required by law.

(3) The Secretary of the Department shall certify and deposit this order and 43 Pa.B. 4599 with the Legislative Reference Bureau as required by law.

(4) This order shall take effect November 1, 2011.

BEVERLY D. MACKERETH,  
*Secretary*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 2592 (April 26, 2014).)*

**Fiscal Note:** Fiscal Note 14-537 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 14-1197. Filed for public inspection June 6, 2014, 9:00 a.m.]

# PROPOSED RULEMAKING

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Advance Notice of Proposed Rulemaking for Revision of the Commission's Regulations on Automatic Adjustment Clauses Related to Electric Default Service

Public Meeting held  
May 22, 2014

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

*Advance Notice of Proposed Rulemaking for Revision of the Commission's Regulations on Automatic Adjustment Clauses Related to Electric Default Service;*  
*Doc. No. L-2014-2421001*

### Advance Notice of Proposed Rulemaking Order

*By the Commission:*

In order to fully recover the cost of providing service, public utilities are permitted to utilize automatic adjustment clauses to increase or decrease rates to reflect changes in certain costs. Traditional methods of reconciliation accounting could, however, cause a great deal of volatility in utility service rates associated with the recovery of revenue and cost imbalances created by the use of these automatic adjustment clauses. The Pennsylvania Public Utility Commission's (Commission) objective is to ensure that: (1) utilities' rates reflect projected costs as accurately as is feasible, (2) utilities are able to fully recover their just and reasonable costs and (3) customers pay the full cost of service. The Commission also desires to establish a uniform policy regarding whether interest is recoverable when reconciling costs through automatic adjustment clauses and the rate of interest that is paid or collected.

To accomplish these objectives, the Commission proposes to establish a symmetrical rate of interest which will be applicable to both over and under collections resulting from the reconciliation of utilities' actual costs and revenue collected through automatic adjustment clauses regarding electric default service. If the Commission finds that establishing this uniform interest to electric default service does not adequately accomplish the Commission's objectives stated above, the Commission will consider establishing a modified interest rate applicable to "excessive" portions of over and under collections. By way of this Advance Notice of Proposed Rulemaking Order, the Commission seeks comments from all interested parties on its proposal to apply a symmetrical rate of interest to the over and under collections resulting from reconciliation of automatic adjustment clause costs and revenues regarding electric default service.

#### *Background*

Section 1307(a) of the Public Utility Code, 66 Pa.C.S. § 1307(a), generally provides that public utilities may establish automatic adjustment clauses. Automatic adjustment clauses allow utilities to increase or decrease rates to reflect changes in specific costs without the extensive filing requirements and review process of a traditional base rate case. 66 Pa.C.S. § 1307(a). Some

examples of costs that are recovered through automatic adjustment clauses include, but are not limited to: Electric Default Service, Act 129 Energy Efficiency and Conservation Programs, Smart Meter, Universal Service, Distribution System Improvement Charges and the Alternative Energy Portfolio.

Before implementing an automatic adjustment clause, public utilities must file a tariff, or tariff rider, for the Commission's approval. Id. The tariff or tariff rider will outline the specifics of each automatic adjustment clause, including: to which customers the rate applies, how often the rate is adjusted (i.e. monthly, quarterly, semi-annually, or annually), which costs are recoverable and the reconciliation period.

Within thirty days following the end of the reconciliation period set forth in the tariff, each public utility using an automatic adjustment clause must file with the Commission a statement specifying the total revenues received pursuant to the adjustment clause, the total amount of expenses incurred pursuant to the adjustment clause and the difference between the total revenues received and the total expenses incurred. 66 Pa.C.S. § 1307(e). The difference between the total revenues received and the total expenses incurred is referred to as the over or under collection. After reconciling their actual costs with what was recovered from consumers, utilities then make adjustments to their rates to either refund over-collected amounts to customers or collect under-collected amounts from customers.

Ideally, utilities would reasonably forecast and match expenses to sales, resulting in only minor over or under collections. Unfortunately, this may not always be the case going forward. Traditional methods of reconciliation accounting and of allocating costs to rate classes could cause a great deal of volatility, especially in the electric default service market. In addition, the rules vary as to whether interest is paid or collected on over and under collections and also as to the rate of interest that is paid or collected. Further, these interest rates are often not reflective of current market conditions. As a result, utilities may have little or no incentive to accurately forecast expenses and sales and the amount of costs that are over-collected or under-collected could potentially be significant.

The Commission believes that many of the utilities' costs are currently being forecasted accurately. However, in order to specifically meet the Commission's objective that utilities' current prices reflect current costs as accurately as is feasible, the Commission desires to set forth uniform rules regarding default service related automatic adjustment clauses. Specifically, the Commission desires to create uniformity as to whether interest is to be paid or collected on over or under collections and the rate of interest that is paid or collected.

#### *Discussion*

##### *A. Current Varying Interest Rate Structure*

By way of background, the Public Utility Code (Code) and the Commission's Regulations expressly permit reconciliation for default service costs through automatic adjustment clauses. 66 Pa.C.S. § 2807(e)(3.9); 52 Pa. Code § 54.187(b). Section 2807(e)(3.9) of the Code specifically provides that electric default service providers may recover all costs incurred under a Commission-approved competitive procurement plan pursuant to a

reconcilable automatic adjustment clause under 66 Pa.C.S. § 1307 (relating to sliding scale of rates; adjustments). 66 Pa.C.S. § 2807(e)(3.9). As previously stated, however, the rules vary as to whether interest is paid or collected on over and under collections and also as to the rate of interest that is paid or collected.

The guiding principal of any adjustable rate approved under Section 1307 of the Code, in addition to its being in the public interest, is that it comply with the just and reasonable mandate of 66 Pa.C.S. § 1301 (relating to just and reasonable rates). Section 1307 specifically seeks to ensure that qualifying rates provide utilities with the opportunity to achieve a just and reasonable return. Thus, a primary purpose of Section 1307 is to provide qualified adjustable rate relief to utilities that may be subject to significant expense swings.

The adjustable expense recovery permitted under Section 1307 of the Code is limited to those expenses expressly authorized, or those easily identifiable, variable and beyond a utility's control. In the wake of electric restructuring, the Commission has approved a host of automatic adjustment clauses for EDCs to recover, including electric default service expenses. Costs recoverable through automatic adjustment clauses related to electric default service include, but are not limited to, the costs to procure energy, capacity, ancillary services, Federal Energy Regulatory Commission approved transmission charges and administrative costs associated with portfolio procurements for the default services supply.

This Advance Notice of Proposed Rulemaking Order focuses only on those automatic adjustment clauses related to electric default service as bulleted below. The Commission has limited the proposed application of a uniform interest rate paid or collected on over or under collections resulting from reconciliation of automatic adjustment clauses to electric default service for several reasons. First, all electric distribution companies (EDCs) use automatic adjustment clauses related to electric default service. Second, default service represents the largest dollar amount on most consumer electric bills and invoices (other than distribution). Third, default service is still the electric service used by a majority of customers in Pennsylvania. Accordingly, the proposals set forth herein for comment regarding the uniform interest rates applicable to over and under collections are limited to the following automatic adjustment clauses related to electric default service:

- Price-to-Compare (PTC)
- Hourly Pricing Default Service Rider (HPDSR)
- Transmission Service Charge (TSC)
- Generation Supply Charges 1 & 2 (GSC-1 & GSC-2)
- Generation Supply Adjustment 1, 2, 3, 4 (GSA 1, 2, 3, 4)
- Generation Supply Service Rate (GSSR)
- Default Service (DS)
- Default Service Supply (DSS)

To provide an example of varying interest rates set forth in these automatic adjustment clauses, PPL Electric Utilities Corporation (PPL), an EDC, utilizes the following automatic adjustment clauses related to electric default service: a Transmission Service Charge (TSC), a Generation Supply Charge-1 (GSC-1) and a Generation Supply Charge-2 (GSC-2). PPL's TSC is computed separately for each of the following four customer classes: (1) residential, (2) small commercial and industrial, (3) large

commercial and industrial-primary and (4) large commercial and industrial-transmission. PPL's GSC-1 applies to residential and small commercial and industrial customers. PPL's GSC-2 applies to large commercial and industrial customers.

For the TSC, interest is calculated at an "appropriate rate" under Section 1308(d) of the Code. 66 Pa.C.S. § 1308(d). Section 1308(d) defines interest as "the average rate of interest specified for residential mortgage lending by the Secretary of Banking in accordance with the act of January 30, 1974 (P. L. 13, No. 6), referred to as the Loan Interest and Protection Law." 66 Pa.C.S. § 1308(d). This Residential Mortgage Interest Rate is based on the monthly index of long term United States Government Bond Yields. Loan Interest and Protection Law, Act of Jan. 30, 1974, P. L. 13, No. 6. (Loan Interest Act). The Pennsylvania Residential Mortgage Interest Rate changes monthly. In 2013, the Residential Mortgage Interest Rate ranged from a low of 4.5% to a high of 6.0%.

For the Generation Supply Charges, interest on under collections is calculated at the legal rate of interest, and interest on over collections is calculated at the legal rate of interest plus two percent annual interest. The legal rate of interest was also defined by the Loan Interest Act and codified at 41 P. S. § 202. Section 202 reads, in pertinent part, "[r]eference in any law or document...to 'legal rate of interest' . . . shall be construed to refer to the rate of interest of six per cent per annum." 41 P. S. § 202. Under this statutory definition of legal interest, PPL recovers under collections of its Generation Supply Charges with six percent (6%) interest. PPL refunds over collections of its Generation Supply Charges with eight percent (8%) interest. 52 Pa. Code § 54.187(g).

In addition to the residential mortgage interest rate and the legal interest rate, there is also the prime interest rate. The prime interest rate is the interest rate charged by banks to their most creditworthy customers. The prime interest rate is almost always the same amongst major banks, and adjustments to the prime interest rate are made by banks at the same time. The prime interest rate is usually adjusted at the same time and in correlation to the adjustments of the Federal Funds Rate (the interest rate that banks charge each other for overnight loans made to fulfill reserve funding requirements). As of May 2014, the prime interest rate is 3.25% in the United States.<sup>1</sup>

As exemplified by PPL's Generation Supply Charges, interest rates on under and over collections are often asymmetrical. Asymmetrical interest rates create an incentive for the utilities to under project or under collect in order to avoid over collection penalties and to receive an interest rate higher than that which can be found in the market. This practice can lead to an understated price-to-compare (PTC). An understated PTC undermines the competitive market because electric generation suppliers (EGSs) cannot under collect and then make-up that under collection later as can the utilities. This Advance Notice of Proposed Rulemaking Order will recommend for comment the use of symmetrical interest rates for both under and over collections.

The Commission's current use of the legal rate of interest for under collections and the legal rate of interest plus 2% for over collections, used for most electric default service automatic adjustment clauses, results in interest rates that are well above current market-based rates. This Advance Notice of Proposed Rulemaking Order will

<sup>1</sup> The Wall Street Journal, Market Data Center, [http://online.wsj.com/mdc/public/page/2\\_3020-moneyrate.html](http://online.wsj.com/mdc/public/page/2_3020-moneyrate.html) (May 20, 2014).

recommend for comment the use of the prime interest rate for the calculation of interest on both over and under collections resulting from automatic adjustment clauses related to electric default service. The Commission believes that using the prime interest rate is most appropriate here as this rate is most commensurate with market rates. Additionally, the prime interest rate is publicly known and available, and transparent. Further, the prime interest rate also reflects the terms and risks inherent in the utility reconciliation process.

The proposals set forth herein for comment are supported by the comments filed in response to the Commission's Default Service Reconciliation Interim Guidelines at Docket No. M-2012-2314313 (Order entered August 14, 2012). In that Order, the Commission sought comments on several questions, including: "Should the Commission alter how interest is charged/credited on under/over collections? Is the current statutory rate of interest reflective of market rates of interest? How can these interest provisions be improved?" Commission Order at 4.

Citizens' Electric Company of Lewisburg, PA and Wellsboro Electric Company (Citizens'/Wellsboro) are two of the smallest EDCs in Pennsylvania. In response to the above-referenced questions, they stated that "[t]he Commission should alter the method for charging/crediting interest on under and overcollections by eliminating asymmetrical interest rates and, instead, applying an equal interest rate reflective of market conditions." Citizens'/Wellsboro Comments at 7. Citizens'/Wellsboro further responded that the "[a]pplication of asymmetrical interest rates serves no purpose" because "today's competitive retail and wholesale market structure greatly marginalizes any threat of EDC price manipulation," and "the Commission has developed far more effective means of ensuring least cost procurement." Citizens'/Wellsboro Comments at 7-9.

Citizens'/Wellsboro also discussed how "the Commission adopted the legal rate of interest for default service supply reconciliations from the reconciliation provisions in the Gas Choice Act. 66 Pa.C.S. § 1307(f)(5)." Citizens'/Wellsboro Comments at 10. Instead of the legal rate of interest, Citizens'/Wellsboro put forth that "the Commission should apply an interest rate tied to some indicator of market conditions." Citizens'/Wellsboro Comments at 10-11. Citizens'/Wellsboro offered the residential mortgage interest rate or the prime interest rate as alternatives to the legal rate of interest. Citizens'/Wellsboro Comments at 11.

In agreement with comments provided by Citizens'/Wellsboro, Constellation Energy Commodities Group, Inc., Constellation NewEnergy, Inc., Exelon Generation Company, LLC, and Exelon Energy Company (collectively, Exelon), similarly provided that the Commission should apply the same interest rate to both over and under collections "to further reduce the potential that an EDC would favor under estimates of the C-factor as a general practice." Exelon Comments at 6. Exelon also agreed that "the Commission should choose a transparent, market-based interest rate index as the basis for the interest charged and collected for collection variances." Exelon Comments at p. 6. Exelon explained that this market-based interest rate index would replace above-market rates which can create an incentive for an EDC to under-collect. Exelon pointed out that in relation to certain automatic adjustment clauses, if a utility over-collects, the utility must refund the money with interest at a rate of 8%. Under the same automatic adjustment clause, if a utility under-collects, the utility receives

interest at a rate of 6% from its customers. Exelon noted that structure can create an incentive for an EDC to intentionally underestimate its C-factor in an attempt to avoid the 8% penalty and benefit from the 6% return. Exelon Comments at 6.

Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company (collectively, FirstEnergy Companies) shared the concerns of Exelon. They stated, "[s]ince the asymmetrical interest provisions in the Commission's regulations require an EDC to pay interest at a higher rate on over-collections than it recovers on under-collections, there may be a perception that default service rates are understated..." FirstEnergy Companies Comments at 8. The FirstEnergy Companies argued that "[t]he several concerns attendant with the asymmetrical application of interest rates could be fully resolved by modifying or waiving the Commission's regulations to remove the asymmetrical interest provision." FirstEnergy Companies Comments at 8. The FirstEnergy Companies also noted that the legal rate of interest may be higher or lower than a market-based interest rate "depending upon the point in time, or over what period, an evaluation is to occur." FirstEnergy Companies Comments at 8.

Similarly, the National Energy Marketers Association (NEM) also recognized that asymmetrical interest rates provide the utility with an incentive to under collect and to understate the PTC. NEM Comments at 7. This then "provides consumers with an erroneous benchmark price for evaluating competitive offers." NEM Comments at 8. NEM characterized the interest rate on under collections (i.e. the legal rate of interest or 6%) as "well in excess of the current market rate of interest." As utility costs are fully recoverable and the utility is at no risk of loss, this above market rate is a "regulatory windfall." NEM Comments at 7. NEM encouraged the Commission to base the interest rate on market indicia. NEM Comments at 7.

The Office of Consumer Advocate (OCA) identified the same concerns as the aforementioned stakeholders. As the legal rate of interest is greater than short term interest rates, there may be an improper incentive to under collect in order to take advantage of the 6% rate. Also, the 8% rate on over collections is a heavy penalty for over collections which adds to the incentive to "underestimate costs and 'err on the side of caution.'" OCA Comments at 5. The OCA submitted that "[i]t would be appropriate to adjust the interest rate to more closely align with current short term interest rates." OCA Comments at 5.

The Office of Small Business Advocate (OSBA) offered similar comments. The above-market interest rate on under collections "creates a strong incentive for the DSP [default service provider] to 'low-ball' its cost forecast." OSBA Comments at 17. The above-market interest rate on over collections "creates an even greater disincentive for DSPs to over-forecast costs." OSBA Comments at 18 (emphasis in original). These incentives add to EGSs' fears that their prices are uncompetitive because the DSPs have under-estimated costs. OSBA Comments at 18. The OSBA suggested that the Commission use "a reasonable market parameter for short-term interest rates" to set interest on over and under collections. Id. The OSBA argued in favor of symmetrical interest rates, as any differential between the interest rate applied to over and under collections would continue the incentive to under collect. Id.

Duquesne Light Company (Duquesne) agreed that "[r]ates should be symmetric, uniform and market-based." Duquesne Comments at 10. PECO Energy Company

(PECO) similarly suggested that the current methodology could be improved by establishing market-based symmetrical interest rates. PECO Comments at 4. In addition to symmetrical interest rates, PPL advanced “that the interest rate used should be a publicly known and available rate that is consistent with the terms and risks associated with utility reconciliation processes.” PPL Comments at 8.

As additional support for the proposals contained in this Advance Notice of Proposed Rulemaking Order, the Commission analyzed House Bill 1188, H.R. 1188, Printer’s No. 1484 (Pa. 2013). House Bill 1188, currently under consideration by the General Assembly,<sup>2</sup> would amend the Gas Choice Act, 66 Pa.C.S. § 1307(f), to change the interest rate from the legal rate of interest to the prime interest rate for both over and under collections. The proposed language specifically states that “[r]efunds to customers shall be made with and recoveries from customers shall include interest at the prime rate for commercial borrowing in effect 60 days prior to the tariff filing made under paragraph (1) [relating to the filing of tariffs by natural gas distribution companies] and as reported in a publicly available source identified by the commission or at an interest rate which may be established by the commission by regulation.” Id.

At this time the Commission is not aware of any intentional over or under collecting being done by EDCs in order to earn more interest. However, in addition to the volatility of rates caused by unpredictable weather and shopping patterns of customers, there is the widely-recognized possibility that an EDC could attempt to use the automatic adjustment clause methodology related to electric default service to increase interest earnings. In general, EDCs have a 50/50 split in over collections versus under collections relating to electric default service. Additionally, the over and under collections by month are well within a reasonable percentage of allowable costs in the associated months. However, in order to ensure accurate projections and to create uniformity, the Commission proposes to apply a symmetrical interest rate, reflective of market conditions, to under and over collections as set forth below.

#### B. Proposed Uniform Interest Rate Structure

By way of this Advance Notice of Proposed Rulemaking Order, the Commission seeks comments on its proposal to establish a symmetrical rate of interest which will be applicable to over and under collections resulting from the reconciliation of utilities’ costs and revenues resulting from automatic adjustment clauses related to electric default service. The proposed applicable rate of interest on over and under collections would be interest at the prime rate for commercial borrowing in effect on the last day of the month the over or under collection occurred, as reported in the Wall Street Journal or other publically available source identified by the Commission. For example, the interest rate applied to over or under collections in the month of March would be the prime rate that was in effect on March 31. This rate of interest will be computed monthly from the month the over collection or under collection occurs to the effective month that the over collection is refunded to customers or the under collection is collected from customers. Additionally, this rate of interest will apply universally to all over and under collections reconciled through the automatic adjust-

<sup>2</sup> House Bill 1188 is currently in legislative committee and has not yet been approved.

ment clauses related to electric default service, as bulleted in Part A of this Advance Notice of Proposed Rulemaking Order.

In the event the Commission finds that the application of the symmetrical rate of interest set forth above does not adequately prevent EDCs from using automatic adjustment clause methodology related to electric default service to increase interest earnings, the Commission may consider the application of a modified interest rate applicable to “excessive” portions<sup>3</sup> of over and under collections. In addition to the prime rate of interest applicable to the “non-excessive” portion of all over and under collections, the Commission may consider applying a modified interest rate of prime rate plus 100 basis points on the “excessive” portion of all over collections and a modified interest rate of prime rate minus 100 basis points on the “excessive” portion of all under collections. This modified interest rate, adjusted up or down by 100 basis points, would only apply to the “excessive portion” of the over or under collection. This modified rate of interest would not apply to the “non-excessive” portion of the over or under collection.

The Commission recognizes that the interest rate structure proposed herein does not currently comply with the Commission’s regulations, 52 Pa. Code §§ 1.1—111.14, and/or public utilities’ current tariffs regarding electric default service. As such, after reviewing the comments provided in response to this Advance Notice of Proposed Rulemaking Order, the Commission intends to initiate a rulemaking to amend our regulations, as necessary, to implement this new interest rate structure. Additionally, the Commission’s Final Rulemaking Order may direct EDCs to revise their tariffs and tariff riders to reflect this proposed interest rate structure. To execute this proposal, the Commission envisions using the following language to amend our regulations and to revise the EDCs tariffs and tariff riders:

*Interest collectible on over collections and under collections.* If revenues exceed costs, the over collections shall be refunded with interest. If costs exceed revenues, the under collections shall be collected from customers with interest. Interest on over collections and under collections shall be computed at the prime rate of interest for commercial banking in effect on the last day of the month the over or under collection occurred, as reported in the Wall Street Journal or other publically acceptable source identified by the Commission. Interest shall be computed monthly from the month the over collection or under collection occurs to the effective month that the over collection is refunded or the under collection is collected.

#### C. Anticipated Effects of the Proposed Uniform Interest Rate Structure

Although the Commission cannot completely eradicate all imbalances in the amount of costs that are overcollected and undercollected, the proposed symmetrical interest rate structure set forth herein will deter utilities from inaccurately forecasting costs and sales to improperly increase interest earnings. This symmetrical application of interest to over and under collections uses the prime rate of interest which is not only commensurate with market rates, but is also publicly known, available and transparent. Overall, application of the symmetrical

<sup>3</sup> When determining whether a portion of an over or under collection is “excessive,” the Commission would use a threshold equal to a percentage of certain costs of the EDC related to the relevant automatic adjustment clause.

rate of interest, at prime rate, to over and under collections reflects the terms and risks inherent in the utility reconciliation process.

In addition to the proposed interest rate structure set forth herein for comment, the Commission reminds EDCs to consider filing an interim rate adjustment and/or cost reconciliation when the EDC anticipates substantial over or under collections. In fact, the Commission recognizes that such interim rate adjustments and cost reconciliations are in the public interest as they provide utilities with a mechanism to reduce significant imbalances in over and under collections. For example, Section 69.1809(c) of the Commission's regulations regarding default service provide in relevant part that:

It may be in the public interest to reconcile default service costs more frequently than at each PTC [price-to-compare] adjustment interval. The DSP [default service provider] should propose interim reconciliation prior to the next subsequent PTC adjustment interval when current monthly revenues have diverged from current monthly costs, plus any cumulative over/under recoveries, by greater than 4% since the last rate adjustment. . . . Interim reconciliation proposals should result in a PTC adjustment that will resolve cumulative under or over recoveries by the time of the next PTC adjustment interval.

52 Pa. Code § 69.1809(c).

#### *Conclusion*

Establishing a symmetrical rate of interest applicable to over and under collections resulting from reconciliation of automatic adjustment clause costs and revenues will better ensure that utilities' current prices reflect current costs as accurately as is feasible. By way of this Advance Notice of Proposed Rulemaking Order, the Commission seeks comments from all interested parties on its proposal to apply a symmetrical rate of interest to over and under collections resulting from reconciliation of automatic adjustment clause costs and revenues related to electric default service.

Accordingly, pursuant to its authority under Sections 501, 1301, 1307 and 2804 of the Public Utility Code, 66 Pa.C.S. §§ 501, 1301, 1307 and 2804, the Commission issues this Advance Notice of Proposed Rulemaking Order for comment; *Therefore,*

#### *It Is Ordered That:*

1. This Advance Notice of Proposed Rulemaking Order be issued to solicit comments regarding revisions to the Commission's existing regulations regarding automatic adjustment clauses related to electric default service.

2. The Secretary shall certify this Advance Notice of Proposed Rulemaking Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Interested persons may submit an original of written comments to the Office of the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA, 17105-3265, within 60 days from the date this Advance Notice of Proposed Rulemaking Order is published in the *Pennsylvania Bulletin*.

4. A copy of this Advance Notice of Proposed Rulemaking Order shall be served on the Office of Consumer Advocate, the Office of Small Business Advocate and the Bureau of Investigation and Enforcement, and will be posted on the Commission's website at [www.puc.state.pa.us](http://www.puc.state.pa.us).

5. A copy of this Advance Notice of Proposed Rulemaking Order shall be served on all Electric Distribution Companies.

6. The contact person for this matter is Krystle J. Sacavage (717-787-5262), Law Bureau. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, 717-772-4597.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1198. Filed for public inspection June 6, 2014, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending May 20, 2014.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-15-2014	<p><i>From:</i> The First National Bank of Mercersburg Mercersburg Franklin County</p> <p><i>To:</i> The First Community Bank of Mercersburg Mercersburg Franklin County</p> <p>Application for approval to convert from a National banking association to a Pennsylvania State-chartered bank.</p>	Filed
5-19-2014	<p><i>From:</i> Huntingdon Valley Bank Huntingdon Valley Montgomery County</p> <p><i>To:</i> Huntingdon Valley Bank Huntingdon Valley Montgomery County</p> <p>Application for approval to convert from a Pennsylvania State-chartered mutual savings bank to a Pennsylvania State-chartered stock savings bank.</p>	Filed

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-19-2014	<p>HV Bancorp, Inc. Huntingdon Valley Montgomery County</p> <p>HV Bancorp, Inc., a proposed bank holding company, to acquire The Victory Bancorp, Inc. and the wholly-owned bank subsidiary, The Victory Bank.</p>	Filed

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-19-2014	<p>Huntingdon Valley Bank Huntingdon Valley Montgomery County</p> <p>Application for approval to merge The Victory Bank, Limerick, with and into Huntingdon Valley Bank, Huntingdon Valley.</p>	Filed

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-20-2014	<p>Indiana First Savings Bank Indiana Indiana County</p>	<p>1420 Scalp Avenue Johnstown Cambria County</p>	Approved

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-20-2014	Royal Bank America Narberth Montgomery County	<i>To:</i> 180 West Girard Avenue Philadelphia Philadelphia County  <i>From:</i> 401 Fairmount Avenue Philadelphia Philadelphia County	Approved

**CREDIT UNIONS**

No Activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-1199. Filed for public inspection June 6, 2014, 9:00 a.m.]

**Actions on Applications**

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending May 27, 2014.

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

**BANKING INSTITUTIONS****Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-22-2014	S&T Bank Indiana Indiana County	3501 Embassy Parkway Akron Summit County	Filed

**CREDIT UNIONS****Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-19-2014	TruMark Financial Credit Union Trevoise Bucks County	275 Swamp Road Newtown Bucks County	Filed

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-1200. Filed for public inspection June 6, 2014, 9:00 a.m.]

# DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

## Consolidated Plan Public Meeting

The Department of Community and Economic Development (Department) is preparing the Commonwealth's Consolidated Plan for 2014-2018 and the 2014 Action Plan. The Consolidated Plan (Plan) is a document submitted to the United States Department of Housing and Urban Development (HUD) every 5 years analyzing the needs of the nonentitlement areas of this Commonwealth in the areas of housing, community development, homelessness prevention and economic development, as well as creating a unified strategy for housing, homelessness and community development programs, as well as the necessary linkages for building successful neighborhoods and communities. The Action Plan is the annual application to HUD for Federal funds administered by the Commonwealth for the nonentitlement communities of this Commonwealth. The HUD funding programs covered by the Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnerships, the Emergency Solutions Grant, CDBG Disaster Recovery and Neighborhood Stabilization Program (NSP 1 and 3) programs. The Department of Health administers the Housing Opportunities for Persons with AIDS program. Interested persons may view the Plan at <http://www.newpa.com/community/federal-program-resource-library/consolidated-plan-and-related-documents> or request a copy following the same procedures as listed under Written Comments as follows.

### Public Meeting

The second public meeting for the 2014-2018 Consolidated Plan and 2014 Action Plan will be conducted electronically by means of the Internet on Tuesday, June 17, 2014. Access to the discussion by means of the Internet will occur between 1 p.m. and 2 p.m. This more widely available personal computer access will replace the onsite public meeting. The format will be more accessible than in an in-person meeting because those who wish to make comment or discuss policy may participate directly from their personal computer or from a computer located at their public library.

Individuals or organizations may give testimony or comments by means of the Internet. Comments will be taken on the Plan and the Commonwealth's intended use and method of distribution of the 2014 Federal funding from HUD. The Commonwealth encourages public participation in this process.

Anyone who wants to participate must register in advance. Contact Megan Snyder at (717) 720-7404 to receive registration instructions for the web meeting at least 24 hours prior to the meeting date. During the meeting, if support is required, call (717) 787-5327. The meeting will be shortened if there is no one to testify or there is minimal response.

Persons with a disability who wish to participate in the public meeting should contact Megan Snyder, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404, to discuss how the Department can accommodate their needs. Text telephone calls can be placed through the Pennsylvania

AT&T Relay System at (800) 654-5984. Calls will be relayed to the Department's number listed previously.

### Written Comments

Written testimony, instead of electronic testimony, must be submitted by 5 p.m. on Monday, June 30, 2014. Submit comments to Megan Snyder, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225 or [RA-DCEDcdbg&homequestions@pa.gov](mailto:RA-DCEDcdbg&homequestions@pa.gov).

C. ALAN WALKER,  
Secretary

[Pa.B. Doc. No. 14-1201. Filed for public inspection June 6, 2014, 9:00 a.m.]

# DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Request for Bids

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

*FDC-007-100568.1—Rehabilitate Mid-State Trail Bridge and Tunnel at Penns Creek, Forest District #7—Bald Eagle State Forest, Haines and Armagh Townships, Centre and Mifflin Counties.* Work included under this contract consists of the reconstruction of Mid-State Trail leading into and out of the tunnel as well as around the abutment backwall; and placing 6" depth driving surface aggregate from the east side tunnel to the gate at the Township Road. Work also includes the rehabilitation of bridge consisting of removal of existing bridge deck and railing; and rehabilitation of Paddy Mountain Tunnel along the Mid-State Trail which includes a section of corrugated steel pipe.

*FDC-220-7114.1—UST Removal and AST Installation at Marina, Presque Isle State Park, Erie County.* Work included under this contract consists of the removal and proper disposal of two 12,000-gallon underground fuel storage tanks; construction of a new concrete pad to support two new 10,000-gallon above ground fuel storage tanks; furnishing and installing new submersible pumps in each of the new tanks; supplying the necessary piping and fittings to connect the new tanks to the existing buried double wall fiberglass pipe; and any electrical appurtenances to properly operate the new fuel system.

*FDC-009-100692.1—Quehanna Boot Camp Building Demolition, Moshannon State Forest, Karthaus Township, Clearfield County.* Work included under this contract consists of completely demolishing and disposing of a 200,000-gallon water tank and pump house; and an approximately 112,000 square foot warehouse and appurtenances.

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

*FDC-206-100108.1—Road Rehabilitation, Phase 2, Kooser State Park, Jefferson Township, Somerset County.*

Work included under this contract consists of maintenance and protection of traffic; 300 tons aggregate shoulder; 6,600 square yards of modified full depth road reclamation; 1,600 tons subbase material; 260 tons 25 mm base course; 140 tons 9.5 mm wearing course; 19,200 square yards of bituminous prime coat; and 19,200 square yards of bituminous surface treatment.

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

Bid documents will be available on or after June 11, 2014. The bid opening will be held on July 10, 2014.

ELLEN FERRETTI,  
*Secretary*

[Pa.B. Doc. No. 14-1202. Filed for public inspection June 6, 2014, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062294 (Sewage)	Coolbaugh Township WWTP 5800 B Memorial Boulevard Tobyhanna, PA 18466-8942	Monroe County Coolbaugh Township	Tobyhanna Creek (2-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0085863— IW	SC Holdings Inc. Harmony Grove Landfill 425 Perinton Parkway Fairport, NY 14450	York County Dover Township	UNT of Davidsburg Run / 7-F	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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217751 (Industrial Waste)	Sewickley Borough Water System Route 65 North Sewickley, PA 15143	Allegheny County Sewickley Borough	Unnamed Stream and Unnamed Tributary to Ohio River (20-G)	Y
PA0098132 (Industrial Waste)	Garrett Borough Water System Water Works Road Garrett, PA 15542	Somerset County Garrett Borough	Casselman River (19-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0104141 (Sewage)	Jay Township Weedville STP 1766 Redwood Avenue Weedville, PA 15868	Elk County Jay Township	Bennett Branch (8-A)	Y
PA0222984 (Sewage)	Spartansburg Borough STP Grade Road Spartansburg, PA 16434	Crawford County Spartansburg Borough	East Branch Oil Creek (16-E)	Y
PA0239160 (Sewage)	McCalmont Township WWTP 127 Firehouse La Anita, PA 15711	Jefferson County McCalmont Township	Elk Run (17-D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0113034 (Sewage)	Beaver Lake Forest 59 (Cul-De-Sac) Of Beaver Run Road Hughesville, PA 17737	Lycoming County Penn Township	Beaver Run (10-D)	Y

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

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

**PA0002933**, SIC Code 4911, **West Penn Power Co.**, 311 South 7th Street, Connellsville, PA 15425-3015. Facility Name: Connellsville West Side Facility. This existing facility is located in Connellsville City, **Fayette County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing groundwater treatment system discharge, and treated and untreated stormwater runoff.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)	
	Average	Maximum	Minimum	Average	Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	Report	Report

The proposed effluent limits for Outfall 102 are based on a design flow of 0.001289 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)	
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Oil and Grease	XXX	XXX	XXX	15	30
Total PCBs (µg/L)	XXX	XXX	XXX	Report	1.0

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

- All discharges of storm water runoff discharged via Outfall 001 shall be treated at a minimum by oil removing media filters prior to discharge. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0096971**, Industrial Waste, SIC Code 4941, **West Carroll Water Authority**, PO Box 328, Elmora, PA 15737-0328. Facility Name: Bakerton System. This existing facility is located in West Carroll Township, **Cambria County**.

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

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 8-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.108 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
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Aluminum	XXX	XXX	XXX	2.2	XXX	4.4
Total Iron	XXX	XXX	XXX	2.0	XXX	4.0
Total Manganese	XXX	XXX	XXX	1.0	XXX	2.0

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

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

**PA0060747**, Industrial Waste, SIC Code 3087, **AMETEK**, 42 Mountain Avenue, Nesquehoning, PA 18240-2201. Facility Name: AMETEK / Chemical Products Division. This existing facility is located in Nesquehoning Borough, **Carbon County**.

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

The receiving stream, Nesquehoning Creek, is located in State Water Plan watershed 2-B and is classified for Cold Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a discharge flow of 0.28 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
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
BOD <sub>5</sub>	XXX	67.2	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	49.1	XXX	XXX	XXX	XXX
Oil and Grease	XXX	75.0	XXX	15	XXX	30

The proposed effluent limits for Outfall 002 (stormwater) are:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Chemical Additives
- Requirements Applicable to Stormwater Outfalls.

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

The EPA Waiver is not in effect.

**PA0051896**, Storm Water, SIC Code 2656, **Dixie Consumer Products LLC**, 605 Kuebler Road, Easton, PA 18040-9281. Facility Name: Dixie Consumer Products LLC. This existing facility is located in Forks Township, **Northampton County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Storm Water. (NCCW discharge has ceased.)

The receiving stream(s), Bushkill Creek, is located in State Water Plan watershed 1-F and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001, 002, & 003 are based on a design flow of 0.000000 MGD (stormwater only).

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

- Necessary property rights and standard stormwater conditions.

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

The EPA Waiver is in effect.

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

**PA0038326**, Sewage, SIC Code 8211, **Pequea Valley School District**, PO Box 130, Kinzers, PA 17535-0130. Facility Name: Intermediate and High School WWTP. This existing facility is located in Leacock 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, Pequea Creek, is located in State Water Plan watershed 7-K 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 0.0208 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Total Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report Avg Mo	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrate-Nitrite as N (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	Report
Total Kjeldahl Nitrogen (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs/year)	XXX	633	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.

**PA0038318**, Sewage, SIC Code 8211, **Pequea Valley School District**, PO Box 130, Kinzers, PA 17535-0130. Facility Name: Salisbury Elementary WWTP. This existing facility is located in Salisbury 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, Pequea Creek, is located in State Water Plan watershed 7-K 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 0.009 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrate-Nitrite as N (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	Report
Total Kjeldahl Nitrogen (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs/mo)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs/year)	XXX	274	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 not in effect.

**PA0086819**, SIC Code 4952, **Collier Donald L**, 1534 Millers Corner Road, Clearville, PA 15535-7835. Facility Name: Collier Res. This proposed facility is located in Southampton Township, **Bedford County**.

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

The receiving stream(s), Unnamed Tributary to Wilson Run, is located in State Water Plan watershed 13-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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



Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Minimum	Average Monthly	Instant. Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

The EPA Waiver is in effect.

**PA0246921**, Sewage, SIC Code 4952, **Lenhartsville Borough Berks County**, P O Box 238, Lenhartsville, PA 19534-0238. Facility Name: Lenhartsville Borough STP. This existing facility is located in Lenhartsville Borough, **Berks County**.

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

The receiving stream(s), Furnace Run, is located in State Water Plan watershed 3-B and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0423 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Instant. Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	8.8	XXX	XXX	25	XXX	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	10	XXX	XXX	30	XXX	60
Total Suspended Solids (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Monthly					
Total Suspended Solids (lbs)	XXX	3,862	XXX	XXX	XXX	XXX
		Total Annual				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	3.6	XXX	XXX	10.1	XXX	20.2
Nov 1 - Apr 30	7.0	XXX	XXX	20	XXX	40
Total Phosphorus	Report	XXX	XXX	2.0	XXX	XXX
Total Phosphorus (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Monthly					
Total Phosphorus (lbs)	XXX	129	XXX	XXX	XXX	XXX
		Total Annual				
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Annual Avg		
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
				Annual Avg		

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

- none

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 will be reviewing the draft permit due to a TMDL on the waterway: Lake Ontelaunee TMDL.

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


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

**WQM Permit No. 6708402, Amendment #1**, Sewerage, **York Township Water & Sewer Authority**, 190 Oak Road, Dallastown, PA 17313.

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

Description of Proposed Action/Activity: Seeking permit approval for amendments to the Leading Heights Pumping Station; replacement of existing wastewater pumping station with a new station, having same capacity as existing (80 gpm).

**WQM Permit No. 3886404, Amendment #2**, Sewerage, **Summit International School of Ministry**, 74 Harrison Road, Grantville, PA 17028.

This proposed facility is located in East Hanover Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for the relocation of their existing outfall.

**WQM Permit No. 2914201**, CAFO, **CFC Fulton Properties, LLC**, 2700 Clemens Road, Hatfield, PA 19440.

This proposed facility is located in Ayr Township, **Fulton County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction of a new swine facility including 3 barns with underneath storages for a 2,978.55 AEU sow/nursery pig operation located at 15197 Great Cove Road, Big Cove Tannery, PA 17121.

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


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


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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 154020	Glenn M. White Land Company, Inc. 4 Zachary Drive West Chester, PA 19382	Chester	West Goshen Township	Broad Run HQ—CWF—MF
PAI01 1513029	Christine S. Martin 721 Lammey Road Honey Brook, PA 19344	Chester	West Caln Township	Pequea Creek HQ—CWF—MF
PAI01 2314003	Harvard Road Development, LLC 2036 Belvedere Avenue Havertown, PA 19083	Delaware	Haverford Township	Naylor's Run WWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023914001	James McGee PennDOT 1002 Hamilton Street Allentown, PA 18101	Lehigh	Whitehall Township and Hanover Township	Jordan Creek (TSF, MF) & Lehigh River (TSF, MF)
PAI023914005	George Reeves Triple Net Investments XXXIII, LP 264 Williams Road Woodstown, NJ 08098	Lehigh	Upper Macungie Township	Iron Run (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024513001(1)	Kalahari Resorts, LLC 1305 Kalahari Drive, P. O. Box 590 Wisconsin Dells, WI 53965	Monroe	Tobyhanna and Pocono Townships	Swiftwater Creek (EV) UNT's to Swiftwater Creek (EV)
	Pocono Manor Investors, PT-L1 P. O. Box 38, The Inn at Pocono Manor Pocono Manor, PA 18349			Indian Run (EV) UNT's to Indian Run (EV)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041414001	Bellefonte Ind Dev Auth 236 W Lamb St Bellefonte PA 16823	Centre	Bellefonte Borough	Spring Creek HQ-CWF

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

PAG-12 CAFOs

#### **CAFO Notices of Intent Received**

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

**PAG123782, CAFO, Country View Family Farms, LLC—Bivouac Sow Farm**, 1301 Fulling Mill Road, Suite 3000, Middletown, PA 17057-5990.

This proposed facility is located in Ayr Township, **Fulton County**.

Description of Size and Scope of Proposed Operation/Activity: Operation of a new swine facility including 3 barns with underneath storages for a 2,978.55 AEU sow/nursery pig operation at 15197 Great Cove Road, Big Cove Tannery, PA 17212.

The receiving stream, UNT Big Cove Creek, is in watershed 13-B, and classified for: CWF.

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

### **STATE CONSERVATION COMMISSION**

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

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

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

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

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

<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>New or Renewal</i>
Jim Showers	Union	146.62	325.44	Swine	HQ-CWF	Renewal
			28	Beef		

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Application No. 5214504**, Public Water Supply.

Applicant	<b>Lake Wallenpaupack Estates Property Owners Association, Inc.</b> 104 Clubhouse Dr. Greentown, Pa 18426
[Township or Borough]	Greene Township, <b>Pike County</b>
Responsible Official	Joseph E. Bloomer, President Lake Wallenpaupack Estates Property Owners Association, Inc. 104 Clubhouse Dr. Greentown, Pa 18426

Type of Facility	PWS
Consulting Engineer	Michael P. Goodwin, PE Milnes Engineering, Inc. 12 Frear Hill Rd. Tunkhannock, Pa 18657
Application Received Date	5/13/2014
Description of Action	Modifications are proposed to an existing PWS system consisting of source and distribution facility modifications, finished water storage modifications, and disinfection system modifications to the existing Lake Wallenpaupack Estates water system

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

**Application No. 1414502**—Construction Public Water Supply.

Applicant	<b>Upper Halfmoon Water Company</b>
[Township or Borough]	Halfmoon Township
County	<b>Centre</b>
Responsible Official	Ben Pisoni, Manager Upper Halfmoon Water Company 1952 Halfmoon Valley Road Port Matilda, PA 16870
Type of Facility	Public Water Supply
Consulting Engineer	Dana R. Boob, P.E. Box 699 Millheim, PA 16854
Application Received	May 20, 2014
Description of Action	Develop a 275 gpm well, pump station, disinfection treatment system and interconnecting piping.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment

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

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

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

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

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

**Mr. Paul Clossen Property/Ms. Jeanne Roadarmel Property;** 327 Orchard Drive, Franklin Township, **Columbia County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Mr. Paul Clossen, 327 Orchard Drive Catawissa, Pa 17820, submitted a Notice of Intent to Remediate. An unknown amount of kerosene was reported to have been released from two 275-gallon aboveground storage tanks on Mr. Clossen's property. The release migrated laterally, impacting soils on a neighboring parcel owned by Ms. Roadarmel. The properties are currently used for residential purposes and will continue so for the foreseeable

future. The Notice of Intent to Remediate was published in *Press Enterprise* on September 28, 2012.

**Proposed CVS Store No. 1681,** Rosemeier Property, Former Drive Plus, Lock Haven Steam Laundry, Inc. 307-315 Bellefonte Avenue, City of Lock Haven, **Clinton County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406, on behalf of Pennsylvania CVS Pharmacy, LLC c/o JC Bar Development, LLC, 415 Fallowfield Road, Suite 301, Camp Hill, PA 17011 submitted a Notice of Intent to Remediate. Investigations conducted at The Rosemeier Property (Former Drive Plus) in 2007 and 2009 indicated a release of volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) in the soil and groundwater associated with a former gasoline station and service garage and out-of-use railroad spur. Investigations conducted at the Former Lock Haven Steam Laundry site from 1994 through 2014 indicated a release of VOCs, primarily chlorinated solvents, in the soil and groundwater due to historic operations at the site. The two properties are being developed together as a CVS Pharmacy. The proposed future use of the property will be non-residential. The proposed cleanup standard for the site is the Site-specific Standard. The Notice of Intent to Remediate was published in *The Lock Haven Express* on May 2, 2014.

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

**Permit(s) issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

**Permit No. 300610. JELD-WEN Inc.,** 821 Shiner Road, Towanda, PA 18848, Wysox Township, **Bradford County**. Reissuance for an existing captive residual waste landfill previously permitted to Craftmaster. The permit was reissued by Northcentral Regional Office on May 28, 2014

**Permit No. 301292. JELD-WEN Inc.,** 821 Shiner Road, Towanda, PA 18848, Wysox Township, **Bradford County**. Reissuance for an existing residual waste sprayfield previously permitted to Craftmaster. The permit was reissued by Northcentral Regional Office on May 28, 2014

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### AIR QUALITY

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

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

application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

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

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

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

#### PLAN APPROVALS

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

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

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

**03-00263A: Allegheny Mineral Corp.** (P. O. Box 1022, One Glade Park East, Kittanning, PA 16201) for a new limestone processing facility at the Bison Mine in West Franklin Township, **Armstrong County**. This is a minor facility Plan Approval application submittal.

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

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

**25-1030A: Burton Funeral Homes & Crematory, Inc.** (602 West 10th Street, Erie, PA 16502) for changes

in their method of operating one existing human crematory (relating to door opening) at their facility in the City of Erie, **Erie County**.

**62-017W: United Refining Co.** (15 Bradley Street, Warren, PA 16365-3224) for construction of a new 10MMscfd steam methane reformer (SMR) hydrogen plant at United Refining Company's facility in the City of Warren, **Warren County**. The SMR plant will produce high-purity hydrogen from natural gas and supplemental gas feeds. This is a PSD application, and this is a Title V facility.

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

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

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

**46-0287: Wallquest, Inc.** (741 First Avenue, King of Prussia, PA 19406), for the operation of an existing 6-color rotogravure press and three (3) existing proof presses at an existing commercial wallpaper production facility, which is located in Upper Merion Township, **Montgomery County**.

The potential to emit volatile organic compounds ("VOCs") from the facility exceeds 25 tons/yr, the major facility threshold for the Philadelphia Consolidated Metropolitan Statistical Area. However, Wallquest, Inc., has elected to restrict the VOC emissions from the facility to less than 25 tons/yr, categorizing the facility as Synthetic Minor.

Wallquest, Inc., has also elected to restrict hazardous air pollutant ("HAP") emissions from the facility to less than 10 tons/yr for any individual HAP and less than 25 tons/yr for total HAPs. As a result, the rotogravure and proof presses are not subject to the provisions of 40 C.F.R. Part 63, Subpart KK, except for those specified in 40 C.F.R. § 63.829(d).

Since vinyl is the substrate for the majority of the wallpaper printed at the facility, the rotogravure and proof presses are subject to the provisions of 40 C.F.R. Part 60, Subpart FFF. To demonstrate compliance with these provisions, the inks used in the rotogravure and proof presses are required to meet a weighted average VOC content restriction of less than 1.0 kg VOC/kg ink, averaged on a monthly basis, amongst other requirements.

The Plan Approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**39-00011A: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) for conversion of their No. 2 raw mill baghouse from reverse air to pulse jet at their Whitehall Plant in Whitehall Township, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) for conversion of their No. 2 raw mill baghouse from a reverse air to a pulse jet cleaning mechanism at their Whitehall Plant in Whitehall Township, **Lehigh County**. The facility currently operates under Title V Operating Permit No. 39-00011. Plan approval 39-00011A 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. 39-00011A is for conversion of their No. 2 raw mill baghouse from a reverse air to a pulse jet cleaning mechanism. The company shall be subject to and comply with 25 Pa. Code § 123.13(b) for control of Particulate Matter (PM) emissions. 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 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.: 39-00011A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

**54-00022B: Sapa Extrusions Inc.** (53 Pottsville Street, Cressona, PA 17929) to electively apply for federally enforceable synthetic minor emission limits and to install oxy-fuel burners on melting furnace M5 at their facility in Cressona Borough, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue a plan approval to Sapa Extrusions Inc to electively apply for federally enforceable synthetic minor emission limits and to install oxy-fuel burners on melting furnace M5 at their facility located in Cressona Borough, Schuylkill County. The facility currently has a Title V Operating Permit No. 54-00022. Plan approval 54-00022B will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval 54-00022B seeks new federally enforceable synthetic minor emission limits and install oxy-fuel burners on M5. Total facility emissions shall not exceed the following limits during any consecutive a 12-month rolling period in tons per year: NO<sub>x</sub> 99.9, CO 99.9, VOC 49.9, PM<sub>10</sub>/PM<sub>2.5</sub> 99.9, CO<sub>2e</sub> 100,000 and SO<sub>2</sub> 99.9 NO<sub>x</sub> emissions will increase by 2.01 TPY with the burner upgrade. The M5 melting furnace is subject to 40 CFR Part 63 Subpart RRR requirements. Sapa Extrusion is a major facility for HAPs emissions and is subject to Title V permitting requirements and is located in Cressona Borough, Schuylkill County. The plan approval will include all appropriate monitoring, record keeping, and reporting requirements designed to keep the equipment operating within all applicable air quality requirements. Further details on the conditions and the reasons for their inclusion are available upon request.

Copies of the applications, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information 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 submittal of written comment must contain the name, address and telephone number of the commentator, identification of the proposed Permit No. 54-00022B 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 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 Mr. Raymond Kempa, Chief, New Source Review Section, 2 Public Square, Wilkes-Barre, PA 18711, or 570-826-2511.

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

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

**32-00432A:** In accordance with 25 Pa. Code §§ 127.44—127.46, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it intends to issue an Air Quality Plan Approval to Rosebud Mining Company (301 Market Street, Kittanning, PA 16201) to authorize the construction and temporary operation of a coal preparation plant at their Coral-Graceton Mine Site located in Center Township, **Indiana County**.

Sources at the facility include a Pit Conveyor, Clean Coal Tube Stacker, Oversize Conveyor, Double Deck Screen, Oversize and Clean Coal Stockpiles, Truck loadout, Front-end loader, and Emergency Diesel Generator. Roadways will be controlled by paving and water sprays and fugitive emissions from the process will be controlled by water sprays.

Upon authorization of this plan approval the facility potential to emit will not exceed 12.5 tons of PM, 3.9 tons of PM<sub>10</sub>, 1.6 tons of NO<sub>x</sub>, 0.9 ton of CO, and 0.5 ton of

VOC on an annual basis. The throughput restriction, monitoring, testing, recordkeeping, reporting and work practice conditions of the Plan Approval have been derived from the applicable requirements of 40 CFR Part 60 Subpart Y and 25 Pa. Code Chapters 123 and 127.

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

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

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed plan approval issuance being opposed (Plan Approval 32-00432A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests, and requests for a public hearing should be directed to Jesse Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the plan approval or the issuance procedure, contact Mr. Parihar at 412-442-4030.

**65-01027A: Leedsworld, LLC** (400 Hunt Valley Road, New Kensington, PA 15068) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-65-01027A to allow the temporary operation of a logo printing facility located in Upper Burrell and Washington Townships, **Westmoreland County**. Sources include individual printing processes. Miscellaneous sources include natural gas-fired building heating sources and a natural gas-fired emergency generator. This facility will be classified as a synthetic minor facility.

Potential to emit from the facility is estimated to be 2.98 tons of nitrogen oxides (NO<sub>x</sub>), 2.50 tons of carbon monoxide (CO), 49.0 tons of volatile organic compounds (VOC), 2.46 tons of toluene, 1.84 tons of methanol, 5.00 tons of total hazardous air pollutants (HAPs), and 3,577 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year. Best available technology (BAT) for the printing processes

includes the use of low VOC/HAP and low vapor pressure solvents, use of spring loaded dispensing containers to minimize evaporation, solvent usage tracking and recordkeeping, employee training, and continued examination of alternative low VOC products that can effectively perform the required results. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.31 and 123.41. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-01027A) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

For additional information you may contact Alexander Sandy at 412-442-4028.

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

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

**10-285C: Waste Management Disposal Services of PA, Inc.—Northwest Sanitary Landfill** (1236 W. Sunbury Rd., West Sunbury, PA 16061) for installation of an odor neutralizer system at their facility in Clay Township, **Butler County**. This is a Title V facility.

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 10-285C to Waste Management Disposal Services of PA, Inc. installation of an odor neutralizer system at the company's Northwest Sanitary Landfill facility located at 1236 West Sunbury Road, Clay Township, Butler County. The facility currently has a Title V permit No. 10-00285. 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.

Based on the information provided by the applicant and DEP's own analysis, the proposed source will result in potential emissions of 3.93 tons of volatile organic compounds (VOC) per year. The facility will be required to maintain records of material use and VOC content, and to obey work practice 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. 10-285C 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 Matthew Williams, Acting Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6131.

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

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

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

**67-03013: Georgia-Pacific Corrugated, LLC** (25 Walnut Street, Mount Wolf, PA 17347) for their corrugated paper (cardboard) manufacturing plant in Mount Wolf Borough, **York County**.

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

The subject facility manufactures corrugated paper packaging, most of which is printed boxes. The facility has the potential to emit an estimated 23 tons per year of particulate matter and 5.3 tons per year of volatile organic compounds (VOC). Actual operating hours and emissions are well below estimated maximum levels.

The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

**01-03030: Cooperative Milling, Inc.—Gettysburg** (1892 York Road, Gettysburg, PA 17325) for operation of an animal feed mill manufacturing facility in Straban Township, **Adams County**.

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

The potential emissions are 1.3 ton of CO, 5.2 tons of NO<sub>x</sub>, 0.2 ton of SO<sub>x</sub>, 22.2 tons of PM, and 0.2 ton 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. The facility is subject to 40 CFR Part 63 Subpart JJJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers, and 40 CFR Part 63 Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.

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

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

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

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

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

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

**59-00019: Metalkraft Industries, Inc.** (PO Box 606, Wellsboro, PA 16901-0606) to issue a renewal of an Air Quality Operating Permit for their facility in Charleston Township, **Tioga County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the above mentioned facility. The subject facility has the following potential emissions: 1.14 TPY of carbon monoxide; 1.38 TPY of nitrogen oxides; 3.99 TPY of particulate matter; 0.28 TPY of volatile organic compounds and 1,631 TPY of greenhouse gases. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550. Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments; Identification of the proposed permit (specify Permit No. 59-00019); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to David Shimmel, P.E., Chief, New Source Review Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act of 1990 should contact Daniel Spadoni at 570-327-3659 or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how DEP may accommodate your needs.

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

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

**11-00531: Sunoco Pipeline, L.P.** (525 Fritztown Road, Sinking Spring, PA 19608) for a natural gas liquid pumping station at the Ebensburg Pumping Station in Cambria Township, **Cambria County**. This is an initial State-Only Operating Permit application submittal.

**32-00433: Sunoco Pipeline, L.P.** (525 Fritztown Road, Sinking Spring, PA 19608) for a natural gas liquid pumping station at the Blairsville Station in Burrell Township, **Indiana County**. This is an initial State-Only Operating Permit application submittal.

**32-00434: Sunoco Pipeline, L.P.** (525 Fritztown Road, Sinking Spring, PA 19608) for a natural gas liquid pumping station at the Cramer Station in East Wheatfield Township, **Indiana County**. This is an initial State-Only Operating Permit application submittal.

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

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

**25-00917: Performance Castings Inc.** (242 East 16th Street, Erie, PA 16503) for a renewal of Natural Minor Permit to operate an iron and aluminum foundry manufacturing facility located in City of Erie, **Erie County**. The emitting sources include 1) Electric induction furnace, 2) Inoculation, 3) Charge handling, 4) Pouring/casting, 5) Casting-Cooling, 6) Casting shake out, 7) Grinding and shot blasting, 8) Core ovens, 9) Shell core machines, and, 10) Binders. The facility is natural minor because the emissions of pollutants are less than Title V threshold limits. The facility was previously subject to 40 CFR Part 63, Subpart ZZZZZ, Iron and steel area source MACT standards. The amendments of Subpart ZZZZZ have been included in the permit. The actual emissions from the facility stated in the previous permit application are: PM-10: 7.03 Tons per year (TPY), Lead: 0.025 TPY, NO<sub>x</sub>: 0.269 TPY, VOC: 0.787, SO<sub>x</sub>: 0.1647, HAPs: 0.1125 TPY.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401

water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

#### *Coal Applications Received*

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

**Permit No. 11830102 and NPDES No. PA0607550. MB Energy, Inc.**, 175 McKnight Road, Blairsville, PA 15717, permit renewal for the continued operation and restoration of a bituminous surface mine in Lower Yoder Township, **Cambria County**, affecting 166.3 acres. Receiving stream: unnamed tributary to St. Clair Run classified for: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 5, 2014.

**Permit No. 56920113 and NPDES No. PA0212300. Rosebud Mining Co.**, 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Summit & Elk Lick 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: May 2, 2014.

**Permit No. 32090102 and NPDES No. PA00262811. AMFIRE Mining Co., LLC**, One Energy Place, Suite 2800, Latrobe, PA 15650, permit renewal for the continued operation and restoration of a bituminous surface mine in Brush Valley Township, **Indiana County**, affecting 274.0 acres. Receiving streams: unnamed tributaries to/and Yellow Creek; unnamed tributaries to/and Ferrier

Run, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 12, 2014.

**Permit No. 32020105 and NPDES No. PA0263290. Forcey Coal, Inc.**, P. O. Box 225, Madera, PA 16661, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Grant and Green Townships, **Indiana County**, affecting 126.0 acres. Receiving streams: unnamed tributaries to/and Little Mahoning Creek classified for the following use: high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 18, 2014.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner)*

**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): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 16, 2014.

**41080101 and NPDES PA0256714. Fisher Mining Company, Inc.** (40 Choate Circle Montoursville, PA 17754). Permit renewal of a bituminous surface mine located in Pine Township, **Lycoming County** affecting 254.0 acres. Receiving streams: Buckeye Run and Right Fork Otter Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 15, 2014.

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

**Permit No. 54050101T. Park Mine Coal Co., LLC** (294 Pine Creek, Drive, Orwigsburg, PA 17961), transfer of an existing anthracite surface mine and coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 602.0 acres, receiving stream: North Branch Mahanoy Creek, classified for the following use: cold water fishes. Application received: May 13, 2014.

**Permit No. 54-305-031GP12. Park Mine Coal Co., LLC** (294 Pine Creek, Drive, Orwigsburg, PA 17961), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54050101T in Mahanoy Township, **Schuylkill County**. Application received: May 13, 2014.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner)*

**41110301 and NPDES PA0257591. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State College, PA 16803). Transfer of an existing large industrial minerals surface mine (sandstone, shale and bluestone) from E&J Construction LLC located in McNett Township, **Lycoming County** affecting 25.0 acres. Receiving streams: Unnamed Tributary to North Pleasant Stream and North Pleasant Stream classified for the following use(s): High Quality Cold Water Fishes. Application received: May 5, 2014.

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

**Permit No. 58140805 and NPDES Permit No. PA0225479. Daniel Pompey**, (231 Pompey Road, Nicholson, PA 18446), commencement, operation and restoration of a bluestone quarry operation in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Wellman Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: May 13, 2014.

**Permit No. 45960802. Royal Oak Homes, Inc.**, (629 Hamilton Street, Palmerton, PA 18071), Stage I & II bond release of a quarry operation in Eldred Township, **Monroe County** affecting 1.0 acre on property owned by Todd and Tammy Bullivant. Application received: May 19, 2014.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

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

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

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

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

\*The parameter is applicable at all times.

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

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

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

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

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

*Noncoal NPDES Draft Permits*

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

**NPDES Permit No. PA0225436** on Surface Mining  
**Permit No. 52770301C. Shiffer Bituminus Service**

**Company**, (158 Dotter's Corner Road, Kunkletown, PA 18058), new NPDES Permit for a shale quarry operation in Polk Township, **Monroe County**, affecting 15.4 acres. Receiving stream: Dotter's Creek, classified for the following use: HQ—cold water fishes. Application received: February 10, 2014.

Non-discharge BMP's shall be effect.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E67-832: York County Rail Trail Authority**, PO Box 335, Seven Valleys, PA 17360—in Manchester and Springettsbury Townships, **Dauphin County**, ACOE Baltimore District

To install and maintain a 30.0 foot long, 6.0-inch depressed, 35.0-inch X 24.0-inch corrugated metal arch pipe culvert in an unnamed tributary to Codorus Creek (WWF) for the purpose of converting an abandoned train rail bed into a trail for recreational use. The project is located south of Mundis Mill Road adjacent to the

Codorus Creek (York Haven, PA quadrangle, Latitude 40°00'10"; Longitude 77°42'35") in Springettsbury Township, **York County**.

**E50-252: Millerstown Municipal Authority**, 44 North High Street, PO Box 739, Millerstown, PA 17062 in Greenwood Township, **Perry County**, U.S. Army Corps Of Engineers, Baltimore District

To expand an existing wastewater treatment plant, which is located within the floodplain at the location listed. The project proposes to affect approximately 0.093 acre of floodplains. The project also includes authorizing two existing obstructions, a concrete block control building, a concrete block U.V. Building, and Sequencing Batch Reactor (S.B.R.) tanks which currently affect an additional 0.118 acre of floodplains.

<i>Address</i>	<i>Waterways</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
110 W. Juniata Parkway Millerstown, PA 17062	Juniata River Cocolamus Creek	WWF-MF TSF-MF	Millerstown	40° 32' 13.9"	-77° 08' 43.2"

**E36-928: Millport Conservancy**, 737 East Millport Road, Lititz, PA, 17543-9246, Warwick Township, **Lancaster County**, U.S. Army Corps Of Engineers, Baltimore District

To install and maintain a 36.0-foot long, 5.0-foot wide wooden pedestrian bridge with concrete abutments and access steps over Lititz Run (CWF, MF), for the purpose of removing pedestrian traffic from the existing one-lane road bridge crossing of Lititz Run. The project is located immediately east of the intersection of Karen Ct. and E. Millport Road (Latitude 40°08'02", Longitude -76°15'29") in Warwick Township, Lancaster County. No wetlands will be impacted by the project

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

**E19-304. Columbia County Commissioners**, 11 West Main Street, County Annex, Bloomsburg, PA 17815. Flood Protection System Construction in Town of Bloomsburg, **Columbia County**, ACOE Baltimore District (Bloomsburg and Catawissa, PA Quadrangles Latitude: 40° 59' 26.72"; Longitude: -76° 27' 46.01").

The applicant proposes to construct a flood wall and levee system, approximately 5,652 feet in length. This project will permanently impact 0.35 acre of wetland through site construction activities. Mitigation for wetland impacts will be achieved through the construction of 0.5 acre of replacement wetlands.

**E41-655. Schwartz-Cioffi Family Trust**, 1447 El Vago Street, La Canada, CA 91011-1750. Schwartz-Cioffi Family Trust Streamside Property in Plunketts Creek Township, **Lycoming County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle Lat: 41° 22' 36.5"; Long: -76° 49' 48.7").

To reconstruct and maintain a new structure in Plunketts Creek Township—Lycoming County, which is located within the floodway/floodplain of Loyalsock Creek. The scope of the repairs is to construct the house on elevated concrete piers with a steel frame foundation.

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. Loyalsock Creek is classified with an existing use of Exception Value (EV).

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

**E10-486, Giglioti Holdings LP**, 11279 Perry Highway Suite 509, Wexford PA 15090. Weatherburn Heights

Phase 2, in Middlesex Township, **Butler County**, ACOE Pittsburgh District (Valencia, PA Quadrangle N: 40°, 41', 35"; W: 79°, 57', 45").

To develop a 98 lot residential development along SR 228 in Middlesex Twp, Butler County with all associated infrastructure including roadways, utilities, and storm-water management facilities. Impacts associated with this project include: 1 culvert crossing of a UNT Glade Run and associated wetlands with 8 utility crossings installed in the fill above the culvert (0.2 ac wetland, 112 LF stream); 1 stream enclosure of a UNT Glade Run and associated wetlands with 7 utility crossings installed in the fill above the enclosure (0.18 ac wetland, 167 LF stream); 6 additional sanitary sewer crossings of 3 UNTs Glade Run and associated wetlands and 1 waterline crossing of a UNT Glade Run and associated wetlands to be co-located with 1 of these sewer lines (0.32 ac wetland, 110 LF stream); 1 extension of an existing culvert associated with the widening of SR 228 impacting a UNT Glade Run and associated wetlands (0.01 ac wetland, 8 LF stream); 1 additional area of fill to be placed in the floodway of UNT Glade Run. Impacts for this project total 0.71 ac wetland and 397 LF stream. Applicant proposes to create 1.08 ac of wetland onsite as mitigation for impacts.

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

**E43-08-007, Halcon Field Service LLC**, 1000 Louisiana Street, Suite 6700, Houston, TX 77002-6003, Stoneboro Borough, Fairview, Lake, & Sandy Lake Townships, **Mercer County**, and Mineral Township, **Venango County**, ACOE Pittsburgh District. (Jackson Center, Sandy Lake, Hadley & Polk, PA Quadrangles N: 41° 21' 11.70" W: 79° 58' 35.69").

The applicant proposes the installation of approximately 17 miles of 16 inch diameter natural gas pipeline starting at the Pilgram well pad and terminating at the Allam 1H National Fuel pipeline. The project would be located in Stoneboro Borough, Fairview, Lake, & Sandy Lake Townships, Mercer County, and Mineral Township Venango County, PA. Thirteen palustrine emergent (PEM) wetlands will be impacted by temporary surface disturbance via open-cut construction or timber matting. One palustrine forested (PFO) wetland and one palustrine shrub-scrub (PSS) wetland will be permanently impacted by conversion to PEM. The project will result in 1700 linear feet of temporary stream impacts, 3.92 acres of temporary wetland impacts, and 0.5 acre of permanent wetland impacts. An additional site in Sugar Grove Township, Mercer County will be utilized to mitigate for the permanent conversion of palustrine forested (PFO) and palustrine shrub-scrub (PSS) wetlands to Palustrine emergent (PEM) wetlands.

The water obstructions and encroachments located within Mercer County, for the purposes of installing the pipeline are described below:

1 One (1) 16 inch diameter natural gas gathering line with associated right of way and a temporary road crossing of a UNT to Otter Creek (TSF) and its associated floodway consisting of PEM wetland, having 0.13 acre of temporary wetland impacts and 61 linear feet of temporary stream impacts. 41.367758 -80.221604

2 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .14 acre of temporary impact. 41.360542 -80.210672

3 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .09 acre of temporary impact. 41.359208 -80.210541

4 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .29 acre of temporary impact. 41.358175 -80.210482

5 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of Pine Run (TSF), having 62 linear feet of temporary impact. 41.353758 -80.182439

6 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PFO wetland, having .1 acre of permanent impact. 41.353829 -80.179569

7 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PFO wetland, having .3 acre of permanent impact. 41.353841 -80.178779

8 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Pine Run (TSF), having 78 linear feet of temporary impact. 41.353822 -80.175545

9 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .07 acre of temporary impact. 41.357640 -80.167713

10 One (1) 16 inch diameter natural gas gathering line with associated right of way and a temporary road crossing of UNT to Little Shenango River (TSF) and its associated floodway consisting of PEM wetland, having 0.29 acre of temporary wetland impacts and 48 linear feet of temporary stream impacts. 41.351954 -80.162157

11 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Little Shenango (TSF), having 94 linear feet of temporary impact. 41.345918 -80.160211

12 One (1) 16 inch diameter natural gas gathering line using directional boring technique with associated right-of-way crossing of UNT Little Shenango (TSF), having 3 linear feet of temporary impact. 41.344217 -80.158566

13 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Little Shenango (TSF), having 60 linear feet of temporary impact. 41.344239 -80.154563

14 One (1) 16 inch diameter natural gas gathering line with associated right of way and a temporary road crossing of UNT Little Shenango River (TSF) and its associated floodway consisting of PEM wetland, having

0.16 acre of temporary wetland impacts and 44 linear feet of temporary stream impacts. 41.342721 -80.147947

15 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .01 acre of temporary impact. 41.332395 -80.132023

16 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .02 acre of temporary impact. 41.330151 -80.112219

17 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .04 acre of temporary impact. 41.329747 -80.110756

18 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of Sawmill Run (TSF), having 68 linear feet of temporary impact. 41.326449 -80.106050

19 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sawmill Run (TSF), having 62 linear feet of temporary impact. 41.326392 -80.105986

20 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .07 acre of temporary impact. 41.325011 -80.104433

21 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .11 acre of temporary impact. 41.324643 -80.102566

22 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sawmill Run (TSF), having 65 linear feet of temporary impact. 41.326096 -80.099013

23 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .3 acre of temporary impact. 41.327232 -80.084268

24 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .39 acre of temporary impact. 41.328683 -80.081050

25 One (1) 16 inch diameter natural gas gathering line with associated right of way and a temporary road crossing of Butchery Creek (WWF) and its associated floodway consisting of PSS wetland, having 0.1 acre of permanent wetland impacts and 45 linear feet of temporary stream impacts. 41.335930 -80.074827

26 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Butchery Creek (WWF), having 74 linear feet of temporary impact. 41.340819 -80.060333

27 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of Butchery Creek (WWF), having 60 linear feet of temporary impact. 41.341251 -80.060917

28 One (1) 16 inch diameter natural gas gathering line with associated right of way and a temporary road crossing of Sandy Creek (WWF) and its associated floodway consisting of PEM wetland, having 1.72 acres of temporary wetland impacts and 63 linear feet of temporary stream impacts. 41.346051 -80.062443

29 One (1) temporary access road crossing of UNT Sandy Creek (WWF), having 41 linear feet of temporary impact. 41.347931 -80.059087

30 One (1) temporary access road crossing of UNT Sandy Creek (WWF), having 33 linear feet of temporary impact. 41.348428 -80.059494

31 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .01 acre of temporary impact. 41.353812 -80.054791

32 One (1) 16 inch diameter natural gas gathering line with associated right of way and a temporary road crossing of a UNT Sandy Creek (WWF) and its associated floodway consisting of PEM wetland, having 0.01 acre of temporary wetland impacts and 57 linear feet of temporary stream impacts. 41.353843 -80.052739

33 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 64 linear feet of temporary impact. 41.353959 -80.050227

34 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 41 linear feet of temporary impact. 41.354109 -80.048613

35 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 48 linear feet of temporary impact. 41.354236 -80.041798

36 One (1) temporary road crossing a PEM wetland, having .004 acre of temporary impact. 41.354195 -80.041510

37 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 63 linear feet of temporary impact. 41.354300 -80.039154

38 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 59 linear feet of temporary impact. 41.354071 -80.037241

39 One (1) temporary access road crossing a PEM wetland, having .004 acre of temporary impact. 41.355625 -80.033487

40 One (1) temporary access road crossing a PEM wetland, having .01 acre of temporary impact. 41.354434 -80.029615

41 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 40 linear feet of temporary impact. 41.354696 -80.024627

42 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .02 acre of temporary impact. 41.354643 -80.022469

43 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .01 acre of temporary impact. 41.350883 -80.013301

44 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 59 linear feet of temporary impact. 41.351729 -80.010939

45 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing a PEM wetland, having .26 acre of temporary impact. 41.352079 -80.003458

**E61-08-004, Halcon Field Service LLC**, 1000 Louisiana Street, Suite 6700, Houston, TX 77002-6003, Stoneboro Borough, Fairview, Lake, & Sandy Lake Townships, **Mercer County**, and Mineral Township, **Venango County**, ACOE Pittsburgh District. (Jackson Center, Sandy Lake, Hadley & Polk, PA Quadrangles N: 41° 21' 11.70" W: 79° 58' 35.69").

The applicant proposes the installation of approximately 17 miles of 16 inch diameter natural gas pipeline starting at the Pilgram well pad and terminating at the Allam 1H National Fuel pipeline. The project would be located in Stoneboro Borough, Fairview, Lake, & Sandy Lake Townships, Mercer County, and Mineral Township Venango County, PA. Thirteen palustrine emergent (PEM) wetlands will be impacted by temporary surface disturbance via open-cut construction or timber matting. One palustrine forested (PFO) wetland and one palustrine shrub-scrub (PSS) wetland will be permanently impacted by conversion to PEM. The project will result in 1700 linear feet of temporary stream impacts, 3.92 acres of temporary wetland impacts, and 0.5 acre of permanent wetland impacts. An additional site in Sugar Grove Township, Mercer County will be utilized to mitigate for the permanent conversion of palustrine forested (PFO) and palustrine shrub-scrub (PSS) wetlands to Palustrine emergent (PEM) wetlands.

The water obstructions and encroachments located within Venango County, for the purposes of installing the pipeline are described below:

1 One (1) 16 inch diameter natural gas gathering line using directional boring technique with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having .0003 acre of temporary impact. 41.353569 -79.987823

2 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 67 linear feet of temporary impact. 41.354554 -79.982172

3 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 118 linear feet of temporary impact. 41.353458 -79.977765

4 One (1) 16 inch diameter natural gas gathering line with associated right-of-way and a temporary road crossing of UNT Sandy Creek (WWF), having 89 linear feet of temporary impact. 41.353306 -79.976901

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

**E1229-002: NFG Midstream Clermont, LLC**, 1100 State Street, Erie, PA 16501-1912, Norwich Township, **Cameron County**, ACOE Baltimore District.

To construct, operate and maintain the Clermont to Rich Valley Pipeline, which consists of two 16-inch water lines, one 16-inch natural gas pipeline, and one 8-inch natural gas pipeline within the same right-of-way, with the following impacts:

1. 120.0 linear feet of Oviatt Branch (EV, CWF) and 2,611 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Wild-



wood Fire Tower, PA Quadrangle, Latitude: N41°36'55.11", Longitude: W78°24'17.61");

2. 6,331 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'53.26", Longitude: W78°23'46.97");

3. 3,679 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'53.11", Longitude: W78°23'44.60");

4. 133.0 linear feet of a UNT to Brewer Fork (EV, CWF) via open cut trenching and a temporary road crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'53.08", Longitude: W78°23'43.99"); and

5. 154.0 linear feet of two UNTs to Brewer Fork (EV, CWF) via open cut trenching and a temporary road crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'51.08", Longitude: W78°23'06.24").

The project will result in 407.0 linear feet of temporary stream impacts, and 12,621 square feet (0.29 acre) of temporary impacts to Exceptional Value (EV) Palustrine

Emergent (PEM) wetlands all for the purpose of installing two natural gas pipelines, two water lines, and associated access roadways for Marcellus shale development.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA61-050, Fluid Recovery Services, LLC**, 14 Coins Drive, Canonsburg PA 15317. FRS-Franklin Remediation, in Cranberry Township, **Venango County**, ACOE Pittsburgh District (Kennerdell, PA Quadrangle N: 41°, 22', 14.1"; W: 79°, 47', 45").

To remediate radium-contaminated substrate in the Allegheny River associated with the FRS-Franklin Facility outfall. Project will consist of the excavation of approximately 100 linear feet of substrate to a distance of 30 feet from the shore and to a depth of 12 inches. Excavated material will be disposed of at an appropriate landfill. Additionally, the rip-rap around the outfall pipe will be removed and either cleaned and reused or disposed of and replaced depending on the results of on-site testing. In order to excavate the impacted material, a temporary coffer dam will be constructed around the work area. An existing access road will be utilized to access the river.

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## ACTIONS

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### 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 Permit Renewal Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0052591 (Sewage)	Walnutport Mobile Home Park 901 South Best Avenue Walnutport, PA 18088	Northampton County Lehigh Township	Bertsch Creek (2-C)	Y
PA0063843 (IW)	Milford Borough WTP 151 Old Owega Turnpike Milford, PA 18337	Pike County Milford Township	Vantine Brook (1-D)	Y
PA0063797 (Sewage)	Pocono Valley Personal Care Center a.k.a. Gluco Lodge WWTP RR 1 (Kemmerville In Hamilton Twp) Stroudsburg, PA 18360	Monroe County Hamilton Township	Unnamed Tributary of Cherry Creek (1-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081850—IW	Gettysburg Municipal Authority PO Box 3307 601 East Middle Street Gettysburg, PA 17325-3307	Adams County / Cumberland Township	UNT to Marsh Creek / 13-D	Y
PA0084051—Sew	Creekview Farms Mobile Home Park 280 Airy View Road Shermans Dale, PA 17090	Perry County / Carroll Township	Sherman Creek / 7-A	Y
PAS113502 Amendment No. 1—IW	GE Inspection Technologies LP 50 Industrial Park Road Lewistown, PA 17044	Mifflin County / Granville Township	UNT of Juniata River / 12-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228737 (Sewage)	Westover Borough Wastewater Treatment Plant 143 Tannery Road Westover, PA 16692	Clearfield County Westover Borough	Chest Creek (8-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0096814 (Sewage)	Robyns Shop Donegal Tri Fuel STP Rte 31 Donegal, PA 15628	Westmoreland County Donegal Township	Minnow Run (19-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0238767 (Sewage)	Stoneworth Apartments 877 New Castle Road Slippery Rock, PA 16057	Butler County Worth Township	Slippery Rock Creek (20-C)	Y

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


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

**NPDES Permit No. PA0060542**, Sewage, SIC Code 4952, **Wallenpaupack Lake Estates**, 114 Wallenpaupack Drive, Lake Ariel, PA 18436.

This existing facility is located in Paupack Township, **Wayne County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

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

**NPDES Permit No. PA0267708**, CAFO, **David VanGilder, DoVan Farm**, 582 Rocky Lane, Berlin, PA 15530.

This proposed facility is located in Brothersvalley Township, **Somerset County**.

Description of Proposed Action/Activity: Authorization to operate a 1,006.5 Animal Equivalent Unit (AEU) dairy operation situated near Unnamed Tributary of Buffalo Creek in Watershed 19-F.

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

**PA0272817**, Industrial Waste, SIC Code 2096, **Greater Erie Industrial Development Corp.**, 5240 Knowledge Parkway, Erie, PA 16510. Facility Name: Barrel-O-Fun Snack Foods.

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

Description of Proposed Activity: A new NPDES permit for a new discharge of treated food processing wastewater from a potato chip manufacturer.

The receiving stream, French Creek, is located in State Water Plan watershed 16-A and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

**PA0272779**, Sewage, SIC Code 4952, **Neshannock Creek Watershed Joint Municipal Authority**, 369 McClelland Road, Mercer, PA 16137. Facility Name: Neshannock Creek Watershed Joint Municipal Authority WWTP.

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

Description of Proposed Activity: A new NPDES permit for a new discharge of treated sewage.

The receiving stream, Neshannock Creek, is located in State Water Plan watershed 20-A and is classified for trout stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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


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

**WQM Permit No. 3614402**, Sewerage, **East Lampeter Sewer Authority**, 2250 Old Philadelphia Pike, Lancaster, PA 17602.

This proposed facility is located in East Lampeter Township, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of the replacement of the existing Delchester Pump Station with the new Devon Creek Pump Station.

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

**WQM Permit No. 0805402 A-1**, Sewage, SIC Code 4952, **Athens Township Authority Bradford County**, 2523 Pennsylvania Avenue, Sayre, PA 18840-2858.

This existing facility is located in Athens Township, **Bradford County**.

Description of Proposed Action/Activity: Upgrades to pump stations No. 1 & 6 and modifications to the associated force mains and gravity sewer.

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

**WQM Permit No. 1114401—City of Johnstown**, 401 Main Street, Johnstown PA 15901.

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

Description of Proposed Action/Activity: Construction of sanitary sewers in the Woodvale and Prospect Areas of the City of Johnstown.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

**WQM Permit No. 1114400—Gallitzin Borough Sewer & Disposal Authority**, 411 Convent Street, Gallitzin PA 16641

This proposed facility is located in Gallitzin Borough, **Cambria County**.

Description of Proposed Action/Activity: Construction of sanitary sewers to separate existing combined sewers in Gallitzin Borough.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

**WQM Permit No. 6589410**, Sewage, **Coen Oil Co.**, 1045 W Chestnut Street, Washington, PA 15301.

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

Description of Proposed Action/Activity: Transfer of permit.

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

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041403017(3)	Penn State Univ—OPP 101P Physical Plant Bldg University Park PA 16802	Centre	State College Borough	Thompson Run HQ

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI055613007	Jeffrey L. Hillegass Dividing Ridge Farm 207 Dividing Ridge Farm Fairhope, PA 15538	Somerset	Allegheny Township	Hillegass Run (HQ-CWF)

#### VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

#### List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bensalem Township Bucks County	PAG0200 0903046R	Keystone Turf Club & Bensalem Racing Association Db Philadelphia Park 3001 Street Road Bensalem, PA 19020	Neshaminy Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Richland Township Bucks County	PAG0200 0906126R1	W. B. Homes 404 Sumneytown Pike, Suite 200 North Wales, PA 19454	Tohickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG0200 2314005	Academy of Notre Dame de Namur 560 Sproul Road Villanova, PA 19085	Unnamed Tributary to Ithan Creek CWF Unnamed Tributary to Darby Creek CWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford Township Delaware County	PAG0200 2312008R	Radnor Haverford Marple Sewer Authority 600 Glendale Road Havertown, PA 19083	Darby Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG0200 4614017	Aqua Pennsylvania, Inc. 762 W. Lancaster Avenue Bryn Mawr, PA 19010	Unnamed Tributary to the Schuylkill River WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAG0200 4614013	GDL Farms Corporation 3501 Masons Mill Road Suite 403 Huntingdon Valley, PA 19006	Pennypack Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG0200 4613095	The Shipley School 814 Yarrow Street Bryn Mawr, PA 19010	Mill Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Skippack Township Montgomery County	PAG0200 4605057R	Skippack Group, L.L.C. 2052 Lucon Road Skippack, PA 19474	Skippack Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Hazle Township Luzerne County	PAG02004010225(1)R	CAN DO, Inc. Kevin O'Donnell One South Church Street Hazleton, PA 18201	Black Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Bethlehem Township Northampton County	PAG02004814001	St. Luke's University Health Network: Bret Buchman 801 Ostrum Street Bethlehem, PA 18015	Lehigh River (WWF, MF)	Northampton County Conservation District 610-746-1971
West Brunswick Township, Deer Lake Borough Schuylkill County	PAG02005410008R	James R. McGee PADOT District 5-0 1002 West Hamilton Street Allentown, PA 18101	Pine Creek (CWF, MF) Little Schuylkill River (CWF, MF)	Schuylkill County Conservation District 570-622-3742
Factoryville Borough Wyoming County	PAG02006614003	Keystone College 1 College Green LaPlume, PA 18440	South Branch Tunkhannock Creek (TSF, MF)	Wyoming County Conservation District 570-836-2589

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Blair Township Blair County	PAG02000714005 Issued	John E. Holtzinger, Jr. 6720 Carpenter Rd Frederick, MD 21703	UNT to Beaverdam Branch of Juniata River	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877 ext. 5
Quarryville Boro Lancaster County	PAG02003609030-R Issued	Quarryville Presbyterian Home 625 Robert Fulton Highway Quarryville, PA 17566	Big Beaver Creek/TSF;MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
Earl Township Lancaster County	PAG02003612038-R Issued	Daniel Lapp 100 New Holland Road Gordonville, PA 17529	Unt Mill Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
Millersville Borough Lancaster County	PAG02003612052-R Issued	Millersville Road Partners LP 120 North Pointe Boulevard Suite 301 Lancaster, PA 17601	Conestoga River/WWF; MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
East Cocalico Township Lancaster County	PAG02003614002 Issued	Jeff Mitchell 80 Martin Drive Reinholds, PA 17569	UNT Little Cocalico Creek/TSF; MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
West Hempfield Township Lancaster County	PAG02003614026 Issued	Clark Filter Inc. 3649 Hempland Road Lancaster, PA 17601	West Branch Little Conestoga /TSF; MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
East Donegal Township Lancaster County	PAG02003614029 Issued	Mike Brubaker 493 Musser Road Mount Joy PA 17552	Donegal Creek/CWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
East Lampeter Township Lancaster County	PAG02003614030 Issued	Conestoga Valley School District 2110 Horseshoe Road Lancaster PA 17601	Stauffer Run/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Providence Township Lancaster County	PAG02003614036 Issued	Daniel Beiler 927 Log Cabin Road Leola PA 17540	UNT Big Beaver Creek/TSF; MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
Manheim Township Lancaster County	PAG02003614037 Issued	Lancaster Bible College 901 Eden Road Lancaster PA 17601	Conestoga River/WWF; MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
Ephrata Borough Lancaster County	PAG02003614038 Issued	Ephrata Area School District 803 Oak Boulevard Ephrata PA 17522	Cocalico Creek/WWF; MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 Phone: 717.299.5361 Ext. 121
City of York & Spring Garden Township York County	PAG02006714017 Issued	York Hospital 1001 South George Street York, PA 17403	UNT to Codorus Creek/ WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717. 840.7430
Fairview Township York County	PAG02006714012 Issued	Pennsylvania American Water Company 800 W. Hersheypark Drive Hershey, PA 17033	Yellow Breeches/ CWF, MF & UNT to Yellow Breeches Creek/ CWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717. 840.7430
Hopewell Township & Stewartstown Borough York County	PAG02006713063 Issued	Bridgeview Investments 200 Bailey Drive Suite 202 Stewartstown, PA 17363	Ebaughs Creek/ CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717. 840.7430
Carroll Township York County	PAG02006714002 Issued	Hope Grace Brethren Church 110 Old York Road Dillsburg, PA 17019	Stony Run/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717. 840.7430
Swatara Township Dauphin County	PAG02002214001 Issued	Conestoga Oral & Maxillofacial Surgery 190 Good Drive Lancaster, PA 17602	Beaver Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Swatara Township Dauphin County	PAG02002214023 Issued	Minerva Vranicar Trust 2501 Market Street Camp Hill, PA 17011	Laurel Run/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lykens Township Dauphin County	PAG02002214027 Issued	Allen E. Glick 328 Lebo Road Millersburg, PA 17061	Wiconisco Creek/ WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Swatara Township Dauphin County	PAG02002214009 Issued	MRPI Fulling Mill, LP 729 East Pratt Street Ste 401 Baltimore, MD 21202	Swatara Creek/ WWF-MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
South Hanover Township Dauphin County	PAG02002214022 Issued	Steve Johnston DOLI Construction Inc. 120 Independence Lane Chalfont, PA 18914	Beaver Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Ayr Township Fulton County	PAG02002909004(R) Issued	F&M Trust Company 20 South Main Street Chambersburg, PA 17201	Big Cove Creek/CWF	Fulton County Conservation District 216 North 2nd Street, Suite 15 McConnellsburg, PA 17233-1170 717-485-3547, Ext. 121
Montgomery Township Franklin County	PAG02002814012 Issued	David Michalak 190 West Church Road Stevens, PA 17578	UNT to West Branch of Conococheague Creek/TSF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Township Franklin County	PAG02002813042(1) Issued	Kevin Franzoni 1000 Potato Roll Lane Chambersburg, PA 17202	Conococheague Creek/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County	PAG02002813047 Issued	Ted Snowberger 10880 Rinehart Drive Waynesboro, PA 17268	Baily Run/CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Quincy Township Franklin County	PAG02002812018R(1) Issued	Joe Schom Quincy Township 7575 Mentzer Gap Road Waynesboro, PA 17268	UNT to Conococheague Creek/WWF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Township Franklin County	PAG02002814003 Issued	Dennis Schmaltz Nitterhouse Concrete Products PO Box 2013 Chambersburg, PA 17201	UNT Conococheague Creek/WWF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County	PAG02002814010 Issued	Ted Snowberger Trademark Development Corp 10880 Rhinehart Drive Waynesboro, PA 17268	Fall Creek/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Conoy Township Lancaster County	PAG02003612042-R Issued	Perdue Grain & Oilseed LLC PO Box 1537 Salisbury MD 21802	Susquehanna River/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361. Ext. 121
Bern Township Berks County	PAG02000603094R Issued	Marcel Manor, LP 1030 West Norristown Pike East Norristown, PA 19403	UNT to Tulpehocken Creek/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610.372.4657



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Marion Township Berks County	PAG02000603049R Issued	Stone Group, Inc. 1737 West Main Street Ephrata, PA 17522	Tulpehocken Creek/TSF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610.372.4657
Marion Township Berks County	PAG02000614014 Issued	Pine View Meadows 160 Mountain View Road Denver, PA 17517	Tulpehocken Creek/TSF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610.372.4657
Montgomery Township Franklin County	PAG02002812011R Issued	Britton Byers 13050 Mt. Pleasant Road Mercersburg, PA 17236	Licking Creek/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County	PAG02002813032 Issued	Robert Hamner 11698 North Potomac Street Waynesboro, PA 17268	West Branch of Antietam Creek/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg Franklin County	PAG02002804019R Issued	Lynn Armstrong 610 Fifth Avenue Chambersburg, PA 17201	Conococheague Creek/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Hamilton Township Franklin County	PAG02002805001R Issued	Jeryl Martin Elk Ridge LLC 4961 Cumberland Highway Chambersburg, PA 17202	UNT Conococheague Creek/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Spring Township Berks County	PAG02000604119R Issued	Fiorino Grande Grande Land LP 2213 Quarry Road West Lawn, PA 19609	Cacoosing Creek/CWF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610.372.4657
South Heidelberg Township Berks County	PAG02000605014(2)R Issued	Walter Greth Greth Development Group, Inc. PO Box 305 Temple, PA 19560	Manor Creek/TSF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610.372.4657
Upper Mifflin Township Cumberland County	PAG02002114015 Issued	Tod Chestnut 50 Eberly Road Newville, PA 17241	UNT Three Square Hollow Run/WWF, MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013-9101
Highland Township Adams County	PAG02000114006 Issued	Tommy Stewart 119 Timberbrook Lane #103 Gaithersburg, MD 20878	UNT Little Marsh Creek/CWF, MF UNT Muddy Run/CWF, MF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404
Ayr Township Fulton County	PAG02002914001 Issued	JLG Industries 1 JLG Drive McConnellsburg, PA 17233	UNT Big Cove Creek/CWF	Fulton County Conservation District 216 North 2nd Street Suite 15 McConnellsburg, PA 17233-1170 717.485.3547, Ext. 121

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Ayr Township Fulton County	PAG02002914002 Issued	CFC Fulton Properties 2700 Clemens Road Hatfield, PA 19440	Big Cove Creek/CWF, MF	Fulton County Conservation District 216 North 2nd Street Suite 15 McConnellsburg, PA 17233-1170 717.485.3547, Ext. 121
North Woodbury Township Blair County	PAG02000714004 Issued	Ag Choice Farm Credit 900 Bent Creek Boulevard Mechanicsburg, PA 17050	UNT Plum Creek/WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, Ext. 5
City of Altoona Blair County	PAG02000714006 Issued	Panvan II, LLC 10307 Auto Place Hagerstown, MD 21740	UNT Brush Run/WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.877, Ext. 5
Paradise Township York County	PAG02006704108R Issued	Stone Ridge Development Corporation 1500 Baltimore Pike Hanover, PA 17331	UNT Beaver Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Red Lion Borough Windsor Township York County	PAG02006714024 Issued	Glen C. Rexroth PO Box 297 Dallastown, PA 17313	Pine Run/CWF Fishing Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Hanover Borough York County	PAG02006714022 Issued	Columbia Gas of PA 1020 North Hartley Street York, PA 17404	South Branch Conewago Creek/WWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Spring Garden, Springettsbury and York Townships York County	PAG02006713036 Issued	PA Department of Transportation District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Mill Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Montgomery Township Franklin County	PAG02002812011R Issued	Britton Byers 13050 Mt. Pleasant Road Mercersburg, PA 17236	Licking Creek/ WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Lower Allen Township Cumberland County	PAG02002114016 Issued	Charter Homes at Highpoint 1190 Dillerville Road Lancaster, PA 17601	UNT to Cedar Creek/CWF UNT to Yellow Breeches Creek/CWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.6169
Silver Spring Township Cumberland County	PG02002114009 Issued	Genuine Parts Company 2999 Circle 75 Parkway Atlanta, GA 30339	Hogestown Run/CWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.6169
Camp Hill Borough Cumberland County	PAG02002114014 Issued	Silver Spring Township Authority Shale Ridge Sewer Extension 5 Willow Mill Park Road Suite 100 Mechanicsburg, PA 17050	Conodoguinet Creek/WWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.6169

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Highland Township Adams County	PAG02000114010 Issued	Evan G. Dick 104 Potters Pond Drive Phoenixville, PA 19460	UNT to Little Marsh Creek/CWF	Adams County Conservation District 670 Old Harrisburg Rd., Suite 201 Gettysburg, PA 17325 717.334.0636
Reading Township Adams County	PAG02000105014R(1) Issued	Lexington Land Developers Corporation 336 West King Street Lancaster, PA 17603	UNT to Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Rd., Suite 201 Gettysburg, PA 17325 717.334.0636
Abbottstown Borough, Berwick, Hamilton, and Reading Townships Adams County	ESG000001130001 Issued	William F. Timmermeyer Columbia Gas Transmission, LLC 1700 MacCorkle Avenue, SE PO Box 1273 Charleston, WV 25313	Conewago Creek/WWF-MF West Conewago Creek/WWF-MF	Adams County Conservation District 670 Old Harrisburg Rd., Suite 201 Gettysburg, PA 17325 717.334.0636

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Leroy Township Bradford County	PAG02000814006	Mark Shedden South Mont Farms 6197 Route 414 Canton PA 17724	UNT to Towanda Creek CWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Spring Township Centre County	PAG02001414006	Bellefonte Borough 236 W Lamb St Bellefonte PA 16823  Bellefonte Little League PO Box 517 Bellefonte PA 16823	Trib. To Spring Creek CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Sandy Township Clearfield County	PAG02001714002	Whitewave Foods Co 12002 Airport Way Broomfield CO 80021	Reisinger Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Bald Eagle Township Clinton County	PAG02001814002	Bunnel Hill 3000-G Henkle Dr Lebanon OH 45036	Bald Eagle Creek WWF, MF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Mifflin Township Columbia County	PAG02001914002	Mifflinville DG LLC 361 Summit Blvd Ste 110 Birmingham AL 35243	UNT to Susquehanna River CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102
Fairfield & Muncy Twps Lycoming County	PAG02004112029(3)	Aubrey Alexander Blaise Alexander Family LP 10 Alexander Dr Muncy PA 17756	Turkey Run WWF, MF Twin Run WWF, MF	Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Williamsport Lycoming County	PAG02004114006	Jeff Bennett VP Fin & Admin 700 College Place Williamsport PA 17701	W B Susquehanna River WWF, MF	Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003
City of Williamsport Lycoming County	PAG02004114008	Gabe Hutchinson LGN Mgmt LLC 333 Rose St Williamsport PA 17701	UNT to Susquehanna River WWF, MF	Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003
Kelly Township Union County	PAG02006014005	Kelly Township 551 Zeigler Rd Lewisburg PA 17837	Little Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg PA 17837 (570) 524-3860
Buffalo Township Union County	PAG02006014008	UGI Utilities Tonya Bowers 24547 Route 6 Port Allegany PA 16743	Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg PA 17837 (570) 524-3860

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Harrison Township and Brackenridge Borough Allegheny County	PAG2000209043R	Allegheny Lundlum, LLC. 100 River Run Road Brackenridge, PA 15014	Natrona (TSF, WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Pine Township Allegheny County	PAG02000210004R	Jim Rumbaugh 772 Pine Valley Drive Pittsburgh, PA 15239	North Fork Pine Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Findlay Township Allegheny County	PAG02000211061R	James L. Holcomb One Bigelow Square Suite 630 Pittsburgh, PA 15239	UNT to Montour Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Plum Borough Allegheny County	PAG02000211076R	YMCA of Greater Pittsburgh 420 Fort Duquesne Blvd Suite 625 Pittsburgh, PA 15222	Abers Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Elizabeth Township Allegheny County	PAG02000211081R	J&L Real Estate 1225 Rodi Road Turtle Creek, PA 15145	UNT to Rock Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Marshall Township Allegheny County	PAG02000212010R	CH Estates, LLC 6021 Wallace Road Ext Suite 202 Wexford, PA 15090	UNT to Brush Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Plum Borough Allegheny County	PAG02000212060R	Pittsburgh East Community Church 9400 Saltsburg Road Pittsburgh, PA 15239	UNT to Abers Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
White Oak Borough Allegheny County	PAG02000214004	Speedway, LLC. 500 Speedway Drive Enon, OH 45323	Long Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Penn Hills Municipality Allegheny County	PAG02000214012	The Longue Vue Club 400 Longue Vue Drive Verona, PA 15147	UNT to Sandy Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
O'Hara Township Allegheny County	PAG02000214023	Township of O'Hara 325 Fox Chapel Road Pittsburgh, PA 15238	Powers Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
McCandless Township Allegheny County	PAG02000214024	Allegheny County Department of Public Works 542 Forbes Ave Rook 501 Pittsburgh, PA 15219	Pine Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Ross Township Allegheny County	PAG02000214028	Limerick Land Partners, LP 2585 Washington Road Building 100 Suite 130 Pittsburgh, PA 15241	Lowries Run (WWF), Girtys Run (WWF), and UNT to Pruce Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Pleasant Hills Borough and West Mifflin Borough Allegheny County	PAG02000214029	Pleasant Hills Borough 410 East Bruceton Road Pleasant Hills, PA 15236	UNT to Lewis Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Baldwin Borough Allegheny County	PAG02000214035	Baldwin Borough 3344 Churchview Avenue Pittsburgh, PA 15227	Lick Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Findlay Township Allegheny County	PAG02000214041	Al. Neyer, LLC. 302 West 3rd Street Suite 800 Cincinnati, OH 45202	McClarens Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Hastings Borough and Elder Township Cambria County	PAG02001114008	Hastings Municipal Authority PO Box 559 Hastings, PA 16646	UNT to Brubaker Run (CWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Georges Township Fayette County	PAG02002613014	Borough of Fairchance 125 W. Church St. Fairchance, PA 15436	Care Hollow Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
South Union Township Fayette County	PAG02002614004	Synergy Development Fayette, LLC. 818 Golfview Drive McKeesport, PA 15135	Jennings Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Cumberland Township Greene County	PAG02003010004R	CJF Property Holding, LLC. 116 Moonlite Drive Smithfield, PA 15478	Muddy Creek (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-52478
Franklin Township Greene County	PAG02003014003	PennDOT Dist 12-0 825 N. Gallatin Avenue Uniontown, PA 15401	Grimes Run (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-52478
Franklin Township Greene County	PAG02003014004	McDonald's 1000 Omega Drive Suite 1390 Pittsburgh, PA 15205	South Fork Ten Mile Creek (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-52478
Center Township Indiana County	PAG02003214003	PennDOT Dist. 10-0 2550 Oakland Ave Indiana, PA 15701	Yellow Creek (CWF), Laurel Run (CWF), and UNT to Laurel Run (CWF)	Indiana County CD 625 Kolter Drive Suite 8 Indiana, PA 15701
Summit Township Somerset County	PAG02005614001	Joseph B. Fay Company, LLC. PO Box 66 Russellton, PA 15076	Casselman River (WWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Somerset Township Somerset County	PAG02005614008	Listie Volunteer Fire Department PO Box 143 Listie, PA 15549	Wells Creek (CWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Amwell Township Washington County	PAG02006312008R	Golden Triangle Construction 8555 Old Steubenville Pike Imperial, PA 15126	Redd Run (TSF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Robinson Township Washington County	PAG02006314016	PA American Water Company 300 Galley Road McMurray, PA 15317	UNT to Raccoon Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Clinton Township Butler County	PAG02001014011	Massaro Properties LLC 1000 Cliff Mine Road, Ste 220 Pittsburgh PA 15275	Unt Thorn Run CWF	Butler County Conservation District 724-284-5270
Cherry Township, Butler County	PAG2091014004	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Findlay Run (CWF), Unnamed Tributary to Findlay Run (CWF)	Attention: Patrick M. Webb  PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Wilkes-Barre in Luzerne County	PAR802229	ABF Freight System, Inc. P.O. Box 10048 Fort Smith, AR 72917-0048	Spring Run—05B	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Exeter Township Luzerne County	PAR202247	Bridon American Corp 101 Stevens Lane Exeter, PA 18643	Hicks Creek—5-B	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
York County West Manchester Township	PAR803574	York Railway Company York Rail Transload Facility 2790 West Market Street York, PA 17404-5531	UNT of Codorus Creek / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Newberry Township	PAR803700	Freedom Equipment Inc. 4400 Gettysburg Road Camp Hill, PA 17011 Freedom Equipment Shop 205 Red Mill Road Etters, PA 17319	UNT to Fishing Creek / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Rochester Township Beaver County	PAR156102	Valspar Corp Inc. 372 Cleveland Street Rochester, PA 15074	McKinley Run— 20-B /WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Hempfield Township Westmoreland County	PAR606183	Sigmund Auto Wreckers 427 Edna Road Adamsburg, PA 15611	Unnamed Tributary of Little Sewickley Creek—19-D/ TSF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Northern Cambria Borough Cambria County	PAG036112	Christoff Mitchell Petroleum, Inc. 2719 Walton Street P.O. Box 669 Phillipsburg, PA 16866	Fox Run—8-B CWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-10*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Summit Township Butler County	PAG108322	Mountain Gathering, LLC 810 Houston Street, Fort Worth, TX 76102	Unnamed Tributary to Bonnie Brook	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-12*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County Conoy Township	PAG123783	Meadow Vista Dairy, LLC Meadow Vista Farms 166 Risser Road Bainbridge, PA 17502	UNT Susquehanna River / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County Clay Township	PAG123685	Zartman Farms LLC Zartman Farms 820 Hilltop Road Ephrata, PA 17522	UNT Middle Creek / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lebanon County Swatara Township	PAG123778	Daniel S. Sensenig Daniel Sensenig Farm 65 Halteman Lane Lebanon, PA 17046	UNT Little Swatara Creek / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Quincy Township	PAG123683	Hawbaker Farms LLC Hawbaker Duck Farm 6842 Buttermilk Road Waynesboro, PA 17268	UNT to West Branch Antietam Creek / CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—MS4 PAG13*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Plum Borough Allegheny County	PAG136143	Plum Borough 4575 New Texas Road Pittsburgh, PA 15239	Little Plum Creek, Piersons Run, Plum Creek and Unnamed Tributary to Thompson Run 18-A and 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Moon Township Allegheny County	PAG136274	Moon Township 1000 Beaver Grade Road Coraopolis, PA 15108	Boggs Run, McCabe Run, Meeks Run, Montour Run, Ohio River, Shouse Run, Thorn Run, Unnamed Tributary to Ohio River and Unnamed Tributary to Spring Run 20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
West Homestead Borough Allegheny County	PAG136307	West Homestead Borough Allegheny County 456 W Eighth Avenue West Homestead, PA 15120	West Run 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Harmar Township Allegheny County	PAG136354	Harmar Township 701 Freeport Road Cheswick, PA 15024	Allegheny River, Campbell Run, Deer Creek, Guys Run and Little Deer Creek 18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

**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.

**CAFO NMP**

**PUBLIC NOTICE SPREADSHEET—ACTIONS (Approval / Disapproval)**

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproval</i>
Country View Family Farm, LLC-Smiling Porker Farm 676 Granger Lane Morris, PA 16938	Lycoming	226.0	2978.55	Swine	Hughes Run-EV (existing use)	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**

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

**Operations Permit #1514510** issued to: **Downingtown Municipal Water Authority** 900 Water Plant Way Downingtown, PA 19335, [(PWSID)] Downingtown Borough, **Chester County** on May 22, 2014 for the operation of Downingtown Municipal Water Authority Well DPW-1 facilities approved under construction permit #1512511.

**Operations Permit #4614510** issued to: **Windhaven MHP** 2917 East High Street 2917 East High Street, Pottstown, PA 19464-3129, [(PWSID)] Lower Pottsgrove Township, **Montgomery County** on May 21, 2014 for the operation of four (4) Storage Tanks and Certification of 4-Log Treatment of Viruses facilities approved under construction permit #4611525.

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

**Permit No. 4114502MA—Construction—Public Water Supply.**

Applicant	<b>Lycoming County Water &amp; Sewer Authority</b>
Township/Borough	Fairfield Township
County	<b>Lycoming</b>
Responsible Official	Ms. Christine Weigle Lycoming County Water & Sewer Authority P.O. Box 186 Montoursville, PA 17754
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	May 19, 2014
Description of Action	Conversion in the disinfectant from gas chlorine to sodium hypochlorite at the Village Water Well No. 2 treatment plant.

**Oak Ridge Authority** (Public Water Supply), Rush and Taylor Townships, **Centre County**: On May 27, 2014, the Safe Drinking Water Program approved the

Source Water Protection (SWP) plan for the Oak Ridge Authority. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570) 327-3650).

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

**Permit No. 1114502MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Highland Sewer &amp; Water Authority</b> 120 Tank Drive Johnstown, PA 15904
[Borough or Township]	Summerhill Township
County	<b>Cambria</b>
Type of Facility	Beaverdam WTP
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Permit to Construct Issued	May 19, 2014

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Texas Township	506 Willow Avenue Honesdale, PA 18431	Wayne

*Plan Description:* The selected alternative (Alternative 1A) chosen to address the existing wastewater disposal needs of the planning area provides for a low pressure grinder pump collection system for the White Mills service area (as per Plan Sheet entitled ALT 1A). Sewage will then be conveyed along U.S. Route 6 through the low pressure sewer system to a new Pump Station located in the vicinity of the intersection of State Route 652 and U.S. Route 6. An 8-inch diameter force main from the pump station will be located within the existing rights of way of Route 6 and Old Willow Avenue and then cross under the Lackawaxen River to a connection point at the existing Central Wayne Regional Authority's (CWRA) wastewater treatment facility. The sewage facilities will be owned and operated by the CWRA.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or Authority as appropriate.

*Southwest Regional Office, Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Allegheny Twp.	Allegheny Township Supervisors Mr. Greg Primm, Manager 136 Community Building Road Leechburg, PA 15656	Westmoreland

*Plan Description:* The project is located in the Kiskimintas River Watershed, and will address the sewage disposal needs of existing structures located along Indian Hill Road, Bagdad Road and minor sewer extensions along Blackstone Road and Princess Lane in Allegheny Township, Westmoreland County.

This first phase of the Bagdad Road Project will provide municipal sewer service up to 75 existing residences. The proposed sanitary sewer lines and new pump station will be connected into the Elder Run pump station and the sewage will be treated at the Kiski Valley Sewage Treatment Plant. The Plan provides for construction of collection sewers, interceptors a new Pump station and an expansion of the sewer service area.

The Department's review of the sewage facilities update plan has not identified any significant environmental impacts results from this proposal.

Any required WQM Permits must be obtained in the name of the Municipal Authority of Allegheny Township as appropriate.

**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 re-

quired, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**R & L Carriers, Interstate 80 @ MM 128 E**, Liberty Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, Pa 17857, on behalf of R & L Carriers, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Brodart—Memorial Avenue Site**, 1609 Memorial Avenue, City of Williamsport, **Lycoming County**. AMEC Environmental and Infrastructure, Inc., 800 N. Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of Williamsport Redevelopment Authority, 245 West Fourth Street, Williamsport, Pa 17701 submitted a Site-Specific Final Report concerning remediation of site soils contaminated with arsenic, cobalt, benzo(a), pyrene, methylene chloride, trichloroethene, and dissolved aluminum, iron and manganese. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Aim National Lease, Interstate 80 @ MM 186E**, Greene Township, **Clinton County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Aim National Lease, 1500 Trumbull Ave, Girard, OH 44420, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Rich Oil Company Inc., Interstate 80 @ MM234E**, Town of Bloomsburg, **Columbia County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Rich Oil Company, Inc., submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether, Xylenes. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Former Hershey Garage and Former Sunoco Service Station**, 169 and 181 West Chocolate Avenue, Hershey, PA, 17033, Derry Township, **Dauphin County**.

AECOM, 100 Sterling Parkway, Suite 205, Mechanicsburg, PA 17055, on behalf of Hershey Entertainment & Resorts, 27 West Chocolate Avenue, Hershey, PA 17033, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated by leaded and unleaded gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Route 94 Eastbound Diesel Release**, 0.58 mile north of intersection with Idaville York Springs Road and Town Hill Road, York Springs, PA 17372, Huntington Township, **Adams County**. Environmental Products and Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, PA 7111, on behalf of Allen Distribution, 670 Allen Road, Carlisle, PA 17015, and Timothy Weiser and Steven Weiser, 830 Old US Route 15, York Springs, PA 17372, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released in a vehicle accident. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

**JMC Steel Group—Sharon Pipe Plant**, 200 Clark Street, City of Sharon, **Mercer County**. TRC Environmental, 11231 Cornell Park Drive, Cincinnati, OH 45242 & ENVIRON International Corporation, 1760 Market Street, Suite 1000, Philadelphia, PA 19103, on behalf of JMC Steel Group, 1 Council Avenue, Wheatland, PA 16161, submitted a Final Report concerning the remediation of site soil contaminated with Antimony, Arsenic, Cadmium, Chromium (total), Lead, Mercury, Selenium, Zinc, Aroclor 1248, Aroclor 1254, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Dibenzofuran, Naphthalene, N-nitrosodi-n-propylamine, Ethylbenzene, Tetrachloroethene, Trichloroethene, Xylenes (total) and site groundwater contaminated with Chloride, Nitrogen (Ammonia), PH, Sulfate, Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium (total), Chromium (III), Chromium (VI), Cobalt, Copper, Iron, Lead, Manganese, Mercury, Nickel, Nitrate as N, Selenium, Thallium, Vanadium, Zinc, PCBs (total), Aroclor 1016, Aroclor 1242, Aroclor 1248, Aroclor 1254, Aroclor 1260, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Bis[2-ethylhexyl]phthalate, Chrysene, Dibenz[a,h]anthracene, Hexachlorobenzene, Indeno[1,2,3-cd]pyrene, N-nitrosodi-n-propylamine, Pentachlorophenol, Phenanthrene, 2-Picoline, Benzene, Chlorobenzene, 1,2-Dichlorobenzene, 1,3-Dichlorobenzene, 1,4-Dichlorobenzene, 1,2,4-Trichlorobenzene, cis-1,2-Dichloroethene, Methylene Chloride, Tetrachloroethene, Trichloroethene, Vinyl Chloride, Xylenes (total), and 2,3,7,8-TCDD equivalent. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**OMG Americas**, 240 Two Mile Run Road, Sugar Creek Borough, **Venango County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of OMG Americas, Inc., 240 Two Mile Run Road, Franklin, PA 16323, submitted a Final Report concerning the remediation of site soils contaminated with Lead and site groundwater contaminated with Benzene and Naphthalene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Brodart—Memorial Avenue Site**, 1609 Memorial Avenue, City of Williamsport, **Lycoming County**. AMEC Environmental and Infrastructure, Inc., 800 N. Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of Williamsport Redevelopment Authority, 245 West Fourth

Street, Williamsport, Pa 17701 submitted a Site-Specific Final Report concerning the remediation of site soils contaminated with VOCs, SVOCs, and metals.

The Final Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department on December 20, 2013.

**Aim National Lease, Interstate 80 @ MM186E**, Greene Township, **Clinton County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Aim National Lease, 1500 Trumbull Ave, Girard, OH 44420, submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel from a leaking saddle tank. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on December 30, 2013.

**R & L Carriers, Interstate 80 @ MM 128 E**, Liberty Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, Pa 17857, on behalf of R & L Carriers, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Napthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 10, 2014.

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

**Former Metron Site**, 400 South Cameron Street, City of Harrisburg, **Dauphin County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Brittany Capital, LLC, 4720 Gettysburg Road, Suite 201B, Mechanicsburg, PA 17055, submitted a Final Report concerning remediation of site soils and groundwater contaminated with leaded and unleaded gasoline and No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on May 20, 2014.

**Paxton Street Properties / Former UGI Harrisburg Maintenance Facility**, 1500 Paxton Street, Harrisburg PA 17104, City of Harrisburg, **Dauphin County**. URS Corporation, 4507 North Front Street, Suite 200, Harrisburg, PA 17110, on behalf of Paxton Street Properties, 1500 Paxton Street, Harrisburg, PA 17104, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Tetrachloroethylene (PCE). The Final Report demonstrated attainment of the Non-Residential Site Specific Standard, and was approved by the Department on May 21, 2014.

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

**KMI Kane Facility**, 700 North Elk Avenue, Kane Borough, **McKean County**. Cardno ATC, 103 North Meadows Drive, Suite 211, Wexford, PA 15090, on behalf of Kane Area Industrial Development Corporation, 54 Fraley Street, Kane, PA 16735, submitted a Baseline Remedial Investigation Work Plan concerning the remediation of site soil contaminated with petroleum hydrocarbons, metals (including lead) and site groundwater contaminated with VOCs, TCE, hydrocarbons, vinyl chloride, and dissolved metals. The Plan was approved by the Department on April 17, 2014.

**Ezeflow USA Inc.—Flowline Division (Former Low Area)**, 1400 New Butler Road, City of New Castle

and Shenango Township, **Lawrence County**. American Geosciences, Inc., 3925 Reed Boulevard, Murrysville, PA 15668-1848, on behalf of Markovitz Enterprises, Inc., 1207 Muriel Street, Pittsburgh, PA 15203, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with Arsenic, Lead, and Mercury. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on May 15, 2014.

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

**KFC Whitehall**, 5130 Clairton Boulevard, Borough of Baldwin, **Allegheny County**. EBI Consulting Inc. 21 B Street, Burlington, MA 01803 on behalf of DBMFI, LLC., Drawbridge Special Opportunities Fund, 1345 Avenue of the Americas, 46th Floor, NY, NY 10105 submitted a Remedial Investigation/Final Report concerning site soils and groundwater contaminated with lead and volatile organic compounds. The Final report demonstrated attainment of the non-residential Site Specific Standard for soils and groundwater and was approved by the Department on May 20, 2014.

**Robinhill 15H/18H Gas Well**, 724 Washington Road, Robinson Township, **Washington County**. Moody and Associates, Inc. 199 Johnson Road, Building No. 2, Suite 101, Houston, PA 15342 on behalf of Chevron North American Exploration and Production Company, 600 Corporate Drive, P.O. Box 600, Moon Township, PA 15108 submitted a Final Report concerning the remediation of site soils contaminated with volatile and semi-volatile compounds and brine spill residuals. The Final report demonstrated attainment of the residential Statewide Health standard for soils and was approved by the Department on May 21, 2014.

**XTO Entergy Inc.**, Ansley-Daker #3 Well Site, Davis Road, PA, Rayne Township, **Indiana County**. Groundwater and Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 submitted a Final Report concerning the remediation of site soils contaminated with aluminum, antimony, arsenic, barium, beryllium, boron, cadmium, chloride, chromium, cobalt, iron, lead, mercury, nickel, selenium, silver, thallium, vanadium and zinc. The Final report demonstrated attainment of the Site-Specific standard for chloride and manganese and a residential Statewide Health standard for all other constituents sampled for soils and was approved by the Department on May 21, 2014.

**Phillips Residence**, 704 Layton Road, Perry Township, **Fayette County**. Environmental Coordination Services and Recycling, 3237 U.S. Highway 19, Cochran, PA 16314 on behalf of Tom and Carla Phillips, 704 Layton Road, Perryopolis, PA 16314 has submitted a Final Report concerning the remediation of site soils contaminated with home heating oil. The Final report demonstrated attainment of the residential Statewide Health standard and was approved by the Department on May 27, 2014.

#### REGISTRATION FOR GENERAL PERMIT—MUNICIPAL WASTE

**Registration(s) 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.**

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

**General Permit Registration No. WMGR123NC025. RES Water-Avis, LLC.** 180 Henry Street, Jersey Shore, PA 17740. Registration to operate under General Permit No. WMGR123 for a treatment facility located in Pine Creek Township, **Clinton County**, for reuse of gas well frac water and production water. The registration was approved by Northcentral Regional Office on August 9, 2013.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP5-58-021: Appalachia Midstream Services, LLC** (P. O. Box 54382, Oklahoma City, OK 73154) on May 20, 2014, the general operating permit GP5 issued for the operation of natural gas compressor station & dehydration plant at the facility located in Auburn Township, **Susquehanna County**.

**GP5-58-019: Williams Field Services Company, LLC** (2000 Commerce Drive, Pittsburg, PA 15275) on April 3, 2014 to construct and operate two (2) dehydrators and two (2) condensate tanks at a Natural Gas Dehydration Station site in Auburn Township, **Susquehanna County**.

**GP9-58-020: Meshoppen Stone, Inc.** (P.O. Box 127, Meshoppen, PA 18630) on April 30, 2014 to install and operate four (4) Diesel I/C engines at the Comfort Lake Compressor Station in Thompson Township, **Susquehanna County**.

**GP3-58-019: Meshoppen Stone, Inc.** (P.O. Box 127, Meshoppen, PA 18630) on May 1, 2014 to construct and operate a Portable Crushing Operation with water sprays at Comfort Lake Compressor Station in Thompson Township, **Susquehanna County**.

**GP3-58-020: Meshoppen Stone, Inc.** (P.O. Box 127, Meshoppen, PA 18630) on May 1, 2014 to construct and operate a Portable Crushing Operation with water sprays at the Nowicki Quarry in Oakland Township, **Susquehanna County**.

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

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

**GP5-62-154B: Range Resources Appalachia, LLC—Swart Compressor Station** (Jinks Road, Spring Creek, PA 16436) on May 16, 2014, to operate one (1) lean burn, 4 stroke natural gas engine, Caterpillar Model No. G3508 LE rated 630 bhp at 1,400 rpm, one (1) Flameco Indus-

tries Natural Gas Dehydrator, one (1) 4,200 gallon produced fluid storage tank, Tank ID SS003, one (1) 2,100 gallon produced fluid storage tank, Tank ID SS004, and one (1) 292 gallon produced fluid storage tank, Tank ID SS005 (BAQ-GPA/GP-5) in Spring Creek Township, **Warren County**.

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

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

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

**15-0015E: Sartomer USA, LLC** (610 South Bolmar Street, West Chester, PA 19382) on May 22, 2014, for revision of permit conditions associated with Source IDs 111, 112, and 114 based on the provisions found in 40 CFR Part 63 Subpart GGG, although this facility is not subject to this subpart in **Chester County**. The proposed changes do not involve installation of any new equipment or emission sources or modification of existing sources, and do not result in any emission increase from the affected source or the facility. This Plan Approval will contain all applicable requirements including monitoring, recordkeeping and reporting 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*

**39-00102A: RR Donnelley** (700 Nestle Way, Breinigsville, PA 18031) on April 15, 2014, to operate seven (7) digital lithographic printing presses and install one (1) digital press at their facility in Upper Macungie Township, **Lehigh County**.

**35-00010A: Morgan Adhesives Co.—MACTac** (802 East Corey Street, Moosic, PA 18505) on May 12, 2014, to install and operate a new hot melt compounder at their facility in Moosic Borough, **Lackawanna County**.

**45-00033A: Bolock Funeral Home and Crematory, Inc.** (6148 Paradise Valley Road, Cresco, PA 18326) on May 15, 2014, to install and operate an incinerator in Paradise Township, **Monroe County**.

**40-00118A: Valmont Newmark, Inc.** (225 Kiwanis Boulevard, West Hazleton, PA 18202) on May 21, 2014, to construct and operate plasma cutting and weld operations with associated control equipment at their facility in West Hazleton Borough, **Luzerne County**.

**40-00036A: SAPA Extruder, Inc.** (330 Elmwood Avenue, Crestwood Industrial Park, Mountaintop, PA 18707-0098) on May 20, 2014, to construct and operate an anodizing tank with wet scrubber at their facility in Wright Township, **Luzerne County**.

**39-00099A: Delta Thermo Energy A, LLC** (112 W Union Street, Allentown, PA 18102) on May 14, 2014, to construct and operate energy reduction equipment, which will utilize municipal solid waste (MSW) and sludge from the City of Allentown's Wastewater Treatment Plant as feedstock to produce a pulverized fuel to generate an average of 3.7 megawatts (MW) of electricity for internal use and sale at the facility in City of Allentown, **Lehigh 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.*

**34-03005E: Energex American, Inc.** (95 Energex Drive, Mifflintown, PA 17059) on May 19, 2014, to construct a small fabric filter to control nuisance dust within the wood pellet production building in Walker Township, **Juniata County**.

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

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

**25-1043A: Barrel O' Fun Snack Foods Co., East** (821 Route 97 South, Waterford, PA 16441) on May 21, 2014, for the proposed construction of 6 Batch Kettle Fryers (2,700 #/hr of chips), a Corn Puff Line, a Corn Popper, and a hot water boiler in Waterford Township, **Erie County**. This is a State Only facility.

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

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

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

**09-0007E: Waste Management Disposal Services of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) on May 16, 2014, to operate of (2) two propane fired crystallizers in Falls Township, **Bucks County**.

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

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

**01-05037B: Gettysburg Energy & Nutrient Recovery Facility, LLC** (71 Old Mill Bottom Road North, Suite 101, Annapolis, MD 21409) on May 19, 2014, for construction and temporary operation of an energy and nutrient recovery facility utilizing egg layer manure in Tyrone Township, **Adams County**. The plan approval was extended, with a revised compliance schedule.

**38-05003H: Carmeuse Lime & Stone, Inc.** (3 Clear Spring Road, Annville, PA 17003) on May 20, 2014, to modify existing Plan Approval No. 38-05003H, issued on January 14, 2013, for authorization to combust Engineered Fuel in the facility's No. 5 Kiln in North Londonderry Township, **Lebanon County**. The Plan Approval modification will authorize the facility to receive Engineered Fuel at a higher moisture, ash, and halogen content than previously authorized under the initial plan approval.

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

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

**18-00026D: First Quality Products, Inc.** (121 North Road, McElhattan, PA 17748) on May 12, 2014, to extend the authorization to operate two Curt G. Joa underpad machines (Line 35 and 36) at their facility in Wayne

Township, **Clinton County** on a temporary basis to November 30, 2014. The plan approval has been extended.

**57-00004A: Central New York Oil & Gas, LLC** (800 Robinson Road, Owego, NY 13827-6801) on May 21, 2014, to extend the authorization to operate a natural gas compressor station in Davidson Township, **Sullivan County** on a temporary basis to November 17, 2014. The plan approval has been extended.

**14-00016A: Penns Valley Area School District** (4528 Penns Valley Road, Spring Mills, PA 16875) on May 23, 2014, to extend the authorization for the construction of a wood-fired boiler at their facility located in Penn Township, **Centre County** to November 19, 2014. The plan approval has been extended.

**59-00005J: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) on May 22, 2014, to extend the authorization for the construction of a 12.07 million Btu per hour ETI model THE-1207 natural-gas fired salt bath heater (Source ID 044) and a 3.0 million Btu per hour Ajax model WRFG-3000 natural-gas fired boiler (Source ID 045) at the Sabinsville Compressor Station located in Clymer Township, **Tioga County** to November 19, 2014. The plan approval has been extended.

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

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

**32-00393B: Prime Metals & Alloys, Inc.** (101 Innovation Drive, Homer City, PA 15748) on May 27, 2014, for a plan approval extension and minor modification effective May 25, 2014, to remove the requirement to conduct additional testing of the electric induction furnaces area baghouse at its Homer City Plant in Center Township, **Indiana County**. This plan approval has also been extended to allow the continued temporary operation of four electric induction furnaces, one argon-oxygen decarburization (AOD) vessel, four natural gas-fired annealing boxes, two natural gas-fired ladle pre-heaters, ingot and pig pouring, slag handling, and a parts washer. The Plan Approval has been extended.

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

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

**25-1034A: Emkey Gas Processing** (Concord Road, Union City, PA 16438) on May 21, 2014, effective June 30, 2014, will issue a plan approval extension for the construction of a 10 mmscfd gas processing facility in Union City Township, **Erie County**. This is a State Only facility.

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

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

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

**42-00028: Ardagh Glass, Inc.** (1 Glass Place, Port Allegany, PA 16743-1154) on May 19, 2014, issued an administrative amendment to the Title V Operating Per-

mit to incorporate the conditions of plan approval 42-028E into the permit and change the name for the facility in Port Allegany Borough, **McKean County**.

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

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

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

**63-00916: Perryman Co.** (213 Vandale Drive, Huston, PA 15342) on May 21, 2014, a State Only Operating Permit (SOOP) renewal to Perryman Company to authorize the continued operation of titanium wire manufacturing facility in the North Strabane Township, **Washington County**.

**04-00483: Danzer Veneer Americas—Darlington Plant** (119 A.I.D. Drive, Darlington, Pa 16115) on May 27, 2014, issued a State Only Operating Permit renewal for the operation of a veneer processing plant located Darlington Township, **Beaver County**. The subject facility consists of two clipping lines where veneer is trimmed to desired size. All wood waste is collected, sent to a chipper controlled by a 40,000 cfm baghouse and deposited into a silo for storage. Wood waste is used to fuel the 8.75 MMBtu biomass boiler. The boiler is used for building heat only. The permit includes operational requirements, monitoring requirements, and recordkeeping requirements.

**04-00718: Three Rivers Aggregates, LLC—Palmer Plant** (1807 Shenango Road, New Galilee, PA 16141) on May 27, 2014, issued a State Only Operating Permit for sand and gravel processing plant Darlington Township, **Beaver County**. The subject facility consists of two crushers, three screens, one feed bin, one sand classifier, various conveyors and stackers. The facility also operates a 2,346 hp diesel fired engine that provides power to the processing equipment and a 275 hp diesel fired engine that provides power to one crusher and one hopper. The 2,346 hp engine is limited to a fuel usage of 58,882 gallons/year. The maximum production at this site is limited to 450,000 tons per year. The process is controlled by wet dust suppression system and a water truck for the haul roads and stockpiles. The facility is required to perform daily visual inspections of the site. The facility is required to maintain daily records of processed material throughput, hours of operations and monthly fuel usage. The proposed authorization is subject to State and Federal Regulations (OOO and IIII). The permit includes additional operational requirements, monitoring requirements, and recordkeeping requirements.

**65-00871: OPCO, Inc.—Latrobe Plant** (205 Harrison Ave. West, Latrobe, PA 15650) on May 27, 2014, issued a State Only Operating Permit renewal for the manufacturing of expandable polystyrene products in Latrobe Borough, **Westmoreland County**. The subject facility consists of expandable polystyrene (EPS) molding (expander, silos, mold press and warehousing). The facility is required to perform weekly visual inspections of the site, maintain monthly records of amount and percent VOC content of each expandable resin used, as well as manufacturer's certificate of analysis for each expandable resin formulation used. The proposed authorization is subject to State and Federal Regulations. The permit includes additional operational requirements, monitoring requirements, and recordkeeping requirements.

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

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

**39-00062: Tri-City Marble, Inc.** (4724 Springside Court, Allentown, PA 18104) on 05/16/14, to operation a gel coating and grinding bathroom plastics fixture manufacturing facility in Upper Macungie Township, **Lehigh County**. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

06 SC OP Non-Title V Issued

**34-05004: Jay Fulkroad & Sons, Inc.** (2736 Free Spring Church Road, McAlisterville, PA 17049-8598) on May 20, 2014, for their limestone crushing and asphalt production facility in Fayette Township, **Juniata County**. The State-only permit was renewed.

**38-05024: Pennsy Supply, Inc.** (1001 Paxton Street, PO Box 3331, Harrisburg, PA 17105-3331) on May 20, 2014, for the Prescott Quarry and stone crushing operation in South Lebanon Township, **Lebanon County**. The State-only permit was renewed.

**21-05056: Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17050-2654) on May 14, 2014, for Building 4 web offset lithographic printing operations in Silver Spring Township, **Cumberland County**. The State-only permit was renewed.

**05-05028: Texas Eastern Transmission LP** (PO Box 1642, Houston, TX 77251-1642) on May 16, 2014, for their Bedford Compressor Station in Bedford Township, **Bedford County**.

**21-05049: Pennsy Supply, Inc.** (1001 Paxton Street, PO Box 3331, Harrisburg, PA 17105) on May 21, 2014, for their asphalt plant in Penn Township, **Cumberland County**. The State-only permit was renewed.

**67-03056: SKF USA, Inc.** (20 Industrial Drive, Hanover, PA 17331-9582) on May 21, 2014, for their spherical roller bearing manufacturing facility in Penn Township, **York County**. The State-only permit was renewed.

**21-03033: Lane Enterprises, Inc.** (1244 Claremont Road, Carlisle, PA 17015-9742) on May 21, 2014, for their powder coating facility in Middlesex Township, **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*

**59-00008: Tennessee Gas Pipeline Co., LLC** (Tennessee Gas Pipeline Company, LLC, 1001 Louisiana Street, Houston, TX 77002) on May 15, 2014, issued a revised State Only Operating Permit 59-00008 for their Station 315 facility located in Charleston Township, **Tioga County**. The revision incorporated the air contaminant sources and requirements from Plan Approval 59-00008B into the state only operating permit. All applicable Fed-

eral 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 state only operating permit for this facility.

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

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

**63-00916: Perryman Company** (213 Vandale Drive, Huston, PA 15342) on May 21, 2014, a State Only Operating Permit (SOOP) renewal to Perryman Company to authorize the continued operation of titanium wire manufacturing facility located in the North Strabane Township, **Washington County**.

**04-00483: Danzer Veneer Americas / Darlington Plant** (119 A.I.D. Drive, Darlington, Pa 16115) on May 27, 2014, the Department issued a State Only Operating Permit renewal for the operation of a veneer processing plant located Darlington Township, **Beaver County**. The subject facility consists of two clipping lines where veneer is trimmed to desired size. All wood waste is collected, sent to a chipper controlled by a 40,000 cfm baghouse and deposited into a silo for storage. Wood waste is used to fuel the 8.75 MMBtu biomass boiler. The boiler is used for building heat only. The permit includes operational requirements, monitoring requirements, and recordkeeping requirements.

**04-00718: Three Rivers Aggregates, LLC / Palmer Plant** (1807 Shenango Road, New Galilee, PA 16141) on May 27, 2014, the Department issued a State Only Operating Permit for sand and gravel processing plant located Darlington Township, **Beaver County**. The subject facility consists of two crushers, three screens, one feed bin, one sand classifier, various conveyors and stackers. The facility also operates a 2,346 hp diesel fired engine that provides power to the processing equipment and a 275 hp diesel fired engine that provides power to one crusher and one hopper. The 2,346 hp engine is limited to a fuel usage of 58,882 gallons/year. The maximum production at this site is limited to 450,000 tons per year. The process is controlled by wet dust suppression system and a water truck for the haul roads and stockpiles. The facility is required to perform daily visual inspections of the site. The facility is required to maintain daily records of processed material throughput, hours of operations and monthly fuel usage. The proposed authorization is subject to State and Federal Regulations (OOO and IIII). The permit includes additional operational requirements, monitoring requirements, and recordkeeping requirements.

**65-00871: OPCO, Inc. / Latrobe Plant** (205 Harrison Ave. West, Latrobe, PA 15650) on May 27, 2014, the Department issued a State Only Operating Permit renewal for the manufacturing of expandable polystyrene products located in Latrobe Borough, **Westmoreland County**. The subject facility consists of expandable polystyrene (EPS) molding (expander, silos, mold press and warehousing). The facility is required to perform weekly visual inspections of the site, maintain monthly records of amount and percent VOC content of each expandable resin used, as well as manufacturer's certificate of analysis for each expandable resin formulation used. The proposed authorization is subject to State and Federal Regulations. The permit includes additional operational requirements, monitoring requirements, and recordkeeping requirements.



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

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

**20-00264: Salt Painting, Inc.** (17918 Highway 198, Saegertown, PA 16433-3640) on May 19, 2014, to re-issue the referenced permit for this abrasive blasting and surface coating operation, located in Hayfield Township, **Crawford County**.

Potential emissions from this facility are as follows. VOCs = 30.2 tons per year (TPY), Particulate Matter = 0.5 TPY, NO<sub>x</sub> = 5.2 TPY, and SO<sub>x</sub> = 0.4 TPY.

Because this facility is not a major source of HAP emissions, they are not subject to the provisions of Subpart MMMM—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products.

This facility could potentially be subject to the requirements of Subpart HHHHHH—National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources. Because this facility does not use methylene chloride (MeCl) for paint stripping or use surface coating that contain any of the target HAPs [chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd)], they are not subject to the requirements of Subpart HHHHHH.

**37-00314: Natural Sand Company, Inc.**, Plane Grove Road Plant (4783 Harlansburg Road, Slippery Rock, PA 16057) on May 19, 2014, to re-issue the referenced permit for this specialty soil processing operation, in Plain Grove Township, **Lawrence County**. The primary emissions from this facility are from the 585 HP Diesel Generator and the Soil Drying Process.

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

The potential emissions from this facility, which will decrease after the new power supply has been established, are as follows. All values are in tons/year. PM—3.27, SO<sub>x</sub>—2.00, NO<sub>x</sub>—7.63, VOC—0.14, CO—10.92.

**43-00055: Anchor Concrete—Bonsal American, Inc.** (97 Main Street, Fredonia, PA 16124) on May 20, 2014, for a renewal of the natural minor operating permit to operate a concrete mix products facility in Fredonia Borough, **Mercer County**. The facility's emitting sources include: 1) Bagging and Bins, 2) Degreasers (2) and, 3) Rotary Drum Dryer. The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor. Actual emissions from the sources rotary drum dryer and bagging and bins operation, stated in original permit application were: PM: 0.408 Tons per year, NO<sub>x</sub>: 0.528 TPY, CO: 0.834 TPY.

**62-00150: Superior Tire & Rubber Corp.** (1818 Pennsylvania Avenue, Warren, PA 16365) on May 20,

2014, for a Synthetic Minor Permit to operate a tire and inner tube manufacturing facility in the City of Warren, **Warren County**. The emitting sources are Boiler-1, Boiler-2; Spray finishing 1, Spray finishing 2, Burn off oven, Degreaser unit, Miscellaneous Natural Gas Usage, and a Kohler Emergency Generator. This facility has taken a restriction on emission of VOC less than 50 tons per year, a restriction on individual HAPs less than 10 tons per year, and a restriction on multiple HAPs less than 25 tons per year. The emergency generator is subject to 40 CFR Part 60, Subpart JJJJ. All applicable conditions of subpart JJJJ have been included in the source level of the permit. The facility has reported emissions of VOC less than 50 Tons per year (TPY), emissions of individual HAPs less than 10 TPY, and emissions of combined HAPs less than 25 TPY.

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

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

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

**23-00047: Evonik Corp.** (1200 West Front Street, Chester, PA 19468) on May 22, 2014, to issue an Operating Permit Minor Modification under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462 in the City of Chester, **Delaware County**. Modification is to allow to add ammonia into two product lines to adjust the pH of the product. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

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

**36-05024: Bigbee Steel & Tank Co.** (1 Highland Road, Stoystown, PA 15563) on May 16, 2014, for their steel tank manufacturing facility in Rapho Township, **Lancaster County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 36-05024A.

**67-05004: P. H. Glatfelter Co.** (228 S. Main Street, Spring Grove, PA 17362-1000) on May 15, 2014, for their pulp and paper manufacturing facility in Spring Grove Borough, **York County**. The Title V permit underwent a minor modification to incorporate a 1-year extension for the requirements of 40 CFR Part 63, Subpart DDDDD, for Power Boiler 5.

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

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

**25-00918: MMC Sterilization Services Group** (2205 East 33rd Street, Erie, PA 16510) on May 22, 2014, issued an administrative amendment to the State Only Operating Permit for the facility located in the City of Erie, **Erie County**. The amendment incorporates the change of the permit contact.

## 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. §§ 1 406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### Coal Permits Issued

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

**Permit No. 32030110 and NPDES No. PA0269352. Fossil Fuel, Inc.**, 690 Weaver Road, Marion Center, PA 15759, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in East Mahoning and Grant Townships, **Indiana County** affecting 43.0 acres. Receiving stream: unnamed tributary to Little Mahoning Creek classified for the following use: High Quality Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 12, 2014. Permit Issued: May 12, 2014.

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

**17070116 and NPDES PA0256668. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit renewal for reclamation only of a bituminous surface mine located in Sandy and Winslow Townships, **Clearfield and Jefferson Counties** affecting 552.0 acres. Receiving stream: Sandy Lick Creek, classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 27, 2014. Permit issued: May 21, 2014.

**17860104 and NPDES PA0611077. RES Coal LLC** (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Permit renewal for reclamation only of a bituminous surface mine located in Girard Township, **Clearfield County** affecting 267.8 acres. Receiving streams: Deer Creek and Buck Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 8, 2013. Permit issued: May 12, 2014.

**12060101 and NPDES PA0256366. Allegheny Enterprises, Inc.** (3885 Roller Coaster Road, Corsica, PA 15829). Permit renewal for the continued operation and restoration of a bituminous surface mine in Lumber and Shippen Townships, **Cameron County** affecting 293.8 acres. Receiving stream(s): Finley Run, Reed Hollow, and Portable Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 6, 2013. Permit issued: May 21, 2014.

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

**Permit No. 19980101R3. Kovalchick Coal Company**, (PO Box 251, Mt. Carmel, PA 17851), renewal of an existing anthracite surface mine operation in Conyngham Township, **Columbia County** affecting 215.0 acres, receiving stream: Mahanoy Creek. Application received: November 12, 2013. Renewal issued: May 21, 2014.

**Permit No. 19980101C. Kovalchick Coal Company**, (PO Box 251, Mt. Carmel, PA 17851), correction to an existing anthracite surface mine operation to update the post-mining land use in Conyngham Township, **Columbia County** affecting 215.0 acres, receiving stream: Mahanoy Creek. Application received: November 12, 2013. Renewal issued: May 21, 2014.

**Permit No. 19980101GP104. Kovalchick Coal Company**, (PO Box 251, Mt. Carmel, PA 17851), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 19980101 in Conyngham Township, **Columbia County**, receiving stream: Mahanoy Creek. Application received: November 12, 2013. Permit issued: May 21, 2014.

### Noncoal Permits Issued

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

**Permit No. 56920302 and NPDES No. PA0212326. New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Shade Township, **Somerset County**. Receiving stream: Laurel Run classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received: January 15, 2014. Permit Issued: May 12, 2014.

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

**03912301. Thomas J. White** (3579 State Route 156, Avonmore, PA 15618). Final bond release for a small noncoal mining operation in Kiskiminetas Township, **Armstrong County**. Restoration of 3 acres completed. Receiving stream: unnamed tributary to Long Run to Kiskiminetas River. Application received: April 28, 2014. Final bond release approved May 21, 2014.

**26060601. T & B Excavating, Inc.** (3336 Old McClellandtown Road, P.O. Box 337, McClellandtown, PA 15458). Permit renewal issued for reclamation only to an existing large noncoal surface mine, located in Nicholson Township, **Fayette County**, affecting 17.9 acres. Receiving streams: unnamed tributary to York Run. Application received: March 29, 2013. Permit issued: May 23, 2014.

**26060601GP-104. T & B Excavating, Inc.** (3336 Old McClellandtown Road, P.O. Box 337, McClellandtown, PA 15458). General NPDES permit for stormwater discharge associated with mining activities on an existing large noncoal (Industrial Mineral). Permit No. 26060601 located in Nicholson Township, **Fayette County** affecting 17.9 acres. Receiving streams: unnamed tributary to York Run. Application received: March 29, 2013. GP-104 permit issued: May 23, 2014.

**03132801. M & M Lime Co., Inc.** (215 Nichola Road, Worthington, PA 16262). Permit issued for commencement, operation and reclamation of a small noncoal surface mine, located in West Franklin Township,

**Armstrong County**, affecting 8.0 acres. Receiving stream: Buffalo Creek. Application received: August 23, 2013. Permit issued: May 23, 2014.

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

**25990303-GP-104. Waste Management Disposal Services of Pennsylvania, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25990303 in Summit Township, **Erie County**. Application received: May 1, 2014. Permit Issued: May 19, 2014.

**37070301 and NPDES Permit No. PA0258407. Terra Resources, LLC** (267 Gilmore Road, Enon Valley, PA 16120) Renewal of an existing large industrial minerals mine and associated NPDES permit in Slippery Rock Township, **Lawrence County**, affecting 74.0 acres. Receiving streams: Unnamed tributaries to Slippery Rock Creek and unnamed tributary to Brush Run. Application received: March 25, 2014. Permit Issued: May 20, 2014.

**10120303 and NPDES Permit No. PA0259322. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Commencement, operation and restoration of a large industrial minerals mine in Worth Township, **Butler County**, affecting 335.9 acres. Receiving streams: Unnamed tributaries to Slippery Rock Creek. Application received: October 11, 2012. Permit Issued: May 19, 2014.

**1270-10120303-E-1. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Application for a stream encroachment to mine through and reconstruct a portion of unnamed tributary Nos. 1 and 3 to Slippery Rock Creek in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions 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: October 11, 2012. Permit Issued: May 19, 2014.

**1270-10120303-E-2. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Application for a stream encroachment to conduct mining and support activities within the 100-foot barrier of unnamed tributary No. 9 to Slippery Rock Creek in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions 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: October 11, 2012. Permit Issued: May 19, 2014.

**1270-10120303-E-3. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Application for a stream encroachment mine through and reconstruct a portion of unnamed tributary No. 10 to Slippery Rock Creek in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions 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: October 11, 2012. Permit Issued: May 19, 2014.

**1270-10120303-E-4. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Application for a stream encroachment mine through and reconstruct portions of unnamed tributary Nos. 13 and 13A to Slippery Rock Creek in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions 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: October 11, 2012. Permit Issued: May 19, 2014.

**10120303. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Request to impact 7.4 acres of wetlands and construct 11.72 acres of replacement wetlands in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions 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: October 11, 2012. Permit Issued: May 19, 2014.

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

**17140801. Mark J. Rusnak Excavating** (486 Rusnak Lane, Philipsburg, PA 16866). Commencement, operation and restoration of a small noncoal quarry (dirt and shale) in Morris Township, **Clearfield County** affecting 2.12 acres. Receiving stream: Laurel Run classified for the following uses: Cold Water Fishes. Application received: January 30, 2014. Permit issued: May 13, 2014.

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

**Permit No. 58130810. Carlos Mendoza**, (1620 Pittston Avenue, Scranton, PA 18505), commencement, operation and restoration of a quarry operation in Lanesboro Borough, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Susquehanna River. Application received: October 15, 2013. Permit issued: May 22, 2014.

**Permit No. 58130810GP104. Carlos Mendoza**, (1620 Pittston Avenue, Scranton, PA 18505), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58130810 in Lanesboro Borough, **Susquehanna County**, receiving stream: unnamed tributary to Susquehanna River. Application received: October 15, 2013. Permit issued: May 22, 2014.

**Permit No. 58132510. Meshoppen Stone, Inc.**, (PO Box 127, Meshoppen, PA 18630), commencement, operation and restoration of a GP105 General Permit for Bluestone in Auburn Township, **Susquehanna County** affecting 10.0 acres, receiving stream: unnamed tributary to Little Meshoppen Creek. Application received: November 13, 2013. Permit issued: May 22, 2014.

**Permit No. 54132510GP104. Meshoppen Stone, Inc.**, (PO Box 127, Meshoppen, PA 18630), General NPDES Stormwater Permit for stormwater discharges

associated with mining activities on GP105 Permit No. 58132510 in Auburn Township, **Susquehanna County**, receiving stream: Little Meshoppen Creek. Application received: November 13, 2013. Permit issued: May 22, 2014.

**Permit No. 58142801. Marty Evans**, (5347 SR 2002, Hop Bottom, PA 18824), commencement, operation and restoration of a quarry operation in Jessup Township, **Susquehanna County** affecting 5.0 acres, receiving streams: North to East Branch Wyalusing Creek and South to Shelp Creek. Application received: February 10, 2014. Permit issued: May 22, 2014.

**Permit No. 58142801GP104. Marty Evans**, (5347 SR 2002, Hop Bottom, PA 18824), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58142801 in Jessup Township, **Susquehanna County**, receiving streams: North to East Branch Wyalusing Creek and South to Shelp Creek. Application received: February 10, 2014. Permit issued: May 22, 2014.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

##### *Blasting Permits Issued*

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500, (Contact: Cathy Hillman)*

**26144101. Dykon Blasting Corp** (8120 W 81st Street, Tulsa, OK 74131). Blasting activity permit for the construction of the Associated Pipeline—Spectra Team 2014—Holbrook, located in Uniontown City, **Fayette County** with an exploration date of September 28, 2014. Blasting permit issued: May 16, 2014.

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

**41144103. Meshoppen Blasting, Inc.** (Frantz Rd, P. O. Box 127, Meshoppen, PA 18630). Blasting for well pad and access road located in Jackson and Cogan House Townships, **Lycoming County** with an expiration date of September 30, 2014. Permit issued: May 22, 2014.

**57144103. DW Drilling & Blasting LLC** (9990 Coconut Rd, Bonita Springs, FL 34135-8488). Blasting for gas pad construction located in Colley Township, **Sullivan County** with an expiration date of May 14, 2015. Permit issued: May 22, 2014.

**41144001. Pennsylvania General Energy LLC** (120 Market St., Warren, PA 16365). Blasting for fresh water impoundment located in McHenry Township, **Lycoming County** with an expiration date of July 31, 2014. Permit issued May 22, 2014.

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

**Permit No. 15144103. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for East Whiteland Fire Station in East Whiteland Township, **Chester County** with an expiration date of May 16, 2015. Permit issued: May 20, 2014.

**Permit No. 36144121. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Meadowview Development in Manheim Township, **Lancaster County** with an expiration date of May 12, 2015. Permit issued: May 20, 2014

**Permit No. 36144123. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Mattress Warehouse in City of Lancaster, **Lancaster County** with an expiration date of May 13, 2015. Permit issued: May 20, 2014.

**Permit No. 46144104. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Immanuel Leidy's Church in Franconia Township, **Montgomery County** with an expiration date of May 13, 2015. Permit issued: May 20, 2014.

**Permit No. 58144130. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Pijanowski Gas Pad 1 & tank farm in Springville Township, **Susquehanna County** with an expiration date of May 12, 2015. Permit issued: May 20, 2014.

**Permit No. 67144106. M & J Explosives, Inc.**, (P.O. Box 608, Carlisle, PA 17013), construction blasting for Quality Greenhouse Pond in Franklin Township, **York County** with an expiration date of May 13, 2015. Permit issued: May 20, 2014.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E40-747. Walden Estates**, 57 North Mountain Boulevard, Mountain Top, PA 18707. Fairview Township, Luzerne County, Army Corps of Engineers Baltimore District.

To construct and maintain a road crossing of 0.07 acre of PEM wetlands (EV) and to construct and maintain an 8-inch diameter sanitary sewer crossing of approximately 100 feet of PEM wetlands (EV) with 0.05 acre of temporary impact. The activity is associated with the Kirby Avenue Commercial Corner. The permittee is required to provide 0.17 acre of replacement wetlands. The project is located at the intersection of Kirby Avenue and State Route 309 (Wilkes-Barre West, PA Quadrangle Latitude: 41°9'43"; Longitude: -75°53'11"). Subbasin: 5B

**E58-301. Cory Karl, Corporation of the Presiding Bishop, Church of Jesus Christ of Latter-day Saints, a Utah Corporation**, 50 East North Temple, COB 10th Floor, Salt Lake City, UT 84150. Oakland Township, Susquehanna County, Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstruction and encroachments associated with the Priesthood Restoration Project:

1. Restoration of approximately 1,065 feet of UNT to Susquehanna River (CWF) (Stream #3), consisting of approximately 27 cross vanes, 21 log vanes, and 1 rock vortex weir.

2. A road crossing (Culvert A) which carries State Route 171 over a UNT to Susquehanna River (CWF) (Stream #5) and adjacent wetlands consisting of a 24-inch diameter, 59-foot long reinforced concrete culvert with concrete headwalls and rip-rap outlet protection. The culvert is depressed 6-inches below natural streambed elevation. This road crossing permanently impacts of 0.17 acre of wetlands.

3. A road crossing (Culvert B) which carries State Route 171 over a UNT to Susquehanna River (CWF) (Stream #4) consisting of a 30-inch diameter, 61-foot long reinforced concrete culvert with concrete headwalls and rip-rap outlet protection. The culvert is depressed 6-inches below natural streambed elevation.

4. A road crossing (Culvert C) which carries State Route 171 over a UNT to Susquehanna River (CWF) (Stream #3) consisting of a 10-foot by 4-foot, 94-foot long concrete box culvert with concrete headwalls and rip-rap outlet protection. The culvert is depressed 6-inches below natural streambed elevation.

5. A stream enclosure (Culvert D) which carries State Route 171 over a UNT to Susquehanna River (CWF) (Stream #2) consisting of an 18-inch diameter, 108-foot long reinforced concrete culvert with concrete headwalls and rip-rap outlet protection. The culvert is depressed 6-inches below natural streambed elevation.

6. An 8-foot wide pedestrian bridge over a UNT to Susquehanna River (CWF) (Stream #3) having a span of 45 feet, and an underclearance of approximately 3.1-feet.

7. A stormwater outfall within the floodway of UNT to Susquehanna River (Stream #2) consisting of a 12-inch diameter reinforced concrete pipe, flared end section and rip-rap outlet protection.

The permittee is required to provide 0.17 acre of replacement wetlands.

The site is located on the north side of State Route 171 approximately 1.75 miles from its intersection with Westfall Avenue (Great Bend, PA/NY Quadrangle Latitude: 41° 57' 9"; Longitude: -75° 38' 20") in Oakland Township, Susquehanna County. Subbasin: 4E

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

**E01-306: PA DCNR Bureau of State Parks**, 435 State Park Road, Schellsburg, PA 15559 in Franklin Township, Adams County, U.S. Army Corps of Engineers Baltimore District

To temporarily impact 0.19 acre and permanently impact 0.1 acre of Palustrine Emergent (PEM) wetlands for purposes of lead remediation and the construction of safety berms at an existing shooting range. The project is located on Birch Run Road in Michaux State Forest. (Caledonia Park, PA Quadrangle N: Latitude: 39°56'48", Longitude: 77°27'03"), in Franklin Township, Adams County. To compensate for wetland impacts, the applicant shall provide a minimum of 0.11-acre of PEM wetlands onsite. The permit was issued on May 15, 2014.

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

**E17-486. Curwensville Municipal Authority**. 900 Susquehanna Avenue, Curwensville, PA 16833-3226. Curwensville Municipal Authority Wastewater Treatment Facility Upgrade, Curwensville Borough, Clearfield Borough. West Branch, Susquehanna River Floodfringe Development. USACOE Baltimore District (Curwensville, PA Quadrangle Latitude: 40° 58' 34"; Longitude: -78° 30' 55").

This authorization gives consent to demolish and remove existing structures and construct, operate and maintain publicly owned wastewater treatment structures and appurtenances within the 100-year floodfringe of the West Branch, Susquehanna River. Construction of the wastewater treatment structures, buildings and appurtenances shall be accomplished with no additional fill placement within the 100-year floodfringe. No temporary or permanent waterway or wetland impacts shall be incurred by either project demolition or construction activities. The project is located at the northeast termini of Stadium Drive, approximately 1640-feet northeast of Bloomington Avenue and Stadium Drive intersection in Curwensville Borough, Clearfield County. This permit was issued under Section 105.13(e) "Small Projects."

**E18-489. Bunnell Hill Development Co. Inc.**, 3000 Henkle Drive, Suite G, Lebanon, OH 45036-9258. Tractor

Supply—Bald Eagle Township, in Bald Eagle Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle, N: 41°07'09"; W: -77°28'23").

To: 1) remove 15,227 square feet of existing commercial buildings, 2) place and maintain a net total of 16,000 cubic yards of clean fill over 2.3 acres in the far right 100-year FEMA floodway of Bald Eagle Creek to construct and maintain a 19,097 square foot commercial building with its associated parking lot, stormwater management controls and lawn area located 450 feet southwest of the Hogan Boulevard Bridge over Bald Eagle Creek. This permit was issued under Section 105.13(e) "Small Projects."

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, 16335.*

**E10-485, Slippery Rock Volunteer Fire Company & Rescue Team**, 162 Elm Street, Slippery Rock, PA 16057 in Slippery Rock Borough, **Butler County**, ACOE Pittsburgh District.

To permanently fill 0.1 acre of wetland (0.072 ac PEM, 0.034 acre PSS), temporarily impact 0.01 acre wetland (PEM), and to impact a total of 200 linear feet of a tributary of Slippery Rock Creek (CWF) having a contributory drainage of less than 100 acres, for construction of an 88-foot long, 60-inch diameter culvert, grading activities and a stormwater outfall, associated with expansion of the Slippery Rock VFD facility located southwest of the intersection of New Castle Street and Elm Street. Mitigation for impacts associated with the project includes the construction of 0.17 acre of on-site wetland (PEM/PSS) and stream restoration activities along an 85-foot reach of a tributary to Slippery Rock Creek including stream bank grading, in-stream rock cross-vane structures, and planting of riparian vegetation. (Slippery Rock, PA Quadrangle N: 41°, 03', 45"; W: 80°, 03', 31")

**E20-590, French Creek Recreational Trails, Inc.**, P.O. Box 592, Meadville, PA 16335 in Vernon Township and City of Meadville, **Crawford County**, ACOE Pittsburgh District.

To construct and maintain a multi-use recreational trail with an average width of 8 feet beginning at the existing Ernst Trail and traveling along the west bank of French Creek for approximately 5,344 feet in the mapped 100-year floodway of French Creek and including three boardwalk crossings permanently impacting a total of approximately 12.8 square feet of PFO/PSS/PEM wetland (Geneva and Meadville, PA Quadrangle N: 41°, 37' 12"; W: -80°, 9', 49").

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

**E02-1695. Pennsylvania Department of Transportation, District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017; City of Pittsburgh, **Allegheny County**; ACOE Pittsburgh District.

Has been given consent to do the following:

1. Fill the existing 896 ft. long upper portion of the SR 885, Mifflin Road, 12.0 ft. wide, 6.5 ft. underclearance box culvert; construct and maintain a relocated 950 ft. long by 10 ft. to 60 ft. wide open channel to a UNT to Streets Run (WWF) with a drainage area of 1.2 square miles;

2. Construct and maintain a 12 ft. wide 175 ft. long by 6.5 ft. underclearance box culvert replacement under the Slate Street intersection of the existing upper most 100 ft. portion of the above noted Mifflin Road box culvert, to a

UNT to Streets Run (WWF) a UNT to Streets Run (WWF) with a drainage area of 1.2 square miles;

3. Construct and maintain a 12 ft. wide 100 ft. long by 6.5 ft. underclearance box culvert in a UNT to Streets Run (WWF) replacement of the existing lower 175 ft. portion of the above noted Mifflin Road box culvert, with a drainage area of 1.2 square miles;

4. Construct and maintain a 14 ft. wide 60 ft. long by 5.5 foot underclearance box culvert in a UNT to Streets Run (WWF) replacement of the existing 14 ft. span 53 ft. long 5 ft. underclearance concrete slab bridge on Mifflin Road, with a drainage area of 1.2 square miles;

5. Construct and maintain a 10 ft. wide 89 ft. long by 4 foot underclearance box culvert in a UNT to Streets Run (WWF) replacement of the existing 10 ft. wide 89 ft. long 3.6 ft. clearance box culvert in a UNT to Streets Run (WWF) under Mifflin Road, with a drainage area of 0.58 square mile;

6. Construct and maintain a 9 ft. wide 119 ft. long by 4 foot underclearance box culvert replacement of the existing 9 ft. wide 138 ft. long 3.7 ft. clearance box culvert in a UNT to Streets Run (WWF) under Lebanon Road, with a drainage area of 0.42 square mile;

7. In addition install and maintain road associated stormwater outfalls; install and remove temporary encroachments for construction; and provide onsite stream mitigation.

This project is associated with the SR 885 improvement work with these encroachments extending approximately 0.25 mile north of the Lebanon Road and Mifflin Road intersection in the City of Pittsburgh, Allegheny County (Pittsburgh East PA Quadrangle, North 01.5 inches and West 7.7 inches; Latitude 40° 23' and Longitude -79° 55' 50"; to North 0.8 inch and West 7.0 inches; Latitude 40° 22' 46" and Longitude -79° 55' 32").

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

**E0829-080: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Overton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 581 square feet of a Palustrine Forested Wetland (EV) (Overton, PA Quadrangle, Latitude: 41°36'31", Longitude: -76°31'48").

The project will result in 581 square feet (0.01 acre) of PFO wetland all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Overton Township, Bradford County.

**E0829-075: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. an 8 inch diameter natural gas line and a temporary timber mat bridge impacting 92 linear feet of an unnamed tributary to Sugar Run Creek (CWF, MF) and impacting 25,067 square feet of an adjacent Palustrine Forested Wetland and Palustrine Emergent Wetland (Jenningsville, PA Quadrangle, Latitude: 41°35'46", Longitude: -76°12'42");

The project will result in 92 linear feet or 174 square feet of temporary stream impacts and 23,552 square feet

(0.54 acre) of permanent PFO wetland impacts and 1,515 (0.03 acre) of temporary PEM wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County. The permittee will provide 0.54 acre of wetland enhancement mitigation at the Hardenstine Mitigation Site (Wyalusing, PA Quadrangle, Latitude: 41°38'00", Longitude: -76°20'59") and will provide 0.54 acre of wetland enhancement mitigation on the Dominetta Phase I Gathering Line (Colley, PA Quadrangle, Latitude: 41°35'13", Longitude: -76°17'31").

**E0829-084: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Standing Stone Township, Bradford County, ACOE Baltimore District.

To construct, operate and maintain:

1. a 300 foot by 400 foot well pad impacting 8,277 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41°46'57", Longitude: -76°19'16").

The project will result in an estimated 8,277 square feet (0.19 acre) of permanent PEM wetland impacts from fill already placed at the Lundy 1H-6H well pad in Standing Stone Township, Bradford County. The permittee will provide 0.42 acre of PEM wetland mitigation in Elkland Township, Sullivan County (Shunk, PA Quadrangle Latitude: 41°34'15", Longitude: -76°37'32").

**E4129-081: Anadarko Marcellus Midstream, L.L.C.**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cogan House and Cummings Townships, Lycoming County, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 16-inch natural gas line, two 6-inch water lines, one fiber optic/ electric line, and a timber mat bridge impacting 157 linear feet of Lawshe Run (EV, MF) and an unnamed tributary to Lawshe Run (EV, MF) (English Center, PA Quadrangle 41°22'32"N, 77°16'14"W);

2) one 16-inch natural gas line, two 6-inch water lines, one fiber optic/ electric line, and a timber mat bridge impacting 53 linear feet of an unnamed tributary to Second Fork Larrys Creek (EV, MF) and 1,379 square feet of adjacent palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°22'57"N, 77°15'14"W);

3) one 16-inch natural gas line, two 6-inch water lines, one fiber optic/ electric line, and a timber mat bridge impacting 52 linear feet of Second Fork Larrys Creek (EV, MF), 54 linear feet of a UNT to Second Fork Larrys Creek (EV, MF), and 1542 square feet of adjacent palustrine emergent (PEM) wetlands (English Center, PA Quadrangle 41°22'57"N, 77°15'13"W);

4) one 16-inch natural gas line, two 6-inch water lines, one fiber optic/ electric line, and a timber mat bridge impacting 1,069 square feet within the floodway of an unnamed tributary to Second Fork Larrys Creek (EV, MF) (English Center, PA Quadrangle 41°22'57"N, 77°15'13"W);

5) fill for a temporary access road impacting 2,999 square feet within the floodway of an unnamed tributary to Lawshe Run (EV, MF) (Waterville, PA Quadrangle 41°21'58"N 77°15'41"W)

6) fill for a temporary access road impacting 8,901 square feet within the floodway of an unnamed tributary to Lawshe Run (EV, MF) (Waterville, PA Quadrangle 41°22'18"N 77°16'08"W)

7) a timber mat bridge impacting 22 linear feet of an unnamed tributary to Lawshe Run (EV, MF) (Waterville, PA Quadrangle 41°22'19"N 77°16'09"W)

8) a timber mat bridge impacting 23 linear feet of an unnamed tributary to Lawshe Run (EV, MF) (Waterville, PA Quadrangle 41°22'23"N 77°16'13"W)

9) a timber mat bridge impacting 2,478 square feet of palustrine emergent (PEM) wetland and 7,958 square feet within the floodway of an unnamed tributary to Lawshe Run (EV, MF) (Waterville, PA Quadrangle 41°22'29"N 77°16'15"W);

10) a timber mat bridge impacting 20 linear feet of an unnamed tributary to Second Fork Larrys Creek (EV, MF) and 26 square feet of adjacent palustrine emergent (PEM) wetland (English Center, PA Quadrangle 41°22'47.59"N, -77°15'10.60"W).

The project will result in a total of 381 linear feet of stream impacts, 0.12 acre of wetland impacts, and an additional 0.48 acre of floodway impacts all for the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development.

**E6629-019: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, North Branch Township, Wyoming County, ACOE Baltimore District.

To construct, operate and maintain the Porter Gathering Line Project, which consists of one 8-inch natural gas pipeline, with the following impacts:

1. 844 square feet of permanent impacts to Palustrine Emergent (PEM) Wetlands via the placement of fill for a permanent access road (Jenningsville, PA Quadrangle, Latitude: N41°34'04.00", Longitude: W76°12'43.00");

2. 4,000 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°34'04.00", Longitude: W76°12'39.00");

3. 510 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'43.00", Longitude: W76°12'08.00");

4. 3,210 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'43.00", Longitude: W76°12'03.00");

5. 5,228 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'40.00", Longitude: W76°11'50.00");

6. 498 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'32.00", Longitude: W76°11'42.00"); and

7. 59.0 linear feet of a UNT to Miller Brook (CWF, MF) and 6,726 square feet of temporary impacts to Exceptional Value (EV) Palustrine Scrub Shrub (PSS) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'31.00", Longitude: W76°11'37.00").

The project will result in 59.0 linear feet of temporary stream impacts, 7,720 square feet (0.18 acre) of temporary impacts to Palustrine Emergent (PEM) Wetlands, 844 square feet (0.02 acre) of permanent impacts to Palustrine Emergent (PEM) Wetlands, 5,726 square feet

(0.13 acre) of permanent impacts to Palustrine Forested (PFO) Wetlands, and 6,726 square feet (0.15 acre) of temporary impacts to Exceptional Value (EV) Palustrine Scrub Shrub (PSS) Wetlands all for the purpose of installing one 8-inch natural gas gathering line and associated access roadways for Marcellus shale development.

Note: This posting is being republished due to the incorrect township being identified in the original posting.

**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

**D14-112A. Pennsylvania Fish and Boat Commission, Bureau of Engineering and Development**, 450 Robinson Lane, Bellefonte, PA, 16823. Permit issued to modify Colyer Lake Dam, located across Sinking Creek, for the purpose of continuing Fish and Boat Commission operations at Colyer Lake. (Centre Hall, PA Quadrangle, Latitude: 40° 46' 41"N; Longitude: -77° 40' 54"W) in Potter Township, **Centre County**.

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

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

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
30138006-1	Dominion Transmission, Inc. 5000 Dominion Blvd Glen Allen, VA 23060	Greene	Franklin Township and Morgan Township	UNT to South Fork Ten Mile Creek (WWF)
30138008	Equitrans, LP 625 Liberty Ave Pittsburgh, PA 15222	Greene	Center Township and Morrison Township	Browns Creek (WWF) and Lightner Run (HQ-WWF)
ESX0005914-0002	Equitrans, LP 625 Liberty Ave Pittsburgh, PA 15222	Greene	Franklin Township and Morgan Township	UNT to South Fork Ten mile Creek (WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESG14-019-0027—Clouse Centralized Fresh-water Impoundment  
Applicant XTO Energy, Inc.  
Contact Melissa Breitenbach  
Address 502 Keystone Drive  
City Warrendale State PA Zip Code 15086  
County Butler Township(s) Oakland(s)  
Receiving Stream(s) and Classification(s) UNT to Thorn Creek/Connoquenessing Creek Watershed. HQ-WWF.  
Secondary Receiving Water Thorn Creek (HQ-WWF).

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESG29-081-14-0014  
Applicant Name PVR Marcellus Gas Gathering, LLC  
Contact Person Nicholas Bryan  
Address 101 W Third Street  
City, State, Zip Williamsport PA 17701  
County Lycoming County  
Township(s) Jackson Township  
Receiving Stream(s) and Classification(s) Grays Run (HQ-CWF/MF), Packhorse Creek (EV-CWF/MF);

Secondary: Lycoming Creek (EV-CWF/MF), Steam Valley Run (EV-CWF/MF, NRT)

ESCGP-1 # ESX29-115-14-004  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Lance Ridall  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Susquehanna County  
Township(s) Choconut Township  
Receiving Stream(s) and Classification(s) UNT to Choconut Creek (CWF/MF)

ESCGP-1 # ESX12-115-0065 (01)  
Applicant Name Carrizo Marcellus, LLC  
Contact Person Gary Byron  
Address 251 Drainlick Road, PO Box 231  
City, State, Zip Drifting PA 16834  
County Susquehanna County  
Township(s) Silver Lake and Bridgewater Townships  
Receiving Stream(s) and Classification(s) UNTs to Silver Creek (CWF/MF), UNTs to Fall Brook (CWF/MF)

ESCGP-1 # ESG29-035-14-0001  
Applicant Name Great Plains Operating LLC  
Contact Person James Smith  
Address 611 S Main Street



City, State, Zip Grapevine TX 76051  
 County Clinton County  
 Township(s) Gallagher Township  
 Receiving Stream(s) and Classification(s) Hunter Hollow,  
 Twin Dam Hollow, and UNTs to Wildcat Hollow (All  
 HQ/CWF);  
 Secondary: Rattlesnake Run (HQ/CWF), Rattlesnake  
 Run also classified as Wild Trout

ESCGP-1 # ESX29-131-14-0006  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Wyoming County  
 Township(s) Washington Township  
 Receiving Stream(s) and Classification(s) UNTs to  
 Meshoppen Creek (CWF/MF),  
 Secondary: Meshoppen Creek (CWF/MF)

ESCGP-1 # ESG29-035-14-0002  
 Applicant Name PVR Marcellus Gas Gathering, LLC  
 Contact Person Nicholas Bryan  
 Address 101 W Third Street  
 City, State, Zip Williamsport PA 17701  
 County Clinton County  
 Township(s) Gallagher Township  
 Receiving Stream(s) and Classification(s) UNT to Craig  
 Fork (EV);  
 Secondary: Craig Fork (EV) Craig Fork is also  
 designated as a Wilderness Trout Segment

ESCGP-1 # ESG29-035-14-0003  
 Applicant Name PVR Marcellus Gas Gathering, LLC  
 Contact Person Nicholas Bryan  
 Address 101 West Third Street  
 City, State, Zip Williamsport, PA 17701  
 County Clinton County  
 Township(s) Gallagher Township  
 Receiving Stream(s) and Classification(s) UNT to Craig  
 Fork (EV), Craig Fork (EV), UNT Chatham Run  
 (HQ-CWF);  
 Secondary: Craig Fork (EV), Lick Run (EV), Chatham  
 Run (HQ-CWF). Craig Fork, Chatham Run and Lick  
 Run are all designated Wild Trout Streams

ESCGP-1 # ESG29-115-14-0025  
 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) New Milford Township  
 Receiving Stream(s) and Classification(s) Meylert Creek  
 (HQ, CWF/MF) and tributaries thereto, Tributaries to  
 Wellmans Creek (HQ-CWF/MF)

ESCGP-1 # ESX29-115-14-0042  
 Applicant Name Williams Field Services, LLC  
 Contact Person Brian Ham  
 Address 2000 Commerce Drive  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna County  
 Township(s) Jessup Township  
 Receiving Stream(s) and Classification(s) Roe Creek, East  
 Branch Wyalusing Creek (CWF/MF, TSF);  
 Secondary: Upper Susquehanna River

ESCGP-1 # ESG13-081-0033(01)  
 Applicant Name PVR Marcellus Gas Gathering, LLC  
 Contact Person Nicholas Bryan  
 Address 101 West Third Street

City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Eldred and Upper Fairfield Townships  
 Receiving Stream(s) and Classification(s) Mill Creek  
 West/Loyalsock Creek (EV);  
 Secondary: Susquehanna River

ESCGP-1 # ESG29-081-14-0015  
 Applicant Name Angelina Gathering Company, LLC  
 Contact Person Danny Spaulding  
 Address 2350 N Sam Houston Pkwy E, Ste 124  
 City, State, Zip Houston, TX 77032  
 County Lycoming County  
 Township(s) Jackson Township  
 Receiving Stream(s) and Classification(s) Blockhouse  
 Creek, Flicks Run and Tributaries to the afore-  
 mentioned streams

ESCGP-1 # ESX29-115-14-0044  
 Applicant Name Chief Oil & Gas, LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Susquehanna County  
 Township(s) Lenox Township  
 Receiving Stream(s) and Classification(s) Martins Creek,  
 Willow Brook (CWF/MF);  
 Secondary: Tunkhannock Creek

ESCGP-1 # ESG29-113-14-0004  
 Applicant Name Chief Oil & Gas, LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Sullivan County  
 Township(s) Fox Township  
 Receiving Stream(s) and Classification(s) Hoagland  
 Branch, Schrader Creek (HQ-EV) Class A, Naturally  
 Producing and Approved Trout;  
 Secondary: Elk Creek

ESCGP-1 # ESG29-113-14-0006  
 Applicant Name Chief Oil & Gas, LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Sullivan County  
 Township(s) Fox Township  
 Receiving Stream(s) and Classification(s) Schrader Creek  
 (EV, MF, AT, NR);  
 Secondary: Towanda Creek

ESCGP-1 # ESX29-115-14-0039  
 Applicant Name Chief Oil & Gas, LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Susquehanna County  
 Township(s) Springville Township  
 Receiving Stream(s) and Classification(s) UNT White  
 Creek (CWF/MF);  
 Secondary: Meshoppen Creek

ESCGP-1 # ESX29-115-14-0031  
 Applicant Name Cabot Oil & Gas  
 Contact Person Bart Roberts  
 Address 5 Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Springville Township  
 Receiving Stream(s) and Classification(s) Meshoppen  
 Creek (Drainage List I) (CWF/MF);  
 Secondary: Susquehanna River

ESCGP-1 # ESX29-115-14-0046  
 Applicant Name UGI Energy Services, Inc.  
 Contact Person Jeff England  
 Address 1 Meridian Boulevard  
 City, State, Zip Wyomissing, PA 19610  
 County Susquehanna County  
 Township(s) Auburn Township  
 Receiving Stream(s) and Classification(s) Dority Creek  
 (CWF/MF)

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

ESCGP-2 No: ESX14-129-0003  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person Mr Branden Weimer  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Westmoreland Township: Sewickley  
 Receiving Stream (s) And Classifications: UNT to  
 Youghiogheny River/ Lower Youghiogheny River  
 Watershed; Other WWF

ESCGP-2 No.: ESX14-125-0005  
 Applicant Name: MarkWest Liberty Midstream &  
 Resources LLC  
 Contact Person: Mr Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Smith  
 Receiving Stream(s) and Classifications: UNT 53564 to  
 Raccoon Creek / Raccoon Creek; Other Warm Water  
 Fishery (WWF)

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## SPECIAL NOTICES

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### **Water Quality Certification under Section 401 of the Federal Clean Water Act for the Constitution Pipeline Company, LLC, Constitution Pipeline Project**

On June 13, 2013, Constitution Pipeline Company, LLC filed an application with the Federal Energy Regulatory Commission (FERC) in Docket No. CP13-499-000 under Section 7(b) and (c) of the Natural Gas Act (NGA) seeking a Certificate of Public Convenience and Necessity (Certificate) for the construction and operation of a new 30-inch diameter, approximately 124 mile long interstate natural gas pipeline, 25.24 miles of which are located in Brooklyn, Harford, New Milford, Jackson, Oakland and Harmony Townships, Susquehanna County, Pennsylvania. The project boundary consists of a 25.24 mile long by 50 foot permanent operational right-of-way. The purpose of the Constitution Pipeline is to provide 650,000 dekatherms per day of new firm natural gas transportation capacity from three reception points in Susquehanna County, Pennsylvania, to a proposed interconnection with the existing Iroquois Gas Transmission System, L.P. in Schoharie County, New York. The project also includes various aboveground facilities, including pig launcher and receiver facilities, meter stations, MLV's, access roads and contractor yards, which are proposed to be constructed to support the pipeline construction in Pennsylvania.

The Department, by this notice, proposes to certify that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The Department further proposes to certify that the construction, operation and maintenance of the projects complies with

Commonwealth water quality standards and that the construction, operation and maintenance of the projects does not violate applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the projects complies with the conditions proposed for this certification, including the criteria and conditions of the following permits:

1. Discharge Permit—Constitution Pipeline Company shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P. S. §§ 691.1—691.1001) and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. Erosion and Sediment Control Permit—Constitution Pipeline Company shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P. S. §§ 680.1—680.17) and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. Water Obstruction and Encroachment Permits—Constitution Pipeline Company shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P. S. §§ 673.1—693.27), and Flood Plain Management Act (32 P. S. §§ 679.101—679.601.) and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. Water Quality Monitoring—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Constitution Pipeline Company.

5. Operation—For each Project under this certification, Constitution Pipeline Company shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this Certification and all required permits. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Constitution Pipeline Company.

6. Inspection—The Projects, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this Certification, including all required permits required, and Pennsylvania's Water Quality Standards. A copy of this Certification shall be available for inspection by the PADEP during such inspections of the Projects.

7. Transfer of Projects—If Constitution Pipeline Company intends to transfer any legal or equitable interest in the Projects which is affected by this Certification, Constitution Pipeline Company shall serve a copy of this Certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to

PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of Certification responsibility, coverage, and liability between them.

8. Correspondence—All correspondence with and submittals to PADEP concerning this Certification shall be addressed to:

Department of Environmental Protection  
 Northeast Regional Office  
 Mr. Joseph Buczynski, P.E.  
 Waterways and Wetlands Program Manager  
 2 Public Square  
 Wilkes-Barre, PA 18701-1915

9. Reservation of Rights—PADEP may suspend or revoke this Certification if it determines that Constitution Pipeline Company has not complied with the terms and conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Constitution Pipeline Company's applicable procedural and substantive rights.

10. Other Laws—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve Texas Eastern from any responsibilities, liabilities, or penalties established pursuant to any applicable federal or state law or regulation.

11. Severability—The provisions of this Certification are severable and should any provision of this Certification be declared invalid or unenforceable, the remainder of the Certification shall not be affected thereby.

The Environmental Assessment prepared by FERC may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) under the Docket No. CP13-499-000.

Prior to final action on the proposed section 401 Water Quality Certification, consideration will be given to any comments, suggestions or objections which are submitted in writing within 30 days of this notice. Comments concerning the proposed 401 Water Quality Certification should be directed to Mr. Joseph Buczynski, P.E., Northeast Region Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted. The Department will consider all relevant and timely comments received. Comments must be submitted within 30 days of this notice.

**DRINKING WATER STATE REVOLVING FUND  
 Special Notice**

**Special Notice Under the federal Safe Drinking Water Act (SDWA); 42 U.S.C. 300f, et. seq.**

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Suburban Lock Haven Water Authority (SLHWA)	326 Main Street Mill Hall PA 17751	Clinton

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Common-

wealth's State Revolving Fund, is intended to be the funding source for this project. SLHWA is proposing to slip line with HDPE or PVC pipe an existing waterline under the West Branch Susquehanna River (known as LHU River Crossing). This waterline is currently broken and unusable. This project will restore usage of this waterline, which will help decrease water age, maintain residual and provide a redundant distribution of water to Woodward and Colebrook Townships. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impacts resulting from this proposal. The Department hereby approves the Environmental Assessment.

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Municipal Authority of Westmoreland County	124 Park & Pool Road New Stanton, PA 15672	Westmoreland

*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 Municipal Authority of Westmoreland County is proposing installation of approximately 9,545 feet of 8-inch waterline and appurtenances (Bell Township waterline project).

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.

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Pennsylvania American Water Company	800 West Hersheypark Drive Hershey, PA 17033	Washington

*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. Pennsylvania American Water Company is proposing a water system improvement project consisting of the installation of approximately 100,000 linear feet of 8" and 12" diameter main to provide service to at least 234 potential customers in Amwell Township, Buffalo Township, Cecil Township, Chartiers Township, Independence Township, Jefferson Township, Mount Pleasant Township, North Strabane Township and Smith Township as well as a water booster pump station along Courson Hill Road in Amwell Township.

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.

[Pa.B. Doc. No. 14-1203. Filed for public inspection June 6, 2014, 9:00 a.m.]

**Bid Opportunity**

**OOGM 14-3, Cleaning Out and Plugging One Abandoned Gas Well (Mr. and Mrs. Charles Dewing Property), Orwell Township, Bradford County.** The principal items of work and approximate quantities are to clean out and plug one abandoned gas well, estimated to be 4,420 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well sites/site; and to mobilize and demobilize plugging equipment. This project issues on June 6, 2014, and bids will be opened on July 15, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A mandatory prebid meeting will be held on June 24, 2014, at 12 p.m. Contact the Construction Contracts Section at (717) 787-7820 or dhopp@pa.gov for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1204. Filed for public inspection June 6, 2014, 9:00 a.m.]

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## DEPARTMENT OF GENERAL SERVICES

### Lease Retail Space to the Commonwealth Allegheny County

Proposals are invited to provide the Department of General Services with 5,000 to 6,000 net usable square feet of retail space for the Liquor Control Board in Pittsburgh, Allegheny County. For more information on SFP No. 094609, which is due on July 25, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-1205. Filed for public inspection June 6, 2014, 9:00 a.m.]

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### Lease Retail Space to the Commonwealth Allegheny County

Proposals are invited to provide the Department of General Services with 14,000 to 17,000 net usable square feet of retail space for the Liquor Control Board in Pittsburgh, Allegheny County. For more information on SFP No. 094610, which is due on July 25, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-1206. Filed for public inspection June 6, 2014, 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):

Golden LivingCenter—Blue Ridge Mountain  
3625 North Progress Avenue  
Harrisburg, PA 17110  
FAC ID # 022002

Golden LivingCenter—Mansion  
1040-52 Market Street  
Sunbury, PA 17801  
FAC ID # 130502

Kindred Transitional Care and Rehabilitation—Wyomissing  
1000 East Wyomissing Boulevard  
Reading, PA 19611  
FAC ID # 232202

Timber Ridge Health Center  
1555 East End Boulevard Plains Township  
Wilkes-Barre, PA 18711  
FAC ID # 220102

Willowbrooke Court at Granite Farms Estates  
1343 West Baltimore Pike  
Wawa, PA 19063-5531  
FAC ID # 073602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 207.2(b) (relating to administrator's responsibility):

Chapel Pointe at Carlisle  
770 South Hanover Street  
Carlisle, PA 17013-4105  
FAC ID # 010602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Timber Ridge Health Center  
1555 East End Boulevard, Plains Township  
Wilkes-Barre, PA 18711  
FAC ID # 220102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Cambria Care Center  
429 Manor Drive  
Ebensburg, PA 15931  
FAC ID # 030202

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](mailto:ra-paexcept@pa.gov).

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

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1207. Filed for public inspection June 6, 2014, 9:00 a.m.]

### Title V Maternal and Child Health Services Block Grant 2013 Report and 2015 Application; Public Comment Period

The Bureau of Family Health is accepting, from June 10, 2014, through July 9, 2014, public comments on the Commonwealth's draft of the Title V Maternal and Child Health Services Block Grant 2013 Report and 2015 Application. A draft of this document will be electronically accessible through the Department of Health's web site at <http://www.health.state.pa.us>. This document serves two purposes: (1) it is the Commonwealth's request to the United States Department of Health and Human Services for block grant funding for 2015, stating the purposes for which the funding will be used; and (2) it details the programs funded by the 2013 block grant and the progress and accomplishments made as a result. The Title V Maternal and Child Health Services Block Grant is used to fund a variety of programs such as the Special Kids Network, Newborn Screening Program, Lead and Healthy Homes Program and Medical Home Program.

Comments must be submitted in writing to Janet Flynn at [janflynn@pa.gov](mailto:janflynn@pa.gov) or in hard copy to the address listed as follows. Comments must be received no later than 5 p.m. on July 9, 2014.

Persons with a disability or individuals who require an alternative format for review of the Commonwealth's draft of the Title V Maternal and Child Health Services Block Grant 2013 Report and 2015 Application should contact the Bureau of Family Health in writing or electronically at Title V Block Grant Coordinator, Bureau of Family Health, Health and Welfare Building, 7th Floor East, 625 Forster Street, Harrisburg, PA 17120, (717) 346-3000, TDD (717) 783-6514, fax (717) 772-0323, [stheuer@pa.gov](mailto:stheuer@pa.gov), or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1208. Filed for public inspection June 6, 2014, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Additional Class of Disproportionate Share Payments

The Department of Public Welfare (Department) is providing final notice of the establishment of a new class

of disproportionate share hospital (DSH) payments to certain Medical Assistance (MA) acute care general hospitals (hospitals) which, in partnership with an independent facility listed as a Cleft and Craniofacial Team by the American Cleft Palate-Craniofacial Association, provide surgical services to patients with cleft palate and craniofacial abnormalities. This payment promotes access to inpatient hospital services for MA eligible and uninsured persons in this Commonwealth with cleft palate and craniofacial abnormalities. The Department is allocating funding for this additional class of DSH payment to qualifying hospitals for Fiscal Year (FY) 2013-2014.

The Department determines a hospital eligible for this additional class of DSH payment if the hospital meets all of the criteria listed as follows. Unless otherwise stated, the source of the information is the State FY 2010-2011 MA cost report (MA-336).

1. The hospital is enrolled in the MA Program as a general acute care hospital and is licensed to provide obstetrical and neonatal services as reported by the Department of Health for the period July 1, 2010, through June 30, 2011.

2. The hospital has a partnership with a facility listed as of January 2013, as both a cleft palate team and a craniofacial team by the American Cleft Palate-Craniofacial Association and Cleft Palate Foundation.

3. As of March 2013, the hospital is accredited as an Adult Level I Trauma Center and a Pediatric Level I Trauma Center by the Pennsylvania Trauma System Foundation.

4. The hospital provided more than 135,000 total acute inpatient days of care.

5. The hospital ranked at or above the 92nd percentile of all acute care general hospitals enrolled in the Commonwealth MA Program based on the total number of MA inpatient days of care.

6. The hospital's ratio of uncompensated care to net patient revenue is at least 3.30%, based on the Health Care Cost Containment Council's Financial Analysis 2012, Volume One.

The Department will divide the total payment proportionately among all qualifying hospitals based on each hospital's total MA inpatient days to total MA inpatient days for all qualified hospitals.

The Department published notice of its intent to allocate funding for this DSH payment at 43 Pa.B. 7510 (December 21, 2013). The Department received no public comments during the 30-day comment period and will implement the changes as described in its notice of intent.

#### *Fiscal Impact*

The FY 2013-2014 impact as a result of the funding allocation for this payment is \$0.323 million (\$0.150 million in State general funds and \$0.173 million in Federal funds upon approval by the Centers for Medicare and Medicaid Services).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-874. (1) General Fund; (2) Implementing Year 2013-14 is \$150,000; (3) 1st Succeeding Year 2014-15 is \$0; 2nd Succeeding Year 2015-16 is \$0; 3rd Succeeding Year 2016-17 is \$0; 4th Succeeding Year 2017-18 is \$0; 5th Succeeding Year 2018-19 is \$0; (4) 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000; 2010-11 Program—\$243,809,000; (7) MA—

Inpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-1209. Filed for public inspection June 6, 2014, 9:00 a.m.]

## Disproportionate Share and Supplemental Hospital Payments

The Department of Public Welfare (Department) is providing final notice of its continuation of the additional class of disproportionate share hospital (DSH) payments and the additional classes of supplemental payments for inpatient hospitals that were initiated in conjunction with the act of July 9, 2010 (P. L. 336, No. 49) (Act 49). The Department is also providing final notice of its continued use of the Fiscal Year (FY) 2012-2013 payment methodologies for inpatient DSH, outpatient supplemental and direct medical education payments and of its DSH and Supplemental Reconciliation process.

In addition, the Department is providing final notice of the process and data used to determine the eligibility of new hospitals for certain DSH and supplemental payments effective July 1, 2013.

### Background

Among other things, Act 49 added Article VIII-G to the Public Welfare Code (62 P. S. §§ 801-G—816-G) authorizing the Department to impose a monetary assessment on the net operating revenue of all Commonwealth licensed hospitals, other than exempt hospitals.

Under Act 49, funds generated by the hospital assessment must be deposited into a restricted account called the Quality Care Assessment Fund (see 62 P. S. § 805-G(a)) and were to be used to update the Medical Assistance (MA) fee-for-service (FFS) payment system for inpatient services for acute care general hospitals, modify some existing DSH and supplemental payments, create several new DSH and supplemental payments for MA hospital providers and generally support the MA Program. In compliance with Act 49, the Department imposed a monetary assessment, updated the MA FFS payment system for inpatient acute care services, modified some existing DSH and supplemental payments and created new DSH and supplemental payments for hospital providers after receiving the Centers for Medicare and Medicaid Services' approval for the assessment and the payment changes.

The assessment under Act 49 was effective for a 3-year period ending June 30, 2013. The assessment and continuation of the hospital payments from the Quality Care Assessment Fund were reauthorized under the act of July 9, 2013 (P. L. 369, No. 55), effective for a 3-year period ending June 30, 2016.

### Continuation of DSH and Supplemental Payments from the Quality Care Assessment Fund

The Department is continuing the following payments utilizing the FY 2012-2013 eligibility criteria and payment distribution methodologies: MA Stability Payments; MA Dependency Payments; Enhanced Payments to Certain Disproportionate Share Hospitals; and MA Rehabilitation Adjustment Payments. The Department is also continuing Community Access Fund, Inpatient DSH, Outpatient Supplemental and Medical Education payments as modified under the Quality Care Assessment program. The methodology used to determine hospitals that qualify

for these payments and the calculation of the payment amounts for each payment program have not been changed.

The Department modified the eligibility criteria for the Small and Sole Community Hospital DSH payment to include hospitals which provide verification to the Department as being designated as a sole community hospital by Medicare. Newly-designated sole community hospitals qualify for the payment program beginning with FY 2013-2014. The payment distribution methodology for this payment program remains the same as the FY 2012-2013 payment distribution methodology.

Finally, the Department is continuing its existing payment reconciliation process as described in the approved State Plan.

### FFS All Patient Refined-Diagnosis Related Group (APR-DRG) Base Rate, DSH and Supplemental Payments for New Hospitals

The current State Plan methodologies for determining a hospital's eligibility for certain adjustments to its FFS APR-DRG Base Rate and for the DSH and supplemental payments initiated in conjunction with Act 49 use historical MA data from FY 2007-2008. Accordingly, hospitals that were not required to file an FY 2007-2008 MA 336 hospital cost report (new hospitals) do not qualify for these FFS APR-DRG Base Rate adjustments and DSH and supplemental payments due to the lack of required historical data.

Beginning in FY 2013-2014, the Department is instituting a process to collect data from new hospitals and newly designated sole community hospitals using forms designated by the Department. Beginning with a new hospital's first full State fiscal year of MA enrollment, the Department will use this data in lieu of the FY 2007-2008 MA hospital cost report data to determine whether a new hospital qualifies for the MA dependency and teaching adjustments to its APR-DRG Base Rate as well as the hospital's eligibility for the DSH and supplemental payments created in conjunction with Act 49 and, if eligible, the payment amounts. The payments for which a new hospital may qualify through this process are the MA Stability Payments, MA Dependency Payments, Enhanced Payments to Certain Disproportionate Share Hospitals, MA Rehabilitation Adjustment Payments and Small and Sole Community Hospital DSH Payments.

A detailed description of the eligibility criteria, excluding the new criteria provisions for sole community hospitals and payment methodologies for each of these payments was described in the public notice published at 42 Pa.B. 6048 (September 22, 2012). For the first full State fiscal year of MA enrollment of a new hospital or newly designated sole community hospital that qualifies for one or more of these supplemental or DSH payments, the payment amounts will be prorated in accordance with the period of time the hospital was in operation. The Department considers the rates and payments established for new hospitals as a result of this process to be interim rates and payments. The Department will reconcile the rates and payments once MA 336 hospital cost report data and other necessary Medicare data is available for the new hospital's and newly designated sole community hospital's first full State fiscal year of MA enrollment.

The eligibility criteria, payment distribution methodology and the source of data for all other DSH and supplemental programs in existence prior to the enactment of Act 49 remain unchanged.

The Department published notice of its intent to allocate funding for these DSH and supplemental payments at 43 Pa.B. 4034 (July 13, 2013). The Department received no public comments during the 30-day comment period, and will implement the changes as described in its notice of intent with the modification to the eligibility criteria for the Small and Sole Community Hospital Payment Program.

*Fiscal Impact*

The FY 2013-2014 impact is \$566.426 million (\$263.805 million in State general funds).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-871. (1) General Fund;

(7) MA—Inpatient; (2) Implementing Year 2013-14 is \$235,853,000; (3) Estimated Costs for 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000; 2010-11 Program—\$243,809,000;

(7) MA—Outpatient; (2) Implementing Year 2013-14 is \$27,953,000; (3) Estimated Costs for 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$450,835,000; 2011-12 Program—\$645,095,000; 2010-11 Program—\$467,929,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-1210. Filed for public inspection June 6, 2014, 9:00 a.m.]

**Federal Poverty Income Guidelines for 2014**

The Department of Public Welfare (Department) announces the implementation in this Commonwealth of the 2014 Federal Poverty Income Guidelines (FPIG) which were issued by the Department of Health and Human Services and published at 79 FR 3593 (January 22, 2014).

The FPIGs are the basis for the income eligibility limits for several categories of Medicaid whose regulations are published in 55 Pa. Code (relating to public welfare) and administered by the Department. These categories include Healthy Beginnings for Pregnant Women and

Qualified Children (55 Pa. Code Chapter 140, Subchapter A), Healthy Horizons for the Elderly and Disabled (55 Pa. Code Chapter 140, Subchapter B) and Extended Medical Coverage under Categorically Needy TANF-Related Categories (55 Pa. Code Chapter 140, Subchapter C). Categories also include the Modified Adjusted Gross Income (MAGI) based eligibility categories for pregnant women, children and parent/caretakers. The MAGI categories were established by the Department's implementation of the Affordable Care Act at 43 Pa.B. 4035 (July 13, 2013).

The percentages for the Medicaid categories of Healthy Beginnings, MAGI and Healthy Horizons are set forth as follows:

*Healthy Beginnings:*

- a. 185% for pregnant women and infants up to 1 year of age.
- b. 133% for children 1 year of age through 5 years of age.
- c. 100% for children 6 years of age and older.

\* Healthy Beginnings FPIGs will discontinue once the categories are converted to a MAGI category in 2014.

*MAGI:*

- a. 215% for pregnant women and infants up to 1 year of age.
- b. 157% for children 1 year of age through 5 years of age.
- c. 33% for parents/caretakers and children 0 years of age through 18 years of age.

\* MAGI FPIGs represent the MAGI converted standards which will be valid until September 2019

*Healthy Horizons:*

- a. 100% for persons eligible for the categorically needy, Medicare Buy-In and Medicare cost-sharing benefits.
- b. 120% for persons eligible for the Specified Low-Income Medicare Beneficiaries.
- c. 135% for persons eligible for the Qualifying Individuals Beneficiaries benefits.

There are different resource limits for each of the Healthy Horizons programs.

Persons	33% of FPIG		100% of FPIG		120% of FPIG		133% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$321	\$3,852	\$973	\$11,670	\$1,167	\$14,004	\$1,294	\$15,522
2	\$433	\$5,191	\$1,311	\$15,730	\$1,573	\$18,876	\$1,744	\$20,921
3	\$545	\$6,531	\$1,650	\$19,790	\$1,979	\$23,748	\$2,194	\$26,321
4	\$656	\$7,871	\$1,988	\$23,850	\$2,385	\$28,620	\$2,644	\$31,721
5	\$768	\$9,211	\$2,326	\$27,910	\$2,791	\$33,492	\$3,094	\$37,121
6	\$880	\$10,551	\$2,665	\$31,970	\$3,197	\$38,364	\$3,544	\$42,521
7	\$991	\$11,890	\$3,003	\$36,030	\$3,603	\$43,236	\$3,994	\$47,920
8	\$1,103	\$13,230	\$3,341	\$40,090	\$4,009	\$48,108	\$4,444	\$53,320
Each Additional Person	\$112	\$1,340	\$339	\$4,060	\$406	\$4,872	\$450	\$5,400

  

Persons	135% of FPIG		157% of FPIG		185% of FPIG		200% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$1,313	\$15,755	\$1,527	\$18,322	\$1,800	\$21,590	\$1,945	\$23,340
2	\$1,770	\$21,236	\$2,058	\$24,697	\$2,426	\$29,101	\$2,622	\$31,460
3	\$2,227	\$26,717	\$2,590	\$31,071	\$3,051	\$36,612	\$3,299	\$39,580
4	\$2,684	\$32,198	\$3,121	\$37,445	\$3,677	\$44,123	\$3,975	\$47,700

Persons	135% of FPIG		157% of FPIG		185% of FPIG		200% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
5	\$3,140	\$37,679	\$3,652	\$43,819	\$4,303	\$51,634	\$4,652	\$55,820
6	\$3,597	\$43,160	\$4,183	\$50,193	\$4,929	\$59,145	\$5,329	\$63,940
7	\$4,054	\$48,641	\$4,714	\$56,568	\$5,555	\$66,656	\$6,005	\$72,060
8	\$4,511	\$54,122	\$5,246	\$62,942	\$6,181	\$74,167	\$6,682	\$80,180
Each Additional Person	\$457	\$5,481	\$532	\$6,375	\$626	\$7,511	\$677	\$8,120

  

Persons	214% of FPIG		215% of FPIG		235% of FPIG		250% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$2,082	\$24,974	\$2,091	\$25,091	\$2,286	\$27,425	\$2,432	\$29,175
2	\$2,806	\$33,663	\$2,819	\$33,820	\$3,081	\$36,966	\$3,278	\$39,325
3	\$3,530	\$42,351	\$3,546	\$42,549	\$3,876	\$46,507	\$4,123	\$49,475
4	\$4,254	\$51,039	\$4,274	\$51,278	\$4,671	\$56,048	\$4,969	\$59,625
5	\$4,978	\$59,728	\$5,001	\$60,007	\$5,466	\$65,589	\$5,815	\$69,775
6	\$5,702	\$68,416	\$5,728	\$68,736	\$6,261	\$75,130	\$6,661	\$79,925
7	\$6,426	\$77,105	\$6,456	\$77,465	\$7,056	\$84,671	\$7,507	\$90,075
8	\$7,150	\$85,793	\$7,183	\$86,194	\$7,851	\$94,212	\$8,353	\$100,225
Each Additional Person	\$725	\$8,689	\$728	\$8,729	\$796	\$9,541	\$846	\$10,150

Additional information on the programs is available at the county assistance offices.

This notice shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to January 22, 2014.

#### Public Comments

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Income Maintenance, Matthew McLees, Director, Bureau of Policy, Room 431, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 calendar days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
Secretary

**Fiscal Note:** 14-NOT-876. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-1211. Filed for public inspection June 6, 2014, 9:00 a.m.]

### Payments to Nonpublic and County Nursing Facilities; Final Rates for State Fiscal Year 2012-2013

This notice announces the Department of Public Welfare's (Department) final annual case-mix per diem payment rates for State Fiscal Year (FY) 2012-2013 for nonpublic and county nursing facilities that participate in the Medical Assistance (MA) Program.

#### Nonpublic Nursing Facility Per Diem Rates

As required by the case-mix payment methodology in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting), the Department annually sets an annual MA per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate is comprised of four

components: resident care; other resident related; administrative; and capital. For each quarter of FY 2012-2013, the Department adjusted the resident care component of each facility's rate by multiplying the resident care component by the facility's MA case-mix index for the appropriate picture date.

In calculating the final rates, the peer group prices for FY 2012-2013 were set as specified in 55 Pa. Code § 1187.94(1)(v) (relating to peer grouping for price setting) which includes provisions that county nursing facility MA allowable costs have been phased-out of the rate-setting process for nonpublic nursing facilities. Further, for facilities classified as special rehabilitation facilities on or before July 1, 2000, peer group medians and prices were determined in accordance with the methodology described in the final-form rulemaking Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities published at 44 Pa.B. 3322 (June 7, 2014). See § 1187.94(2)(i) and (ii).

In addition, 55 Pa. Code 1187.96 (relating to price- and rate-setting computations) authorized a 3-year phase-in period of the use of the Minimum Data Set Resource Utilization Group III version 5.12 44 Grouper (RUG v 5.12) and the most recent classifiable resident assessments beginning July 1, 2010, and ending June 30, 2013. The phase-in provisions only affect the resident care component of a facility's case-mix per diem rate. The resident care rate used to establish a nursing facility's case-mix per diem rate is a blended resident care rate which consists of a portion of the resident care rate calculated using the previous RUG version 5.01 Grouper (RUG v 5.01) and the most recent comprehensive resident assessments and a portion of the resident care rate calculated using RUG v 5.12 and the most recent classifiable resident assessments. For FY 2012-2013, the nursing facility's blended resident care rate equals 25% of the nursing facility's RUG v 5.01 resident care rate from the prior rate quarter adjusted by the percent increase or decrease in the RUG v 5.12 resident care rate and 75% of the nursing facility's RUG v 5.12 resident care rate.

The Federal Centers for Medicare and Medicaid Services (CMS) approved State Plan Amendment (SPA) 12-020 on November 23, 2012. SPA 12-020 states that the



budget adjustment factor (BAF) will limit the estimated Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the average payment rate in effect for the fiscal year is limited to the amount permitted by the funds appropriated by the General Appropriations Act for the fiscal year. For FY 2012-2013, the Department calculated a base BAF for nonpublic nursing facilities for July, October and January rates and the base BAF was adjusted for the April-June 2013 calendar quarter. The formula the Department used to determine a base BAF equals the target rate divided by the acuity-adjusted weighted average rate. For the April BAF, the weighted average April rate was compared to the April target rate. Since the difference between the weighted average April rate and the April target rate was more than \$0.50, a BAF for the April-June 2013 calendar quarter was determined by dividing the April target rate by the weighted average April rate at 100%. For the 2012-2013 rate year, the base BAF is 0.84559 and the April BAF is 0.85606.

#### *County Nursing Facility Per Diem Rates*

As required by the rate methodology in 55 Pa. Code Chapter 1189, Subchapter D (relating to rate setting), the Department annually sets an annual MA per diem rate for each county nursing facility provider. As stated in 55 Pa. Code § 1189.91(b) (relating to per diem rates for county nursing facilities), for each rate year beginning on or after July 1, 2007, the per diem rate paid to a county nursing facility for a rate year will be the facility's prior rate year per diem rate multiplied by a BAF.

In addition, as required by 55 Pa. Code § 1189.91(d), the Department followed the formula set forth in the Commonwealth's approved State Plan to determine that the BAF for FY 2012-2013 for county nursing facilities is 1.0. CMS approved SPA 12-019 on November 23, 2012.

SPA 12-019 states that for rate setting year 2012-2013, the BAF shall limit the estimated Statewide day-weighted average payment rate for medical assistance nursing facility services for county and nonpublic nursing facilities so that the average payment rate is limited to the amount permitted by the funds appropriated by the General Appropriations Acts. The BAF as it applies to county nursing facilities is 1.0.

The final annual per diem rates for FY 2012-2013 are available on the Department's web site at [www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecaseinformation/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecaseinformation/index.htm) and at local county assistance offices throughout this Commonwealth or by contacting Marilyn Yocum, Department of Public Welfare, Office of Long-Term Living at (717) 772-2549.

#### *Public Process*

The Department published a notice announcing its proposed case-mix per diem payment rates for nonpublic and county nursing facilities for FY 2012-2013 at 42 Pa.B. 3825 (June 30, 2012) and invited interested persons to submit comments. No comments were received by the Department in response to the proposed rate notice.

#### *Appeals*

Following publication of this notice, the Department will send rate letters to each MA nursing facility to notify the facilities of their final rates for FY 2012-2013. The rate letter will also advise each facility that it may file an administrative appeal if the facility believes that the Department made any errors or otherwise disagrees with its final rates for FY 2012-2013. A provider's appeal must be in writing and filed with the Department's Bureau of

Hearings and Appeals, 2330 Vartan Way, 2nd Floor, Harrisburg, PA 17110-9721, within 33 days of the date of the Department's letter notifying the facility of its final rates. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals) and to the Department's regulations at 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures) for more detail regarding their appeal rights and the requirements related to written appeals.

#### *Fiscal Impact*

There is no fiscal impact for the change in final payment rates for FY 2012-2013 per diem rate payments to nonpublic and county nursing facilities compared to the facilities' final FY 2011-2012 per diem rates.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-868. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-1212. Filed for public inspection June 6, 2014, 9:00 a.m.]

### **Payments to Nonpublic and County Nursing Facilities; Final Rates for State Fiscal Year 2013-2014**

This notice announces the Department of Public Welfare's (Department) final annual case-mix per diem payment rates for State Fiscal Year (FY) 2013-2014 for nonpublic and county nursing facilities that participate in the Medical Assistance (MA) Program.

#### *Nonpublic Nursing Facility Per Diem Rates*

As required by the case-mix payment methodology in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting), the Department annually sets an annual MA per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate is comprised of four components: resident care; other resident related; administrative; and capital. For each quarter of FY 2013-2014, the Department adjusted the resident care component of each facility's rate by multiplying the resident care component by the facility's MA case-mix index for the appropriate picture date.

In calculating the final rates, peer group medians and prices for facilities classified as special rehabilitation facilities on or before July 1, 2000, were determined in accordance with the methodology described in the final-form rulemaking Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities, published at 44 Pa.B. 3322 (June 7, 2014). See 55 Pa. Code § 1187.94(2)(i) and (ii) (relating to peer grouping for price setting). Further, the phase-in of the Resource Utilization Group III version 5.12 44 Grouper classifica-

tion system has been fully implemented in the rate setting process as specified in 55 Pa. Code § 1187.96 (relating to price- and rate-setting computations).

The Federal Centers for Medicare and Medicaid Services (CMS) approved State Plan Amendment (SPA) 13-022 on November 7, 2013. SPA 13-022 states that the budget adjustment factor (BAF) will limit the estimated Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the average payment rate in effect for the fiscal year is limited to the amount permitted by the funds appropriated by the General Appropriations Act for the fiscal year. For FY 2013-2014, the Department calculated a base BAF for nonpublic nursing facilities for July, October and January rates and the base BAF was adjusted for the April-June 2014 calendar quarter. The formula the Department used to determine a base BAF equals the target rate divided by the acuity-adjusted weighted average rate. For the April BAF, the weighted average April rate was compared to the April target rate. Since the difference between the weighted average April rate and the April target rate was more than \$0.25, a BAF for the April-June 2014 calendar quarter was determined by dividing the April target rate by the weighted average April rate at 100%. For the 2013-2014 rate year, the base BAF is 0.84801 and the April BAF is 0.86266.

#### *County Nursing Facility Per Diem Rates*

As required by the rate methodology in 55 Pa. Code Chapter 1189, Subchapter D (relating to rate setting), the Department annually sets an annual MA per diem rate for each county nursing facility provider. As stated in 55 Pa. Code § 1189.91(b) (relating to per diem rates for county nursing facilities), for each rate year beginning on or after July 1, 2007, the per diem rate paid to a county nursing facility for a rate year will be the facility's prior rate year per diem rate multiplied by a BAF.

In addition, as required by 55 Pa. Code § 1189.91(d), the Department followed the formula set forth in the Commonwealth's approved State Plan to determine that the BAF for FY 2013-2014 for county nursing facilities is 1.02. CMS approved SPA 13-021 on November 7, 2013.

SPA 13-021 states that for rate setting year 2013-2014, the BAF shall limit the estimated Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the average payment rate is limited to the amount permitted by the funds appropriated by the General Appropriations Acts. The BAF as it applies to county nursing facilities is 1.02.

The final annual per diem rates for FY 2013-2014 are available on the Department's web site at [www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecase/mixinformation/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecase/mixinformation/index.htm) and at local county assistance offices throughout this Commonwealth or by contacting Marilyn Yocum, Department of Public Welfare, Office of Long-Term Living at (717) 772-2549.

#### *Public Process*

The Department published a notice announcing its proposed case-mix per diem payment rates for nonpublic and county nursing facilities for FY 2013-2014 at 43 Pa.B. 3587 (June 29, 2013) and invited interested persons to submit comments. No comments were received by the Department in response to the proposed rate notice.

#### *Appeals*

Following publication of this notice, the Department will send rate letters to each MA nursing facility to notify

the facilities of their final rates for FY 2013-2014. The rate letter will also advise each facility that it may file an administrative appeal if the facility believes that the Department made any errors or otherwise disagrees with its final rates for FY 2013-2014. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, 2nd Floor, Harrisburg, PA 17110-9721, within 33 days of the date of the Department's letter notifying the facility of its final rates. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals) and to the Department's regulations in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures) for more detail regarding their appeal rights and the requirements related to written appeals.

#### *Fiscal Impact*

The change in payment rates will result in an estimated increased cost of \$46.365 million (\$22.142 million in State funds) for per diem rate payments to nonpublic nursing facilities and an estimated increased cost of \$7.245 million (\$3.460 million in State funds) for per diem rate payments for county nursing facilities' FY 2013-2014 rates compared to the facilities' FY 2012-2013 per diem rates. Funding for these changes has been included in the MA Long-Term Care appropriation.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,

*Secretary*

**Fiscal Note:** 14-NOT-866. (1) General Fund; (2) Implementing Year 2013-14 is \$22,086,000; (3) 1st Succeeding Year 2014-15 is \$26,504,000; 2nd Succeeding Year 2015-16 is \$26,504,000; 3rd Succeeding Year 2016-17 is \$26,504,000; 4th Succeeding Year 2017-18 is \$26,504,000; 5th Succeeding Year 2018-19 is \$26,504,000; (4) 2012-13 Program—\$770,903,000; 2011-12 Program—\$737,356,000; 2010-11 Program—\$728,907,000; (7) MA—Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-1213. Filed for public inspection June 6, 2014, 9:00 a.m.]

### **Payments to Special Rehabilitation Nursing Facilities; Final Rates for November 1, 2011, through June 30, 2012**

This notice announces the Department of Public Welfare's (Department) final case-mix per diem payment rates for the period November 1, 2011, through June 30, 2012, for the four nursing facilities classified as special rehabilitation nursing facilities (SRF) on or before July 1, 2000.

As required by the case-mix payment methodology regulations in 55 Pa. Code Chapter 1187, Subchapter G

(relating to rate setting), the Department annually sets an annual Medical Assistance (MA) per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate is comprised of four components: resident care; other resident related; administrative; and capital.

The case-mix rates for SRFs are calculated using the same methodology as all other nonpublic nursing facilities except that, for the purposes of establishing peer group medians and prices, SRFs are classified in one Statewide peer group without regard to their size or geographic location. Retroactive to November 1, 2011, peer group medians and peer group prices were established for facilities classified as SRFs on or before July 1, 2000, separate from any other facilities meeting the definition of an SRF. Peer group medians and prices for facilities classified as SRFs after July 1, 2000, were established using data from all facilities meeting the definition of an SRF. See 44 Pa.B. 3322 (June 7, 2014); 55 Pa. Code § 1187.94(2)(i) and (ii) (relating to peer grouping for price setting).

Section 1187.96 of 55 Pa. Code (relating to price- and rate-setting computations) authorized a 3-year phase-in of the use of the Minimum Data Set Resource Utilization Group III version 5.12 44 Grouper (RUG v 5.12) and the most recent classifiable resident assessments beginning July 1, 2010, and ending June 30, 2013. The phase-in provisions only affect the resident care component of a facility's case-mix per diem rate. The resident care rate used to establish a nursing facility's case-mix per diem rate is a blended resident care rate which consists of a portion of the resident care rate calculated using the previous RUG version 5.01 Grouper (RUG v 5.01) and the most recent comprehensive resident assessments and a portion of the resident care rate calculated using RUG v 5.12 and the most recent classifiable resident assessments. For Fiscal Year (FY) 2011-2012, the nursing facility's blended resident care rate will equal 50% of the nursing facility's RUG v 5.01 resident care rate from the prior rate quarter adjusted by the percent increase or decrease in the RUG v 5.12 resident care rate and 50% of the nursing facility's RUG v 5.12 resident care rate.

In addition, the act of June 30, 2011 (P. L. 89, No. 22) amended the Public Welfare Code (62 P. S. §§ 101—1503) to authorize the Department to continue to apply a budget adjustment factor (BAF) in calculating rates for MA nonpublic and county nursing facilities for each fiscal year between July 1, 2011, and June 30, 2013. The Federal Centers for Medicare and Medicaid Services (CMS) approved State Plan Amendment (SPA) 11-015 on November 21, 2011. SPA 11-015 states that the BAF shall limit payment rates for MA nursing facility services for county and nonpublic nursing facilities so that the Statewide day-weighted average payment rate for FY 2011-2012 is limited to the amount permitted by the funds appropriated by the General Appropriations Act of 2011. For FY 2011-2012, a BAF was calculated each quarter for nonpublic nursing facilities as stated in 42 Pa.B. 2111 (April 14, 2012). SPA 11-028, which specified that the change in rate methodology related to the SRFs not be a factor in the quarterly BAF calculations for the period November 1, 2011, through June 30, 2012, was submitted to CMS on December 28, 2011. CMS approved SPA 11-028 on March 13, 2012, with an effective date of November 1, 2011.

The final per diem rates for the period November 1, 2011, through June 30, 2012, for the four nursing facilities classified as SRFs on or before July 1, 2000, (Good

Shepherd Home Raker Center, Inglis House, Margaret E. Moul Home and Good Shepherd Home-Bethlehem) are available on the Department's web site at [www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecaseinformation/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecaseinformation/index.htm) and at local county assistance offices throughout this Commonwealth or by contacting Marilyn Yocum, Department of Public Welfare, Office of Long-Term Living at (717) 772-2549.

#### *Public Process*

The Department published a notice in the *Pennsylvania Bulletin* announcing its proposed case-mix per diem payment rates for the initial four SRFs that participate in the MA Program for the period November 1, 2011, through June 30, 2012, at 42 Pa.B. 2111 and invited interested persons to submit comments. No comments were received by the Department in response to the notice. In addition, the Department received one public comment within the 30-day public comment period in response to the notice published at 41 Pa.B. 5826 (October 29, 2011) regarding redistribution of dollars away from the other nonpublic nursing facilities as a result of the change in rate methodology for special rehabilitation nursing facilities. As provided in response to question #14 of the Regulatory Analysis Form related to the proposed rulemaking Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities published at 43 Pa.B. 4599 (August 10, 2013), other nonpublic nursing facilities may see a minimal positive impact. No comments were received by the Department in response to the proposed rulemaking.

#### *Appeals*

Following publication of this notice, the Department will send rate letters to notify the four SRFs of their final rates for the period November 1, 2011, through June 30, 2012. The rate letter will also advise the facility that it may file an administrative appeal if the facility believes that the Department made any errors or otherwise disagrees with its final rates for the period November 1, 2011, through June 30, 2012. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, 2nd Floor, Harrisburg, PA 17110-9721, within 33 days of the date of the Department's letter notifying the facility of its final rates. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals) and to the Department's regulations in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures) for more detail regarding their appeal rights and the requirements related to written appeals.

#### *Fiscal Impact*

The estimated fiscal impact for the change in payment rates for the four SRFs for the period November 1, 2011, through June 30, 2012, is \$0.331 million in State funds. For FY 2012-2013 and beyond, the fiscal impact will remain budget neutral as long as the BAF continues to be reauthorized; the act of July 9, 2013 (P. L. 369, No. 55) extends use of a BAF through June 30, 2016.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-870. (1) General Fund; (2) Implementing Year 2011-12 is \$331,000; (3) 1st Succeeding Year 2012-13 is \$0; 2nd Succeeding Year 2013-14 is \$0; 3rd Succeeding Year 2014-15 is \$0; 4th Succeeding Year 2015-16 is \$0; 5th Succeeding Year 2016-17 is \$0; (4) 2010-11 Program—\$728,907,000; 2009-10 Program—\$540,266,000; 2008-09 Program—\$672,597,000; (7) MA—Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-1214. Filed for public inspection June 6, 2014, 9:00 a.m.]

**Peer Groups, Peer Group Medians and Peer Group Prices for Nonpublic Nursing Facilities, County Nursing Facilities, Hospital-Based Nursing Facilities and Special Rehabilitation Facilities for Fiscal Year 2011-2012**

The purpose of this notice is to announce the Department of Public Welfare's (Department) peer groups, peer group medians and peer group prices for nonpublic nursing facilities, county nursing facilities, hospital-based nursing facilities and special rehabilitation facilities (SRF) under 55 Pa. Code § 1187.95(a)(4) (relating to general principles for rate and price setting). The Department used the peer groups, peer group medians and peer group prices to determine case-mix rates for nonpublic nursing facilities for State Fiscal Year (FY) July 1, 2011, through June 30, 2012, as described in the notices Payments to Nonpublic and County Nursing Facilities; Rates for State Fiscal Year 2011-2012 published at 42 Pa.B. 2111 (April 14, 2012) and Payments to Special Rehabilitation Nursing Facilities; Final Rates for November 1, 2011, through June 30, 2012, published at 44 Pa.B. 3393 (June 7, 2014). The Department calculated the peer groups, peer group medians and peer group prices announced in this notice in accordance with 55 Pa. Code Chapter 1187 (relating to nursing facility services). Retroactive to November 1, 2011, peer group medians and peer group prices were established for facilities classified as SRFs on or before July 1, 2000, separate from any other facilities meeting the definition of a SRF as described in the final-form rulemaking Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities published at 44 Pa.B. 3322 (June 7, 2014). See 55 Pa. Code § 1187.94(2)(i) and (ii) (relating to peer grouping for price setting). The data that the Department used to determine the peer group medians and prices is available on the web site for the Department at [www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm).

To establish the database for the calculation of peer group medians and prices, the Department used each nursing facility's three most recent audited cost reports that were issued by the Department on or before March 31, 2011, and indexed the costs for each report forward to

the common date of December 31, 2011, using the CMS Nursing Home Without Capital Market Basket Index.

The following is a listing, by group, of the number of nursing facilities with a particular year-end, and the inflation factor used to roll the costs of each facility forward to the common date of December 31, 2011.

**Nonpublic and County Nursing Facilities**

**(other than hospital-based and special rehabilitation facilities)**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2005	4	1.2006
December 31, 2005	82	1.1767
June 30, 2006	35	1.1581
December 31, 2006	293	1.1391
June 30, 2007	224	1.1206
December 31, 2007	330	1.1037
June 30, 2008	207	1.0798
December 31, 2008	375	1.0632
June 30, 2009	215	1.0551
December 31, 2009	25	1.0471

**Hospital-Based Nursing Facilities**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2007	15	1.1206
June 30, 2008	15	1.0798
June 30, 2009	15	1.0551

**Special Rehabilitation Facilities**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
December 31, 2006	2	1.1391
June 30, 2007	5	1.1206
December 31, 2007	2	1.1037
June 30, 2008	5	1.0798
December 31, 2008	2	1.0632
June 30, 2009	5	1.0551

\* As a result of using the three most recent audited cost reports, the "Number of Facilities" column reflects a number in excess of actual enrolled nursing facilities.

After the database was inflated using the inflation values, the Department grouped the facilities in the correct geographic and bed size groupings. In accordance with 55 Pa. Code § 1187.94, to establish peer groups, the Department used the Metropolitan Statistical Areas (MSA) group classification published in the Federal Office of Management and Budget Bulletin No. 99-04, regarding revised statistical definitions of Metropolitan Areas and guidance on uses of Metropolitan Area definitions, to classify each nursing facility into one of three MSA groups or one non-MSA group. The Department then used the bed complement of the nursing facility on the final day of the reporting period of the most recent audited MA-11 used in the Nursing Information System database to classify nursing facilities into one of three bed complement groups. These groups are 3—119 beds, 120—269 beds and 270 beds and over. County costs are being phased out in nonpublic rate setting computations beginning July 1, 2009, and ending June 30, 2012. The Department will continue to include county nursing facilities in determining peer groups in accordance with 55 Pa. Code § 1187.94(1)(v) for rate years 2009-2010, 2010-2011 and 2011-2012. Peer groups 7 and 10 have been

collapsed in accordance with 55 Pa. Code § 1187.94(1)(iv). Peer group 13 is designated for SRFs only and peer group 14 is designated for hospital-based nursing facilities only, regardless of geographic location or bed-size.

After the database was established and the peer groups determined, the Department calculated the medians and prices for each peer group. For peer group 13, the Department arrayed the SRFs classified on or before July 1, 2000, to set the peer group median and prices for those facilities. The Department arrayed the SRFs classified after July 1, 2000, with all other SRFs to set their peer group median and prices. The Department used phase-out medians, as determined in accordance with 55 Pa. Code § 1187.98 (relating to phase-out median determination) to set prices for the net operating cost centers (resident care, other resident related and administrative) for each peer group that contains a county nursing facility for the 3-year phase-out period. The Department calculated an interim median by adding each county nursing facility's costs from the three most recent audited cost reports to a noncollapsed peer group based on bed size and MSA group. For rate year 2011-2012, the phase-out median equaled 25% of the interim median plus 75% of the median calculated in accordance with 55 Pa. Code § 1187.98(b)(4).

To calculate the resident care cost medians, the Department divided the inflated audited allowable resident care costs for each cost report by the total facility case-mix index from the available February 1 picture date closest to the midpoint of the cost report period to obtain case-mix neutral total resident care cost for the cost report year. The Department then divided the case-mix neutral total resident care cost for each cost report by the total audited actual resident days for the cost report year to obtain the resident care cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the case-mix neutral resident care cost per diem for each nursing facility to obtain the average case-mix neutral resident care cost per diem of each facility. The Department arrayed the average case-mix neutral resident care cost per diem for each nursing facility within the respective peer groups and determined an interim median, a median and a phase-out median for each peer group.

To calculate the other resident related cost medians, the Department first divided the inflated audited allowable other resident related costs for each cost report by the total audited actual resident days for the cost report year to obtain the other resident related cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the other resident related cost for each nursing facility to obtain the average other resident related cost per diem of each facility. The Department arrayed the average other resident related cost per diem for each nursing facility within the respective peer groups and determined an interim median, a median and a phase-out median for each peer group.

To calculate the administrative cost medians, the Department adjusted, as appropriate, the total audited actual resident days for each cost report to a minimum 90% occupancy in accordance with 55 Pa. Code § 1187.23 (relating to nursing facility incentives and adjustments). The Department then divided the inflated audited allow-

able administrative cost for each cost report by the total audited actual resident days, adjusted to 90% occupancy, if applicable, to obtain the administrative cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the administrative cost for each nursing facility to obtain the average administrative cost per diem of each facility. The Department arrayed the average administrative cost per diem for each nursing facility within the respective peer groups to determine an interim median, a median and a phase-out median for each peer group.

After the medians were determined for each peer group in accordance with 55 Pa. Code § 1187.98, the Department set prices using the medians. To set peer group prices, the Department multiplied the resident care cost median of each peer group by 1.17 to obtain the resident care cost peer group price; multiplied the other resident related cost median of each peer group by 1.12 to obtain the other resident related peer group price; and multiplied the administrative cost median of each peer group by 1.04 to obtain the administrative cost peer group price.

The peer groups, peer group medians and peer group prices of nonpublic and county nursing facilities, hospital-based and SRFs for Year 17 are in the list of Medians and Prices for 2011-2012.

A Medical Assistance nursing facility provider may file an administrative appeal if the facility believes that the Department made any errors or the provider otherwise disagrees with the Year 17 peer group prices that the Department established for its peer group. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals (BHA), 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of this notice. If a provider chooses to appeal, the provider will be afforded the opportunity for a de novo hearing before the BHA. The peer group prices applied in setting the facility's rates may be changed as a result of the final adjudication of the facility's peer group price appeal. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals), and to the Department's regulations in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures), for more detail regarding their appeal rights and the requirements related to their written appeals.

#### *Fiscal Impact*

There is no fiscal impact associated with this change in FY 2011-2012.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Appendix B  
 MEDIAN AND PRICES FOR 2011-2012**

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
1		BROOMALL REHAB AND NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
1		CARE PAVILION OF WALNUT PARK, INC	6/30/2009	6/30/2008	6/30/2007
1	Yes	FAIR ACRES GERIATRIC CENTER	12/31/2008	12/31/2007	12/31/2006
1	Yes	FRIENDSHIP RIDGE	12/31/2008	12/31/2007	12/31/2006
1		IMMACULATE MARY HOME	6/30/2009	6/30/2008	6/30/2007
1	Yes	JOHN J KANE REGIONAL CENTER-MCKEESPORT	12/31/2008	12/31/2007	12/31/2006
1	Yes	JOHN J KANE REGIONAL CENTER-SCOTT TOWNSHIP	12/31/2008	12/31/2007	12/31/2006
1		MADLYN AND LEONARD ABRAMSON CENTER	6/30/2009	6/30/2008	6/30/2007
1	Yes	NESHAMINY MANOR HOME	12/31/2008	12/31/2007	12/31/2006
1	Yes	PARKHOUSE, PROVIDENCE POINTE	12/31/2008	12/31/2007	12/31/2006
1	Yes	PHILADELPHIA NURSING HOME	12/31/2008	12/31/2007	12/31/2006
1	Yes	POCOPSON HOME	12/31/2008	12/31/2007	12/31/2006
1		SAINT FRANCIS COUNTRY HOUSE	6/30/2009	6/30/2008	6/30/2007
1		ST JOHN SPECIALTY CARE CENTER	6/30/2009	6/30/2008	6/30/2007
1		ST JOSEPH'S MANOR (DBA ENTITY OF HRHS)	6/30/2009	6/30/2008	6/30/2007
1	Yes	WASHINGTON COUNTY HEALTH CENTER	12/31/2008	12/31/2007	12/31/2006
1	Yes	WESTMORELAND MANOR	12/31/2008	12/31/2007	12/31/2006
<i>PG1 With County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$164.32	\$55.39	\$22.47	
<i>PG1 Without County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$155.88	\$48.14	\$23.55	
<i>PG1 Final Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$157.99	\$49.95	\$23.28	
<i>PG1 Final Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$184.85	\$55.94	\$24.21	
<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2		ANDORRA WOODS HEALTHCARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		ASBURY HEALTH CENTER	12/31/2008	12/31/2007	12/31/2006
2		ATTLEBORO NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
2		BALA NURSING AND RETIREMENT CENTER	6/30/2009	6/30/2008	6/30/2007
2		BALDOCK HEALTH CARE CENTER	6/30/2009	6/30/2008	6/30/2007
2		BALDWIN HEALTH CENTER	6/30/2009	6/30/2008	6/30/2007
2		BAPTIST HOMES OF WESTERN PENNSYLVANIA	6/30/2009	6/30/2008	6/30/2007

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2		BEAVER VALLEY NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
2		BRANDYWINE HALL	6/30/2009	6/30/2008	6/30/2007
2		BRIARCLIFF PAVILION FOR SPECIALIZED CARE	12/31/2008	12/31/2007	12/31/2006
2		BRIARLEAF NURSING AND CONVAL CENTER	6/30/2009	6/30/2008	6/30/2007
2		BRIGHTEN AT BRYN MAWR	6/30/2009	6/30/2008	6/30/2007
2		BROOKSIDE HEALTHCARE AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
2		BROOMALL MANOR	6/30/2007	6/30/2006	6/30/2005
2		BROOMALL PRESBYTERIAN VILLAGE	12/31/2008	12/31/2007	12/31/2006
2		BUCKINGHAM VALLEY REHAB AND NURSING CTR	6/30/2009	6/30/2007	6/30/2006
2		CARING HEART REHAB AND NURSING CENTER	6/30/2008	6/30/2007	6/30/2006
2		CARING HEIGHTS COMMUNITY CARE & REHAB	12/31/2008	12/31/2007	6/30/2006
2		CATHEDRAL VILLAGE	6/30/2009	6/30/2008	6/30/2007
2		CENTENNIAL VILLAGE	12/31/2008	12/31/2007	12/31/2006
2		CHAPEL MANOR	6/30/2009	6/30/2008	6/30/2007
2		CHARLES M. MORRIS NURSING AND REHAB CTR	6/30/2009	6/30/2008	6/30/2007
2		CHATHAM ACRES	12/31/2008	12/31/2007	6/30/2005
2		CHELTENHAM NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
2		CHELTENHAM YORK ROAD NSG & REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
2		CHERRY TREE NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
2		CHESTER VALLEY REHAB AND NURSING CENTER	6/30/2008	6/30/2007	6/30/2006
2		CHESTNUT HILL LODGE HEALTH AND REHAB CTR	12/31/2008	12/31/2007	12/31/2006
2		CLIVEDEN CONVALESCENT CENTER	6/30/2009	6/30/2008	6/30/2007
2		COMMONS AT SQUIRREL HILL	12/31/2008	12/31/2007	12/31/2006
2		CONCORDIA LUTHERAN HEALTH AND HUMAN CARE	6/30/2009	6/30/2008	6/30/2007
2		CONSULATE HEALTH CARE OF CHESWICK	12/31/2008	12/31/2007	6/30/2006
2		COUNTRY MEADOWS OF SOUTH HILLS	12/31/2008	12/31/2007	12/31/2006
2		CRANBERRY PLACE	6/30/2009	6/30/2008	6/30/2007
2		CRESTVIEW CENTER	6/30/2009	6/30/2008	6/30/2007
2		DEER MEADOWS RETIREMENT COMMUNITY	6/30/2009	6/30/2008	6/30/2007
2		ELKINS CREST HEALTH AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
2		EVANGELICAL MANOR	12/31/2008	12/31/2007	12/31/2006
2		FAIRVIEW CARE CENTER OF BETHLEHEM PIKE	6/30/2009	6/30/2008	6/30/2007

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2		FAIRVIEW CARE CENTER OF PAPERMILL ROAD	6/30/2009	6/30/2008	6/30/2007
2		FORBES ROAD NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
2		GARDEN SPRING CENTER	6/30/2009	6/30/2008	6/30/2007
2		GERMANTOWN HOME	6/30/2009	6/30/2008	6/30/2007
2		GLENDALE UPTOWN HOME	12/31/2008	12/31/2007	6/30/2006
2		GOLDEN LIVINGCENTER-DOYLESTOWN	12/31/2008	12/31/2007	12/31/2005
2		GOLDEN LIVINGCENTER-LANSDALE	12/31/2008	12/31/2007	12/31/2005
2		GOLDEN LIVINGCENTER-MONROEVILLE	12/31/2008	12/31/2007	12/31/2005
2		GOLDEN LIVINGCENTER-MT LEBANON	12/31/2008	12/31/2007	12/31/2005
2		GOLDEN LIVINGCENTER-MURRYSVILLE	12/31/2008	12/31/2007	12/31/2005
2		GOLDEN LIVINGCENTER-PHOENIXVILLE	12/31/2008	12/31/2007	12/31/2005
2		GOLDEN LIVINGCENTER-UNIONTOWN	12/31/2008	12/31/2007	12/31/2005
2		GREENERY SPECIALTY CARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		GREENLEAF NURSING HOME AND CONVAL CENTER	6/30/2009	6/30/2008	6/30/2007
2		GREENSBURG CARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		GWYNEDD SQUARE CTR FOR NSG & CONVAL CARE	6/30/2009	6/30/2008	6/30/2007
2		HARMAR VILLAGE CARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		HARSTON HALL	6/30/2009	6/30/2008	6/30/2007
2		HEARTLAND HEALTH CARE CENTER(PITTSBURGH)	6/30/2009	6/30/2007	6/30/2006
2		HEMPFIELD MANOR	12/31/2009	12/31/2008	12/31/2007
2		HIGHLAND PARK CARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		HILLCREST CENTER	6/30/2009	6/30/2008	6/30/2007
2		HUMBERT LANE NURSING AND REHAB CENTRE	6/30/2009	6/30/2008	6/30/2007
2		IVY HILL REHABILITATION AND NURSING CTR	6/30/2009	6/30/2007	6/30/2006
2	Yes	JOHN J KANE REGIONAL CENTER-GLEN HAZEL	12/31/2008	12/31/2007	12/31/2006
2	Yes	JOHN J KANE REGIONAL CENTER-ROSS TWNSHP	12/31/2008	12/31/2007	12/31/2006
2		LAFAYETTE-REDEEMER (DBA ENTITY OF HRHS)	6/30/2009	6/30/2008	6/30/2007
2		LANGHORNE GARDENS REHAB AND NURSING CTR	6/30/2009	6/30/2008	6/30/2007
2		LGAR HEALTH AND REHABILITATION CENTER	12/31/2008	12/31/2007	12/31/2006
2		LIBERTY COURT, GENESIS ELDERCARE NETWORK	6/30/2009	6/30/2008	6/30/2007
2		LIFEQUEST NURSING CENTER	6/30/2009	6/30/2008	6/30/2007



<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2		LITTLE FLOWER MANOR	6/30/2009	6/30/2008	6/30/2007
2		LUTHER WOODS CONVALESCENT CENTER	12/31/2008	12/31/2007	12/31/2006
2		MAJESTIC OAKS	6/30/2009	6/30/2008	6/30/2007
2		MANATAWNY MANOR INC	12/31/2008	6/30/2006	6/30/2005
2		MANORCARE HEALTH SVCS-BETHEL PARK	12/31/2009	12/31/2008	12/31/2006
2		MANORCARE HEALTH SVCS-GREEN TREE	12/31/2009	12/31/2008	12/31/2006
2		MANORCARE HEALTH SVCS-HUNTINGDON VALLEY	12/31/2008	12/31/2006	12/31/2005
2		MANORCARE HEALTH SVCS-KING OF PRUSSIA	12/31/2009	12/31/2008	12/31/2006
2		MANORCARE HEALTH SVCS-LANSDALE	12/31/2008	12/31/2006	12/31/2005
2		MANORCARE HEALTH SVCS-MCMURRAY	12/31/2008	12/31/2006	12/31/2005
2		MANORCARE HEALTH SVCS-MERCY FITZGERALD	6/30/2009	6/30/2008	6/30/2007
2		MANORCARE HEALTH SVCS-MONROEVILLE	12/31/2008	12/31/2006	12/31/2005
2		MANORCARE HEALTH SVCS-NORTH HILLS	12/31/2009	12/31/2008	12/31/2006
2		MANORCARE HEALTH SVCS-POTTSTOWN	12/31/2008	12/31/2006	12/31/2005
2		MANORCARE HEALTH SVCS-WHITEHALL BOROUGH	12/31/2008	12/31/2006	12/31/2005
2		MANORCARE HEALTH SVCS-YARDLEY	12/31/2008	12/31/2006	12/31/2005
2		MANORCARE HEALTH SVCS-YEADON	12/31/2008	12/31/2006	12/31/2005
2		MAPLEWOOD MANOR CENTER	6/30/2009	6/30/2008	6/30/2007
2		MARIAN MANOR CORPORATION	6/30/2009	6/30/2008	6/30/2007
2		MASONIC VILLAGE AT SEWICKLEY	12/31/2008	12/31/2007	12/31/2006
2		MOUNT MACRINA MANOR NURSING HOME	6/30/2009	6/30/2008	6/30/2007
2		MOUNTAINVIEW SPECIALTY CARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		OAKWOOD HEALTHCARE & REHABILITATION CTR	6/30/2009	6/30/2007	6/30/2006
2		OXFORD HEALTH CENTER	12/31/2008	12/31/2007	12/31/2006
2		PARK PLEASANT HEALTH CARE FACILITY	6/30/2009	6/30/2008	6/30/2007
2		PASSAVANT RETIREMENT AND HEALTH CENTER	6/30/2009	6/30/2008	6/30/2007
2		PAUL'S RUN	12/31/2008	12/31/2007	12/31/2006
2		PEMBROOKE HEALTH AND REHAB RESIDENCE	6/30/2009	6/30/2008	6/30/2007
2		PENN CENTER FOR REHABILITATION AND CARE	6/30/2009	6/30/2008	6/30/2007
2		PENNSBURG MANOR	6/30/2009	6/30/2008	6/30/2007

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2		PHILADELPHIA PROTESTANT HOME	12/31/2008	12/31/2007	12/31/2006
2		PHOEBE RICHLAND HCC	6/30/2009	6/30/2008	6/30/2007
2		PINE RUN HEALTH CENTER	6/30/2009	6/30/2008	6/30/2007
2		PROSPECT PARK HEALTH AND REHAB RESIDENCE	6/30/2009	6/30/2008	6/30/2007
2		PROVIDENCE CARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		QUAKERTOWN CENTER	12/31/2009	12/31/2008	12/31/2007
2		REGINA COMMUNITY NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
2		REHAB & NURSING CTR GREATER PITTSBURGH	12/31/2008	12/31/2007	12/31/2005
2		RITTENHOUSE PINE CENTER	6/30/2009	6/30/2008	6/30/2007
2		RIVER'S EDGE NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
2		RIVERSIDE CARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		ROCHESTER MANOR	12/31/2008	12/31/2007	12/31/2006
2		RYDAL PARK OF PHILADELPHIA PRSBYTR HOMES	12/31/2008	12/31/2007	12/31/2006
2		SAINT ANNE HOME	6/30/2009	6/30/2008	6/30/2007
2		SAINT IGNATIUS NURSING HOME	6/30/2009	6/30/2008	6/30/2007
2		SAINT JOHN NEUMANN NURSING HOME	6/30/2009	6/30/2008	6/30/2007
2		SAINT MARTHA MANOR	6/30/2009	6/30/2008	6/30/2007
2		SAINT MARY'S MANOR	6/30/2009	6/30/2008	6/30/2007
2		SANATOGA CENTER	6/30/2009	6/30/2008	6/30/2007
2		SAUNDERS HOUSE	6/30/2009	6/30/2008	6/30/2007
2		SENECA PLACE	6/30/2009	6/30/2008	6/30/2007
2		SHADYSIDE NURSING AND REHAB CENTER	6/30/2009	6/30/2007	6/30/2006
2		SILVER LAKE CENTER	6/30/2008	6/30/2007	6/30/2006
2		SILVER STREAM CENTER	6/30/2009	6/30/2008	6/30/2007
2		SIMPSON HOUSE, INC	12/31/2008	12/31/2007	12/31/2006
2		SOMERTON CENTER	6/30/2009	6/30/2008	6/30/2007
2		SOUTHMONT OF PRESBYTERIAN SENIORCARE	12/31/2009	12/31/2008	12/31/2007
2		SPRINGS AT THE WATERMARK, THE	12/31/2008	12/31/2007	6/30/2006
2		ST. BARNABAS NURSING HOME	12/31/2008	12/31/2007	12/31/2006
2		ST. MONICA MANOR	6/30/2009	6/30/2008	6/30/2007
2		STERLING HEALTH CARE AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
2		SUBURBAN WOODS HEALTH AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2005
2	Yes	SUNNYVIEW NURSING AND REHABILITATION CTR	12/31/2008	12/31/2007	12/31/2006
2		TEL HAI RETIREMENT COMMUNITY	6/30/2009	6/30/2008	6/30/2007
2		THE BELVEDERE CENTER, GENESIS HEALTHCARE	6/30/2009	6/30/2008	6/30/2007

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2		TOWNE MANOR EAST	12/31/2008	12/31/2007	12/31/2006
2		TUCKER HOUSE	6/30/2009	6/30/2008	6/30/2007
2		UPMC HERITAGE PLACE	6/30/2009	6/30/2008	6/30/2007
2		VALLEY MANOR NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
2		VILLA SAINT JOSEPH OF BADEN INC.	6/30/2009	6/30/2008	6/30/2007
2		VILLAGE AT PENNWOOD	12/31/2008	12/31/2007	12/31/2005
2		VINCENTIAN HOME	6/30/2009	6/30/2008	6/30/2007
2		VINCENTIAN REGENCY	6/30/2009	6/30/2008	6/30/2007
2		WALLINGFORD NURSING AND REHAB CENTER	6/30/2009	6/30/2007	6/30/2006
2		WESLEY ENHANCED LIVING AT STAPELY	6/30/2009	6/30/2008	6/30/2007
2		WEST HAVEN MANOR	6/30/2009	6/30/2008	6/30/2007
2		WEST HILLS HEALTH AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
2		WEXFORD HOUSE NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
2		WILLIAM PENN CARE CENTER	12/31/2008	12/31/2007	12/31/2006
2		WILLOW RIDGE CENTER	12/31/2009	12/31/2008	12/31/2007
2		WILLOW TERRACE	6/30/2009	6/30/2008	6/30/2007
2		WILLOWS OF PRESBYTERIAN SENIORCARE, THE	12/31/2009	12/31/2008	12/31/2007
2		WOODHAVEN CARE CENTER	12/31/2008	12/31/2007	12/31/2006
<i>PG2 With County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$137.95	\$40.71	\$23.12	
<i>PG2 Without County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$137.68	\$40.52	\$23.23	
<i>PG2 Final Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$137.75	\$40.57	\$23.20	
<i>PG2 Final Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$161.17	\$45.44	\$24.13	

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3		58TH STREET PRESBYTERIAN HOME, THE	12/31/2008	12/31/2007	12/31/2006
3		ARTMAN LUTHERAN HOME	6/30/2009	6/30/2008	6/30/2007
3		AUTUMN GROVE CARE CENTER	6/30/2009	6/30/2008	6/30/2007
3		BARCLAY FRIENDS	12/31/2008	12/31/2007	12/31/2006
3		BEAVER ELDER CARE AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
3		BELAIR HEALTH AND REHABILITATION CENTER	6/30/2009	6/30/2008	6/30/2007
3		BELLE HAVEN	12/31/2008	12/31/2007	12/31/2006
3		BETHLEN HM OF THE HUNGARIAN RFRMD FED	12/31/2008	12/31/2007	12/31/2006
3		BRIGHTEN AT AMBLER	6/30/2009	6/30/2008	6/30/2007

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3		BRINTON MANOR	12/31/2009	12/31/2008	12/31/2007
3		CANTERBURY PLACE	12/31/2008	12/31/2007	12/31/2006
3		CEDARS OF MONROEVILLE, THE	12/31/2008	12/31/2007	12/31/2006
3		CHANDLER HALL HEALTH SERVICES INC	12/31/2008	12/31/2007	12/31/2006
3		CHICORA MEDICAL CENTER	6/30/2009	6/30/2008	6/30/2007
3		CHRIST'S HOME RETIREMENT CENTER	6/30/2009	6/30/2008	6/30/2007
3		CONNER-WILLIAMS NURSING HOME	6/30/2009	6/30/2008	6/30/2007
3		CONSULATE HEALTH CARE OF NORTH STRABANE	12/31/2008	12/31/2007	12/31/2006
3		COVENTRY MANOR NURSING HOME	12/31/2008	12/31/2007	12/31/2006
3		DOCK TERRACE	6/30/2009	6/30/2008	6/30/2007
3		DRESHER HILL HEALTH AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
3		EDGEHILL NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
3		ELDERCREST NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
3		ELM TERRACE GARDENS	6/30/2009	6/30/2008	6/30/2007
3		EVERGREEN NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
3		FAIR WINDS MANOR	6/30/2009	6/30/2008	6/30/2007
3		FREDERICK MENNONITE COMMUNITY	12/31/2008	12/31/2007	12/31/2006
3		FRIENDSHIP VILLAGE OF SOUTH HILLS	12/31/2008	12/31/2007	12/31/2006
3		GOLDEN LIVINGCENTER-OAKMONT	12/31/2008	12/31/2007	12/31/2005
3		GOLDEN LIVINGCENTER-ROSEMONT	12/31/2008	12/31/2007	12/31/2005
3		GOLDEN LIVINGCENTER-SOUTH HILLS	12/31/2008	12/31/2007	12/31/2005
3		GOLDEN LIVINGCENTER-STENTON	12/31/2008	12/31/2007	12/31/2005
3		HARMON HOUSE CARE CENTER	12/31/2008	12/31/2007	12/31/2006
3		HAVENCREST NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
3		HENRY CLAY VILLA, LP	12/31/2008	12/31/2006	12/31/2005
3		HERITAGE TOWERS	12/31/2008	12/31/2007	12/31/2006
3		HICKORY HOUSE NURSING HOME	12/31/2008	12/31/2007	12/31/2006
3		HIGHLAND CENTER, GENESIS ELDERCARE NTRWK	6/30/2009	6/30/2008	6/30/2007
3		HOLY FAMILY HOME	12/31/2008	12/31/2007	12/31/2006
3		HOPKINS CENTER	12/31/2009	12/31/2008	12/31/2007
3		JEFFERSON HILLS MANOR	12/31/2008	12/31/2007	12/31/2006
3		KADE NURSING HOME	12/31/2008	12/31/2007	12/31/2006
3		KEARSLEY LONG TERM CARE CENTER II	6/30/2008	6/30/2007	6/30/2006
3		LAFAYETTE MANOR, INC	12/31/2008	12/31/2007	12/31/2006

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3		LATROBE HEALTH AND REHABILITATION CENTER	6/30/2009	6/30/2008	6/30/2007
3		LAUREL RIDGE CENTER	6/30/2009	6/30/2008	6/30/2007
3		LAWSON NURSING HOME, INC.	12/31/2008	12/31/2007	12/31/2006
3		LITTLE SISTERS OF THE POOR	12/31/2008	12/31/2007	12/31/2006
3		LOYALHANNA CARE CENTER	12/31/2008	12/31/2007	12/31/2006
3		LUTHERAN COMMUNITY AT TELFORD	6/30/2009	6/30/2008	6/30/2007
3		MARWOOD REST HOME, INC	6/30/2009	6/30/2008	6/30/2007
3		MASONIC VILLAGE AT LAFAYETTE HILL	12/31/2008	12/31/2007	12/31/2006
3		MASONIC VILLAGE AT WARMINSTER	12/31/2008	12/31/2007	12/31/2006
3		MCMURRAY HILLS MANOR	6/30/2009	6/30/2008	6/30/2007
3		MEADOWCREST NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
3		MEADOWS AT MARTINS RUN, THE	12/31/2008	12/31/2007	12/31/2006
3		MON VALLEY CARE CENTER	12/31/2008	12/31/2007	12/31/2006
3		NAAMANS CREEK COUNTRY MANOR	6/30/2009	6/30/2008	6/30/2007
3		NORTH HILLS HEALTH AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
3		OAK HILL NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
3		PENNYPACK CENTER	12/31/2009	12/31/2008	12/31/2007
3		PETER BECKER COMMUNITY	6/30/2009	6/30/2008	6/30/2007
3		PHOEBE WYNCOTE	6/30/2009	6/30/2008	6/30/2007
3		PICKERING MANOR HOME	6/30/2009	6/30/2008	6/30/2007
3		REDSTONE HIGHLANDS HEALTH CARE CENTER	6/30/2009	6/30/2008	6/30/2007
3		REFORMED PRESBYTERIAN HOME	12/31/2008	12/31/2007	12/31/2006
3		RICHBORO REHAB AND NURSING CENTER	6/30/2009	6/30/2007	6/30/2006
3		ROCKHILL MENNONITE COMMUNITY	6/30/2009	6/30/2008	6/30/2007
3		SAINT JOSEPH VILLA	6/30/2009	6/30/2008	6/30/2007
3		SAXONY HEALTH CENTER	12/31/2008	12/31/2007	12/31/2006
3		SCOTTDAL MANOR REHABILITATION CENTER	12/31/2008	12/31/2007	12/31/2006
3		SHERWOOD OAKS	6/30/2009	6/30/2008	6/30/2007
3		SKY VUE TERRACE	6/30/2009	6/30/2007	6/30/2006
3		SOUDERTON MENNONITE HOMES	6/30/2009	6/30/2008	6/30/2007
3		SOUTH FAYETTE NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
3		SOUTHWESTERN NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
3		STATESMAN HEALTH AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
3		TOWNE MANOR WEST	12/31/2008	12/31/2007	12/31/2006

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3		TOWNVIEW HEALTH AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
3		VALENCIA WOODS AT ST BARNABAS	12/31/2008	12/31/2007	12/31/2006
3		VINCENTIAN DE MARILLAC	6/30/2009	6/30/2008	6/30/2007
3		WAYNE CENTER	6/30/2009	6/30/2008	6/30/2007
3		WESTGATE REHABILITATION AND NURSING CTR	6/30/2008	6/30/2007	6/30/2006
3		WILLOWBROOKE COURT AT BRITTANY POINTE	12/31/2008	12/31/2007	12/31/2006
<i>PG3 With County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$130.38	\$43.43	\$23.43	
<i>PG3 Without County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$130.38	\$43.43	\$23.43	
<i>PG3 Final Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$130.38	\$43.43	\$23.43	
<i>PG3 Final Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$152.54	\$48.64	\$24.37	

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4		ALLIED SERVICES SKILLED NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
4	Yes	BERKS HEIM	12/31/2008	12/31/2007	12/31/2006
4		CAMBRIA CARE CENTER	12/31/2008	12/31/2007	12/31/2006
4	Yes	CEDAR HAVEN	12/31/2008	12/31/2007	12/31/2006
4	Yes	CEDARBROOK NURSING HOMES	12/31/2008	12/31/2007	12/31/2006
4	Yes	CLAREMONT NRC OF CUMBERLAND COUNTY	12/31/2008	12/31/2007	12/31/2006
4		COLONIAL MANOR NURSING HOME	12/31/2008	12/31/2007	12/31/2006
4		CONESTOGA VIEW	12/31/2008	12/31/2007	12/31/2006
4		CROSS KEYS VILLAGE-BRETHREN HM COMM, THE	6/30/2009	6/30/2008	6/30/2007
4		GOLDEN LIVINGCENTER-WEST SHORE	12/31/2008	12/31/2007	12/31/2005
4	Yes	GRACEDALE - NORTHAMPTON COUNTY HOME	12/31/2008	12/31/2007	12/31/2006
4		LACKAWANNA HEALTH AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
4		MASONIC VILLAGE AT ELIZABETHTOWN	12/31/2008	12/31/2007	12/31/2006
4		MOUNTAIN CITY NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2005
4		MOUNTAIN VIEW, A NURSING AND REHAB CTR	12/31/2008	12/31/2007	12/31/2006
4		PHOEBE HOME, INC	6/30/2009	6/30/2008	6/30/2007
4	Yes	PLEASANT ACRES NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4	Yes	PLEASANT RIDGE MANOR EAST/WEST	12/31/2008	12/31/2007	12/31/2006
4		SPRING CREEK REHAB AND HEALTH CARE CTR	12/31/2008	12/31/2007	12/31/2005
4		TIMBER RIDGE HEALTH CENTER	12/31/2008	12/31/2007	12/31/2005
<i>PG4 With County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$163.56	\$55.11	\$21.06	
<i>PG4 Without County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$158.11	\$55.25	\$20.70	
<i>PG4 Final Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$159.47	\$55.22	\$20.79	
<i>PG4 Final Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$186.58	\$61.85	\$21.62	
<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5		ABINGTON MANOR	12/31/2009	12/31/2008	12/31/2007
5		BERKSHIRE CENTER	6/30/2009	6/30/2008	6/30/2007
5		BERWICK RETIREMENT VILLAGE NRSNG CTR II	6/30/2009	6/30/2008	6/30/2007
5		BIRCHWOOD NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
5		BLOOMSBURG HEALTH CARE CENTER	6/30/2009	6/30/2008	6/30/2007
5		BRETHREN VILLAGE	6/30/2009	6/30/2008	6/30/2007
5		COLONIAL PARK CARE CENTER	12/31/2008	12/31/2007	12/31/2006
5		CORRY MANOR	12/31/2009	12/31/2008	12/31/2007
5		EASTON NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
5		EDINBORO MANOR	12/31/2009	12/31/2008	12/31/2007
5		EPHRATA MANOR	12/31/2008	12/31/2007	12/31/2006
5		FAIRMOUNT HOMES	6/30/2009	6/30/2008	6/30/2007
5		FAIRVIEW MANOR	12/31/2009	12/31/2008	12/31/2007
5		FELLOWSHIP MANOR	6/30/2009	6/30/2008	6/30/2007
5		FREY VILLAGE	12/31/2008	12/31/2007	12/31/2006
5		GOLDEN LIVINGCENTER-EAST MOUNTAIN	12/31/2008	12/31/2007	12/31/2005
5		GOLDEN LIVINGCENTER-LANCASTER	12/31/2008	12/31/2007	12/31/2005
5		GOLDEN LIVINGCENTER-READING	12/31/2008	12/31/2007	12/31/2005
5		GOLDEN LIVINGCENTER-SCRANTON	12/31/2008	12/31/2007	12/31/2005
5		GOLDEN LIVINGCENTER-SUMMIT	12/31/2008	12/31/2007	12/31/2005
5		GOLDEN LIVINGCENTER-TUNKHANNOCK	12/31/2008	12/31/2007	12/31/2005
5		GOLDEN LIVINGCENTER-WESTERN RESERVE	12/31/2008	12/31/2007	12/31/2005
5		HANOVER HALL	12/31/2008	12/31/2007	12/31/2006

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5		HARRISON SENIOR LIVING OF CHRISTIANA	12/31/2008	12/31/2007	12/31/2006
5		HIGHLAND MANOR NURSING AND CONVAL CENTER	6/30/2009	6/30/2008	6/30/2007
5		HOLY FAMILY MANOR	12/31/2008	12/31/2007	12/31/2006
5		HOMEWOOD AT PLUM CREEK	12/31/2008	12/31/2007	12/31/2006
5		JEWISH HOME OF EASTERN PENNSYLVANIA	12/31/2008	12/31/2007	12/31/2006
5		JEWISH HOME OF GREATER HARRISBURG	6/30/2009	6/30/2008	6/30/2007
5		KINGSTON COMMONS	12/31/2008	12/31/2007	12/31/2006
5		KUTZTOWN MANOR	6/30/2009	6/30/2008	6/30/2007
5		LANCASHIRE HALL	12/31/2008	12/31/2007	12/31/2006
5		LAUREL CENTER	12/31/2009	12/31/2008	12/31/2007
5		LEBANON VALLEY BRETHERN HOME	12/31/2008	12/31/2007	12/31/2006
5		LEHIGH CENTER	6/30/2009	6/30/2008	6/30/2007
5		LIBERTY NURSING AND REHAB CENTER	6/30/2009	6/30/2006	6/30/2005
5		LITTLE FLOWER MANOR OF DIOCESE SCRANTON	12/31/2008	12/31/2007	12/31/2006
5		LUTHERAN HOME AT TOPTON	12/31/2008	12/31/2006	12/31/2005
5		MAHONING VALLEY NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
5		MANORCARE HEALTH SVCS-ALLENTOWN	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-BETHLEHEM (2021)	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-BETHLEHEM (2029)	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-CAMP HILL	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-CARLISLE	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-DALLASTOWN	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-EASTON	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-KINGSTON	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-KINGSTON COURT	6/30/2009	6/30/2007	6/30/2006
5		MANORCARE HEALTH SVCS-LANCASTER	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-LAURELDALE	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-LEBANON	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-SINKING SPRING	12/31/2008	12/31/2006	12/31/2005
5		MANORCARE HEALTH SVCS-WEST READING NORTH	12/31/2008	12/31/2006	12/31/2005



## NOTICES

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5		MANORCARE HEALTH SVCS-YORK NORTH	6/30/2009	6/30/2007	6/30/2006
5		MANORCARE HEALTH SVCS-YORK SOUTH	6/30/2009	6/30/2007	6/30/2006
5		MEADOWS NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
5		MENNONITE HOME, THE	6/30/2009	6/30/2008	6/30/2007
5		MESSIAH VILLAGE	6/30/2009	6/30/2008	6/30/2007
5		MIFFLIN CENTER	12/31/2009	12/31/2008	12/31/2007
5		MORAVIAN MANOR	12/31/2008	12/31/2007	12/31/2006
5		MOUNTAIN VIEW CARE CENTER	6/30/2009	6/30/2008	6/30/2007
5		OLD ORCHARD HEALTH CARE CENTER	12/31/2008	12/31/2006	12/31/2005
5		ORANGEVILLE NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
5		PHOEBE BERKS HEALTH CARE CENTER, INC	6/30/2009	6/30/2008	6/30/2007
5		PLEASANT VIEW RETIREMENT COMMUNITY	12/31/2008	12/31/2007	12/31/2006
5		PRESQUE ISLE REHAB & NURSING CENTER	12/31/2008	12/31/2007	12/31/2005
5		QUARRYVILLE PRESBYTERIAN RETIRMENT COMM	6/30/2009	6/30/2008	6/30/2007
5		REST HAVEN-YORK	6/30/2009	6/30/2008	6/30/2007
5		RIVERSIDE REHABILITATION AND NURSING CTR	12/31/2008	6/30/2007	6/30/2006
5		RIVERSTREET MANOR	12/31/2009	12/31/2008	12/31/2007
5		SAINT ANNE'S RETIREMENT COMMUNITY	6/30/2009	6/30/2008	6/30/2007
5		SAINT MARY'S EAST	12/31/2008	12/31/2007	12/31/2006
5		SHIPPENSBURG HEALTH CARE CENTER	12/31/2008	12/31/2007	12/31/2006
5		SLATE BELT NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
5		SPRUCE MANOR NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
5		STONERIDGE TOWNE CENTRE	12/31/2008	12/31/2007	12/31/2006
5		SUSQUEHANNA VALLEY NURSING AND REHAB CTR	12/31/2008	12/31/2007	12/31/2006
5		THE MANOR AT PERRY VILLAGE	12/31/2008	12/31/2007	12/31/2006
5		THE MANOR AT SUSQUEHANNA VILLAGE	12/31/2008	12/31/2007	12/31/2006
5		THE PAVILION AT ST LUKE VILLAGE	12/31/2008	12/31/2007	12/31/2006
5		TWINBROOK MEDICAL CENTER	6/30/2009	6/30/2007	6/30/2006
5		WEATHERWOOD NURSING HOME AND REHAB CTR	12/31/2008	12/31/2007	12/31/2006
5		WESLEY VILLAGE	12/31/2008	12/31/2007	12/31/2006
<i>PG5 With County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$131.28	\$36.83	\$20.62	
<i>PG5 Without County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$131.28	\$36.83	\$20.62	

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<i>PG5 Final Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$131.28	\$36.83	\$20.62
<i>PG5 Final Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$153.60	\$41.25	\$21.44

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6		ABINGTON CREST NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
6		AUDUBON VILLA	12/31/2008	12/31/2007	12/31/2006
6		BALANCED CARE BLOOMSBURG	12/31/2008	12/31/2007	6/30/2006
6		BALL PAVILION, THE	6/30/2009	6/30/2008	6/30/2007
6		BARBARA J. EGAN NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
6		BELLE REVE HEALTH CARE CENTER	12/31/2008	12/31/2007	12/31/2006
6		BETHANY VILLAGE RETIREMENT CENTER	12/31/2008	12/31/2007	12/31/2005
6		BONHAM NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
6		BUTLER VALLEY MANOR	12/31/2008	12/31/2007	12/31/2006
6		CALVARY FELLOWSHIP HOMES, INC	6/30/2009	6/30/2008	6/30/2007
6		CARBONDALE NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
6		CHAPEL POINTE AT CARLISLE	12/31/2008	12/31/2007	12/31/2006
6		CHURCH OF GOD HOME, INC	12/31/2008	12/31/2007	12/31/2006
6		CORNWALL MANOR	12/31/2008	12/31/2007	12/31/2006
6		COUNTRY MEADOWS NURSING CENTER-BETHLEHEM	12/31/2008	12/31/2007	12/31/2006
6		COUNTRYSIDE CHRISTIAN COMMUNITY	12/31/2008	12/31/2007	12/31/2006
6		COURTYARD GARDENS NURSING AND REHAB CTR	12/31/2008	12/31/2007	12/31/2006
6		CUMBERLAND CROSSINGS RETIREMENT COMM	12/31/2008	12/31/2007	12/31/2006
6		DENVER NURSING HOME	12/31/2008	12/31/2007	12/31/2006
6		DUNMORE HEALTH CARE CENTER	12/31/2008	6/30/2007	6/30/2006
6		FOREST PARK HEALTH CENTER	12/31/2008	12/31/2006	12/31/2005
6		FORESTVIEW	12/31/2008	12/31/2007	6/30/2006
6		GOLDEN LIVINGCENTER-BLUE RIDGE MOUNTAIN	12/31/2008	12/31/2007	12/31/2005
6		GOLDEN LIVINGCENTER-CAMP HILL	12/31/2008	12/31/2007	12/31/2005
6		GOLDEN LIVINGCENTER-WALNUT CREEK	12/31/2008	12/31/2007	12/31/2005
6		GREEN RIDGE HEALTH CARE CENTER, LLC	12/31/2008	12/31/2007	12/31/2006
6		GUARDIAN ELDER CARE CENTER	12/31/2008	12/31/2007	12/31/2006
6		HAMILTON ARMS CENTER	6/30/2009	6/30/2008	6/30/2007
6		HAMPTON HOUSE	6/30/2009	6/30/2007	6/30/2006
6		HERITAGE HOUSE	6/30/2008	6/30/2007	6/30/2006
6		HOLY FAMILY RESIDENCE	12/31/2008	12/31/2007	12/31/2006

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6		HOMELAND CENTER	6/30/2009	6/30/2008	6/30/2007
6		HOMESTEAD VILLAGE, INC	6/30/2009	6/30/2008	6/30/2007
6		KEPLER HOME, INC, THE	12/31/2008	12/31/2007	12/31/2006
6		KINKORA PYTHIAN HOME	6/30/2009	6/30/2008	6/30/2007
6		LAKESIDE NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
6		LANDIS HOMES	6/30/2009	6/30/2008	6/30/2007
6		LAURELS HEALTH AND REHAB AT KINGSTON	12/31/2008	12/31/2007	12/31/2006
6		LAURELS HEALTH AND REHAB AT MID VALLEY	12/31/2008	12/31/2007	12/31/2006
6		LEBANON VALLEY HOME THE	12/31/2008	12/31/2007	12/31/2006
6		LINWOOD NURSING AND REHABILITATION CTR	6/30/2009	6/30/2008	6/30/2007
6		LUTHER ACRES MANOR	12/31/2008	12/31/2007	12/31/2006
6		LUTHER CREST NURSING FACILITY	12/31/2008	12/31/2006	12/31/2005
6		LUTHERAN NRSG AND REHAB CTR-SPRENKLE DR	12/31/2008	12/31/2007	12/31/2006
6		MANCHESTER PRESBYTERIAN LODGE	12/31/2008	12/31/2007	12/31/2006
6		MANORCARE HEALTH SVCS-ELIZABETHTOWN	12/31/2008	12/31/2006	12/31/2005
6		MAPLE FARM	6/30/2009	6/30/2008	6/30/2007
6		MARY ELLEN CONVALESCENT HOME, INC	6/30/2009	6/30/2008	6/30/2007
6		MERCY CENTER NURSING UNIT, INC	12/31/2008	12/31/2007	12/31/2006
6		MILFORD SENIOR CARE AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
6		MILLCREEK MANOR	6/30/2009	6/30/2008	6/30/2007
6		MILLVILLE HEALTH CENTER	12/31/2008	12/31/2007	12/31/2006
6		MISERICORDIA NURSING & REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
6		MORAVIAN SPRINGS HEALTH CENTER	6/30/2009	6/30/2008	6/30/2007
6		MOSSER NURSING HOME	6/30/2009	6/30/2008	6/30/2007
6		MOUNT HOPE NAZARENE RETIREMENT COMMUNITY	6/30/2009	6/30/2008	6/30/2006
6		MOUNTAIN TOP SENIOR CARE AND REHAB CTR	6/30/2009	6/30/2008	6/30/2007
6		NEW EASTWOOD CARE AND REHAB CENTER	12/31/2008		
6		NIPPLE CONVALESCENT HOME	12/31/2008	12/31/2007	12/31/2006
6		NORMANDIE RIDGE	12/31/2008	12/31/2007	12/31/2006
6		OSPREY RIDGE HEALTHCARE AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
6		PALMYRA NURSING HOME	12/31/2008	12/31/2007	12/31/2006
6		PRAXIS ALZHEIMER'S FACILITY	12/31/2008	12/31/2007	12/31/2006
6		PRESBYTERIAN LODGE	12/31/2008	12/31/2007	12/31/2006
6		RHEEMS NURSING AND REHABILITATION CENTER	12/31/2008	12/31/2007	12/31/2006

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6		SAINT MARY'S AT ASBURY RIDGE	12/31/2008	12/31/2007	12/31/2006
6		SAINT MARY'S VILLA NURSING HOME, INC	12/31/2008	12/31/2007	12/31/2006
6		SARAH A REED RETIREMENT CENTER, THE	6/30/2009	6/30/2008	6/30/2007
6		SARAH A TODD MEMORIAL HOME	12/31/2008	12/31/2007	12/31/2006
6		SCRANTON HEALTH CARE CENTER	12/31/2008	12/31/2006	
6		SKILLED CARE CENTER AT UTZ TERRACE	12/31/2008		
6		SMITH HEALTH CARE, LTD	6/30/2009	6/30/2008	6/30/2007
6		SPANG CREST MANOR	12/31/2008	12/31/2007	12/31/2006
6		STONEBRIDGE HEALTH AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
6		STONERIDGE POPLAR RUN	12/31/2008	12/31/2007	12/31/2006
6		SWAIM HEALTH CENTER	12/31/2008	12/31/2007	12/31/2006
6		THE MANOR AT ST LUKE VILLAGE	12/31/2008	12/31/2007	12/31/2006
6		THORNWALD HOME	12/31/2008	12/31/2007	12/31/2006
6		TWIN OAKS NURSING HOME	12/31/2008	12/31/2007	12/31/2006
6		UNITED ZION RETIREMENT COMMUNITY	12/31/2008	12/31/2007	12/31/2006
6		VILLAGE AT LUTHER SQUARE	12/31/2008	12/31/2007	12/31/2006
6		WESTMINSTER VILLAGE	12/31/2008	12/31/2007	12/31/2006
6		WYOMISSING NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
6		ZERBE SISTERS NURSING CENTER, INC.	6/30/2009	6/30/2008	6/30/2007
<i>PG6 With County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>		<i>Administrative</i>
		\$136.91	\$42.54		\$22.40
<i>PG6 Without County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>		<i>Administrative</i>
		\$136.91	\$42.54		\$22.40
<i>PG6 Final Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>		<i>Administrative</i>
		\$136.91	\$42.54		\$22.40
<i>PG6 Final Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>		<i>Administrative</i>
		\$160.18	\$47.64		\$23.30
<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8		ALTOONA CENTER FOR NURSING CARE	12/31/2008	12/31/2007	12/31/2006
8		ARBUTUS PARK MANOR	6/30/2009	6/30/2008	6/30/2007
8	Yes	CENTRE CREST HOME	12/31/2008	12/31/2007	12/31/2006
8		CHURCH OF THE BRETHREN HOME	6/30/2009	6/30/2008	6/30/2007
8		GARVEY MANOR	12/31/2008	12/31/2007	12/31/2006
8		GOLDEN LIVINGCENTER-HILLVIEW	12/31/2008	12/31/2007	12/31/2005

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8		HEARTHSIDE REHAB AND NURSING CENTER, THE	12/31/2008	12/31/2007	12/31/2006
8		HOMEWOOD AT MARTINSBURG PA INC	12/31/2008	12/31/2007	12/31/2006
8		LAUREL WOOD CARE CENTER	12/31/2008	12/31/2007	12/31/2006
8		MANORCARE HEALTH SVCS-JERSEY SHORE	12/31/2008	12/31/2006	12/31/2005
8		MANORCARE HEALTH SVCS-WILLIAMSPORT NORTH	12/31/2008	12/31/2006	12/31/2005
8		MEADOW VIEW NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
8		MORRISONS COVE HOME	12/31/2008	12/31/2007	12/31/2006
8		ORCHARD MANOR, INC	6/30/2009	6/30/2008	6/30/2007
8		ROSE VIEW CENTER	6/30/2009	6/30/2008	6/30/2007
8		SAINT PAUL HOMES	12/31/2008	12/31/2007	12/31/2006
8		SIEMONS' LAKEVIEW MANOR ESTATE	6/30/2009	6/30/2008	6/30/2007
8		SYCAMORE MANOR HEALTH CENTER	12/31/2008	12/31/2007	12/31/2006
8	Yes	VALLEY VIEW HOME	12/31/2008	12/31/2007	12/31/2006
8		VALLEY VIEW NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
8		WHITE CLIFF NURSING HOME	12/31/2008	12/31/2007	12/31/2006
8		WILLIAMSPORT HOME, THE	12/31/2008	12/31/2007	12/31/2006
8		WINDY HILL VILLAGE OF PRESBYTERIAN HOMES	12/31/2008	12/31/2007	12/31/2006

<i>PG8 With County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$122.55	\$40.65	\$19.20
<i>PG8 Without County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$121.78	\$39.68	\$19.50
<i>PG8 Final Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$121.97	\$39.92	\$19.43
<i>PG8 Final Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$142.70	\$44.71	\$20.21

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9		AVALON SPRINGS NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
9		CLEPPER MANOR	12/31/2008	12/31/2007	12/31/2006
9		COUNTRYSIDE CONVAL HOME LTD PARTNERSHIP	6/30/2009	6/30/2008	6/30/2007
9		EPWORTH MANOR	12/31/2008	12/31/2007	12/31/2005
9		GOLDEN LIVINGCENTER-HAIDA	12/31/2008	12/31/2007	12/31/2005
9		GOLDEN LIVINGCENTER-MEYERSDALE	12/31/2008	12/31/2007	12/31/2005
9		GOLDEN LIVINGCENTER-RICHLAND	12/31/2008	12/31/2007	12/31/2005
9		GROVE MANOR	6/30/2009	6/30/2008	6/30/2007

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9		HOSPITALITY CARE CENTER OF HERMITAGE INC	12/31/2008	12/31/2007	12/31/2006
9		JOHN XXIII HOME	12/31/2008	12/31/2007	12/31/2006
9		LAUREL VIEW VILLAGE	6/30/2009	6/30/2008	6/30/2007
9		LUTHERAN HOME AT HOLLIDAYSBURG, THE	12/31/2008	12/31/2007	12/31/2006
9		LUTHERAN HOME AT JOHNSTOWN, THE	12/31/2008	12/31/2007	12/31/2006
9		MANORCARE HEALTH SVCS-WILLIAMSPORT SOUTH	12/31/2008	12/31/2006	12/31/2005
9		MAPLE WINDS CARE CENTER	12/31/2008		
9		NUGENT CONVALESCENT HOME	12/31/2008	12/31/2007	12/31/2006
9		PRESBYTERIAN HOME OF GREATER JOHNSTOWN	12/31/2008	12/31/2007	12/31/2006
9		PRESBYTERIAN HOMES-PRESBYTERY-HUNTINGDON	12/31/2008	12/31/2007	12/31/2006
9		THE PATRIOT, A CHOICE COMMUNITY	12/31/2008	12/31/2007	12/31/2006
9		TRINITY LIVING CENTER	6/30/2009	6/30/2008	6/30/2007
<i>PG9 With County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$104.63	\$39.89	\$17.94	
<i>PG9 Without County Costs</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$104.63	\$39.89	\$17.94	
<i>PG9 Final Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$104.63	\$39.89	\$17.94	
<i>PG9 Final Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
		\$122.42	\$44.68	\$18.66	
<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11		ASHTON HEALTHCARE	12/31/2008	12/31/2007	12/31/2006
11		BEACON RIDGE, A CHOICE COMMUNITY	12/31/2008	12/31/2007	12/31/2006
11	Yes	BRADFORD COUNTY MANOR	12/31/2008	12/31/2007	12/31/2006
11		BRADFORD MANOR	12/31/2009	12/31/2008	12/31/2007
11		BRIGHTEN AT JULIA RIBAUDO	6/30/2009	6/30/2008	6/30/2007
11		BROAD ACRES HEALTH AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
11		BROAD MOUNTAIN NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
11		CHRIST THE KING MANOR	6/30/2009	6/30/2008	6/30/2007
11		CLARVIEW NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
11	Yes	CRAWFORD COUNTY CARE CENTER	12/31/2008	12/31/2007	12/31/2006
11		DUBOIS NURSING HOME	6/30/2009	6/30/2008	6/30/2007
11		ELK HAVEN NURSING HOME	6/30/2009	6/30/2008	6/30/2007
11		ELLEN MEMORIAL HEALTH CARE CENTER	6/30/2009	6/30/2008	6/30/2007

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	Yes	FALLING SPRING NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
11		FOREST CITY NURSING AND REHAB CENTER	6/30/2008	6/30/2007	6/30/2006
11		GOLDEN HILL NURSING HOME, INC	6/30/2009	6/30/2008	6/30/2007
11		GOLDEN LIVINGCENTER-SHIPPENVILLE	12/31/2008	12/31/2007	12/31/2005
11		GOLDEN LIVINGCENTER-STROUD	12/31/2008	12/31/2007	12/31/2005
11		GOLDEN LIVINGCENTER-WILLIAM PENN	12/31/2008	12/31/2007	12/31/2005
11		GRANDVIEW HEALTH HOMES, INC	6/30/2009	6/30/2008	6/30/2007
11	Yes	GREEN ACRES-ADAMS COUNTY NSG & REHAB CTR	12/31/2008	12/31/2007	12/31/2006
11		GREEN HOME, INC, THE	6/30/2009	6/30/2008	6/30/2007
11		HIGHLANDS CARE CENTER, THE	12/31/2008	12/31/2007	12/31/2006
11		HOMETOWN NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
11		JEFFERSON MANOR HEALTH CENTER	6/30/2009	6/30/2008	6/30/2007
11		JULIA POUND CARE CENTER	12/31/2008	12/31/2007	12/31/2006
11		KITTANNING CARE CENTER	12/31/2008	12/31/2007	12/31/2006
11		KRAMM HEALTHCARE CENTER, INC	6/30/2009	6/30/2008	6/30/2007
11		KRAMM NURSING HOME, INC	6/30/2009	6/30/2008	6/30/2007
11		MANORCARE HEALTH SVCS-CHAMBERSBURG	12/31/2008	12/31/2006	12/31/2005
11		MANORCARE HEALTH SVCS-POTTSVILLE	12/31/2008	12/31/2006	12/31/2005
11		MANORCARE HEALTH SVCS-SUNBURY	12/31/2008	12/31/2006	12/31/2005
11		MENNO-HAVEN, INC.	12/31/2008	12/31/2007	12/31/2006
11		MOUNT CARMEL NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
11		MOUNTAIN LAUREL NRC	6/30/2009	6/30/2008	6/30/2007
11		NOTTINGHAM VILLAGE	12/31/2008	12/31/2007	12/31/2006
11		OHESON MANOR	12/31/2008	12/31/2007	12/31/2006
11		OIL CITY PRESBYTERIAN HOME	12/31/2008	12/31/2007	12/31/2006
11		ORWIGSBURG CENTER	6/30/2009	6/30/2008	6/30/2007
11		PENNKNOLE VILLAGE	12/31/2008	12/31/2007	12/31/2006
11	Yes	PLEASANT VALLEY MANOR, INC	12/31/2008	12/31/2007	12/31/2006
11		QUINCY RETIREMENT COMMUNITY	12/31/2008	12/31/2007	12/31/2006
11	Yes	REST HAVEN	12/31/2008	12/31/2007	12/31/2006
11		RIDGEVIEW ELDER CARE REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
11		RIVERWOODS	12/31/2008	12/31/2007	12/31/2006
11		ROLLING FIELDS, INC	12/31/2008	12/31/2007	12/31/2006
11		ROLLING MEADOWS	6/30/2009	6/30/2008	6/30/2007

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	Yes	ROUSE WARREN COUNTY HOME	12/31/2008	12/31/2007	12/31/2006
11		SCHUYLKILL CENTER	6/30/2009	6/30/2008	6/30/2007
11		SENA-KEAN MANOR	12/31/2008	12/31/2007	12/31/2006
11		SETON MANOR INC	6/30/2009	6/30/2008	6/30/2007
11		SHENANDOAH MANOR NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
11		SUGAR CREEK STATION SKILLED NSG & REHAB	12/31/2008	12/31/2007	12/31/2006
11	Yes	SUSQUE VIEW HOME, INC	12/31/2008	12/31/2007	12/31/2006
11		SWEDEN VALLEY MANOR	12/31/2009	12/31/2008	12/31/2007
11		THE MANOR AT PENN VILLAGE	12/31/2008	12/31/2007	12/31/2006
11		TREMONT HEALTH AND REHABILITATION CENTER	6/30/2009	6/30/2008	6/30/2007
11		VALLEY VIEW HAVEN, INC	12/31/2008	12/31/2007	12/31/2006
11		WARREN MANOR	12/31/2009	12/31/2008	12/31/2007
11		WAYNE WOODLANDS MANOR	6/30/2009	6/30/2008	6/30/2007
11		WESBURY UNITED METHODIST COMMUNITY	12/31/2008	12/31/2007	12/31/2006
11		WOODLAND RETIREMENT COMMUNITY	12/31/2008	12/31/2007	12/31/2006

<i>PG11 With County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$118.70	\$38.44	\$18.90
<i>PG11 Without County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$115.20	\$37.85	\$18.55
<i>PG11 Final Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$116.08	\$38.00	\$18.64
<i>PG11 Final Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$135.81	\$42.56	\$19.39

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	Yes	ARMSTRONG COUNTY HEALTH CENTER	12/31/2008	12/31/2007	12/31/2006
12		AVALON NURSING CENTER	6/30/2009	6/30/2008	6/30/2007
12		BRADFORD ECUMENICAL HOME, INC	12/31/2008	12/31/2007	12/31/2006
12		BROOKLINE MANOR AND REHABILITATIVE SRVCS	12/31/2008	12/31/2007	12/31/2006
12		BROOKMONT HEALTHCARE CENTER LLC	12/31/2008	12/31/2007	12/31/2006
12		BUFFALO VALLEY LUTHERAN VILLAGE	12/31/2008	12/31/2007	12/31/2006
12		CAMBRIDGE SPRINGS REHAB & NURSING CENTER	12/31/2008	12/31/2007	12/31/2005
12		CARING PLACE, THE	6/30/2009	6/30/2008	6/30/2007
12		CARLETON SENIOR CARE AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
12	Yes	COMMUNITIES AT INDIAN HAVEN	12/31/2008	12/31/2007	12/31/2006



<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12		DARWAY ELDER CARE REHABILITATION CENTER	12/31/2008	12/31/2007	12/31/2006
12		DONAHOE MANOR	6/30/2009	6/30/2007	6/30/2006
12		DR ARTHUR CLIFTON MCKINLEY HEALTH CENTER	6/30/2009	6/30/2008	6/30/2007
12		EDISON MANOR NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
12		EMMANUEL CENTER FOR NURSING AND REHAB	12/31/2008	12/31/2007	12/31/2006
12		FRIENDLY NURSING HOME - PITMAN	6/30/2009	6/30/2008	6/30/2007
12		GETTYSBURG CENTER	6/30/2009	6/30/2008	12/31/2006
12		GETTYSBURG LUTHERAN NURSING REHAB	12/31/2008	12/31/2007	12/31/2006
12		GOLDEN LIVINGCENTER-CLARION	12/31/2008	12/31/2007	12/31/2005
12		GOLDEN LIVINGCENTER-GETTYSBURG	12/31/2008	12/31/2007	12/31/2005
12		GOLDEN LIVINGCENTER-KINZUA	12/31/2008	12/31/2007	12/31/2005
12		GOLDEN LIVINGCENTER-MANSION	12/31/2008	12/31/2007	12/31/2005
12		GOLDEN LIVINGCENTER-OIL CITY	12/31/2008	12/31/2007	12/31/2005
12		GOLDEN LIVINGCENTER-TITUSVILLE	12/31/2008	12/31/2007	12/31/2005
12		GOLDEN LIVINGCENTER-WAYNESBURG	12/31/2008	12/31/2007	12/31/2005
12		GOLDEN LIVINGCENTER-YORK TERRACE	12/31/2008	12/31/2007	12/31/2005
12		GUY AND MARY FELT MANOR, INC	6/30/2009	6/30/2008	6/30/2007
12		HAVEN CONVALESCENT HOME, INC	12/31/2008	12/31/2007	12/31/2006
12		HIGHLAND VIEW CARE CENTER	12/31/2008	6/30/2007	6/30/2006
12		HILLSDALE REHABILITATION AND NURSING CTR	12/31/2007	12/31/2006	12/31/2005
12		HUNTINGDON NURSING AND REHAB CENTER	6/30/2009	6/30/2008	6/30/2007
12		JAMESON CARE CENTER	12/31/2008	12/31/2007	12/31/2006
12		LAKEVIEW SENIOR CARE AND LIVING CENTER	12/31/2008	12/31/2007	12/31/2006
12		LAUREL CARE NURSING AND REHAB CENTER	12/31/2008	12/31/2007	12/31/2006
12		LOCUST GROVE RETIREMENT VILLAGE	12/31/2008	12/31/2007	12/31/2006
12		LUTHERAN HOME AT KANE, THE	12/31/2008	12/31/2007	12/31/2006
12		MALTA HOME	12/31/2008	12/31/2007	12/31/2006
12		MEADOW VIEW SENIOR LIVING CENTER	12/31/2008	12/31/2007	12/31/2006
12		MEADVILLE REHABILITATION & NURSING CTR	12/31/2008	12/31/2007	12/31/2005
12		MULBERRY SQUARE	12/31/2008	12/31/2007	12/31/2006

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<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12		OVERLOOK MEDICAL CLINIC INC	12/31/2008	12/31/2007	12/31/2006
12		PAVILION AT BRMC	6/30/2009	6/30/2008	6/30/2007
12		PENN HALL AT MENNO HAVEN	12/31/2008	12/31/2007	12/31/2006
12		RICHFIELD SENIOR LIVING AND REHAB CENTE	6/30/2009	6/30/2008	6/30/2007
12		ROLLING HILLS MANOR	12/31/2008	6/30/2007	6/30/2006
12		SAYRE HOUSE, INC	6/30/2009	6/30/2008	6/30/2007
12		SCENERY HILL MANOR	12/31/2008	12/31/2007	12/31/2006
12		SHENANGO PRESBYTERIAN HOME	12/31/2008	12/31/2007	12/31/2006
12		SHOOK HOME, THE	12/31/2008	12/31/2007	12/31/2006
12		SILVER OAKS NURSING CENTER	12/31/2008	12/31/2007	12/31/2006
12		SNYDER MEMORIAL HEALTH CARE CENTER	12/31/2008	12/31/2007	12/31/2006
12		SUGAR CREEK REST	6/30/2009	6/30/2008	6/30/2007
12		TRINITY MISSION HEALTH AND REHAB	12/31/2008	12/31/2007	12/31/2006
12		WESTMINSTER WOODS AT HUNTINGDON	12/31/2008	12/31/2007	12/31/2006

<i>PG12 With County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$108.24	\$37.48	\$18.55
<i>PG12 Without County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$107.66	\$37.27	\$18.41
<i>PG12 Final Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$107.81	\$37.32	\$18.45
<i>PG12 Final Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$126.14	\$41.80	\$19.19

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13		ARISTACARE AT MEADOW SPRINGS	6/30/2009	6/30/2008	6/30/2007
13		FOX SUBACUTE AT CLARA BURKE	12/31/2008	12/31/2007	12/31/2006
13		FOX SUBACUTE CENTER	12/31/2008	12/31/2007	12/31/2006
13		GOOD SHEPHERD HOME RAKER CENTER	6/30/2009	6/30/2008	6/30/2007
13		GOOD SHEPHERD HOME-BETHLEHEM	6/30/2009	6/30/2008	6/30/2007
13		INGLIS HOUSE	6/30/2009	6/30/2008	6/30/2007
13		MARGARET E. MOUL HOME	6/30/2009	6/30/2008	6/30/2007

<i>PG13 With County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$216.82	\$68.56	\$45.73
<i>PG13 Without County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$216.82	\$68.56	\$45.73
<i>PG13 Final Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$216.82	\$68.56	\$45.73
<i>PG13 Final Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$253.68	\$76.79	\$47.56

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13		GOOD SHEPHERD HOME RAKER CENTER	6/30/2009	6/30/2008	6/30/2007
13		GOOD SHEPHERD HOME-BETHLEHEM	6/30/2009	6/30/2008	6/30/2007
13		INGLIS HOUSE	6/30/2009	6/30/2008	6/30/2007
13		MARGARET E. MOUL HOME	6/30/2009	6/30/2008	6/30/2007

Peer Group medians and prices for nursing facilities classified as special rehabilitation facilities on or before 7/1/2000 for the period November 1, 2011 through June 30, 2012

<i>PG13 With County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$203.66	\$89.49	\$40.58
<i>PG13 Without County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$203.66	\$89.49	\$40.58
<i>PG13 Final Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$203.66	\$89.49	\$40.58
<i>PG13 Final Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$238.28	\$100.23	\$42.20

<i>Median Peer Group</i>	<i>County Nursing Facility Indicator</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
14		BARNES-KASSON COUNTY HOSPITAL SNF	6/30/2009	6/30/2008	6/30/2007
14		BERWICK RETIREMENT VILLAGE NRSNG CTR I	6/30/2009	6/30/2008	6/30/2007
14		BUCKTAIL MEDICAL CENTER	6/30/2009	6/30/2008	6/30/2007
14		CHARLES COLE MEMORIAL HOSPITAL ECF	6/30/2009	6/30/2008	6/30/2007
14		EVERGREEN HEALTH CARE CENTER	6/30/2009	6/30/2008	6/30/2007
14		FULTON COUNTY MEDICAL CENTER LTCU	6/30/2009	6/30/2008	6/30/2007
14		LOCK HAVEN HOSPITAL E.C.U.	6/30/2009	6/30/2008	6/30/2007
14		MEMORIAL HOSPITAL INC SNU	6/30/2009	6/30/2008	6/30/2007
14		MUNCY VALLEY HOSPITAL SNU	6/30/2009	6/30/2008	6/30/2007
14		PINECREST MANOR	6/30/2009	6/30/2008	6/30/2007
14		SAINT CATHERINE HEALTHCARE CENTER	6/30/2009	6/30/2008	6/30/2007
14		ST LUKE'S MINERS MEMORIAL GERIATRIC CTR	6/30/2009	6/30/2008	6/30/2007
14		SUMMIT AT BLUE MOUNTAIN NURSING & REHAB	6/30/2009	6/30/2008	6/30/2007
14		SUNBURY COMMUNITY HOSPITAL SNF	6/30/2009	6/30/2008	6/30/2007
14		WILLOWCREST	6/30/2009	6/30/2008	6/30/2007
<i>PG14 With County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>		
	\$135.02	\$57.01	\$25.32		
<i>PG14 Without County Costs</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>		
	\$135.02	\$57.01	\$25.32		

<i>PG14 Final Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$135.02	\$57.01	\$25.32
<i>PG14 Final Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$157.97	\$63.85	\$26.33

**Fiscal Note:** 14-NOT-869. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-1215. Filed for public inspection June 6, 2014, 9:00 a.m.]

**Peer Groups, Peer Group Medians and Peer Group Prices for Nonpublic Nursing Facilities Including Hospital-Based Nursing Facilities and Special Rehabilitation Facilities for Fiscal Year 2012-2013**

The purpose of this notice is to announce the Department of Public Welfare’s (Department) peer groups, peer group medians and peer group prices for nonpublic nursing facilities including hospital-based nursing facilities and special rehabilitation facilities (SRF) under 55 Pa. Code § 1187.95(a)(4) (relating to general principles for rate and price setting). The Department used the peer groups, peer group medians and peer group prices to determine case-mix rates for nonpublic nursing facilities for State Fiscal Year (FY) July 1, 2012, through June 30, 2013. The Department calculated the peer groups, peer group medians and peer group prices announced in this notice in accordance with 55 Pa. Code Chapter 1187 (relating to nursing facility services). Peer group medians and peer group prices for SRFs are determined in accordance with the methodology described in the final-form rulemaking Payment for Nursing Facility Services provided by Special Rehabilitation Nursing Facilities published at 44 Pa.B. 3322 (June 7, 2014). See 55 Pa. Code § 1187.94(2)(i) and (ii) (relating to peer grouping for price setting). The data that the Department used to determine the peer group medians and prices is available on the web site for the Department at [www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm).

To establish the database for the calculation of peer group medians and prices, the Department used each nursing facility’s three most recent audited cost reports that were issued by the Department on or before March 31, 2012, and indexed the costs for each report forward to the common date of December 31, 2012, using the CMS Nursing Home Without Capital Market Basket Index. Beginning FY 2012-2013 and thereafter, county nursing facility MA allowable costs are phased-out in nonpublic rate setting computations and county nursing facilities are no longer included in determining peer groups.

The following is a listing, by group, of the number of nursing facilities with a particular year-end, and the inflation factor used to roll the costs of each facility forward to the common date of December 31, 2012.

**Nonpublic Nursing Facilities  
(other than hospital-based and special rehabilitation facilities)**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2005	1	1.2218
December 31, 2005	3	1.1975
June 30, 2006	5	1.1786
December 31, 2006	18	1.1592
June 30, 2007	30	1.1404

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
December 31, 2007	275	1.1232
June 30, 2008	207	1.0989
December 31, 2008	343	1.0820
June 30, 2009	215	1.0737
December 31, 2009	341	1.0656
June 30, 2010	215	1.0532
December 31, 2010	45	1.0454

**Hospital-Based Nursing Facilities**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2008	15	1.0989
June 30, 2009	15	1.0737
June 30, 2010	15	1.0532

**Special Rehabilitation Facilities**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
December 31, 2007	2	1.1232
June 30, 2008	5	1.0989
December 31, 2008	2	1.0820
June 30, 2009	5	1.0737
December 31, 2009	2	1.0656
June 30, 2010	6	1.0532

\* As a result of using the three most recent audited cost reports, the “Number of Facilities” column reflects a number in excess of actual enrolled nursing facilities.

After the database was inflated using the inflation values, the Department grouped the facilities in the correct geographic and bed size groupings. In accordance with 55 Pa. Code § 1187.94, to establish peer groups, the Department used the Metropolitan Statistical Areas (MSA) group classification published in the Federal Office of Management and Budget Bulletin No. 99-04, regarding revised statistical definitions of Metropolitan Areas and guidance on uses of Metropolitan Area definitions, to classify each nursing facility into one of three MSA groups or one non-MSA group. The Department then used the bed complement of the nursing facility on the final day of the reporting period of the most recent audited MA-11 used in the Nursing Information System database to classify nursing facilities into one of three bed complement groups. These groups are 3—119 beds, 120—269 beds and 270 beds and over. Peer groups 7 and 10 have been collapsed in accordance with 55 Pa. Code § 1187.94(1)(iv). Peer group 13 is designated for SRFs only and peer group 14 is designated for hospital-based nursing facilities only, regardless of geographic location or bed-size.

After the database was established and the peer groups determined, the Department calculated the medians and prices for each peer group. For peer group 13, the Department arrayed the SRFs classified on or before July 1, 2000, to set the peer group median and prices for those

facilities. The Department arrayed any SRFs classified after July 1, 2000, with all other SRFs to set their peer group medians and prices.

To calculate the resident care cost medians, the Department divided the inflated audited allowable resident care costs for each cost report by the total facility case-mix index from the available February 1 picture date closest to the midpoint of the cost report period to obtain case-mix neutral total resident care cost for the cost report year. The Department then divided the case-mix neutral total resident care cost for each cost report by the total audited actual resident days for the cost report year to obtain the case-mix neutral resident care cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the case-mix neutral resident care cost per diem for each nursing facility to obtain the average case-mix neutral resident care cost per diem of each facility. The Department arrayed the average case-mix neutral resident care cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the other resident related cost medians, the Department first divided the inflated audited allowable other resident related costs for each cost report by the total audited actual resident days for the cost report year to obtain the other resident related cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the other resident related cost for each nursing facility to obtain the average other resident related cost per diem of each facility. The Department arrayed the average other resident related cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the administrative cost medians, the Department adjusted, as appropriate, the total audited actual resident days for each cost report to a minimum 90% occupancy in accordance with 55 Pa. Code § 1187.23 (relating to nursing facility incentives and adjustments). The Department then divided the inflated audited allowable administrative cost for each cost report by the total audited actual resident days, adjusted to 90% occupancy, if applicable, to obtain the administrative cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the administrative cost for each nursing facility to obtain the average administrative cost per diem of each facility. The Department arrayed the average administrative cost per diem for each nursing facility within the respective peer groups to determine a median for each peer group.

After the medians were determined for each peer group, the Department set prices using the medians. To set peer group prices, the Department multiplied the resident care cost median of each peer group by 1.17 to obtain the resident care cost peer group price; multiplied the other resident related cost median of each peer group by 1.12 to obtain the other resident related peer group price; and multiplied the administrative cost median of each peer group by 1.04 to obtain the administrative cost peer group price.

The peer groups, peer group medians and peer group prices of nonpublic nursing facilities including hospital-based and SRFs for Year 18 are in the list of Medians and Prices for 2012-2013.

A Medical Assistance nursing facility provider may file an administrative appeal if the facility believes that the Department made any errors or the provider otherwise disagrees with the Year 18 peer group prices that the Department established for its peer group. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals (BHA), 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of this notice. If a provider chooses to appeal, the provider will be afforded the opportunity for a de novo hearing before the BHA. The peer group prices applied in setting the facility's rates may be changed as a result of the final adjudication of the facility's peer group price appeal. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals), and to the Department's regulations in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures), for more detail regarding their appeal rights and the requirements related to their written appeals.

#### *Fiscal Impact*

There is no fiscal impact associated with this change in FY 2012-2013.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

### Appendix B MEDIANS AND PRICES FOR 2012-2013

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
1	BROOMALL REHAB AND NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
1	CARE PAVILION NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
1	IMMACULATE MARY HOME	6/30/2010	6/30/2009	6/30/2008
1	MADLYN AND LEONARD ABRAMSON CENTER	6/30/2010	6/30/2009	6/30/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
1	SAINT FRANCIS COUNTRY HOUSE	6/30/2010	6/30/2009	6/30/2008
1	ST JOHN SPECIALTY CARE CENTER	6/30/2010	6/30/2009	6/30/2008
1	ST JOSEPH'S MANOR (DBA ENTITY OF HRHS)	6/30/2010	6/30/2009	6/30/2008
<i>PG1 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$160.00	\$48.82	\$25.30	
<i>PG1 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$187.20	\$54.68	\$26.31	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	ANDORRA WOODS HEALTHCARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	ASBURY HEALTH CENTER	12/31/2009	12/31/2008	12/31/2007
2	ATTLEBORO NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
2	BALA NURSING AND RETIREMENT CENTER	6/30/2010	6/30/2009	6/30/2008
2	BALDOCK HEALTH CARE CENTER	6/30/2010	6/30/2009	6/30/2008
2	BALDWIN HEALTH CENTER	6/30/2010	6/30/2009	6/30/2008
2	BAPTIST HOMES OF WESTERN PENNSYLVANIA	6/30/2010	6/30/2009	6/30/2008
2	BEAVER VALLEY NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
2	BRANDYWINE HALL	6/30/2010	6/30/2009	6/30/2008
2	BRIARCLIFF PAVILION FOR SPECIALIZED CARE	12/31/2009	12/31/2008	12/31/2007
2	BRIARLEAF NURSING AND CONVAL CENTER	6/30/2010	6/30/2009	6/30/2008
2	BROOKSIDE HEALTHCARE AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
2	BROOMALL MANOR	12/31/2009	6/30/2007	6/30/2006
2	BROOMALL PRESBYTERIAN VILLAGE	12/31/2009	12/31/2008	12/31/2007
2	BRYN MAWR EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
2	BUCKINGHAM VALLEY REHAB AND NURSING CTR	6/30/2010	6/30/2009	6/30/2007
2	CARING HEART REHAB AND NURSING CENTER	6/30/2010	6/30/2008	6/30/2007
2	CARING HEIGHTS COMMUNITY CARE & REHAB	12/31/2009	12/31/2008	12/31/2007
2	CATHEDRAL VILLAGE	6/30/2010	6/30/2009	6/30/2008
2	CENTENNIAL HEALTHCARE & REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
2	CHAPEL MANOR	6/30/2010	6/30/2009	6/30/2008
2	CHARLES M. MORRIS NURSING AND REHAB CTR	6/30/2010	6/30/2009	6/30/2008
2	CHATHAM ACRES	12/31/2008	12/31/2007	6/30/2005

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	CHELTENHAM NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
2	CHELTENHAM YORK ROAD NSG & REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
2	CHERRY TREE NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
2	CHESTER VALLEY REHAB AND NURSING CENTER	6/30/2008	6/30/2007	6/30/2006
2	CHESTNUT HILL LODGE HEALTH AND REHAB CTR	12/31/2009	12/31/2008	12/31/2007
2	CLIVEDEN NSG & REHAB CTR	6/30/2010	6/30/2009	6/30/2008
2	COMMONS AT SQUIRREL HILL	12/31/2009	12/31/2008	12/31/2007
2	CONCORDIA LUTHERAN HEALTH AND HUMAN CARE	6/30/2010	6/30/2009	6/30/2008
2	CONSULATE HEALTH CARE OF CHESWICK	12/31/2009	12/31/2008	12/31/2007
2	COUNTRY MEADOWS OF SOUTH HILLS	12/31/2009	12/31/2008	12/31/2007
2	CRANBERRY PLACE	6/30/2010	6/30/2009	6/30/2008
2	CRESTVIEW CENTER	6/30/2010	6/30/2009	6/30/2008
2	DEER MEADOWS RETIREMENT COMMUNITY	6/30/2010	6/30/2009	6/30/2008
2	ELKINS CREST HEALTH AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
2	EVANGELICAL MANOR	12/31/2009	12/31/2008	12/31/2007
2	FAIRVIEW CARE CENTER OF BETHLEHEM PIKE	6/30/2010	6/30/2009	6/30/2008
2	FAIRVIEW CARE CENTER OF PAPERMILL ROAD	6/30/2010	6/30/2009	6/30/2008
2	FORBES CENTER FOR REHAB & HEALTHCARE LLC	12/31/2009	12/31/2008	12/31/2007
2	GARDEN SPRING CENTER	6/30/2010	6/30/2009	6/30/2008
2	GERMANTOWN HOME	6/30/2010	6/30/2009	6/30/2008
2	GLENDALE UPTOWN HOME	12/31/2009	12/31/2008	12/31/2007
2	GOLDEN LIVINGCENTER-DOYLESTOWN	12/31/2009	12/31/2008	12/31/2007
2	GOLDEN LIVINGCENTER-LANSDALE	12/31/2009	12/31/2008	12/31/2007
2	GOLDEN LIVINGCENTER-MONROEVILLE	12/31/2009	12/31/2008	12/31/2007
2	GOLDEN LIVINGCENTER-MT LEBANON	12/31/2009	12/31/2008	12/31/2007
2	GOLDEN LIVINGCENTER-MURRYSVILLE	12/31/2009	12/31/2008	12/31/2007
2	GOLDEN LIVINGCENTER-PHOENIXVILLE	12/31/2009	12/31/2008	12/31/2007
2	GOLDEN LIVINGCENTER-UNIONTOWN	12/31/2009	12/31/2008	12/31/2007
2	GREENERY SPECIALTY CARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	GREENLEAF NURSING HOME AND CONVAL CENTER	6/30/2010	6/30/2009	6/30/2008
2	GREENSBURG CARE CENTER	12/31/2009	12/31/2008	12/31/2007

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	GWYNEDD SQUARE CTR FOR NSG & CONVAL CARE	6/30/2010	6/30/2009	6/30/2008
2	HARMAR VILLAGE CARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	HARSTON HALL	6/30/2010	6/30/2009	6/30/2008
2	HEMPFIELD MANOR	12/31/2010	12/31/2009	12/31/2008
2	HIGHLAND PARK CARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	HILLCREST CENTER	6/30/2010	6/30/2009	6/30/2008
2	HUMBERT LANE NURSING AND REHAB CENTRE	6/30/2010	6/30/2009	6/30/2008
2	IVY HILL REHABILITATION AND NURSING CTR	6/30/2010	6/30/2009	6/30/2007
2	LAFAYETTE-REDEEMER (DBA ENTITY OF HRHS)	6/30/2010	6/30/2009	6/30/2008
2	LANGHORNE GARDENS REHAB AND NURSING CTR	6/30/2010	6/30/2009	6/30/2008
2	LGAR HEALTH AND REHABILITATION CENTER	12/31/2009	12/31/2008	12/31/2007
2	LIBERTY COURT, GENESIS HEALTHCARE	6/30/2010	6/30/2009	6/30/2008
2	LIFEQUEST NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
2	LITTLE FLOWER MANOR	6/30/2010	6/30/2009	6/30/2008
2	LOYALHANNA CARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	LUTHER WOODS CONVALESCENT CENTER	12/31/2009	12/31/2008	12/31/2007
2	MAJESTIC OAKS	6/30/2010	6/30/2009	6/30/2008
2	MANATAWNY MANOR INC	12/31/2009	12/31/2008	6/30/2006
2	MANORCARE HEALTH SVCS-BETHEL PARK	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-GREEN TREE	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-HUNTINGDON VALLEY	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-KING OF PRUSSIA	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-LANSDALE	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-MERCY FITZGERALD	6/30/2010	6/30/2009	6/30/2008
2	MANORCARE HEALTH SVCS-MONROEVILLE	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-NORTH HILLS	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-PETERS TOWNSHIP	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-PITTSBURGH	6/30/2010	6/30/2009	6/30/2007
2	MANORCARE HEALTH SVCS-POTTSTOWN	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-SHADYSIDE	6/30/2010	6/30/2009	6/30/2007
2	MANORCARE HEALTH SVCS-WHITEHALL BOROUGH	12/31/2009	12/31/2008	12/31/2006



<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	MANORCARE HEALTH SVCS-YARDLEY	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-YEADON	12/31/2009	12/31/2008	12/31/2006
2	MAPLEWOOD NURSING AND REHABILITATION CTR	6/30/2010	6/30/2009	6/30/2008
2	MARIAN MANOR CORPORATION	6/30/2010	6/30/2009	6/30/2008
2	MASONIC VILLAGE AT SEWICKLEY	12/31/2009	12/31/2008	12/31/2007
2	MOUNT MACRINA MANOR NURSING HOME	6/30/2010	6/30/2009	6/30/2008
2	MOUNTAINVIEW SPECIALTY CARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	OAKWOOD HEALTHCARE & REHABILITATION CTR	6/30/2010	6/30/2009	6/30/2007
2	OXFORD HEALTH CENTER	12/31/2009	12/31/2008	12/31/2007
2	PARK PLEASANT HEALTH CARE FACILITY	6/30/2010	6/30/2009	6/30/2008
2	PASSAVANT RETIREMENT AND HEALTH CENTER	6/30/2010	6/30/2009	6/30/2008
2	PAUL'S RUN	12/31/2009	12/31/2008	12/31/2007
2	PEMBROOKE HEALTH AND REHAB RESIDENCE	6/30/2010	6/30/2009	6/30/2008
2	PENN CENTER FOR REHABILITATION AND CARE	6/30/2010	6/30/2009	6/30/2008
2	PENNSBURG MANOR	6/30/2010	6/30/2009	6/30/2008
2	PHILADELPHIA PROTESTANT HOME	12/31/2009	12/31/2008	12/31/2007
2	PHOEBE RICHLAND HCC	6/30/2010	6/30/2009	6/30/2008
2	PINE RUN HEALTH CENTER	6/30/2010	6/30/2009	6/30/2008
2	PROSPECT PARK HEALTH AND REHAB RESIDENCE	6/30/2010	6/30/2009	6/30/2008
2	PROVIDENCE CARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	QUAKERTOWN CENTER	12/31/2010	12/31/2009	12/31/2008
2	REGINA COMMUNITY NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
2	REHAB & NURSING CTR GREATER PITTSBURGH	12/31/2009	12/31/2008	12/31/2007
2	RITTENHOUSE PINE CENTER	6/30/2010	6/30/2009	6/30/2008
2	RIVER'S EDGE NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
2	RIVERSIDE CARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	ROCHESTER MANOR	12/31/2009	12/31/2008	12/31/2007
2	RYDAL PARK OF PHILADELPHIA PRSBYTR HOMES	12/31/2009	12/31/2008	12/31/2007
2	SAINT ANNE HOME	6/30/2010	6/30/2009	6/30/2008
2	SAINT IGNATIUS NURSING HOME	6/30/2010	6/30/2009	6/30/2008
2	SAINT JOHN NEUMANN NURSING HOME	6/30/2010	6/30/2009	6/30/2008
2	SAINT MARTHA MANOR	6/30/2010	6/30/2009	6/30/2008
2	SAINT MARY'S MANOR	6/30/2010	6/30/2009	6/30/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	SANATOGA CENTER	6/30/2010	6/30/2009	6/30/2008
2	SAUNDERS HOUSE	6/30/2010	6/30/2009	6/30/2008
2	SENECA PLACE	6/30/2010	6/30/2009	6/30/2008
2	SILVER LAKE CENTER	6/30/2010	6/30/2008	6/30/2007
2	SILVER STREAM CENTER	6/30/2010	6/30/2009	6/30/2008
2	SIMPSON HOUSE, INC	12/31/2009	12/31/2008	12/31/2007
2	SOMERTON CENTER	6/30/2010	6/30/2009	6/30/2008
2	SOUTHMONT OF PRESBYTERIAN SENIORCARE	12/31/2010	12/31/2009	12/31/2008
2	SPRINGS AT THE WATERMARK, THE	12/31/2009	12/31/2008	12/31/2007
2	ST. BARNABAS NURSING HOME	12/31/2009	12/31/2008	12/31/2007
2	ST. MONICA MANOR	6/30/2010	6/30/2009	6/30/2008
2	STERLING HEALTH CARE AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
2	SUBURBAN WOODS HEALTH AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
2	TEL HAI RETIREMENT COMMUNITY	6/30/2010	6/30/2009	6/30/2008
2	THE BELVEDERE CENTER, GENESIS HEALTHCARE	6/30/2010	6/30/2009	6/30/2008
2	TOWNE MANOR EAST	12/31/2009	12/31/2008	12/31/2007
2	TUCKER HOUSE NSG & REHAB CTR	6/30/2010	6/30/2009	6/30/2008
2	UPMC HERITAGE PLACE	6/30/2010	6/30/2009	6/30/2008
2	VALLEY MANOR NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
2	VILLA SAINT JOSEPH OF BADEN INC.	6/30/2010	6/30/2009	6/30/2008
2	VILLAGE AT PENNWOOD	12/31/2008	12/31/2007	12/31/2005
2	VINCENTIAN HOME	6/30/2010	6/30/2009	6/30/2008
2	VINCENTIAN REGENCY	6/30/2010	6/30/2009	6/30/2008
2	WALLINGFORD NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2007
2	WESLEY ENHANCED LIVING AT STAPELY	6/30/2010	6/30/2009	6/30/2008
2	WEST HAVEN MANOR	6/30/2010	6/30/2009	6/30/2008
2	WEST HILLS HEALTH AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
2	WEXFORD HOUSE NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
2	WILLIAM PENN CARE CENTER	12/31/2009	12/31/2008	12/31/2007
2	WILLOW RIDGE CENTER	12/31/2010	12/31/2009	12/31/2008
2	WILLOW TERRACE	6/30/2010	6/30/2009	6/30/2008
2	WILLOWS OF PRESBYTERIAN SENIORCARE, THE	12/31/2010	12/31/2009	12/31/2008
2	WOODHAVEN CARE CENTER	12/31/2009	12/31/2008	12/31/2007

<i>PG2 Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
		\$141.71	\$41.92	\$23.75
<i>PG2 Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
		\$165.80	\$46.95	\$24.70
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date Median</i>
3	AMBLER EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
3	ARTMAN LUTHERAN HOME	6/30/2010	6/30/2009	6/30/2008
3	BARCLAY FRIENDS	12/31/2009	12/31/2008	12/31/2007
3	BEAVER ELDER CARE AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
3	BELAIR HEALTH AND REHABILITATION CENTER	6/30/2010	6/30/2009	6/30/2008
3	BELLE HAVEN	12/31/2009	12/31/2008	12/31/2007
3	BETHLEN HM OF THE HUNGARIAN RFRMD FED	12/31/2009	12/31/2008	12/31/2007
3	BRINTON MANOR	12/31/2010	12/31/2009	12/31/2008
3	CANTERBURY PLACE	12/31/2009	12/31/2008	12/31/2007
3	CEDARS OF MONROEVILLE, THE	12/31/2009	12/31/2008	12/31/2007
3	CHANDLER HALL HEALTH SERVICES INC	12/31/2009	12/31/2008	12/31/2007
3	CHICORA MEDICAL CENTER	6/30/2010	6/30/2009	6/30/2008
3	CHRIST'S HOME RETIREMENT CENTER	6/30/2010	6/30/2009	6/30/2008
3	CONNER-WILLIAMS NURSING HOME	6/30/2010	6/30/2009	6/30/2008
3	CONSULATE HEALTH CARE OF NORTH STRABANE	12/31/2009	12/31/2008	12/31/2007
3	COVENTRY MANOR NURSING HOME	12/31/2009	12/31/2008	12/31/2007
3	DOCK TERRACE	6/30/2010	6/30/2009	6/30/2008
3	DRESHER HILL HEALTH AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
3	EDGEHILL NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
3	ELDERCREST NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
3	ELM TERRACE GARDENS	6/30/2010	6/30/2009	6/30/2008
3	EVERGREEN NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
3	FAIR WINDS MANOR	6/30/2010	6/30/2009	6/30/2008
3	FREDERICK LIVING - CEDARWOOD	12/31/2009	12/31/2008	12/31/2007
3	FRIENDSHIP VILLAGE OF SOUTH HILLS	12/31/2009	12/31/2008	12/31/2007
3	GOLDEN LIVINGCENTER-OAKMONT	12/31/2009	12/31/2008	12/31/2007
3	GOLDEN LIVINGCENTER-ROSEMONT	12/31/2009	12/31/2008	12/31/2007
3	GOLDEN LIVINGCENTER-SOUTH HILLS	12/31/2009	12/31/2008	12/31/2007
3	GOLDEN LIVINGCENTER-STENTON	12/31/2009	12/31/2008	12/31/2007

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date Median</i>
3	HARMON HOUSE CARE CENTER	12/31/2009	12/31/2008	12/31/2007
3	HAVENCREST NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
3	HENRY CLAY VILLA, LP	12/31/2009	12/31/2008	12/31/2006
3	HERITAGE TOWERS	12/31/2009	12/31/2008	12/31/2007
3	HICKORY HOUSE NURSING HOME	12/31/2009	12/31/2008	12/31/2007
3	HIGHLAND CENTER, GENESIS ELDERCARE NTRWK	6/30/2010	6/30/2009	6/30/2008
3	HOLY FAMILY HOME	12/31/2009	12/31/2008	12/31/2007
3	HOPKINS CENTER	12/31/2010	12/31/2009	12/31/2008
3	JEFFERSON HILLS MANOR	12/31/2009	12/31/2008	12/31/2007
3	KADE NURSING HOME	12/31/2009	12/31/2008	12/31/2007
3	KEARSLEY REHAB AND NURSING CENTER	6/30/2010	6/30/2008	6/30/2007
3	LAFAYETTE MANOR, INC	12/31/2009	12/31/2008	12/31/2007
3	LATROBE HEALTH AND REHABILITATION CENTER	6/30/2009	6/30/2008	6/30/2007
3	LAUREL RIDGE CENTER	6/30/2010	6/30/2009	6/30/2008
3	LAWSON NURSING HOME, INC.	12/31/2009	12/31/2008	12/31/2007
3	LITTLE SISTERS OF THE POOR	12/31/2009	12/31/2008	12/31/2007
3	LUTHERAN COMMUNITY AT TELFORD	6/30/2010	6/30/2009	6/30/2008
3	MARWOOD REST HOME, INC	6/30/2010	6/30/2009	6/30/2008
3	MASONIC VILLAGE AT LAFAYETTE HILL	12/31/2009	12/31/2008	12/31/2007
3	MASONIC VILLAGE AT WARMINSTER	12/31/2009	12/31/2008	12/31/2007
3	MCMURRAY HILLS MANOR	6/30/2010	6/30/2009	6/30/2008
3	MEADOWCREST NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
3	MEADOWS AT MARTINS RUN, THE	12/31/2009	12/31/2008	12/31/2007
3	MON VALLEY CARE CENTER	12/31/2009	12/31/2008	12/31/2007
3	NAAMANS CREEK COUNTRY MANOR	6/30/2010	6/30/2009	6/30/2008
3	NORTH HILLS HEALTH AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
3	OAK HILL NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
3	PENNYPACK CENTER	12/31/2010	12/31/2009	12/31/2008
3	PETER BECKER COMMUNITY	6/30/2010	6/30/2009	6/30/2008
3	PHOEBE WYNCOTE	6/30/2010	6/30/2009	6/30/2008
3	PICKERING MANOR HOME	6/30/2010	6/30/2009	6/30/2008
3	REDSTONE HIGHLANDS HEALTH CARE CENTER	6/30/2010	6/30/2009	6/30/2008
3	REFORMED PRESBYTERIAN HOME	12/31/2009	12/31/2008	12/31/2007
3	RICHBORO REHAB AND NURSING CENTER	6/30/2010	6/30/2009	6/30/2007
3	ROCKHILL MENNONITE COMMUNITY	6/30/2010	6/30/2009	6/30/2008

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date Median</i>
3	SAINT JOSEPH VILLA	6/30/2010	6/30/2009	6/30/2008
3	SAXONY HEALTH CENTER	12/31/2009	12/31/2008	12/31/2007
3	SCOTTDALE MANOR REHABILITATION CENTER	12/31/2009	12/31/2008	12/31/2007
3	SHERWOOD OAKS	6/30/2010	6/30/2009	6/30/2008
3	SKY VUE TERRACE	6/30/2010	6/30/2009	6/30/2007
3	SOUDERTON MENNONITE HOMES	6/30/2010	6/30/2009	6/30/2008
3	SOUTH FAYETTE NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
3	SOUTHWESTERN NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
3	STATESMAN HEALTH AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
3	TOWNE MANOR WEST	12/31/2009	12/31/2008	12/31/2007
3	TOWNVIEW HEALTH AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
3	TRANSITIONS HEALTHCARE AUTUMN GROVE	6/30/2010	6/30/2009	6/30/2008
3	VALENCIA WOODS AT ST BARNABAS	12/31/2009	12/31/2008	12/31/2007
3	VINCENTIAN DE MARILLAC	6/30/2010	6/30/2009	6/30/2008
3	WAYNE CENTER	6/30/2010	6/30/2009	6/30/2008
3	WESTGATE REHABILITATION AND NURSING CTR	6/30/2008	6/30/2007	6/30/2006
3	WILLOWBROOKE COURT AT BRITTANY POINTE	12/31/2009	12/31/2008	12/31/2007

<i>PG3 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$134.45	\$44.72	\$24.19
<i>PG3 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$157.31	\$50.09	\$25.16

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4	ALLIED SERVICES SKILLED NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
4	CAMBRIA CARE CENTER	12/31/2009	12/31/2008	12/31/2007
4	COLONIAL MANOR NURSING HOME	12/31/2009	12/31/2008	12/31/2007
4	CONESTOGA VIEW	12/31/2009	12/31/2008	12/31/2007
4	CROSS KEYS VILLAGE-BRETHREN HM COMM, THE	6/30/2010	6/30/2009	6/30/2008
4	GOLDEN LIVINGCENTER-WEST SHORE	12/31/2009	12/31/2008	12/31/2007
4	LACKAWANNA HEALTH AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
4	MASONIC VILLAGE AT ELIZABETHTOWN	12/31/2009	12/31/2008	12/31/2007
4	MOUNTAIN CITY NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4	MOUNTAIN VIEW, A NURSING AND REHAB CTR	12/31/2009	12/31/2008	12/31/2007
4	PHOEBE HOME, INC	6/30/2010	6/30/2009	6/30/2008
4	SPRING CREEK REHAB AND HEALTH CARE CTR	12/31/2009	12/31/2008	12/31/2007
4	TIMBER RIDGE HEALTH CENTER	12/31/2009	12/31/2008	12/31/2007
<i>PG4 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$155.01	\$56.46	\$21.46	
<i>PG4 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$181.36	\$63.24	\$22.32	
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	ABINGTON MANOR	12/31/2010	12/31/2009	12/31/2008
5	BERKSHIRE CENTER	6/30/2010	6/30/2009	6/30/2008
5	BERWICK RETIREMENT VILLAGE NRSNG CTR II	6/30/2010	6/30/2009	6/30/2008
5	BIRCHWOOD NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
5	BLOOMSBURG HEALTH CARE CENTER	6/30/2010	6/30/2009	6/30/2008
5	BRETHREN VILLAGE	6/30/2010	6/30/2009	6/30/2008
5	COLONIAL PARK CARE CENTER	12/31/2009	12/31/2008	12/31/2007
5	CORRY MANOR	12/31/2010	12/31/2009	12/31/2008
5	EASTON NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
5	EDINBORO MANOR	12/31/2010	12/31/2009	12/31/2008
5	EPHRATA MANOR	12/31/2009	12/31/2008	12/31/2007
5	FAIRMOUNT HOMES	6/30/2010	6/30/2009	6/30/2008
5	FAIRVIEW MANOR	12/31/2010	12/31/2009	12/31/2008
5	FELLOWSHIP MANOR	6/30/2010	6/30/2009	6/30/2008
5	FREY VILLAGE	12/31/2009	12/31/2008	12/31/2007
5	GOLDEN LIVINGCENTER-EAST MOUNTAIN	12/31/2009	12/31/2008	12/31/2007
5	GOLDEN LIVINGCENTER-LANCASTER	12/31/2009	12/31/2008	12/31/2007
5	GOLDEN LIVINGCENTER-READING	12/31/2009	12/31/2008	12/31/2007
5	GOLDEN LIVINGCENTER-SCRANTON	12/31/2009	12/31/2008	12/31/2007
5	GOLDEN LIVINGCENTER-SUMMIT	12/31/2009	12/31/2008	12/31/2007
5	GOLDEN LIVINGCENTER-TUNKHANNOCK	12/31/2009	12/31/2008	12/31/2007
5	GOLDEN LIVINGCENTER-WESTERN RESERVE	12/31/2009	12/31/2008	12/31/2007
5	HANOVER HALL	12/31/2009	12/31/2008	12/31/2007
5	HARRISON SENIOR LIVING OF CHRISTIANA	12/31/2009	12/31/2008	12/31/2007
5	HIGHLAND MANOR NURSING AND CONVAL CENTER	6/30/2010	6/30/2009	6/30/2008

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	HOLY FAMILY MANOR	12/31/2009	12/31/2008	12/31/2007
5	HOMEWOOD AT PLUM CREEK	12/31/2009	12/31/2008	12/31/2007
5	JEWISH HOME OF EASTERN PENNSYLVANIA	12/31/2009	12/31/2008	12/31/2007
5	JEWISH HOME OF GREATER HARRISBURG	6/30/2010	6/30/2009	6/30/2008
5	KINGSTON COMMONS	12/31/2009	12/31/2008	12/31/2007
5	KUTZTOWN MANOR	6/30/2010	6/30/2009	6/30/2008
5	LANCASHIRE HALL	12/31/2009	12/31/2008	12/31/2007
5	LAUREL CENTER	12/31/2010	12/31/2009	12/31/2008
5	LEHIGH CENTER	6/30/2010	6/30/2009	6/30/2008
5	LIBERTY NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2006
5	LITTLE FLOWER MANOR OF DIOCESE SCRANTON	12/31/2009	12/31/2008	12/31/2007
5	LUTHERAN HOME AT TOPTON	12/31/2009	12/31/2008	12/31/2006
5	MAHONING VALLEY NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
5	MANORCARE HEALTH SVCS-ALLENTOWN	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-BETHLEHEM (2021)	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-BETHLEHEM (2029)	12/31/2009	12/31/2008	12/31/2006
5	MANORCARE HEALTH SVCS-CAMP HILL	12/31/2009	12/31/2008	12/31/2006
5	MANORCARE HEALTH SVCS-CARLISLE	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-DALLASTOWN	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-EASTON	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-KINGSTON	12/31/2009	12/31/2008	12/31/2006
5	MANORCARE HEALTH SVCS-KINGSTON COURT	6/30/2010	6/30/2009	6/30/2007
5	MANORCARE HEALTH SVCS-LANCASTER	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-LAURELDALE	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-LEBANON	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-SINKING SPRING	12/31/2009	12/31/2008	12/31/2006
5	MANORCARE HEALTH SVCS-WEST READING NORTH	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-YORK NORTH	6/30/2010	6/30/2009	6/30/2007
5	MANORCARE HEALTH SVCS-YORK SOUTH	6/30/2010	6/30/2009	6/30/2007
5	MEADOWS NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	MENNONITE HOME, THE	6/30/2010	6/30/2009	6/30/2008
5	MESSIAH LIFEWAYS AT MESSIAH VILLAGE	6/30/2010	6/30/2009	6/30/2008
5	MIFFLIN CENTER	12/31/2010	12/31/2009	12/31/2008
5	MORAVIAN MANOR	12/31/2009	12/31/2008	12/31/2007
5	MOUNTAIN VIEW CARE CENTER	6/30/2010	6/30/2009	6/30/2008
5	OLD ORCHARD HEALTH CARE CENTER	12/31/2009	12/31/2008	12/31/2006
5	ORANGEVILLE NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
5	PHOEBE BERKS HEALTH CARE CENTER, INC	6/30/2010	6/30/2009	6/30/2008
5	PLEASANT VIEW RETIREMENT COMMUNITY	12/31/2009	12/31/2008	12/31/2007
5	PRESQUE ISLE REHAB & NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
5	QUARRYVILLE PRESBYTERIAN RETIRMENT COMM	6/30/2010	6/30/2009	6/30/2008
5	REST HAVEN-YORK	6/30/2010	6/30/2009	6/30/2008
5	RIVERSIDE REHABILITATION AND NURSING CTR	12/31/2009	12/31/2008	6/30/2007
5	RIVERSTREET MANOR	12/31/2010	12/31/2009	12/31/2008
5	SAINT ANNE'S RETIREMENT COMMUNITY	6/30/2010	6/30/2009	6/30/2008
5	SAINT MARY'S EAST	12/31/2009	12/31/2008	12/31/2007
5	SHIPPENSBURG HEALTH CARE CENTER	12/31/2009	12/31/2008	12/31/2007
5	SLATE BELT NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
5	SPRUCE MANOR NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
5	STONERIDGE TOWNE CENTRE	12/31/2009	12/31/2008	12/31/2007
5	SUSQUEHANNA VALLEY NURSING AND REHAB CTR	12/31/2009	12/31/2008	12/31/2007
5	THE MANOR AT PERRY VILLAGE	12/31/2009	12/31/2008	12/31/2007
5	THE MANOR AT SUSQUEHANNA VILLAGE	12/31/2009	12/31/2008	12/31/2007
5	THE PAVILION AT ST LUKE VILLAGE	12/31/2009	12/31/2008	12/31/2007
5	TWINBROOK MEDICAL CENTER	6/30/2010	6/30/2009	6/30/2007
5	WEATHERWOOD NURSING HOME AND REHAB CTR	12/31/2009	12/31/2008	12/31/2007
5	WESLEY VILLAGE	12/31/2009	12/31/2008	12/31/2007
<i>PG5 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$132.60	\$37.92	\$21.47	
<i>PG5 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$155.14	\$42.47	\$22.33	



<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	ABINGTON CREST NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
6	AUDUBON VILLA	12/31/2009	12/31/2008	12/31/2007
6	BALANCED CARE BLOOMSBURG	12/31/2009	12/31/2008	12/31/2007
6	BALL PAVILION, THE	6/30/2010	6/30/2009	6/30/2008
6	BARBARA J. EGAN NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
6	BELLE REVE HEALTH CARE CENTER	12/31/2009	12/31/2008	12/31/2007
6	BETHANY VILLAGE RETIREMENT CENTER	12/31/2009	12/31/2008	12/31/2007
6	BONHAM NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
6	BUTLER VALLEY MANOR	12/31/2009	12/31/2008	12/31/2007
6	CALVARY FELLOWSHIP HOMES, INC	6/30/2010	6/30/2009	6/30/2008
6	CARBONDALE NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
6	CHAPEL POINTE AT CARLISLE	12/31/2009	12/31/2008	12/31/2007
6	CHURCH OF GOD HOME, INC	12/31/2009	12/31/2008	12/31/2007
6	CORNWALL MANOR	12/31/2009	12/31/2008	12/31/2007
6	COUNTRY MEADOWS NURSING CENTER-BETHLEHEM	12/31/2009	12/31/2008	12/31/2007
6	COUNTRYSIDE CHRISTIAN COMMUNITY	12/31/2009	12/31/2008	12/31/2007
6	COURTYARD GARDENS NURSING AND REHAB CTR	12/31/2009	12/31/2008	12/31/2007
6	CUMBERLAND CROSSINGS RETIREMENT COMM	12/31/2009	12/31/2008	12/31/2007
6	DENVER NURSING HOME	12/31/2009	12/31/2008	12/31/2007
6	DUNMORE HEALTH CARE CENTER	12/31/2009	12/31/2008	6/30/2007
6	FOREST PARK HEALTH CENTER	12/31/2009	12/31/2008	12/31/2006
6	FORESTVIEW	12/31/2009	12/31/2008	12/31/2007
6	GOLDEN LIVINGCENTER-BLUE RIDGE MOUNTAIN	12/31/2009	12/31/2008	12/31/2007
6	GOLDEN LIVINGCENTER-CAMP HILL	12/31/2009	12/31/2008	12/31/2007
6	GOLDEN LIVINGCENTER-WALNUT CREEK	12/31/2008	12/31/2007	12/31/2005
6	GREEN RIDGE CARE CENTER	12/31/2009	12/31/2008	12/31/2007
6	GUARDIAN ELDER CARE CENTER	12/31/2009	12/31/2008	12/31/2007
6	HAMILTON ARMS CENTER	6/30/2010	6/30/2009	6/30/2008
6	HAMPTON HOUSE	6/30/2010	6/30/2009	6/30/2007
6	HOLY FAMILY RESIDENCE	12/31/2009	12/31/2008	12/31/2007
6	HOMELAND CENTER	6/30/2010	6/30/2009	6/30/2008
6	HOMESTEAD VILLAGE, INC	6/30/2010	6/30/2009	6/30/2008
6	KEPLER HOME, INC, THE	12/31/2009	12/31/2008	12/31/2007
6	KINDRED TRANSITIONAL CARE - WYOMISSING	12/31/2009	12/31/2008	12/31/2007
6	KINKORA PYTHIAN HOME	6/30/2010	6/30/2009	6/30/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	LAKESIDE NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
6	LANDIS HOMES	6/30/2010	6/30/2009	6/30/2008
6	LAURELS HEALTH AND REHAB AT KINGSTON	12/31/2009	12/31/2008	12/31/2007
6	LAURELS HEALTH AND REHAB AT MID VALLEY	12/31/2009	12/31/2008	12/31/2007
6	LEBANON VALLEY BRETHERN HOME	12/31/2009	12/31/2008	12/31/2007
6	LEBANON VALLEY HOME THE	12/31/2009	12/31/2008	12/31/2007
6	LINWOOD NURSING AND REHABILITATION CTR	6/30/2010	6/30/2009	6/30/2008
6	LUTHER ACRES MANOR	12/31/2009	12/31/2008	12/31/2007
6	LUTHER CREST NURSING FACILITY	12/31/2009	12/31/2008	12/31/2006
6	LUTHERAN NRSG AND REHAB CTR-SPRENKLE DR	12/31/2009	12/31/2008	12/31/2007
6	MANCHESTER PRESBYTERIAN LODGE	12/31/2009	12/31/2008	12/31/2007
6	MANORCARE HEALTH SVCS-ELIZABETHTOWN	12/31/2009	12/31/2008	12/31/2006
6	MAPLE FARM	6/30/2009	6/30/2008	6/30/2007
6	MARY ELLEN CONVALESCENT HOME, INC	6/30/2010	6/30/2009	6/30/2008
6	MERCY CENTER NURSING UNIT, INC	12/31/2009	12/31/2008	12/31/2007
6	MILFORD SENIOR CARE AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
6	MILLCREEK MANOR	6/30/2010	6/30/2009	6/30/2008
6	MILLVILLE HEALTH CENTER	12/31/2009	12/31/2008	12/31/2007
6	MISERICORDIA NURSING & REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
6	MORAVIAN HALL SQ. HLTH AND WELLNESS CTR	6/30/2010	6/30/2009	6/30/2008
6	MOSSER NURSING HOME	6/30/2010	6/30/2009	6/30/2008
6	MOUNT HOPE NAZARENE RETIREMENT COMMUNITY	6/30/2010	6/30/2009	6/30/2008
6	MOUNTAIN TOP SENIOR CARE AND REHAB CTR	6/30/2009	6/30/2008	6/30/2007
6	NEW EASTWOOD CARE AND REHAB CENTER	12/31/2009	12/31/2008	
6	NIPPLE CONVALESCENT HOME	12/31/2009	12/31/2008	12/31/2007
6	NORMANDIE RIDGE	12/31/2009	12/31/2008	12/31/2007
6	OSPREY RIDGE HEALTHCARE AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
6	PALMYRA NURSING HOME	12/31/2009	12/31/2008	12/31/2007
6	PRAXIS ALZHEIMER'S FACILITY	12/31/2009	12/31/2008	12/31/2007
6	PRESBYTERIAN LODGE	12/31/2009	12/31/2008	12/31/2007
6	RHEEMS NURSING AND REHABILITATION CENTER	12/31/2009	12/31/2008	12/31/2007
6	SAINT MARY'S AT ASBURY RIDGE	12/31/2009	12/31/2008	12/31/2007

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	SAINT MARY'S VILLA NURSING HOME, INC	12/31/2009	12/31/2008	12/31/2007
6	SARAH A REED RETIREMENT CENTER, THE	6/30/2010	6/30/2009	6/30/2008
6	SARAH A TODD MEMORIAL HOME	12/31/2009	12/31/2008	12/31/2007
6	SCRANTON HEALTH CARE CENTER	12/31/2009	12/31/2008	12/31/2006
6	SKILLED CARE CENTER AT UTZ TERRACE	12/31/2009	12/31/2008	
6	SMITH HEALTH CARE, LTD	6/30/2010	6/30/2009	6/30/2008
6	SPANG CREST MANOR	12/31/2009	12/31/2008	12/31/2007
6	ST. LUKE'S VILLA	6/30/2010	6/30/2008	6/30/2007
6	STONEBRIDGE HEALTH AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
6	STONERIDGE POPLAR RUN	12/31/2009	12/31/2008	12/31/2007
6	SWAIM HEALTH CENTER	12/31/2009	12/31/2008	12/31/2007
6	THE MANOR AT ST LUKE VILLAGE	12/31/2009	12/31/2008	12/31/2007
6	THORNWALD HOME	12/31/2009	12/31/2008	12/31/2007
6	TWIN OAKS NURSING HOME	12/31/2009	12/31/2008	12/31/2007
6	UNITED ZION RETIREMENT COMMUNITY	12/31/2009	12/31/2008	12/31/2007
6	VILLAGE AT LUTHER SQUARE	12/31/2009	12/31/2008	12/31/2007
6	WESTMINSTER VILLAGE	12/31/2009	12/31/2008	12/31/2007
6	ZERBE SISTERS NURSING CENTER, INC.	6/30/2010	6/30/2009	6/30/2008

<i>PG6 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$140.57	\$43.22	\$23.26
<i>PG6 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$164.47	\$48.41	\$24.19

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	ALTOONA CENTER FOR NURSING CARE	12/31/2009	12/31/2008	12/31/2007
8	ARBUTUS PARK MANOR	6/30/2010	6/30/2009	6/30/2008
8	CHURCH OF THE BRETHREN HOME	6/30/2010	6/30/2009	6/30/2008
8	GARVEY MANOR	12/31/2009	12/31/2008	12/31/2007
8	GOLDEN LIVINGCENTER-HILLVIEW	12/31/2009	12/31/2008	12/31/2007
8	HEARTHSIDE REHAB AND NURSING CENTER, THE	12/31/2008	12/31/2007	12/31/2006
8	HOMEWOOD AT MARTINSBURG PA INC	12/31/2009	12/31/2008	12/31/2007
8	LAUREL WOOD CARE CENTER	12/31/2009	12/31/2008	12/31/2007
8	MANORCARE HEALTH SVCS-JERSEY SHORE	12/31/2009	12/31/2008	12/31/2006
8	MANORCARE HEALTH SVCS-WILLIAMSPORT NORTH	12/31/2009	12/31/2008	12/31/2006

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	MEADOW VIEW NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
8	MORRISONS COVE HOME	12/31/2009	12/31/2008	12/31/2007
8	ORCHARD MANOR, INC	6/30/2010	6/30/2009	6/30/2008
8	ROSE VIEW CENTER	6/30/2010	6/30/2009	6/30/2008
8	SAINT PAUL HOMES	12/31/2009	12/31/2008	12/31/2007
8	SIEMONS' LAKEVIEW MANOR NSG AND REHAB	6/30/2010	6/30/2009	6/30/2008
8	SYCAMORE MANOR HEALTH CENTER	12/31/2009	12/31/2008	12/31/2007
8	VALLEY VIEW NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
8	WHITE CLIFF NURSING HOME	12/31/2009	12/31/2008	12/31/2007
8	WILLIAMSPORT HOME, THE	12/31/2009	12/31/2008	12/31/2007
8	WINDY HILL VILLAGE OF PRESBYTERIAN HOMES	12/31/2009	12/31/2008	12/31/2007

<i>PG8 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$127.75	\$41.57	\$20.48
<i>PG8 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$149.47	\$46.56	\$21.30

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9	AVALON SPRINGS NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
9	CLEPPER MANOR	12/31/2009	12/31/2008	12/31/2007
9	COUNTRYSIDE CONVAL HOME LTD PARTNERSHIP	6/30/2010	6/30/2009	6/30/2008
9	EPWORTH MANOR	12/31/2010	12/31/2009	12/31/2008
9	GOLDEN LIVINGCENTER-HAIDA	12/31/2009	12/31/2008	12/31/2007
9	GOLDEN LIVINGCENTER-MEYERSDALE	12/31/2009	12/31/2008	12/31/2007
9	GOLDEN LIVINGCENTER-RICHLAND	12/31/2009	12/31/2008	12/31/2007
9	GROVE MANOR	6/30/2010	6/30/2009	6/30/2008
9	HOSPITALITY CARE CENTER OF HERMITAGE INC	12/31/2009	12/31/2008	12/31/2007
9	JOHN XXIII HOME	12/31/2009	12/31/2008	12/31/2007
9	LAUREL VIEW VILLAGE	6/30/2010	6/30/2009	6/30/2008
9	LUTHERAN HOME AT HOLLIDAYSBURG, THE	12/31/2009	12/31/2008	12/31/2007
9	LUTHERAN HOME AT JOHNSTOWN, THE	12/31/2009	12/31/2008	12/31/2007
9	MANORCARE HEALTH SVCS-WILLIAMSPORT SOUTH	12/31/2010	12/31/2009	12/31/2008
9	MAPLE WINDS CARE CENTER	12/31/2009	12/31/2008	
9	NUGENT CONVALESCENT HOME	12/31/2009	12/31/2008	12/31/2007
9	PRESBYTERIAN HOME OF GREATER JOHNSTOWN	12/31/2009	12/31/2008	12/31/2007
9	PRESBYTERIAN HOMES-PRESBYTERY-HUNTINGDON	12/31/2009	12/31/2008	12/31/2007

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9	THE PATRIOT, A CHOICE COMMUNITY	12/31/2009	12/31/2008	12/31/2007
9	TRINITY LIVING CENTER	6/30/2010	6/30/2009	6/30/2008
<i>PG9 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$108.72	\$41.04	\$19.00	
<i>PG9 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$127.20	\$45.96	\$19.76	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	ASHTON HEALTHCARE	12/31/2009	12/31/2008	12/31/2007
11	BEACON RIDGE, A CHOICE COMMUNITY	12/31/2009	12/31/2008	12/31/2007
11	BRADFORD MANOR	12/31/2010	12/31/2009	12/31/2008
11	BROAD ACRES HEALTH AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
11	BROAD MOUNTAIN NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
11	CHRIST THE KING MANOR	6/30/2010	6/30/2009	6/30/2008
11	CLARVIEW NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
11	DUBOIS NURSING HOME	6/30/2010	6/30/2009	6/30/2008
11	ELK HAVEN NURSING HOME	6/30/2010	6/30/2009	6/30/2008
11	ELLEN MEMORIAL HEALTH CARE CENTER	6/30/2010	6/30/2009	6/30/2008
11	FOREST CITY NURSING AND REHAB CENTER	12/31/2009	6/30/2008	6/30/2007
11	GOLDEN HILL NURSING HOME, INC	6/30/2010	6/30/2009	6/30/2008
11	GOLDEN LIVINGCENTER-SHIPPEVILLE	12/31/2009	12/31/2008	12/31/2007
11	GOLDEN LIVINGCENTER-STROUD	12/31/2009	12/31/2008	12/31/2007
11	GOLDEN LIVINGCENTER-WILLIAM PENN	12/31/2009	12/31/2008	12/31/2007
11	GRANDVIEW HEALTH HOMES, INC	6/30/2010	6/30/2009	6/30/2008
11	GREEN HOME, INC, THE	6/30/2010	6/30/2009	6/30/2008
11	HIGHLANDS CARE CENTER, THE	12/31/2009	12/31/2008	12/31/2007
11	HOMETOWN NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
11	JEFFERSON MANOR HEALTH CENTER	6/30/2010	6/30/2009	6/30/2008
11	JULIA POUND CARE CENTER	12/31/2009	12/31/2008	12/31/2007
11	JULIA RIBAUDO EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
11	KITTANNING CARE CENTER	12/31/2009	12/31/2008	12/31/2007
11	KRAMM HEALTH AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
11	MANORCARE HEALTH SVCS-CHAMBERSBURG	12/31/2009	12/31/2008	12/31/2006

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	MANORCARE HEALTH SVCS-POTTSVILLE	12/31/2010	12/31/2009	12/31/2008
11	MANORCARE HEALTH SVCS-SUNBURY	12/31/2010	12/31/2009	12/31/2008
11	MENNO-HAVEN, INC.	12/31/2009	12/31/2008	12/31/2007
11	MOUNT CARMEL NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
11	MOUNTAIN LAUREL NRC	6/30/2010	6/30/2009	6/30/2008
11	NOTTINGHAM VILLAGE	12/31/2009	12/31/2008	12/31/2007
11	OHESON MANOR	12/31/2009	12/31/2008	12/31/2007
11	OIL CITY PRESBYTERIAN HOME	12/31/2009	12/31/2008	12/31/2007
11	ORWIGSBURG CENTER	6/30/2010	6/30/2009	6/30/2008
11	PENKNOLL VILLAGE	12/31/2009	12/31/2008	12/31/2007
11	QUINCY RETIREMENT COMMUNITY	12/31/2009	12/31/2008	12/31/2007
11	RIDGEVIEW ELDER CARE REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
11	RIVERWOODS	12/31/2009	12/31/2008	12/31/2007
11	ROLLING FIELDS, INC	12/31/2009	12/31/2008	12/31/2007
11	ROLLING MEADOWS	6/30/2010	6/30/2009	6/30/2008
11	SCHUYLKILL CENTER	6/30/2010	6/30/2009	6/30/2008
11	SENA-KEAN MANOR	12/31/2009	12/31/2008	12/31/2007
11	SETON MANOR INC	6/30/2010	6/30/2009	6/30/2008
11	SHENANDOAH MANOR NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
11	SUGAR CREEK STATION SKILLED NSG & REHAB	12/31/2009	12/31/2008	12/31/2007
11	SWEDEN VALLEY MANOR	12/31/2010	12/31/2009	12/31/2008
11	THE MANOR AT PENN VILLAGE	12/31/2009	12/31/2008	12/31/2007
11	TRANSITIONS HEALTHCARE GETTYSBURG	12/31/2009	12/31/2008	12/31/2007
11	TREMONT HEALTH AND REHABILITATION CENTER	6/30/2010	6/30/2009	6/30/2008
11	VALLEY VIEW HAVEN, INC	12/31/2009	12/31/2008	12/31/2007
11	WARREN MANOR	12/31/2010	12/31/2009	12/31/2008
11	WATSONTOWN HEALTH AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
11	WAYNE WOODLANDS MANOR	6/30/2010	6/30/2009	6/30/2008
11	WESBURY UNITED METHODIST COMMUNITY	12/31/2009	12/31/2008	12/31/2007
11	WOODLAND RETIREMENT COMMUNITY	12/31/2009	12/31/2008	12/31/2007
<i>PG11 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$118.44	\$38.63	\$19.40	
<i>PG11 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$138.57	\$43.27	\$20.18	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	AVALON NURSING CENTER	6/30/2010	6/30/2009	6/30/2008
12	BRADFORD ECUMENICAL HOME, INC	12/31/2009	12/31/2008	12/31/2007
12	BROOKLINE MANOR AND REHABILITATIVE SRVCS	12/31/2009	12/31/2008	12/31/2007
12	BROOKMONT HEALTHCARE CENTER LLC	12/31/2009	12/31/2008	12/31/2007
12	BUFFALO VALLEY LUTHERAN VILLAGE	12/31/2009	12/31/2008	12/31/2007
12	CAMBRIDGE SPRINGS REHAB & NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
12	CARING PLACE, THE	6/30/2010	6/30/2009	6/30/2008
12	CARLETON SENIOR CARE AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
12	DARWAY ELDER CARE REHABILITATION CENTER	12/31/2009	12/31/2008	12/31/2007
12	DONAHOE MANOR	6/30/2010	6/30/2009	6/30/2007
12	DR ARTHUR CLIFTON MCKINLEY HEALTH CENTER	6/30/2010	6/30/2009	6/30/2008
12	EDISON MANOR NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
12	EMMANUEL CENTER FOR NURSING AND REHAB	12/31/2009	12/31/2008	12/31/2007
12	FRIENDLY NURSING HOME - PITMAN	6/30/2010	6/30/2009	6/30/2008
12	GETTYSBURG CENTER	6/30/2010	6/30/2009	6/30/2008
12	GETTYSBURG LUTHERAN NURSING REHAB	12/31/2009	12/31/2008	12/31/2007
12	GOLDEN LIVINGCENTER-CLARION	12/31/2009	12/31/2008	12/31/2007
12	GOLDEN LIVINGCENTER-GETTYSBURG	12/31/2009	12/31/2008	12/31/2007
12	GOLDEN LIVINGCENTER-KINZUA	12/31/2009	12/31/2008	12/31/2007
12	GOLDEN LIVINGCENTER-MANSION	12/31/2009	12/31/2008	12/31/2007
12	GOLDEN LIVINGCENTER-OIL CITY	12/31/2009	12/31/2008	12/31/2007
12	GOLDEN LIVINGCENTER-TITUSVILLE	12/31/2009	12/31/2008	12/31/2007
12	GOLDEN LIVINGCENTER-WAYNESBURG	12/31/2009	12/31/2008	12/31/2007
12	GOLDEN LIVINGCENTER-YORK TERRACE	12/31/2009	12/31/2008	12/31/2007
12	GUY AND MARY FELT MANOR, INC	6/30/2010	6/30/2009	6/30/2008
12	HAVEN CONVALESCENT HOME, INC	12/31/2009	12/31/2008	12/31/2007
12	HIGHLAND VIEW CARE CENTER	12/31/2009	12/31/2008	6/30/2007
12	HILLSDALE REHABILITATION AND NURSING CTR	12/31/2007	12/31/2006	12/31/2005
12	HUNTINGDON NURSING AND REHAB CENTER	6/30/2010	6/30/2009	6/30/2008
12	JAMESON CARE CENTER	12/31/2009	12/31/2008	12/31/2007

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	LAKEVIEW SENIOR CARE AND LIVING CENTER	12/31/2009	12/31/2008	12/31/2007
12	LAUREL CARE NURSING AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
12	LOCUST GROVE RETIREMENT VILLAGE	12/31/2009	12/31/2008	12/31/2007
12	LUTHERAN HOME AT KANE, THE	12/31/2009	12/31/2008	12/31/2007
12	MALTA HOME	12/31/2009	12/31/2008	12/31/2007
12	MEADOW VIEW SENIOR LIVING CENTER	12/31/2009	12/31/2008	12/31/2007
12	MEADVILLE REHABILITATION & NURSING CTR	12/31/2009	12/31/2008	12/31/2007
12	MULBERRY SQUARE	12/31/2009	12/31/2008	12/31/2007
12	OVERLOOK MEDICAL CLINIC INC	12/31/2009	12/31/2008	12/31/2007
12	PAVILION AT BRMC	6/30/2010	6/30/2009	6/30/2008
12	PENN HALL AT MENNO HAVEN	12/31/2009	12/31/2008	12/31/2007
12	RICHFIELD SENIOR LIVING AND REHAB CENTE	6/30/2009	6/30/2008	6/30/2007
12	RIDGEVIEW HEALTHCARE & REHAB CENTER, LLC	12/31/2009	12/31/2008	12/31/2007
12	ROLLING HILLS MANOR	12/31/2009	12/31/2008	6/30/2007
12	SAYRE HEALTH CARE CENTER, LLC	6/30/2010	6/30/2009	6/30/2008
12	SCENERY HILL MANOR	12/31/2009	12/31/2008	12/31/2007
12	SHENANGO PRESBYTERIAN HOME	12/31/2009	12/31/2008	12/31/2007
12	SHOOK HOME, THE	12/31/2009	12/31/2008	12/31/2007
12	SILVER OAKS NURSING CENTER	12/31/2009	12/31/2008	12/31/2007
12	SNYDER MEMORIAL HEALTH CARE CENTER	12/31/2009	12/31/2008	12/31/2007
12	SUGAR CREEK REST	6/30/2010	6/30/2009	6/30/2008
12	WESTMINSTER WOODS AT HUNTINGDON	12/31/2009	12/31/2008	12/31/2007

<i>PG12 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$110.09	\$38.02	\$19.21
<i>PG12 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$128.81	\$42.58	\$19.98

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	ARISTACARE AT MEADOW SPRINGS	6/30/2010	6/30/2009	6/30/2008
13	FOX SUBACUTE AT CLARA BURKE	12/31/2009	12/31/2008	12/31/2007
13	FOX SUBACUTE AT MECHANICSBURG	6/30/2010		
13	FOX SUBACUTE CENTER	12/31/2009	12/31/2008	12/31/2007
13	GOOD SHEPHERD HOME RAKER CENTER	6/30/2010	6/30/2009	6/30/2008
13	GOOD SHEPHERD HOME-BETHLEHEM	6/30/2010	6/30/2009	6/30/2008



<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	INGLIS HOUSE	6/30/2010	6/30/2009	6/30/2008
13	MARGARET E. MOUL HOME	6/30/2010	6/30/2009	6/30/2008

## Peer Group Medians and Prices for Nursing Facilities classified as SRFs after 7/1/2000

<i>PG13 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$228.35	\$78.91	\$48.04
<i>PG13 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$267.17	\$88.38	\$49.96

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	GOOD SHEPHERD HOME RAKER CENTER	6/30/2010	6/30/2009	6/30/2008
13	GOOD SHEPHERD HOME-BETHLEHEM	6/30/2010	6/30/2009	6/30/2008
13	INGLIS HOUSE	6/30/2010	6/30/2009	6/30/2008
13	MARGARET E. MOUL HOME	6/30/2010	6/30/2009	6/30/2008

## Peer Group Medians and Prices for Nursing Facilities classified as SRFs on or before 7/1/2000

<i>PG13 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$206.96	\$89.50	\$41.34
<i>PG13 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$242.14	\$100.24	\$42.99

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
14	BARNES-KASSON COUNTY HOSPITAL SNF	6/30/2010	6/30/2009	6/30/2008
14	BERWICK RETIREMENT VILLAGE NRSNG CTR I	6/30/2010	6/30/2009	6/30/2008
14	BUCKTAIL MEDICAL CENTER	6/30/2010	6/30/2009	6/30/2008
14	CHARLES COLE MEMORIAL HOSPITAL ECF	6/30/2010	6/30/2009	6/30/2008
14	EVERGREEN HEALTH CARE CENTER	6/30/2010	6/30/2009	6/30/2008
14	FULTON COUNTY MEDICAL CENTER LTCU	6/30/2010	6/30/2009	6/30/2008
14	LOCK HAVEN HOSPITAL E.C.U.	6/30/2010	6/30/2009	6/30/2008
14	MEMORIAL HOSPITAL INC SNU	6/30/2010	6/30/2009	6/30/2008
14	MUNCY VALLEY HOSPITAL SNU	6/30/2010	6/30/2009	6/30/2008
14	PINECREST MANOR	6/30/2010	6/30/2009	6/30/2008
14	ST LUKE'S MINERS MEMORIAL GERIATRIC CTR	6/30/2010	6/30/2009	6/30/2008
14	SUMMIT AT BLUE MOUNTAIN NURSING & REHAB	6/30/2010	6/30/2009	6/30/2008
14	SUNBURY COMMUNITY HOSPITAL SNF	6/30/2010	6/30/2009	6/30/2008
14	WILLOWCREST	6/30/2010	6/30/2009	6/30/2008
14	SAINT CATHERINE HEALTHCARE CENTER	6/30/2010	6/30/2009	6/30/2008

<i>PG14 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$134.22	\$59.10	\$26.27
<i>PG14 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$157.04	\$66.19	\$27.32

**Fiscal Note:** 14-NOT-867. No fiscal impact; (8) recommends adoption.

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**Peer Groups, Peer Group Medians and Peer Group Prices for Nonpublic Nursing Facilities Including Hospital-Based Nursing Facilities and Special Rehabilitation Facilities for Fiscal Year 2013-2014**

The purpose of this notice is to announce the Department of Public Welfare’s (Department) peer groups, peer group medians and peer group prices for nonpublic nursing facilities including hospital-based nursing facilities and special rehabilitation facilities (SRF) codified at 55 Pa. Code Chapter 1187, Appendix B (relating to medians and prices) under 55 Pa. Code § 1187.95(a)(4) (relating to general principles for rate and price setting). The Department used the peer groups, peer group medians and peer group prices to determine case-mix rates for nonpublic nursing facilities for State Fiscal Year (FY) July 1, 2013, through June 30, 2014. The Department calculated the peer groups, peer group medians and peer group prices announced in this notice in accordance with 55 Pa. Code Chapter 1187 (relating to nursing facility services). Peer group medians and peer group prices for SRFs are determined in accordance with the methodology described in the final-form rulemaking Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities published at 44 Pa.B. 3322 (June 7, 2014). The data that the Department used to determine the peer group medians and prices is available on the web site for the Department at [www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm).

To establish the database for the calculation of peer group medians and prices, the Department used each nursing facility’s three most recent audited cost reports that were issued by the Department on or before March 31, 2013, and indexed the costs for each report forward to the common date of December 31, 2013, using the CMS Nursing Home Without Capital Market Basket Index. The following is a listing, by group, of the number of nursing facilities with a particular year-end, and the inflation factor used to roll the costs of each facility forward to the common date of December 31, 2013.

**Nonpublic Nursing Facilities  
(other than hospital-based and special rehabilitation facilities)**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2006	2	1.2056
December 31, 2006	1	1.1857
June 30, 2007	5	1.1665
December 31, 2007	7	1.1489
June 30, 2008	38	1.1240
December 31, 2008	310	1.1067
June 30, 2009	215	1.0983
December 31, 2009	341	1.0900
June 30, 2010	215	1.0773
December 31, 2010	344	1.0693

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2011	189	1.0528
December 31, 2011	34	1.0460

**Hospital-Based Nursing Facilities**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2009	13	1.0983
June 30, 2010	13	1.0773
June 30, 2011	13	1.0528

**Special Rehabilitation Facilities**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
December 31, 2008	2	1.1067
June 30, 2009	5	1.0983
December 31, 2009	2	1.0900
June 30, 2010	6	1.0773
December 31, 2010	2	1.0693
June 30, 2011	6	1.0528

\* As a result of using the three most recent audited cost reports, the “Number of Facilities” column reflects a number in excess of actual enrolled nursing facilities.

After the database was inflated using the inflation values, the Department grouped the facilities in the correct geographic and bed size groupings. In accordance with 55 Pa. Code § 1187.94 (relating to peer grouping for price setting), to establish peer groups, the Department used the Metropolitan Statistical Areas (MSA) group classification published in the Federal Office of Management and Budget Bulletin No. 99-04, regarding revised statistical definitions of Metropolitan Areas and guidance on uses of Metropolitan Area definitions, to classify each nursing facility into one of three MSA groups or one non-MSA group. The Department then used the bed complement of the nursing facility on the final day of the reporting period of the most recent audited MA-11 used in the Nursing Information System database to classify nursing facilities into one of three bed complement groups. These groups are 3—119 beds, 120—269 beds and 270 beds and over. Peer groups 7 and 10 have been collapsed in accordance with 55 Pa. Code § 1187.94(1)(iv). Peer group 13 is designated for SRFs only and peer group 14 is designated for hospital-based nursing facilities only, regardless of geographic location or bed-size.

After the database was established and the peer groups determined, the Department calculated the medians and prices for each peer group. For peer group 13, the Department arrayed the SRFs classified on or before July 1, 2000, to set the peer group median and prices for those facilities. The Department arrayed any SRFs classified after July 1, 2000, with all other SRFs to set their peer group medians and prices.

To calculate the resident care cost medians, the Department divided the inflated audited allowable resident care

costs for each cost report by the total facility case-mix index from the available February 1 picture date closest to the midpoint of the cost report period to obtain case-mix neutral total resident care cost for the cost report year. The Department then divided the case-mix neutral total resident care cost for each cost report by the total audited actual resident days for the cost report year to obtain the case-mix neutral resident care cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the case-mix neutral resident care cost per diem for each nursing facility to obtain the average case-mix neutral resident care cost per diem of each facility. The Department arrayed the average case-mix neutral resident care cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the other resident related cost medians, the Department first divided the inflated audited allowable other resident related costs for each cost report by the total audited actual resident days for the cost report year to obtain the other resident related cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the other resident related cost for each nursing facility to obtain the average other resident related cost per diem of each facility. The Department arrayed the average other resident related cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the administrative cost medians, the Department adjusted, as appropriate, the total audited actual resident days for each cost report to a minimum 90% occupancy in accordance with 55 Pa. Code § 1187.23 (relating to nursing facility incentives and adjustments). The Department then divided the inflated audited allowable administrative cost for each cost report by the total audited actual resident days, adjusted to 90% occupancy, if applicable, to obtain the administrative cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the administrative cost for each nursing facility to obtain the average administrative cost per diem of each facility. The Department arrayed the average administrative cost per diem for each nursing facility within the respective peer groups to determine a median for each peer group.

After the medians were determined for each peer group, the Department set prices using the medians. To set peer group prices, the Department multiplied the resident care

cost median of each peer group by 1.17 to obtain the resident care cost peer group price; multiplied the other resident related cost median of each peer group by 1.12 to obtain the other resident related peer group price; and multiplied the administrative cost median of each peer group by 1.04 to obtain the administrative cost peer group price.

The peer groups, peer group medians and peer group prices for nonpublic nursing facilities including hospital-based and SRFs for Year 19 are in the list of Medians and Prices for 2013-2014.

A Medical Assistance nursing facility provider may file an administrative appeal if the facility believes that the Department made any errors or the provider otherwise disagrees with the Year 19 peer group prices that the Department established for its peer group. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals (BHA), 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of this notice. If a provider chooses to appeal, the provider will be afforded the opportunity for a de novo hearing before the BHA. The peer group prices applied in setting the facility's rates may be changed as a result of the final adjudication of the facility's peer group price appeal. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals), and to the Department's regulations in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures), for more detail regarding their appeal rights and the requirements related to their written appeals.

#### *Fiscal Impact*

There is no fiscal impact associated with this change in FY 2013-2014.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

## Appendix B

### MEDIANS AND PRICES FOR 2013-2014

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
1	ABRAMSON RESIDENCE	6/30/2011	6/30/2010	6/30/2009
1	BROOMALL REHAB AND NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
1	CARE PAVILION NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
1	IMMACULATE MARY HOME	6/30/2011	6/30/2010	6/30/2009
1	SAINT FRANCIS COUNTRY HOUSE	6/30/2011	6/30/2010	6/30/2009

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
1	ST JOHN SPECIALTY CARE CENTER	6/30/2011	6/30/2010	6/30/2009
1	ST JOSEPH'S MANOR (DBA ENTITY OF HRHS)	6/30/2011	6/30/2010	6/30/2009
<i>PG1 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$163.83	\$51.52	\$27.03	
<i>PG1 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$191.68	\$57.70	\$28.11	
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	ANDORRA WOODS HEALTHCARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	ASBURY HEALTH CENTER	12/31/2010	12/31/2009	12/31/2008
2	ATTLEBORO NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
2	BALA NURSING AND RETIREMENT CENTER	6/30/2011	6/30/2010	6/30/2009
2	BALDOCK HEALTH CARE CENTER	6/30/2011	6/30/2010	6/30/2009
2	BALDWIN HEALTH CENTER	6/30/2011	6/30/2010	6/30/2009
2	BAPTIST HOMES OF WESTERN PENNSYLVANIA	6/30/2011	6/30/2010	6/30/2009
2	BEAVER VALLEY NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
2	BRANDYWINE HALL	6/30/2010	6/30/2009	6/30/2008
2	BRIARCLIFF PAVILION HEALTH AND REHAB CTR	12/31/2010	12/31/2009	12/31/2008
2	BRIARLEAF NURSING AND CONVAL CENTER	6/30/2011	6/30/2010	6/30/2009
2	BROOKSIDE HEALTHCARE AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
2	BROOMALL MANOR	12/31/2010	12/31/2009	6/30/2007
2	BROOMALL PRESBYTERIAN VILLAGE	12/31/2010	12/31/2009	12/31/2008
2	BRYN MAWR EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
2	BUCKINGHAM VALLEY REHAB AND NURSING CTR	6/30/2011	6/30/2010	6/30/2009
2	CARING HEART REHAB AND NURSING CENTER	6/30/2011	6/30/2010	6/30/2008
2	CARING HEIGHTS COMMUNITY CARE & REHAB	12/31/2010	12/31/2009	12/31/2008
2	CATHEDRAL VILLAGE	6/30/2011	6/30/2010	6/30/2009
2	CENTENNIAL HEALTHCARE & REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
2	CHAPEL MANOR	6/30/2010	6/30/2009	6/30/2008
2	CHARLES M. MORRIS NURSING AND REHAB CTR	6/30/2011	6/30/2010	6/30/2009
2	CHATHAM ACRES	12/31/2010	12/31/2008	12/31/2007
2	CHELTENHAM NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	CHERRY TREE NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
2	CHESTER VALLEY REHAB AND NURSING CENTER	6/30/2008	6/30/2007	6/30/2006
2	CHESTNUT HILL LODGE HEALTH AND REHAB CTR	12/31/2010	12/31/2009	12/31/2008
2	CLIVEDEN NSG & REHAB CTR	6/30/2011	6/30/2010	6/30/2009
2	COMMONS AT SQUIRREL HILL	12/31/2010	12/31/2009	12/31/2008
2	CONCORDIA LUTHERAN HEALTH AND HUMAN CARE	6/30/2011	6/30/2010	6/30/2009
2	CONSULATE HEALTH CARE OF CHESWICK	12/31/2010	12/31/2009	12/31/2008
2	COUNTRY MEADOWS OF SOUTH HILLS	12/31/2010	12/31/2009	12/31/2008
2	CRANBERRY PLACE	6/30/2011	6/30/2010	6/30/2009
2	CRESTVIEW CENTER	6/30/2010	6/30/2009	6/30/2008
2	DEER MEADOWS RETIREMENT COMMUNITY	6/30/2011	6/30/2010	6/30/2009
2	ELKINS CREST HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
2	EVANGELICAL MANOR	12/31/2010	12/31/2009	12/31/2008
2	FAIRVIEW CARE CENTER OF BETHLEHEM PIKE	6/30/2010	6/30/2009	6/30/2008
2	FAIRVIEW CARE CENTER OF PAPERMILL ROAD	6/30/2010	6/30/2009	6/30/2008
2	FORBES CENTER FOR REHAB & HEALTHCARE LLC	12/31/2010	12/31/2009	12/31/2008
2	GARDEN SPRING CENTER	6/30/2010	6/30/2009	6/30/2008
2	GERMANTOWN HOME	6/30/2011	6/30/2010	6/30/2009
2	GLENDALE UPTOWN HOME	12/31/2010	12/31/2009	12/31/2008
2	GOLDEN LIVINGCENTER-DOYLESTOWN	12/31/2010	12/31/2009	12/31/2008
2	GOLDEN LIVINGCENTER-LANSDALE	12/31/2010	12/31/2009	12/31/2008
2	GOLDEN LIVINGCENTER-MONROEVILLE	12/31/2010	12/31/2009	12/31/2008
2	GOLDEN LIVINGCENTER-MT LEBANON	12/31/2010	12/31/2009	12/31/2008
2	GOLDEN LIVINGCENTER-MURRYSVILLE	12/31/2010	12/31/2009	12/31/2008
2	GOLDEN LIVINGCENTER-PHOENIXVILLE	12/31/2010	12/31/2009	12/31/2008
2	GOLDEN LIVINGCENTER-UNIONTOWN	12/31/2010	12/31/2009	12/31/2008
2	GREENERY SPECIALTY CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	GREENLEAF NURSING HOME AND CONVAL CENTER	6/30/2011	6/30/2010	6/30/2009
2	GREENSBURG CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	GWYNEDD SQUARE CTR FOR NSG & CONVAL CARE	6/30/2011	6/30/2010	6/30/2009
2	HARMAR VILLAGE CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	HARSTON HALL	6/30/2010	6/30/2009	6/30/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	HEMPFIELD MANOR	12/31/2011	12/31/2010	12/31/2009
2	HIGHLAND PARK CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	HILLCREST CENTER	6/30/2010	6/30/2009	6/30/2008
2	HUMBERT LANE NURSING AND REHAB CENTRE	6/30/2011	6/30/2010	6/30/2009
2	IVY HILL REHABILITATION AND NURSING CTR	6/30/2011	6/30/2010	6/30/2009
2	LAFAYETTE-REDEEMER (DBA ENTITY OF HRHS)	6/30/2011	6/30/2010	6/30/2009
2	LANGHORNE GARDENS REHAB AND NURSING CTR	6/30/2011	6/30/2010	6/30/2009
2	LGAR HEALTH AND REHABILITATION CENTER	12/31/2010	12/31/2009	12/31/2008
2	LIFEQUEST NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
2	LITTLE FLOWER MANOR	6/30/2011	6/30/2010	6/30/2009
2	LOYALHANNA CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	LUTHER WOODS CONVALESCENT CENTER	12/31/2010	12/31/2009	12/31/2008
2	MAJESTIC OAKS	6/30/2011	6/30/2010	6/30/2009
2	MANATAWNY MANOR INC	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-BETHEL PARK	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-GREEN TREE	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-HUNTINGDON VALLEY	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-KING OF PRUSSIA	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-LANSDALE	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-MERCY FITZGERALD	6/30/2011	6/30/2010	6/30/2009
2	MANORCARE HEALTH SVCS-MONROEVILLE	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-NORTH HILLS	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-PETERS TOWNSHIP	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-PITTSBURGH	6/30/2011	6/30/2010	6/30/2009
2	MANORCARE HEALTH SVCS-POTTSTOWN	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-SHADYSIDE	6/30/2011	6/30/2010	6/30/2009
2	MANORCARE HEALTH SVCS-WHITEHALL BOROUGH	12/31/2010	12/31/2009	12/31/2008
2	MANORCARE HEALTH SVCS-YARDLEY	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-YEADON	12/31/2011	12/31/2010	12/31/2009
2	MAPLEWOOD NURSING AND REHABILITATION CTR	6/30/2011	6/30/2010	6/30/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	MARIAN MANOR CORPORATION	6/30/2011	6/30/2010	6/30/2009
2	MASONIC VILLAGE AT SEWICKLEY	12/31/2010	12/31/2009	12/31/2008
2	MOUNT MACRINA MANOR NURSING HOME	6/30/2011	6/30/2010	6/30/2009
2	MOUNTAINVIEW SPECIALTY CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	OAKWOOD HEALTHCARE & REHABILITATION CTR	6/30/2011	6/30/2010	6/30/2009
2	OXFORD HEALTH CENTER	12/31/2010	12/31/2009	12/31/2008
2	PASSAVANT RETIREMENT AND HEALTH CENTER	6/30/2011	6/30/2010	6/30/2009
2	PAUL'S RUN	12/31/2010	12/31/2009	12/31/2008
2	PEMBROOKE HEALTH AND REHAB RESIDENCE	6/30/2011	6/30/2010	6/30/2009
2	PENN CENTER FOR REHABILITATION AND CARE	6/30/2011	6/30/2010	6/30/2009
2	PENNSBURG MANOR	6/30/2010	6/30/2009	6/30/2008
2	PHILADELPHIA PROTESTANT HOME	12/31/2010	12/31/2009	12/31/2008
2	PHOEBE RICHLAND HCC	6/30/2011	6/30/2010	6/30/2009
2	PINE RUN HEALTH CENTER	6/30/2011	6/30/2010	6/30/2009
2	POWERBACK REHABILITATION 1526	6/30/2010	6/30/2009	6/30/2008
2	POWERBACK REHABILITATION 1700	6/30/2010	6/30/2009	6/30/2008
2	POWERBACK REHABILITATION 3485	12/31/2010	12/31/2009	12/31/2008
2	PROSPECT PARK HEALTH AND REHAB RESIDENCE	6/30/2011	6/30/2010	6/30/2009
2	PROVIDENCE CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	QUAKERTOWN CENTER	12/31/2010	12/31/2009	12/31/2008
2	REGINA COMMUNITY NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
2	REHAB & NURSING CTR GREATER PITTSBURGH	12/31/2010	12/31/2009	12/31/2008
2	RENAISSANCE HEALTHCARE & REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
2	RIVER'S EDGE NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
2	RIVERSIDE CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	ROCHESTER MANOR	12/31/2010	12/31/2009	12/31/2008
2	RYDAL PARK OF PHILADELPHIA PRSBYTR HOMES	12/31/2010	12/31/2009	12/31/2008
2	SAINT ANNE HOME	6/30/2011	6/30/2010	6/30/2009
2	SAINT JOHN NEUMANN NURSING HOME	6/30/2011	6/30/2010	6/30/2009
2	SAINT MARTHA MANOR	6/30/2011	6/30/2010	6/30/2009
2	SAINT MARY'S MANOR	6/30/2011	6/30/2010	6/30/2009
2	SANATOGA CENTER	6/30/2010	6/30/2009	6/30/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	SAUNDERS HOUSE	6/30/2011	6/30/2010	6/30/2009
2	SENECA PLACE	6/30/2011	6/30/2010	6/30/2009
2	SILVER LAKE CENTER	6/30/2011	6/30/2010	6/30/2008
2	SILVER STREAM CENTER	6/30/2010	6/30/2009	6/30/2008
2	SIMPSON HOUSE, INC	12/31/2010	12/31/2009	12/31/2008
2	SOMERTON CENTER	6/30/2010	6/30/2009	6/30/2008
2	SOUTHMONT OF PRESBYTERIAN SENIORCARE	12/31/2011	12/31/2010	12/31/2009
2	SPRINGS AT THE WATERMARK, THE	12/31/2010	12/31/2009	12/31/2008
2	ST. BARNABAS NURSING HOME	12/31/2010	12/31/2009	12/31/2008
2	ST. IGNATIUS NURSING & REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
2	ST. MONICA MANOR	6/30/2011	6/30/2010	6/30/2009
2	STERLING HEALTH CARE AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
2	SUBURBAN WOODS HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
2	TEL HAI RETIREMENT COMMUNITY	6/30/2011	6/30/2010	6/30/2009
2	THE BELVEDERE CENTER, GENESIS HEALTHCARE	6/30/2010	6/30/2009	6/30/2008
2	TOWNE MANOR EAST	12/31/2010	12/31/2009	12/31/2008
2	TUCKER HOUSE NSG & REHAB CTR	6/30/2011	6/30/2010	6/30/2009
2	UPMC HERITAGE PLACE	6/30/2011	6/30/2010	6/30/2009
2	VALLEY MANOR NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
2	VILLA SAINT JOSEPH OF BADEN INC.	6/30/2011	6/30/2010	6/30/2009
2	VILLAGE AT PENNWOOD	12/31/2010	12/31/2008	12/31/2007
2	VINCENTIAN HOME	6/30/2011	6/30/2010	6/30/2009
2	VINCENTIAN REGENCY	6/30/2011	6/30/2010	6/30/2009
2	WALLINGFORD NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
2	WESLEY ENHANCED LIVING AT STAPELY	6/30/2011	6/30/2010	6/30/2009
2	WEST HAVEN MANOR	6/30/2010	6/30/2009	6/30/2008
2	WEST HILLS HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
2	WEXFORD HOUSE NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
2	WILLIAM PENN CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	WILLOW TERRACE	6/30/2010	6/30/2009	6/30/2008
2	WILLOWS OF PRESBYTERIAN SENIORCARE, THE	12/31/2011	12/31/2010	12/31/2009
2	WOODHAVEN CARE CENTER	12/31/2010	12/31/2009	12/31/2008
2	YORK NURSING AND REHABILITATION CENTER	6/30/2011	6/30/2010	6/30/2009



<i>PG2 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$143.21	\$42.92	\$24.64
<i>PG2 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$167.56	\$48.07	\$25.63

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	AMBLER EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
3	ARTMAN LUTHERAN HOME	6/30/2011	6/30/2010	6/30/2009
3	BARCLAY FRIENDS	12/31/2010	12/31/2009	12/31/2008
3	BEAVER ELDER CARE AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
3	BELAIR HEALTH AND REHABILITATION CENTER	6/30/2011	6/30/2010	6/30/2009
3	BELLE HAVEN SKILLED NURSING & REHAB CTR	12/31/2010	12/31/2009	12/31/2008
3	BETHLEN HM OF THE HUNGARIAN RFRMD FED	12/31/2010	12/31/2009	12/31/2008
3	BRINTON MANOR	12/31/2010	12/31/2009	12/31/2008
3	CANTERBURY PLACE	12/31/2010	12/31/2009	12/31/2008
3	CEDARS OF MONROEVILLE, THE	12/31/2010	12/31/2009	12/31/2008
3	CHANDLER HALL HEALTH SERVICES INC	12/31/2010	12/31/2009	12/31/2008
3	CHICORA MEDICAL CENTER	6/30/2011	6/30/2010	6/30/2009
3	CHRIST'S HOME RETIREMENT CENTER	6/30/2011	6/30/2010	6/30/2009
3	CONNER-WILLIAMS NURSING HOME	6/30/2011	6/30/2010	6/30/2009
3	CONSULATE HEALTH CARE OF NORTH STRABANE	12/31/2010	12/31/2009	12/31/2008
3	COVENTRY MANOR HEALTH AND REHAB CTR	12/31/2010	12/31/2009	12/31/2008
3	DOCK TERRACE	6/30/2011	6/30/2010	6/30/2009
3	DRESHER HILL HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
3	EDGEHILL NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
3	ELDERCREST NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
3	ELM TERRACE GARDENS	6/30/2011	6/30/2010	6/30/2009
3	EVERGREEN HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
3	FAIR WINDS MANOR	6/30/2011	6/30/2010	6/30/2009
3	FREDERICK LIVING - CEDARWOOD	12/31/2010	12/31/2009	12/31/2008
3	FRIENDSHIP VILLAGE OF SOUTH HILLS	12/31/2010	12/31/2009	12/31/2008
3	GOLDEN LIVINGCENTER-OAKMONT	12/31/2010	12/31/2009	12/31/2008
3	GOLDEN LIVINGCENTER-ROSEMONT	12/31/2010	12/31/2009	12/31/2008
3	GOLDEN LIVINGCENTER-SOUTH HILLS	12/31/2010	12/31/2009	12/31/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	GOLDEN LIVINGCENTER-STENTON	12/31/2010	12/31/2009	12/31/2008
3	HARMON HOUSE CARE CENTER	12/31/2010	12/31/2009	12/31/2008
3	HAVENCREST NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
3	HENRY CLAY VILLA, LP	6/30/2011	12/31/2009	12/31/2008
3	HERITAGE TOWERS	12/31/2010	12/31/2009	12/31/2008
3	HICKORY HOUSE NURSING HOME	12/31/2010	12/31/2009	12/31/2008
3	HIGHLAND CENTER, GENESIS ELDERCARE NTWRK	6/30/2011	6/30/2010	6/30/2009
3	HOLY FAMILY HOME	12/31/2010	12/31/2009	12/31/2008
3	HOPKINS CENTER	12/31/2010	12/31/2009	12/31/2008
3	JEFFERSON HILLS MANOR	12/31/2010	12/31/2009	12/31/2008
3	KADE HEALTH AND REHABILITATION CENTER	12/31/2010	12/31/2009	12/31/2008
3	KEARSLEY REHAB AND NURSING CENTER	6/30/2011	6/30/2010	6/30/2008
3	LAFAYETTE MANOR, INC	12/31/2010	12/31/2009	12/31/2008
3	LATROBE HEALTH AND REHABILITATION CENTER	6/30/2009	6/30/2008	6/30/2007
3	LAUREL RIDGE CENTER	6/30/2010	6/30/2009	6/30/2008
3	LAWSON NURSING HOME, INC.	12/31/2010	12/31/2009	12/31/2008
3	LITTLE SISTERS OF THE POOR	12/31/2010	12/31/2009	12/31/2008
3	LUTHERAN COMMUNITY AT TELFORD	6/30/2011	6/30/2010	6/30/2009
3	MARWOOD REST HOME, INC	6/30/2011	6/30/2010	6/30/2009
3	MASONIC VILLAGE AT LAFAYETTE HILL	12/31/2010	12/31/2009	12/31/2008
3	MASONIC VILLAGE AT WARMINSTER	12/31/2010	12/31/2009	12/31/2008
3	MCMURRAY HILLS MANOR	6/30/2011	6/30/2010	6/30/2009
3	MEADOWCREST NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
3	MEADOWS AT MARTINS RUN, THE	12/31/2010	12/31/2009	12/31/2008
3	MON VALLEY CARE CENTER	12/31/2010	12/31/2009	12/31/2008
3	NAAMANS CREEK COUNTRY MANOR	6/30/2011	6/30/2010	6/30/2009
3	NORTH HILLS HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
3	OAK HILL NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
3	PENNYPACK CENTER	12/31/2010	12/31/2009	12/31/2008
3	PETER BECKER COMMUNITY	6/30/2011	6/30/2010	6/30/2009
3	PHOEBE WYNCOTE	6/30/2011	6/30/2010	6/30/2009
3	PICKERING MANOR HOME	6/30/2011	6/30/2010	6/30/2009
3	REDSTONE HIGHLANDS HEALTH CARE CENTER	6/30/2011	6/30/2010	6/30/2009
3	REFORMED PRESBYTERIAN HOME	12/31/2010	12/31/2009	12/31/2008
3	RICHBORO REHAB AND NURSING CENTER	6/30/2011	6/30/2010	6/30/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	ROCKHILL MENNONITE COMMUNITY	6/30/2011	6/30/2010	6/30/2009
3	SAINT JOSEPH VILLA	6/30/2011	6/30/2010	6/30/2009
3	SAXONY HEALTH CENTER	12/31/2010	12/31/2009	12/31/2008
3	SCOTTDALE MANOR REHABILITATION CENTER	12/31/2010	12/31/2009	12/31/2008
3	SHERWOOD OAKS	6/30/2011	6/30/2010	6/30/2009
3	SKY VUE TERRACE	6/30/2011	6/30/2010	6/30/2009
3	SOUDERTON MENNONITE HOMES	6/30/2011	6/30/2010	6/30/2009
3	SOUTH FAYETTE NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
3	SOUTHWESTERN NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
3	STATESMAN HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
3	TOWNE MANOR WEST	12/31/2010	12/31/2009	12/31/2008
3	TOWNVIEW HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
3	TRANSITIONS HEALTHCARE AUTUMN GROVE	6/30/2011	6/30/2010	6/30/2009
3	VALENCIA WOODS AT ST BARNABAS	12/31/2010	12/31/2009	12/31/2008
3	VINCENTIAN DE MARILLAC	6/30/2011	6/30/2010	6/30/2009
3	WAYNE CENTER	6/30/2011	6/30/2010	6/30/2009
3	WESTGATE REHABILITATION AND NURSING CTR	6/30/2008	6/30/2007	6/30/2006
3	WILLOWBROOKE COURT AT BRITTANY POINTE	12/31/2010	12/31/2009	12/31/2008
<i>PG3 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$138.38	\$46.32	\$25.06	
<i>PG3 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$161.90	\$51.88	\$26.06	
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4	ALLIED SERVICES SKILLED NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
4	CAMBRIA CARE CENTER	12/31/2010	12/31/2009	12/31/2008
4	COLONIAL MANOR NURSING HOME	12/31/2010	12/31/2009	12/31/2008
4	CONESTOGA VIEW	12/31/2010	12/31/2009	12/31/2008
4	CROSS KEYS VILLAGE-BRETHREN HM COMM, THE	6/30/2011	6/30/2010	6/30/2009
4	GOLDEN LIVINGCENTER-WEST SHORE	12/31/2010	12/31/2009	12/31/2008
4	LACKAWANNA HEALTH AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
4	MASONIC VILLAGE AT ELIZABETHTOWN	12/31/2010	12/31/2009	12/31/2008
4	MOUNTAIN CITY NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4	MOUNTAIN VIEW, A NURSING AND REHAB CTR	12/31/2010	12/31/2009	12/31/2008
4	PHOEBE HOME, INC	6/30/2011	6/30/2010	6/30/2009
4	SPRING CREEK REHAB AND HEALTH CARE CTR	12/31/2010	12/31/2009	12/31/2008
<i>PG4 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$156.37	\$53.24	\$21.65	
<i>PG4 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$182.95	\$59.63	\$22.52	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	ABINGTON MANOR	12/31/2010	12/31/2009	12/31/2008
5	BERKSHIRE CENTER	6/30/2010	6/30/2009	6/30/2008
5	BERWICK RETIREMENT VILLAGE NRSNG CTR II	6/30/2011	6/30/2010	6/30/2009
5	BIRCHWOOD NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
5	BLOOMSBURG HEALTH CARE CENTER	6/30/2011	6/30/2010	6/30/2009
5	BRETHREN VILLAGE	6/30/2011	6/30/2010	6/30/2009
5	COLONIAL PARK CARE CENTER	12/31/2010	12/31/2009	12/31/2008
5	CORRY MANOR	12/31/2011	12/31/2010	12/31/2009
5	EASTON HEALTH AND REHABILITATION CENTER	12/31/2010	12/31/2009	12/31/2008
5	EDINBORO MANOR	12/31/2011	12/31/2010	12/31/2009
5	EPHRATA MANOR	12/31/2010	12/31/2009	12/31/2008
5	FAIRVIEW MANOR	12/31/2011	12/31/2010	12/31/2009
5	FELLOWSHIP MANOR	6/30/2011	6/30/2010	6/30/2009
5	FREY VILLAGE	12/31/2010	12/31/2009	12/31/2008
5	GOLDEN LIVINGCENTER-EAST MOUNTAIN	12/31/2010	12/31/2009	12/31/2008
5	GOLDEN LIVINGCENTER-LANCASTER	12/31/2010	12/31/2009	12/31/2008
5	GOLDEN LIVINGCENTER-READING	12/31/2010	12/31/2009	12/31/2008
5	GOLDEN LIVINGCENTER-SCRANTON	12/31/2010	12/31/2009	12/31/2008
5	GOLDEN LIVINGCENTER-SUMMIT	12/31/2010	12/31/2009	12/31/2008
5	GOLDEN LIVINGCENTER-TUNKHANNOCK	12/31/2010	12/31/2009	12/31/2008
5	GOLDEN LIVINGCENTER-WESTERN RESERVE	12/31/2010	12/31/2009	12/31/2008
5	HANOVER HALL	12/31/2010	12/31/2009	12/31/2008
5	HARRISON SENIOR LIVING OF CHRISTIANA	12/31/2010	12/31/2009	12/31/2008
5	HIGHLAND MANOR NURSING AND CONVAL CENTER	6/30/2011	6/30/2010	6/30/2009
5	HOLY FAMILY MANOR	12/31/2010	12/31/2009	12/31/2008

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	HOMEWOOD AT PLUM CREEK	12/31/2011	12/31/2010	12/31/2009
5	JEWISH HOME OF EASTERN PENNSYLVANIA	12/31/2010	12/31/2009	12/31/2008
5	JEWISH HOME OF GREATER HARRISBURG	6/30/2011	6/30/2010	6/30/2009
5	KINGSTON COMMONS	12/31/2010	12/31/2009	12/31/2008
5	KUTZTOWN MANOR	6/30/2011	6/30/2010	6/30/2009
5	LANCASHIRE HALL	12/31/2010	12/31/2009	12/31/2008
5	LAUREL CENTER	12/31/2010	12/31/2009	12/31/2008
5	LEHIGH CENTER	6/30/2010	6/30/2009	6/30/2008
5	LIBERTY NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
5	LITTLE FLOWER MANOR OF DIOCESE SCRANTON	12/31/2010	12/31/2009	12/31/2008
5	LUTHERAN HOME AT TOPTON	12/31/2010	12/31/2009	12/31/2008
5	MAHONING VALLEY NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-ALLENTOWN	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-BETHLEHEM (2021)	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-BETHLEHEM (2029)	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-CAMP HILL	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-CARLISLE	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-DALLASTOWN	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-EASTON	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-KINGSTON	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-KINGSTON COURT	6/30/2011	6/30/2010	6/30/2009
5	MANORCARE HEALTH SVCS-LANCASTER	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-LAURELDALE	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-LEBANON	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-SINKING SPRING	12/31/2010	12/31/2009	12/31/2008
5	MANORCARE HEALTH SVCS-WEST READING NORTH	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-YORK NORTH	6/30/2011	6/30/2010	6/30/2009
5	MANORCARE HEALTH SVCS-YORK SOUTH	6/30/2011	6/30/2010	6/30/2009
5	MEADOWS NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	MENNONITE HOME, THE	6/30/2011	6/30/2010	6/30/2009
5	MESSIAH LIFEWAYS AT MESSIAH VILLAGE	6/30/2011	6/30/2010	6/30/2009
5	MIFFLIN CENTER	12/31/2010	12/31/2009	12/31/2008
5	MORAVIAN MANOR	12/31/2010	12/31/2009	12/31/2008
5	MOUNTAIN VIEW CARE CENTER	6/30/2011	6/30/2010	6/30/2009
5	OLD ORCHARD HEALTH CARE CENTER	12/31/2010	12/31/2009	12/31/2008
5	ORANGEVILLE HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
5	PHOEBE BERKS HEALTH CARE CENTER, INC	6/30/2011	6/30/2010	6/30/2009
5	PLEASANT VIEW RETIREMENT COMMUNITY	12/31/2010	12/31/2009	12/31/2008
5	PRESQUE ISLE REHAB & NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
5	QUARRYVILLE PRESBYTERIAN RETIRMENT COMM	6/30/2011	6/30/2010	6/30/2009
5	REST HAVEN-YORK	6/30/2011	6/30/2010	6/30/2009
5	RIVERSIDE REHABILITATION AND NURSING CTR	12/31/2010	12/31/2009	12/31/2008
5	RIVERSTREET MANOR	12/31/2010	12/31/2009	12/31/2008
5	SAINT ANNE'S RETIREMENT COMMUNITY	6/30/2011	6/30/2010	6/30/2009
5	SAINT MARY'S EAST	12/31/2010	12/31/2009	12/31/2008
5	SHIPPENSBURG HEALTH CARE CENTER	12/31/2010	12/31/2009	12/31/2008
5	SLATE BELT NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
5	SPRUCE MANOR NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
5	STONERIDGE TOWNE CENTRE	12/31/2010	12/31/2009	12/31/2008
5	SUSQUEHANNA VALLEY NURSING AND REHAB CTR	12/31/2010	12/31/2009	12/31/2008
5	THE MANOR AT PERRY VILLAGE	12/31/2010	12/31/2009	12/31/2008
5	THE MANOR AT SUSQUEHANNA VILLAGE	12/31/2010	12/31/2009	12/31/2008
5	THE PAVILION AT ST LUKE VILLAGE	12/31/2010	12/31/2009	12/31/2008
5	TIMBER RIDGE HEALTH CENTER	12/31/2010	12/31/2009	12/31/2008
5	TWINBROOK MEDICAL CENTER	6/30/2011	6/30/2010	6/30/2009
5	WEATHERWOOD NURSING HOME AND REHAB CTR	12/31/2009	12/31/2008	12/31/2007
5	WESLEY VILLAGE	12/31/2010	12/31/2009	12/31/2008
<i>PG5 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$133.41	\$39.29	\$21.85	
<i>PG5 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$156.09	\$44.00	\$22.72	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	ABINGTON CREST NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
6	AUDUBON VILLA HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
6	BALANCED CARE BLOOMSBURG	12/31/2010	12/31/2009	12/31/2008
6	BALL PAVILION, THE	6/30/2011	6/30/2010	6/30/2009
6	BARBARA J. EGAN NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
6	BELLE REVE HEALTH CARE CENTER	12/31/2010	12/31/2009	12/31/2008
6	BETHANY VILLAGE RETIREMENT CENTER	12/31/2010	12/31/2009	12/31/2008
6	BONHAM NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
6	BUTLER VALLEY MANOR HLTH AND REHAB CTR	12/31/2010	12/31/2009	12/31/2008
6	CALVARY FELLOWSHIP HOMES, INC	6/30/2011	6/30/2010	6/30/2009
6	CARBONDALE NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
6	CHAPEL POINTE AT CARLISLE	12/31/2011	12/31/2010	12/31/2009
6	CHURCH OF GOD HOME, INC	12/31/2010	12/31/2009	12/31/2008
6	CORNWALL MANOR	12/31/2011	12/31/2010	12/31/2009
6	COUNTRY MEADOWS NURSING CENTER-BETHLEHEM	12/31/2010	12/31/2009	12/31/2008
6	COUNTRYSIDE CHRISTIAN COMMUNITY	12/31/2010	12/31/2009	12/31/2008
6	COURTYARD GARDENS NURSING AND REHAB CTR	12/31/2010	12/31/2009	12/31/2008
6	CUMBERLAND CROSSINGS RETIREMENT COMM	12/31/2010	12/31/2009	12/31/2008
6	DENVER HEALTH AND REHABILITATION CENTER	12/31/2010	12/31/2009	12/31/2008
6	DUNMORE HEALTH CARE CENTER	12/31/2010	12/31/2009	12/31/2008
6	ELMWOOD GARDENS	12/31/2010	12/31/2009	12/31/2008
6	FAIRMOUNT HOMES	6/30/2011	6/30/2010	6/30/2009
6	FOREST PARK HEALTH CENTER	12/31/2010	12/31/2009	12/31/2008
6	FORESTVIEW	12/31/2010	12/31/2009	12/31/2008
6	GOLDEN LIVINGCENTER-BLUE RIDGE MOUNTAIN	12/31/2010	12/31/2009	12/31/2008
6	GOLDEN LIVINGCENTER-CAMP HILL	12/31/2010	12/31/2009	12/31/2008
6	GOLDEN LIVINGCENTER-WALNUT CREEK	12/31/2010	12/31/2008	12/31/2007
6	GREEN RIDGE CARE CENTER	12/31/2010	12/31/2009	12/31/2008
6	GUARDIAN ELDER CARE CENTER	12/31/2010	12/31/2009	12/31/2008
6	HAMILTON ARMS CENTER	6/30/2010	6/30/2009	6/30/2008
6	HAMPTON HOUSE	6/30/2011	6/30/2010	6/30/2009
6	HOLY FAMILY RESIDENCE	12/31/2010	12/31/2009	12/31/2008
6	HOMELAND CENTER	6/30/2011	6/30/2010	6/30/2009
6	HOMESTEAD VILLAGE, INC	6/30/2011	6/30/2010	6/30/2009

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	KEPLER HOME, INC, THE	12/31/2010	12/31/2009	12/31/2008
6	KINDRED TRANSITIONAL CARE - WYOMISSING	12/31/2010	12/31/2009	12/31/2008
6	KINGSTON HEALTH CARE CENTER, LLC	12/31/2010	12/31/2009	12/31/2008
6	KINKORA PYTHIAN HOME	6/30/2011	6/30/2010	6/30/2009
6	LAKESIDE HEALTH AND REHABILITATION CTR	12/31/2010	12/31/2009	12/31/2008
6	LANDIS HOMES	6/30/2011	6/30/2010	6/30/2009
6	LAURELS HEALTH AND REHAB AT MID VALLEY	12/31/2010	12/31/2009	12/31/2008
6	LEBANON VALLEY BRETHERN HOME	12/31/2010	12/31/2009	12/31/2008
6	LEBANON VALLEY HOME THE	12/31/2010	12/31/2009	12/31/2008
6	LINWOOD NURSING AND REHABILITATION CTR	6/30/2011	6/30/2010	6/30/2009
6	LUTHER ACRES MANOR	12/31/2010	12/31/2009	12/31/2008
6	LUTHER CREST NURSING FACILITY	12/31/2010	12/31/2009	12/31/2008
6	LUTHERAN NRSG AND REHAB CTR-SPRENKLE DR	12/31/2010	12/31/2009	12/31/2008
6	MANCHESTER COMMONS	12/31/2010	12/31/2009	12/31/2008
6	MANORCARE HEALTH SVCS-ELIZABETHTOWN	12/31/2010	12/31/2009	12/31/2008
6	MAPLE FARM	6/30/2011	6/30/2009	6/30/2008
6	MARY ELLEN CONVALESCENT HOME, INC	6/30/2011	6/30/2010	6/30/2009
6	MERCY CENTER NURSING UNIT, INC	12/31/2010	12/31/2009	12/31/2008
6	MILFORD SENIOR CARE AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
6	MILLCREEK MANOR	6/30/2011	6/30/2010	6/30/2009
6	MILLVILLE HEALTH AND REHABILITATION CTR	12/31/2010	12/31/2009	12/31/2008
6	MISERICORDIA NURSING & REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
6	MORAVIAN HALL SQ. HLTH AND WELLNESS CTR	6/30/2011	6/30/2010	6/30/2009
6	MOSSER NURSING HOME	6/30/2011	6/30/2010	6/30/2009
6	MOUNT HOPE NAZARENE RETIREMENT COMMUNITY	6/30/2011	6/30/2010	6/30/2009
6	MOUNTAIN TOP SENIOR CARE AND REHAB CTR	6/30/2009	6/30/2008	6/30/2007
6	NEW EASTWOOD HEALTHCARE AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
6	NIPPLE CONVALESCENT HOME	12/31/2010	12/31/2009	12/31/2008
6	NORMANDIE RIDGE	12/31/2010	12/31/2009	12/31/2008
6	OSPREY RIDGE HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
6	PALMYRA HEALTH AND REHABILITATION CTR	12/31/2010	12/31/2009	12/31/2008
6	PRAXIS ALZHEIMER'S FACILITY	12/31/2010	12/31/2009	12/31/2008



<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	RHEEMS NURSING AND REHABILITATION CENTER	12/31/2010	12/31/2009	12/31/2008
6	SAINT MARY'S AT ASBURY RIDGE	12/31/2010	12/31/2009	12/31/2008
6	SAINT MARY'S VILLA NURSING HOME, INC	12/31/2010	12/31/2009	12/31/2008
6	SARAH A REED RETIREMENT CENTER, THE	6/30/2011	6/30/2010	6/30/2009
6	SARAH A TODD MEMORIAL HOME	12/31/2010	12/31/2009	12/31/2008
6	SCRANTON HEALTH CARE CENTER	12/31/2010	12/31/2009	12/31/2008
6	SKILLED CARE CENTER AT UTZ TERRACE	12/31/2010	12/31/2009	12/31/2008
6	SMITH HEALTH CARE, LTD	6/30/2011	6/30/2010	6/30/2009
6	SPANG CREST MANOR	12/31/2010	12/31/2009	12/31/2008
6	ST. LUKE'S VILLA	6/30/2011	6/30/2010	6/30/2008
6	STONEBRIDGE HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
6	STONERIDGE POPLAR RUN	12/31/2010	12/31/2009	12/31/2008
6	SWAIM HEALTH CENTER	12/31/2010	12/31/2009	12/31/2008
6	THE MANOR AT ST LUKE VILLAGE	12/31/2010	12/31/2009	12/31/2008
6	THORNWALD HOME	12/31/2010	12/31/2009	12/31/2008
6	TWIN OAKS HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
6	UNITED ZION RETIREMENT COMMUNITY	12/31/2010	12/31/2009	12/31/2008
6	VILLAGE AT LUTHER SQUARE	12/31/2010	12/31/2009	12/31/2008
6	WESTMINSTER VILLAGE	12/31/2010	12/31/2009	12/31/2008
6	ZERBE SISTERS NURSING CENTER, INC.	6/30/2011	6/30/2010	6/30/2009
<i>PG6 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$140.29	\$45.43	\$23.74	
<i>PG6 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$164.14	\$50.88	\$24.69	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	ALTOONA CENTER FOR NURSING CARE	12/31/2010	12/31/2009	12/31/2008
8	ARBUTUS PARK MANOR	6/30/2011	6/30/2010	6/30/2009
8	CHURCH OF THE BRETHREN HOME	6/30/2011	6/30/2010	6/30/2009
8	GARVEY MANOR	12/31/2010	12/31/2009	12/31/2008
8	GOLDEN LIVINGCENTER-HILLVIEW	12/31/2010	12/31/2009	12/31/2008
8	HEARTHSIDE REHAB AND NURSING CENTER, THE	12/31/2010	12/31/2008	12/31/2007
8	HOMEWOOD AT MARTINSBURG PA INC	12/31/2011	12/31/2010	12/31/2009
8	LAUREL WOOD CARE CENTER	12/31/2010	12/31/2009	12/31/2008

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	MANORCARE HEALTH SVCS-JERSEY SHORE	12/31/2011	12/31/2010	12/31/2009
8	MANORCARE HEALTH SVCS-WILLIAMSPORT NORTH	12/31/2011	12/31/2010	12/31/2009
8	MEADOW VIEW NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
8	MORRISONS COVE HOME	12/31/2010	12/31/2009	12/31/2008
8	ORCHARD MANOR, INC	6/30/2011	6/30/2010	6/30/2009
8	ROSE VIEW CENTER	6/30/2010	6/30/2009	6/30/2008
8	SAINT PAUL HOMES	12/31/2010	12/31/2009	12/31/2008
8	SIEMONS' LAKEVIEW MANOR NSG AND REHAB	6/30/2011	6/30/2010	6/30/2009
8	SYCAMORE MANOR HEALTH CENTER	12/31/2010	12/31/2009	12/31/2008
8	VALLEY VIEW NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
8	WHITE CLIFF HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
8	WILLIAMSPORT HOME, THE	12/31/2011	12/31/2010	12/31/2009
8	WINDY HILL VILLAGE OF PRESBYTERIAN HOMES	12/31/2010	12/31/2009	12/31/2008
<i>PG8 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$129.66	\$43.18	\$21.07	
<i>PG8 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$151.70	\$48.36	\$21.91	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9	AVALON SPRINGS NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
9	CLEPPER MANOR	12/31/2010	12/31/2009	12/31/2008
9	COUNTRYSIDE CONVAL HOME LTD PARTNERSHIP	6/30/2011	6/30/2010	6/30/2009
9	EPWORTH MANOR	12/31/2010	12/31/2009	12/31/2008
9	GOLDEN LIVINGCENTER-HAIDA	12/31/2010	12/31/2009	12/31/2008
9	GOLDEN LIVINGCENTER-MEYERSDALE	12/31/2010	12/31/2009	12/31/2008
9	GOLDEN LIVINGCENTER-RICHLAND	12/31/2010	12/31/2009	12/31/2008
9	GROVE MANOR	6/30/2011	6/30/2010	6/30/2009
9	HOSPITALITY CARE CENTER OF HERMITAGE INC	12/31/2010	12/31/2009	12/31/2008
9	JOHN XXIII HOME	12/31/2010	12/31/2009	12/31/2008
9	LAUREL VIEW VILLAGE	6/30/2011	6/30/2010	6/30/2009
9	LUTHERAN HOME AT HOLLIDAYSBURG, THE	12/31/2010	12/31/2009	12/31/2008
9	LUTHERAN HOME AT JOHNSTOWN, THE	12/31/2010	12/31/2009	12/31/2008
9	MANORCARE HEALTH SVCS-WILLIAMSPORT SOUTH	12/31/2010	12/31/2009	12/31/2008

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9	MAPLE WINDS CARE CENTER	12/31/2010	12/31/2009	12/31/2008
9	NUGENT CONVALESCENT HOME	12/31/2010	12/31/2009	12/31/2008
9	PRESBYTERIAN HOME OF GREATER JOHNSTOWN	12/31/2010	12/31/2009	12/31/2008
9	PRESBYTERIAN HOMES-PRESBYTERY-HUNTINGDON	12/31/2010	12/31/2009	12/31/2008
9	THE PATRIOT, A CHOICE COMMUNITY	12/31/2010	12/31/2009	12/31/2008
9	TRINITY LIVING CENTER	6/30/2011	6/30/2010	6/30/2009
<i>PG9 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$110.88	\$41.52	\$19.57	
<i>PG9 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$129.73	\$46.50	\$20.35	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	ASHTON HEALTHCARE	12/31/2010	12/31/2009	12/31/2008
11	BEACON RIDGE, A CHOICE COMMUNITY	12/31/2010	12/31/2009	12/31/2008
11	BRADFORD MANOR	12/31/2011	12/31/2010	12/31/2009
11	BROAD ACRES HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
11	BROAD MOUNTAIN NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
11	CHRIST THE KING MANOR	6/30/2011	6/30/2010	6/30/2009
11	CLARVIEW NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
11	DUBOIS NURSING HOME	6/30/2011	6/30/2010	6/30/2009
11	ELK HAVEN NURSING HOME	6/30/2011	6/30/2010	6/30/2009
11	ELLEN MEMORIAL HEALTH CARE CENTER	6/30/2011	6/30/2010	6/30/2009
11	FOREST CITY NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
11	GOLDEN HILL NURSING HOME, INC	6/30/2011	6/30/2010	6/30/2009
11	GOLDEN LIVINGCENTER-SHIPPEVILLE	12/31/2010	12/31/2009	12/31/2008
11	GOLDEN LIVINGCENTER-STROUD	12/31/2010	12/31/2009	12/31/2008
11	GOLDEN LIVINGCENTER-WILLIAM PENN	12/31/2010	12/31/2009	12/31/2008
11	GRANDVIEW HEALTH HOMES, INC	6/30/2011	6/30/2010	6/30/2009
11	GREEN HOME, INC, THE	6/30/2011	6/30/2010	6/30/2009
11	HIGHLANDS CARE CENTER, THE	12/31/2010	12/31/2009	12/31/2008
11	HOMETOWN NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
11	JEFFERSON MANOR HEALTH CENTER	6/30/2011	6/30/2010	6/30/2009
11	JULIA POUND CARE CENTER	12/31/2010	12/31/2009	12/31/2008

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	JULIA RIBAUDO EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
11	KITTANNING CARE CENTER	12/31/2010	12/31/2009	12/31/2008
11	KRAMM HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
11	MANORCARE HEALTH SVCS-CHAMBERSBURG	12/31/2011	12/31/2010	12/31/2009
11	MANORCARE HEALTH SVCS-POTTSVILLE	12/31/2011	12/31/2010	12/31/2009
11	MANORCARE HEALTH SVCS-SUNBURY	12/31/2010	12/31/2009	12/31/2008
11	MENNO-HAVEN, INC.	12/31/2010	12/31/2009	12/31/2008
11	MOUNT CARMEL NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
11	MOUNTAIN LAUREL NRC	6/30/2011	6/30/2010	6/30/2009
11	NOTTINGHAM VILLAGE	12/31/2010	12/31/2009	12/31/2008
11	OAKWOOD HEIGHTS	12/31/2010	12/31/2009	12/31/2008
11	OHESON MANOR	12/31/2010	12/31/2009	12/31/2008
11	ORWIGSBURG CENTER	6/30/2010	6/30/2009	6/30/2008
11	PENKNOLL VILLAGE	12/31/2010	12/31/2009	12/31/2008
11	QUINCY RETIREMENT COMMUNITY	12/31/2010	12/31/2009	12/31/2008
11	RIDGEVIEW ELDER CARE REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
11	RIVERWOODS	12/31/2010	12/31/2009	12/31/2008
11	ROLLING FIELDS, INC	12/31/2010	12/31/2009	12/31/2008
11	ROLLING MEADOWS	6/30/2011	6/30/2010	6/30/2009
11	SCHUYLKILL CENTER	6/30/2010	6/30/2009	6/30/2008
11	SENA-KEAN MANOR	12/31/2010	12/31/2009	12/31/2008
11	SETON MANOR INC	6/30/2011	6/30/2010	6/30/2009
11	SHENANDOAH MANOR NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
11	SUGAR CREEK STATION SKILLED NSG & REHAB	12/31/2010	12/31/2009	12/31/2008
11	SWEDEN VALLEY MANOR	12/31/2011	12/31/2010	12/31/2009
11	THE MANOR AT PENN VILLAGE	12/31/2010	12/31/2009	12/31/2008
11	TRANSITIONS HEALTHCARE GETTYSBURG	12/31/2010	12/31/2009	12/31/2008
11	TREMONT HEALTH AND REHABILITATION CENTER	6/30/2011	6/30/2010	6/30/2009
11	VALLEY VIEW HAVEN, INC	12/31/2010	12/31/2009	12/31/2008
11	WARREN MANOR	12/31/2011	12/31/2010	12/31/2009
11	WATSONTOWN HEALTH AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
11	WAYNE WOODLANDS MANOR	6/30/2011	6/30/2010	6/30/2009
11	WESBURY UNITED METHODIST COMMUNITY	12/31/2010	12/31/2009	12/31/2008
11	WOODLAND RETIREMENT COMMUNITY	12/31/2010	12/31/2009	12/31/2008

<i>PG11 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$120.49	\$39.98	\$19.85
<i>PG11 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$140.97	\$44.78	\$20.64

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	AVALON NURSING CENTER	6/30/2011	6/30/2010	6/30/2009
12	BRADFORD ECUMENICAL HOME, INC	12/31/2010	12/31/2009	12/31/2008
12	BROOKLINE MANOR AND REHABILITATIVE SRVCS	12/31/2010	12/31/2009	12/31/2008
12	BROOKMONT HEALTHCARE CENTER LLC	12/31/2010	12/31/2009	12/31/2008
12	BUFFALO VALLEY LUTHERAN VILLAGE	12/31/2010	12/31/2009	12/31/2008
12	CAMBRIDGE SPRINGS REHAB & NURSING CENTER	12/31/2010	12/31/2009	12/31/2008
12	CARING PLACE, THE	6/30/2011	6/30/2010	6/30/2009
12	CARLETON SENIOR CARE AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
12	DARWAY ELDER CARE REHABILITATION CENTER	12/31/2010	12/31/2009	12/31/2008
12	DONAHOE MANOR	6/30/2011	6/30/2010	6/30/2009
12	DR ARTHUR CLIFTON MCKINLEY HEALTH CENTER	6/30/2011	6/30/2010	6/30/2009
12	EDISON MANOR NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
12	EMMANUEL CENTER FOR NURSING AND REHAB	12/31/2010	12/31/2009	12/31/2008
12	FRIENDLY NURSING HOME - PITMAN	6/30/2011	6/30/2010	6/30/2009
12	GETTYSBURG CENTER	6/30/2010	6/30/2009	6/30/2008
12	GETTYSBURG LUTHERAN NURSING REHAB	12/31/2010	12/31/2009	12/31/2008
12	GOLDEN LIVINGCENTER-CLARION	12/31/2010	12/31/2009	12/31/2008
12	GOLDEN LIVINGCENTER-GETTYSBURG	12/31/2010	12/31/2009	12/31/2008
12	GOLDEN LIVINGCENTER-KINZUA	12/31/2010	12/31/2009	12/31/2008
12	GOLDEN LIVINGCENTER-MANSION	12/31/2010	12/31/2009	12/31/2008
12	GOLDEN LIVINGCENTER-OIL CITY	12/31/2010	12/31/2009	12/31/2008
12	GOLDEN LIVINGCENTER-TITUSVILLE	12/31/2010	12/31/2009	12/31/2008
12	GOLDEN LIVINGCENTER-WAYNESBURG	12/31/2010	12/31/2009	12/31/2008
12	GOLDEN LIVINGCENTER-YORK TERRACE	12/31/2010	12/31/2009	12/31/2008
12	GUY AND MARY FELT MANOR, INC	6/30/2011	6/30/2010	6/30/2009
12	HAVEN CONVALESCENT HOME, INC	12/31/2010	12/31/2009	12/31/2008
12	HIGHLAND VIEW CARE CENTER	12/31/2010	12/31/2009	12/31/2008

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	HILLSDALE REHABILITATION AND NURSING CTR	12/31/2010	12/31/2007	12/31/2006
12	HUNTINGDON NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
12	JAMESON CARE CENTER	12/31/2010	12/31/2009	12/31/2008
12	LAKEVIEW SENIOR CARE AND LIVING CENTER	12/31/2010	12/31/2009	12/31/2008
12	LAUREL CARE NURSING AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
12	LOCUST GROVE RETIREMENT VILLAGE	12/31/2010	12/31/2009	12/31/2008
12	LUTHERAN HOME AT KANE, THE	12/31/2010	12/31/2009	12/31/2008
12	MALTA HOME	12/31/2010	12/31/2009	12/31/2008
12	MEADOW VIEW SENIOR LIVING CENTER	12/31/2010	12/31/2009	12/31/2008
12	MEADVILLE REHABILITATION & NURSING CTR	12/31/2010	12/31/2009	12/31/2008
12	MULBERRY SQUARE	12/31/2010	12/31/2009	12/31/2008
12	OVERLOOK HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
12	PAVILION AT BRMC	6/30/2011	6/30/2010	6/30/2009
12	PENN HALL AT MENNO HAVEN	12/31/2010	12/31/2009	12/31/2008
12	RICHFIELD SENIOR LIVING AND REHAB CENTE	12/31/2010	6/30/2009	6/30/2008
12	RIDGEVIEW HEALTHCARE & REHAB CENTER, LLC	12/31/2010	12/31/2009	12/31/2008
12	ROLLING HILLS MANOR	12/31/2010	12/31/2009	12/31/2008
12	SAYRE HEALTH CARE CENTER, LLC	6/30/2011	6/30/2010	6/30/2009
12	SCENERY HILL MANOR	12/31/2010	12/31/2009	12/31/2008
12	SHENANGO PRESBYTERIAN SENIORCARE	12/31/2010	12/31/2009	12/31/2008
12	SHOOK HOME, THE	12/31/2010	12/31/2009	12/31/2008
12	SILVER OAKS HEALTH AND REHAB CENTER	12/31/2010	12/31/2009	12/31/2008
12	SNYDER MEMORIAL HEALTH CARE CENTER	12/31/2010	12/31/2009	12/31/2008
12	SUGAR CREEK REST	6/30/2011	6/30/2010	6/30/2009
12	WESTMINSTER WOODS AT HUNTINGDON	12/31/2010	12/31/2009	12/31/2008

<i>PG12 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$111.08	\$39.46	\$19.75
<i>PG12 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$129.96	\$44.20	\$20.54

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	ARISTACARE AT MEADOW SPRINGS	6/30/2011	6/30/2010	6/30/2009
13	FOX SUBACUTE AT CLARA BURKE	12/31/2010	12/31/2009	12/31/2008

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	FOX SUBACUTE AT MECHANICSBURG	6/30/2011	6/30/2010	
13	FOX SUBACUTE CENTER	12/31/2010	12/31/2009	12/31/2008
13	GOOD SHEPHERD HOME RAKER CENTER	6/30/2011	6/30/2010	6/30/2009
13	GOOD SHEPHERD HOME-BETHLEHEM	6/30/2011	6/30/2010	6/30/2009
13	INGLIS HOUSE	6/30/2011	6/30/2010	6/30/2009
13	MARGARET E. MOUL HOME	6/30/2011	6/30/2010	6/30/2009
<i>PG13 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$225.52	\$80.16	\$49.53	
<i>PG13 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$263.86	\$89.78	\$51.51	
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	GOOD SHEPHERD HOME RAKER CENTER	6/30/2011	6/30/2010	6/30/2009
13	GOOD SHEPHERD HOME-BETHLEHEM	6/30/2011	6/30/2010	6/30/2009
13	INGLIS HOUSE	6/30/2011	6/30/2010	6/30/2009
13	MARGARET E. MOUL HOME	6/30/2011	6/30/2010	6/30/2009
<i>PG13 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$209.76	\$91.23	\$42.03	
<i>PG13 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$245.42	\$102.18	\$43.71	
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
14	BARNES-KASSON COUNTY HOSPITAL SNF	6/30/2011	6/30/2010	6/30/2009
14	BERWICK RETIREMENT VILLAGE NRSNG CTR I	6/30/2011	6/30/2010	6/30/2009
14	BUCKTAIL MEDICAL CENTER	6/30/2011	6/30/2010	6/30/2009
14	CHARLES COLE MEMORIAL HOSPITAL ECF	6/30/2011	6/30/2010	6/30/2009
14	FULTON COUNTY MEDICAL CENTER LTCU	6/30/2011	6/30/2010	6/30/2009
14	HAVEN SKILLED REHABILITATION AND NURSING	6/30/2011	6/30/2010	6/30/2009
14	MEMORIAL HOSPITAL INC SNU	6/30/2011	6/30/2010	6/30/2009
14	MUNCY VALLEY HOSPITAL SNU	6/30/2011	6/30/2010	6/30/2009
14	PINECREST MANOR	6/30/2011	6/30/2010	6/30/2009
14	ST LUKE'S REHABILITATION AND NURSING CTR	6/30/2011	6/30/2010	6/30/2009
14	SUMMIT AT BLUE MOUNTAIN NURSING & REHAB	6/30/2011	6/30/2010	6/30/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
14	SUNBURY COMMUNITY HOSPITAL SNF	6/30/2011	6/30/2010	6/30/2009
14	WILLOWCREST	6/30/2011	6/30/2010	6/30/2009
<i>PG14 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$143.14	\$59.79	\$24.24	
<i>PG14 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$167.47	\$66.96	\$25.21	

**Fiscal Note:** 14-NOT-865. No fiscal impact; (8) recommends adoption.

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## DEPARTMENT OF REVENUE

### Pennsylvania Daily Crossword Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Daily Crossword.

2. *Price:* The price of a Pennsylvania Daily Crossword instant lottery game ticket is \$3.

3. *Play Symbols:* Each Pennsylvania Daily Crossword instant lottery game ticket will feature a “YOUR LETTERS” area, one crossword puzzle play grid and a “BONUS” play area. The “BONUS” play area is played separately. The play symbols located in the “YOUR LETTERS” area are: the letters A through and including Z. The play symbols located in crossword puzzle play grid are: the letters A through and including Z and a Coffee symbol. The Coffee symbol is a free spot. The play symbols and their captions located in the “BONUS” play area are: Book (BOOK) symbol, Magnifying Glass (MAGNIFY) symbol, Television (TV) symbol, Eyeglasses (GLSES) symbol, Pencil (PENCL) symbol, Trophy (TROPHY) symbol, Thimble (THIMBLE) symbol, Safety Pin (PIN) symbol and a Newspaper (WIN20) symbol.

4. *Prizes:* The prizes that can be won in the crossword grid play area of the game are: \$3, \$5, \$10, \$20, \$30, \$50, \$100, \$1,000 and \$50,000. The prize that can be won in the “BONUS” area is: \$20. A player can win up to 5 times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 13,800,000 tickets will be printed for the Pennsylvania Daily Crossword instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets where the player completely matches ten words in the crossword puzzle play grid,

using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets where the player completely matches nine words in the crossword puzzle play grid, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets where the player completely matches eight words in the crossword puzzle play grid, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets where the player completely matches seven words in the crossword puzzle play grid, using only the letters found in the “YOUR LETTERS” area, with a Coffee symbol appearing in one of the matching words, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets where the player completely matches seven words in the crossword puzzle play grid, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets where the player completely matches six words in the crossword puzzle play grid, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$30.

(g) Holders of tickets where the player completely matches five words in the crossword puzzle play grid, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets where the player completely matches four words in the crossword puzzle play grid, using only the letters found in the “YOUR LETTERS” area, with a Coffee symbol appearing in one of the matching words, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with a Newspaper (WIN20) symbol in the “BONUS” play area, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets where the player completely matches four words in the crossword puzzle play grid, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$10.



(k) Holders of tickets where the player completely matches three words in the crossword puzzle play grid, using only the letters found in the "YOUR LETTERS" area, with a Coffee symbol appearing in one of the matching words, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets where the player completely matches three words in the crossword puzzle play grid, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets where the player completely matches two words in the crossword puzzle play grid, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$3.

7. *Game Play Instructions for the Pennsylvania Daily Crossword game are:*

(a) The player shall scratch the "YOUR LETTERS" area to reveal 18 letters. For each of the 18 letters revealed in the "YOUR LETTERS" area, the player shall rub the same letter each time it is found in the crossword puzzle play grid.

(b) When a player reveals two or more entire words in the crossword puzzle play grid, the player is entitled to win a prize as described in Section 6. When a Coffee symbol appears in any winning combination of words, the player is entitled to win double the prize as described in Section 6.

(c) Only the highest prize won in the crossword puzzle play grid and the highest prize won in the "BONUS" play area will be paid if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

(d) For purposes of this game, a word must contain at least three letters and cannot be formed by linking letters diagonally or by reading the letters from the bottom to the top.

(e) Every single letter square of a word must be matched and letters combined to form a word must appear in an unbroken horizontal or vertical string of letters in the crossword puzzle play grid. An unbroken string of letters cannot be interrupted by a black space. There will only be one word in an unbroken horizontal or vertical string of letters.

(f) Every single letter in the unbroken string must be revealed in "YOUR LETTERS" and must be included to form a word.

(g) The possible complete words for each ticket in the game are shown on the crossword puzzle play grid. The player must match all of the letters in a possible complete word in order to complete the word.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,800,000 Tickets:</i>
2 WORDS	\$3	7.69	1,794,000
3 WORDS	\$5	14.29	966,000
COFFEE w/ 3 WORDS	\$10	55.56	248,400
4 WORDS	\$10	100	138,000
\$20 w/ NEWSPAPER	\$20	200	69,000
COFFEE w/ 4 WORDS	\$20	200	69,000
5 WORDS	\$20	200	69,000
4 WORDS + (\$20 w/ NEWSPAPER)	\$30	300	46,000
(COFFEE w/ 3 WORDS) + (\$20 w/ NEWSPAPER)	\$30	300	46,000
6 WORDS	\$30	300	46,000
4 WORDS + ((\$20 w/ NEWSPAPER) × 2)	\$50	800	17,250
6 WORDS + (\$20 w/ NEWSPAPER)	\$50	1,200	11,500
7 WORDS	\$50	800	17,250
5 WORDS + ((\$20 w/ NEWSPAPER) × 4)	\$100	6,000	2,300
COFFEE w/ 7 WORDS	\$100	4,000	3,450
8 WORDS	\$100	4,000	3,450
9 WORDS	\$1,000	12,000	1,150
10 WORDS	\$50,000	920,000	15

When a Coffee symbol appears in any winning combination of words, win double the corresponding prize found in the prize key.

BONUS: Win \$20 for each "NEWSPAPER" (WIN20) symbol revealed. Bonus played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Daily Crossword instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a

Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000.

Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Daily Crossword, prize money from winning Pennsylvania Daily Crossword instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Daily Crossword instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Daily Crossword or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1218. Filed for public inspection June 6, 2014, 9:00 a.m.]

## Pennsylvania Lightning Bucks '14 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Lightning Bucks '14.

2. *Price:* The price of a Pennsylvania Lightning Bucks '14 instant lottery game ticket is \$1.

3. *Prize Play Symbols:* Each Pennsylvania Lightning Bucks '14 instant lottery game ticket will contain one play area. The prize play symbols and their captions located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$1,000 (ONE THO), \$2,000 (TWO THO) and a Lightning Bug (BUG) symbol.

4. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$1,000 and \$2,000. The player can win one time on the ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Lightning Bucks '14 instant lottery game.

### 6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching prize play symbols of \$2,000 (TWO THO) in the play area, on a single ticket, shall be entitled to a prize of \$2,000.

(b) Holders of tickets with two matching prize play symbols of \$1,000 (ONE THO) and a Lightning Bug (BUG) symbol in the play area, on a single ticket, shall be entitled to a prize of \$2,000.

(c) Holders of tickets with three matching prize play symbols of \$1,000 (ONE THO) in the play area, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with three matching prize play symbols of \$100 (ONE HUN) in the play area, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with three matching prize play symbols of \$40<sup>00</sup> (FORTY) in the play area, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets with two matching prize play symbols of \$20<sup>00</sup> (TWENTY) and a Lightning Bug (BUG) symbol in the play area, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets with three matching prize play symbols of \$20<sup>00</sup> (TWENTY) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with two matching prize play symbols of \$10<sup>00</sup> (TEN DOL) and a Lightning Bug (BUG) symbol in the play area, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with three matching prize play symbols of \$10<sup>00</sup> (TEN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with two matching prize play symbols of \$5<sup>00</sup> (FIV DOL) and a Lightning Bug (BUG) symbol in the play area, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with three matching prize play symbols of \$5<sup>00</sup> (FIV DOL) in the play area, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets with three matching prize play symbols of \$4<sup>00</sup> (FOR DOL) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets with two matching prize play symbols of \$2<sup>00</sup> (TWO DOL) and a Lightning Bug (BUG) symbol in the play area, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets with three matching prize play symbols of \$2<sup>00</sup> (TWO DOL) in the play area, on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets with two matching prize play symbols of \$1<sup>00</sup> (ONE DOL) and a Lightning Bug (BUG) symbol in the play area, on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets with three matching prize play symbols of FREE (TICKET) in the play area, on a single ticket, shall be entitled to a prize of one Pennsylvania Lightning Bucks '14 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate

number of winners, amounts of prizes, and approximate odds of winning:

<i>Get Three Like Amounts, Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
3 - FREEs	FREE \$1 TICKET	9.38	1,280,000
2 - \$1s w/ LIGHTNING BUG	\$2	42.86	280,000
3 - \$2s	\$2	37.5	320,000
2 - \$2s w/ LIGHTNING BUG	\$4	100	120,000
3 - \$4s	\$4	100	120,000
3 - \$5s	\$5	60	200,000
2 - \$5s w/ LIGHTNING BUG	\$10	150	80,000
3 - \$10s	\$10	200	60,000
2 - \$10s w/ LIGHTNING BUG	\$20	333.33	36,000
3 - \$20s	\$20	1,500	8,000
2 - \$20s w/ LIGHTNING BUG	\$40	1,500	8,000
3 - \$40s	\$40	3,000	4,000
3 - \$100s	\$100	4,000	3,000
3 - \$1,000s	\$1,000	48,000	250
2 - \$1,000s w/ LIGHTNING BUG	\$2,000	1,200,000	10
3 - \$2,000s	\$2,000	1,200,000	10

Get two like amounts and a "LIGHTNING BUG" (BUG) symbol, win double that amount!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Lightning Bucks '14 instant lottery game tickets.

9. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lightning Bucks '14, prize money from winning Pennsylvania Lightning Bucks '14 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within one year of the announced close of the Pennsylvania Lightning Bucks '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will

expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Lightning Bucks '14 or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1219. Filed for public inspection June 6, 2014, 9:00 a.m.]

### Pennsylvania Super 7s '14 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Super 7s '14.

2. *Price:* The price of a Pennsylvania Super 7s '14 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Super 7s '14 instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16

(SIXTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 7 (SEVN) symbol, 70 (WIN70) symbol and a Super (SUPER) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$3.<sup>00</sup> (THR DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$15.<sup>00</sup> (FIFTN), \$20.<sup>00</sup> (TWENTY), \$25.<sup>00</sup> (TWY FIV), \$30.<sup>00</sup> (THIRTY), \$70.<sup>00</sup> (SEVENTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$2,500 (TWYFIVHUN) and \$27,000 (TWYSVNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$3, \$4, \$5, \$10, \$15, \$20, \$25, \$30, \$70, \$100, \$250, \$500, \$2,500 and \$27,000. The player can win up to 12 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,200,000 tickets will be printed for the Pennsylvania Super 7s '14 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$27,000 (TWYSVNTHO) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$27,000.

(b) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets with a Super (SUPER) symbol in the play area, and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in two of the "Prize" areas and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with a Super (SUPER) symbol in the play area, and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in two of the "Prize" areas and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with a 70 (WIN70) symbol in the play area, on a single ticket, shall be entitled to a prize of \$70.

(i) Holders of tickets with a Super (SUPER) symbol in the play area, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in two of the "Prize" areas and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$70.

(j) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$30.<sup>00</sup> (THIRTY) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$30.

(k) Holders of tickets with a Super (SUPER) symbol in the play area, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in two of the "Prize" areas and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$30.

(l) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$25.

(m) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$15.<sup>00</sup> (FIFTN) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$3.

(s) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets with a 7 (SEVN) symbol in the play area, and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the "Prize" area under that 7 (SEVN) symbol, on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A "7" (SEVN) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,200,000 Tickets</i>
\$2	\$2	10.34	986,000
\$2 + \$1	\$3	37.5	272,000
\$3	\$3	50	204,000
\$2 × 2	\$4	150	68,000
\$3 + \$1	\$4	150	68,000

Reveal A "7" (SEVN) Symbol, Win Prize Shown Under That Symbol. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,200,000 Tickets	
\$4	\$4	150	68,000
(\$2 × 2) + \$1	\$5	150	68,000
\$3 + \$2	\$5	150	68,000
\$4 + \$1	\$5	150	68,000
\$5	\$5	300	34,000
\$2 × 5	\$10	150	68,000
\$5 × 2	\$10	300	34,000
(\$4 × 2) + \$2	\$10	375	27,200
\$10	\$10	300	34,000
\$3 × 5	\$15	500	20,400
\$5 × 3	\$15	750	13,600
\$10 + \$5	\$15	750	13,600
\$15	\$15	750	13,600
\$2 × 10	\$20	1,500	6,800
\$5 × 4	\$20	1,500	6,800
\$10 × 2	\$20	1,500	6,800
\$20	\$20	1,500	6,800
\$5 × 5	\$25	1,714	5,950
\$10 + \$15	\$25	1,714	5,950
\$25	\$25	1,714	5,950
SUPER w/ ((\$5 × 2) + (\$2 × 10))	\$30	1,200	8,500
\$10 × 3	\$30	1,600	6,375
\$15 × 2	\$30	1,500	6,800
\$30	\$30	1,600	6,375
SUPER w/ ((\$10 × 2) + (\$5 × 10))	\$70	2,400	4,250
(\$15 × 4) + \$10	\$70	2,400	4,250
(\$20 × 3) + \$10	\$70	2,400	4,250
\$70 w/ 70	\$70	960	10,625
SUPER w/ ((\$25 × 2) + (\$5 × 10))	\$100	1,600	6,375
\$20 × 5	\$100	4,000	2,550
(\$70 w/ 70) + \$30	\$100	4,000	2,550
\$100	\$100	6,000	1,700
SUPER w/ ((\$25 × 2) + (\$20 × 10))	\$250	24,000	425
\$250	\$250	60,000	170
(\$70 w/ 70) × 2 + (\$25 × 2) + (\$20 × 3) + \$250	\$500	60,000	170
\$500	\$500	60,000	170
\$500 × 5	\$2,500	340,000	30
\$2,500	\$2,500	340,000	30
\$27,000	\$27,000	1,020,000	10

Reveal a "70" (WIN70) symbol, win \$70 instantly.

Reveal a "SUPER" (SUPER) symbol, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Super 7s '14 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single

installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Super 7s '14, prize money from winning Pennsylvania Super 7s '14 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super 7s '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Super 7s '14 or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1220. Filed for public inspection June 6, 2014, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Proposed Disadvantaged Business Enterprise Goals for Participation in Federal Highway Administration and Federal Transit Authority Contracts for Federal Fiscal Years 2015 through 2017

The Department of Transportation (Department) is providing notice of its proposed goals for Disadvantaged Business Enterprise (DBE) participation (expressed as a percentage of total Federal Highway Administration (FHWA) and Federal Transit Authority (FTA) funding) for Federal Fiscal Years (FFY) 2015 through 2017. These goals apply to contracts in which FHWA and FTA funding for FFY 2015 through 2017 is utilized.

- The overall goal for DBE participation in Federally-assisted highway contracts is 6.85%.
- The overall goal for DBE participation in Federally-assisted transit contracts is 4.82%.

The proposed methodologies used in determination of the goals are available for inspection during normal business hours at Department of Transportation, Bureau of Equal Opportunity, 400 North Street, 5th Floor, Harrisburg, PA 17120-0041, (717) 787-5891 or (800) 468-4201, fax (717) 772-4026.

The documents can also be viewed online at <http://www.padbgoals.org/>.

Documents will be available for inspection for 30 days from the date of this notice. The Department will also accept written comments on the methodologies and proposed goals for 45 days from the date of this notice. Comments, questions or suggestions regarding this notice may be directed in writing to Jocelyn I. Harper, Director, at the previously-listed address.

BARRY J. SCHOCH, PE,  
Secretary

[Pa.B. Doc. No. 14-1221. Filed for public inspection June 6, 2014, 9:00 a.m.]

### Public-Private Partnerships Board Meeting Cancellation

The Public-Private Partnerships Board meeting on June 10, 2014, has been cancelled. For more information contact Kathryn Tartaglia at (717) 214-7222 or [katartagli@pa.gov](mailto:katartagli@pa.gov).

BARRY J. SCHOCH, PE,  
Secretary

[Pa.B. Doc. No. 14-1222. Filed for public inspection June 6, 2014, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Proposed Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on July 14 and 15, 2014, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective on January 1, 2015:

#### 58 Pa. Code § 65.6. Delayed Harvest Artificial Lures Only Areas

The Commission will consider extending the Delayed Harvest Artificial Lures Only Area regulated and managed under 58 Pa. Code § 65.6 on Pine Creek, Lycoming County, from the current downstream limit located 164 yards upstream of the confluence of Naval Run downstream 1.6 miles to Bonnell Run. If approved, the revised limits will be from the confluence of Slate Run downstream to the confluence of Bonnell Run, a distance of 2.8 miles.

#### 58 Pa. Code § 65.19. Approved Trout Waters Open to Year-Round Fishing

The Commission will consider adding the following waters to its list of Approved Trout Waters Open to Year-Round Fishing regulated and managed under 58 Pa. Code § 65.19:

County	Water
Carbon and Luzerne	Francis E. Walter Reservoir
Luzerne	Lehigh River from the outflow downriver 9.7 miles to Sandy Run, a distance of 9.7 miles

At this time, the Commission is soliciting public input concerning the previous designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 14-1223. Filed for public inspection June 6, 2014, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on June 10, 2014, at 9:45 a.m. followed by the nominations at 12:15 p.m. at the State Museum Building, Harrisburg, PA. Individuals with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to participate should contact Cheri Garrett at (717) 783-9933 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board can accommodate their needs. For persons who have any questions or comments, contact the National Register Office of the Bureau for Historic Preservation at (717) 783-8947.

1. William Penn Memorial Museum and State Archives Building, 300 North Street, Harrisburg, Dauphin County
2. John Berger and Son Company Tobacco Warehouse, 191 Broad Street, East Hempfield Township, Lancaster County
3. 1922 Model T Ford, 152 William Penn Highway West, Wayne Township, Mifflin County
4. Mt. Lebanon Historic District; roughly bounded by Gilkeson Road, Washington Road, Woodland Drive, Vermont Avenue, Mt. Lebanon Boulevard, the Pittsburgh Light Rail tracks, Castle Shannon Boulevard, Scott Road, Twin Hills Drive, the Mt. Lebanon municipal boundary, Pine Tree Road, Moffett Street and Cedar Boulevard, Mt. Lebanon, Allegheny County
5. Concord School, Loyalhanna Dam Road approximately 300 feet northeast of Koontz Road, Loyalhanna Township, Westmoreland County
6. Dennis Farm, Creek Road approximately 0.4 mile south of Zicks Hill Road intersection, Brooklyn Township, Susquehanna County
7. First Methodist Church of McKeesport, 1406 Cornell Street, McKeesport City, Allegheny County
8. Henry F. Ortlieb Company Bottling House, 829-51 North American Street, Philadelphia

9. Bangor Historic District, roughly bounded by 3rd Avenue, Division Street, Fairview Avenue, North 4th Street, Pennsylvania Avenue, North Main Street, SR 512, Erdman Street, Northampton Street, Kline Street, Center Street, Miller Street, South Main Street, Werner Street, Messinger Street, South 1st Street, Church Street, South 6th Street, Broadway, North 9th Street, North 8th Street and North 7th Street, Bangor, Northampton County

10. Nantmeal Area Village, an area extending from the intersection of Fairview, Nantmeal, Coventryville and Horseshoe Trail Roads, East Nantmeal Township, Chester County

JAMES M. VAUGHAN,  
*Executive Director*

[Pa.B. Doc. No. 14-1224. Filed for public inspection June 6, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, May 22, 2014, and announced the following:

*Regulation Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective May 21, 2014*

Board of Coal Mine Safety #7-482: Requirements for High-Voltage Continuous Mining Machines (adds 25 Pa. Code §§ 208.81—208.93)

*Action Taken—Regulations Approved:*

Department of Labor and Industry #12-91: Prohibition of Excessive Overtime in Health Care Act Regulations (amends 34 Pa. Code by adding Chapter 225)

Pennsylvania Public Utility Commission #57-305: Amending Regulations Regarding Disclosure Statement for Residential and Small Business Customers and the Provision of Notices of Contract Expiration or Changes in Terms for Residential and Small Business Customers (amends 52 Pa. Code Chapter 54)

Pennsylvania Public Utility Commission #57-306: Amending Regulations Regarding Standards for Changing a Customer's Electricity Generation Supplier (amends 52 Pa. Code Chapter 57)

### Approval Order

Public Meeting Held  
May 22, 2014  
Order issued  
May 22, 2014

*Commissioners Voting:* John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Department of Labor and Industry—  
Prohibition of Excessive Overtime in Health Care Act  
Regulations; Regulation No. 12-91 (#2957)*

On June 26, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regula-

tion from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code by adding Chapter 225. The proposed regulation was published in the July 14, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on January 16, 2014. At its February 27, 2014 public meeting, the Commission voted to disapprove the final-form regulation. On April 28, 2014, the Department submitted its report containing the revised final-form regulation to the Commission.

This regulation establishes complaint and investigation procedures as well as administrative penalty provisions related to violations of the Prohibition of Excessive Overtime in Health Care Act of 2008 (43 P. S. §§ 932.1—932.6).

We have determined this regulation is consistent with the statutory authority of the Department (43 P. S. § 932.5) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting Held  
May 22, 2014

*Commissioners Voting:* John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission—  
Amending Regulations Regarding Disclosure Statement for Residential and Small Business Customers and the Provision of Notices of Contract Expiration or Changes in Terms for Residential and Small Business Customers; Regulation No. 57-305 (#3053)*

On April 8, 2014, the Independent Regulatory Review Commission (Commission) received this regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 54. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation amends customer notice regulations in the competitive retail electricity market.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 501 (b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting Held  
May 22, 2014

*Commissioners Voting:* John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission—  
Amending Regulations Regarding Standards for Changing a Customer’s Electricity Generation Supplier; Regulation No. 57-306 (#3054)*

On April 8, 2014, the Independent Regulatory Review Commission (Commission) received this regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 57. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This regulation accelerates the process for a customer to switch electric generation suppliers.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 501(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN F. MIZNER, Esq.,  
Chairperson

[Pa.B. Doc. No. 14-1225. Filed for public inspection June 6, 2014, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from the web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
#125-169	Pennsylvania Gaming Control Board Electronic Gaming Tables and Table Games Rules of Play	5/28/14	7/10/14
#125-170	Pennsylvania Gaming Control Board Table Games Rules of Play	5/28/14	7/10/14

JOHN F. MIZNER, Esq.,  
Chairperson

[Pa.B. Doc. No. 14-1226. Filed for public inspection June 6, 2014, 9:00 a.m.]



## INSURANCE DEPARTMENT

### Agency Contract Termination of DeAngelo Insurance Group under Act 143; Kemper Preferred Insurance Company; Doc. No. AT14-05-015

A prereview telephone conference initiated by this office is scheduled for July 10, 2014, at 9:30 a.m. A review of the agency contract termination is scheduled for July 24, 2014, at 9:30 a.m.

Motions preliminary to those at the review, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 1, 2014, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before July 8, 2014.

On or before July 1, 2014, each party shall file with the Administrative Hearings Office a review statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prereview statement on the opposing party, each party shall supply the other: (1) a copy of any listed document not previously supplied; and (2) a copy of any report generated by an expert witness designated on the prereview statement. Reports subsequently received from a party's expert witness prior to review shall be supplied to the other party within 2 business days. Copies of documents and expert reports need not be filed with the Administrative Hearings Office. A party will be precluded at review from using a document not listed and supplied unless the use was not reasonably foreseeable. Experts may testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph.

Persons with a disability who wish to attend the previously-referenced review and require an auxiliary aid, service or other accommodation to participate in the review should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1227. Filed for public inspection June 6, 2014, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68)

(Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Elisabeth A. Stoddard; file no. 14-130-162272; State Farm Mutual Automobile Insurance; Doc. No. P14-05-013; July 9, 2014, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1228. Filed for public inspection June 6, 2014, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

**In the Matter of the Petition of the Office of the Mayor of Harrisburg, on behalf of the City of Harrisburg, for the City of Harrisburg to be Recognized and Assigned as the Sole Administrator of the 311 Dialing Code that will be Implemented as a Means for Citizens in Harrisburg to Access Information from the City Government**

Public Meeting held  
May 22, 2014

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

*In the Matter of the Petition of the Office of the Mayor of Harrisburg, on behalf of the City of Harrisburg, for the City of Harrisburg to be recognized and assigned as the Sole Administrator of the 311 Dialing Code that will be implemented as a means for citizens in Harrisburg to access information from the City Government;*  
*Doc. No. P-2014-2412153*

## Order

*By the Commission:*

On March 19, 2014, pursuant to the provisions of 52 Pa. Code § 5.41, the City of Harrisburg, (the City), filed a petition requesting that the Commission recognize and assign the City as the proper administrator of, and only party authorized to utilize, the 311 abbreviated dialing code within the City of Harrisburg (Petition). The City plans to utilize the 311 abbreviated dialing code to provide information on nonemergency police services and other government services to its residents. No responses to the City's Petition were filed. Accordingly, the Commission grants the City's Petition.

### *Background*

In 1997, the Federal Communications Commission (FCC) released the N11 First Report and Order and FNPRM<sup>1</sup> in which it assigned the 311 abbreviated dialing code on a nationwide basis for nonemergency police services. The FCC, acting on a petition filed by the Department of Justice, concluded that assigning the 311 abbreviated dialing code as the universal telephone number for nonemergency police services was in the public interest.<sup>2</sup> The FCC determined that use of an N11 code for access to nonemergency police services could alleviate congestion on 911 circuits, which could permit more effective operation of 911 emergency services. Additionally, the FCC left it to the discretion of local jurisdictions to determine whether 311 should also be used for the dual purpose of accessing other government services. Accordingly, the FCC reserved the 311 abbreviated dialing code for the purpose of providing nonemergency police services and access to other government services.<sup>3</sup> Further, the FCC stated that when a provider of telecommunications services receives a request from an entity to use 311 for

access to nonemergency police and other government services in a particular jurisdiction, it must ensure that, within six months of the request: (1) entities that were assigned 311 at the local level prior to the effective date of this First Report and Order relinquish non-compliant uses; and (2) it takes any steps necessary to complete 311 calls from its subscribers to a requesting 311 entity in its service area.<sup>4</sup> Furthermore, the FCC stated that since 311 calls, like 911 calls, are typically intrastate, states would regulate cost recovery in most instances.<sup>5</sup> The FCC concluded that funding of 311 was a local issue.<sup>6</sup>

On March 19, 2014, the City filed the instant petition requesting that it be assigned as the proper administrator of the 311 abbreviated dialing code for the purpose of providing nonemergency police services and access to other government services to its residents of the City of Harrisburg. In accordance with 52 Pa. Code § 5.41, the City served copies of its petition on the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA) and the Commission's Bureau of Investigation and Enforcement (BI&E). Additionally, a notice regarding the City's Petition was published in the *Pennsylvania Bulletin* on April 5, 2014. See 44 Pa.B. 2145. However, no responses to the City's Petition were filed.

### *Discussion*

The City is seeking to be assigned as the administrator of, and only party authorized to utilize, the 311 abbreviated dialing code within the City of Harrisburg. The City explains that its 311 system will be a scalable city-wide information service to provide quality, timely, reliable and relevant information on government services. Additionally, when fully implemented, a call to 311 will route to a toll-free number and will be available to the public 24 hours a day, 7 days a week. The information that will be available includes, but is not limited to: city government services, including sanitation routes, street closures, amber alerts, public safety advisories; weather conditions; construction and maintenance activities and access to information for Harrisburg citizens and visitors. The City is currently in the process of implementing a plan to establish, host and operate the telephone and web service.

The City asserts in its petition that the 311 number is currently being used with success in Baltimore, Philadelphia, Chicago, New York and other municipalities to reduce the calls to the emergency 911 number and to simplify the process of securing information on local government services. The Commission takes note of this fact. Additionally, as mentioned above, a notice of the Petition was published in the *Pennsylvania Bulletin*. However, no comments were received by the Commission.

The Commission believes that the City has demonstrated it will have the requisite knowledge, skills and technical expertise to serve as the administrator for the 311 abbreviated dialing code. We believe that the City has an adequate business plan for the administration of the 311 abbreviated dialing code. Accordingly, we find that the City has shown good cause to grant its request that it be assigned to be the administrator of the 311 abbreviated dialing code in order to provide nonemergency police services and access to other government services to its residents.

The Commission does not believe that it is necessary to designate Commission staff to assist and coordinate on an ongoing basis with any arrangements between affected

<sup>1</sup> In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements, CC Docket No. 92-105, First Report and Order and Further Notice of Proposed Rulemaking, 12 FCC Rcd 5572 (1997) (N11 First Report and Order and FNPRM).

<sup>2</sup> Id.

<sup>3</sup> Id.

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> Id.

carriers and the City to implement 311. We simply direct that all affected carriers expeditiously perform all analyses required to quantify its costs for the necessary translations and/or facilities work if it plans to seek recovery of internal costs associated with enabling 311 call completion and estimate the time required to perform the necessary translations and/or facilities work to allow 311 call completion from its subscribers. Additionally, we will not direct any technical specifications or protocols at this time. Rather, we encourage the City to provide detailed information regarding its network and feature requirements so that the telephone carriers can commence implementation of the 311 abbreviated dialing code. We also recognize that wireless and other alternate service providers will need to provide access to 311. Therefore, we encourage all affected wireless and other alternate service providers to coordinate and work with the City in an expeditious manner as well regarding any implementation issues.

In conclusion, we find that the use of the 311 abbreviated dialing code to provide nonemergency services and access to other government services will benefit the residents of the City of Harrisburg, by providing a simple, universal, easy-to-remember number to access this pertinent information. Moreover, no party presented any opposition to the assignment of 311 to the City; *Therefore*,

*It Is Ordered That:*

1. The Petition of the City of Harrisburg to be designated as the proper administrator of the 311 Abbreviated Dialing Code for the Provision of Nonemergency Police Services and Access to other Government Services to the residents of the City of Harrisburg is hereby granted.

2. Within six months of the entry date of this Order, any carrier or provider possessing numbering resources within the exchanges of Harrisburg Zone 1 and Harrisburg Zone 2, if they have not done so already, shall discontinue using the 311 abbreviated dialing code for purposes other than access to nonemergency services and access to other government services.

3. Within 30 days of the entry date of this Order, the City of Harrisburg shall provide any carrier or provider holding numbering resources within the exchanges of Harrisburg Zone 1 and Harrisburg Zone 2 with access to a copy of its implementation plan for 311 dialing.

4. Within 45 days of the entry date of this Order, any carrier or provider holding numbering resources within the exchanges of Harrisburg Zone 1 and Harrisburg Zone 2 that possess switches that would have to undergo re-programming shall perform all analyses required to quantify its costs for the necessary translations and/or facilities work if it plans to seek recovery of internal costs associated with 311 call completion and estimate the time required to perform the necessary translations and/or facilities work to allow 311 call completion from its subscribers and shall forward that information to the City of Harrisburg.

5. All affected carriers shall comply with the implementation schedule established herein unless a petition for waiver is filed with the Commission pursuant to 52 Pa. Code § 5.41.

6. A copy of this Order shall be served on the carriers or providers holding numbering resources within the Harrisburg Zone 1 and Harrisburg Zone 2 exchanges, the Pennsylvania Telephone Association, Broadband Cable Association of Pennsylvania, and the CTIA-The Wireless Association®.

7. A copy of this Order shall be published in the *Pennsylvania Bulletin* and on the Commission's website at <http://www.puc.pa.gov/>.

8. The Secretary's Bureau shall mark this matter closed.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1229. Filed for public inspection June 6, 2014, 9:00 a.m.]

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### Pro Forma Corporate Restructuring

**A-2014-2422474 and A-2014-2422571. Verizon Long Distance, LLC and Verizon Enterprise Solutions, LLC.** Joint application of Verizon Long Distance, LLC and Verizon Enterprise Solutions, LLC for approval of the pro forma corporate restructuring merging the companies.

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 June 23, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicants:* Verizon Long Distance, LLC, Verizon Enterprise Solutions, LLC

*Through and By Counsel:* Susan D. Paiva, Assistant General Counsel, Verizon, 1717 Arch Street, 3 East, Philadelphia, PA 19103

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1230. Filed for public inspection June 6, 2014, 9:00 a.m.]

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### Proposed Modifications to the Application Form for Approval of Authority to Offer, Render, Furnish or Supply Telecommunications Services to the Public in this Commonwealth

Public Meeting held  
May 22, 2014

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

*Proposed Modifications to the Application Form for Approval of Authority to Offer, Render, Furnish, or Supply Telecommunications Services to the Public in the Commonwealth of Pennsylvania; M-00960799*

#### Final Order

*By the Commission:*

On December 21, 2006, this Commission entered a Tentative Order (2006 Tentative Order), initiating a proceeding for the revision of the application form and the related instructions (Application) that are utilized by new entrants seeking to provide telecommunications services

within the Commonwealth. The 2006 Tentative Order solicited comments and reply comments on the suggested Application revisions.<sup>1</sup> We have conducted an in-depth review of the submitted initial and reply comments as well as a reappraisal of whether the Application and the relevant procedures that are currently in force for new telecommunications market entrants in Pennsylvania are in need of material changes. We conclude that the evolving market for telecommunications services and their providers within the Commonwealth do not necessitate at this time a change in the Application and the relevant market entry procedures.

#### A. Background

In response to the enactment of the Federal Telecommunications Act of 1996 (TA-96), the Commission initiated a generic proceeding in order to facilitate the market entry and wholesale interconnection of competitive telecommunications carriers in Pennsylvania. This generic proceeding resulted in our Implementation of the Telecommunications Act of 1996 Orders (Implementation Orders) that also included the development of the relevant Application.<sup>2</sup> Since the initial issuance of the Implementation Orders in 1996, certain practices and procedures relating to the market entry and certification Application for telecommunications services providers operating in Pennsylvania have evolved in a way that detailed action at this time is not necessary.

Moreover, the Commission has reviewed certain generic wholesale interconnection matters that were originally addressed in the Implementation Orders.<sup>3</sup> Furthermore, certain case adjudications clarified the market entry process for facilities-based competitive carriers seeking operating authority in the service areas of certain rural incumbent local exchange carriers (RLECs).<sup>4</sup> Also, the concerns over delays in addressing entry and dispute resolution implicated in our initial review decision have abated.

As noted in the 2006 Tentative Order, the November 30, 2004, enactment of the current Chapter 30 law (Act 183), and its impact on the regulation of long-distance interexchange carriers (IXCs) necessitated further revisions of the Application.<sup>5</sup> The enactment of Pennsylvania's Voice-Over-Internet (VoIP) Freedom Act on July 4, 2008 (P. L. 627, S.B. 1000), codified at 73 Pa.S. § 2251.1 et seq., defined the Commission's jurisdiction over retail communications services that are based on the Internet Protocol (IP) such as VoIP, and also affected the market-entry and certification process for certain providers.<sup>6</sup> In 2012, this Commission further addressed our telecommunications market entry rules when we issued additional guidance regarding the timeframe within which a tele-

communications carrier should provide service to the public in Pennsylvania following its certification.<sup>7</sup>

The Implementation Orders and resolution of challenges and disputes between incumbents and competitors since then have collectively served both this Commission and the regulated telecommunications industry for a very long period in the introduction and enhancement of competitive telecommunications services within the Commonwealth. However, certain issues relating to the market-entry process of competitive telecommunications services providers, and the potential consequences of associated and lengthy litigation,<sup>8</sup> were identified even before the issuance of the 2006 Tentative Order, and these issues were addressed at length by the commenting parties.

#### B. Discussion

The Commission received substantive initial and reply comments to the 2006 Tentative Order from a number of participating parties. Commenters included the U.S. Department of Justice Antitrust Division (U.S. DOJ), the Office of the Consumer Advocate (OCA), the Broadband Cable Association of Pennsylvania (BCPA), the Pennsylvania Telephone Association (PTA), and Sprint Communications Company L.P. (Sprint).

The passage of time, the enactment of legislation by the Pennsylvania General Assembly, regulatory developments both within the Commonwealth and in the federal jurisdiction, and the results of individual administrative adjudication and appellate court proceedings have further clarified and refined the standards and practices that govern the market entry, certification, and wholesale interconnection of telecommunications services providers operating within Pennsylvania.

For example, certain corporate merger and/or change of control proceedings have been adjudicated both within this Commonwealth and the federal jurisdiction. These proceedings have affected the operations of incumbent local exchange carriers (ILECs) that are subsidiaries or affiliates of certain holding companies, and have provided additional guidance on wholesale interconnection obligations that have been applicable for specified time frames.<sup>9</sup> The Commission subsequently adopted regulations designed to standardize and streamline the process for reviewing merger and change of control proceedings.<sup>10</sup>

<sup>7</sup> Final Order Regarding the Commission's Plan to Implement A One-Year Timeframe for Inactive Telecommunications Carriers To Provide Service On An Annual Basis Within the Commonwealth of Pennsylvania, Docket Nos. M-2011-2273119 and M-00960799, Order entered July 19, 2012.

<sup>8</sup> See generally Application of Sprint Communications Company L.P. For Approval of the Right to Offer, Render, Furnish or Supply Telecommunications Services as a Competitive Local Exchange Carrier to the Public in the Service Territories of Alltel Pennsylvania, Inc., Commonwealth Telephone Company and Palmerton Telephone Company, Docket Nos. A-310183F0002AMA, A-310183F0002AMB, A-310183F0002AMC, Order entered December 1, 2006, 101 Pa. P.U.C. 895 (2006) (Sprint Application); Application of Core Communications, Inc. for Authority to amend its existing Certificate of Public Convenience and necessity and to expand Core's Pennsylvania operations to include the Provision of competitive residential and business Local exchange telecommunications services throughout the Commonwealth of Pennsylvania, Docket Nos. A-310922F0002AmA, A-310922F0002AmB, Order entered December 4, 2006, (Core Application), *aff'd Rural Tel. Co. Coalition v. Pub. Util. Comm'n*, 941 A.2d 751 (Pa. Cmwlth 2008).

<sup>9</sup> See generally Joint Application of The United Telephone Company of Pennsylvania LLC d/b/a Embarq Pennsylvania and Embarq Communications, Inc. For approval of the Indirect Transfer of Control To CenturyTel, Inc., Docket No. A-2008-2076038, Opinion and Order entered May 28, 2009; Tentative Order entered November 25, 2009; Opinion and Order entered March 1, 2010, *aff'd Lloyd v. Pa. Pub. Util. Comm'n*, 17 A.3d 425 (Pa. Cmwlth 2011), 2011 Pa. Commw. LEXIS 77 (Embarq-CenturyTel Merger Orders—coordination and incorporation of transfer of control and merger conditions with corresponding proceeding before the Federal Communications Commission).

<sup>10</sup> See generally Rulemaking to Amend Chapter 63 Regulations so as to Streamline Procedures for Commission Review of Transfer of Control and Affiliate Filings for Telecommunications Carriers, Docket No. L-00070188; and Petition of Level 3 Communications, LLC To Amend the Public Utility Commission Regulations to Streamline Transfer of Control and Affiliate Filing Requirements for Competitive Carriers, Docket No. P-00062222, Final Rulemaking Order adopted April 22, 2010, 40 Pa.B. 4254 (2010), set forth at 52 Pa. Code § 63.321 et seq.

<sup>1</sup> A separate set of Directed Questions was concurrently propounded through a separate Statement of then Vice Chairman James H. Cawley.

<sup>2</sup> In Re: Implementation of the Telecommunications Act of 1996, Docket No. M-00960799, Order entered June 3, 1996, 1996 WL 482990; Order on Reconsideration entered September 9, 1996, 26 Pa.B. 4588 (1996), 1996 WL 677528 (collectively Implementation Orders).

<sup>3</sup> See generally Proposed Modifications to the Review of Interconnection Agreements, Docket No. M-00960799, Tentative Order adopted June 26, 2003; Final Order entered May 3, 2004, 34 Pa.B. 2657 (May 15, 2004).

<sup>4</sup> See generally Amended Application of Vanguard Telecom Corp., et al., Docket Nos. A-310621F0002, A-310621F0003, Orders entered April 8, 1999 (Material Question), and August 23, 2000; Application of AT&T Communications of Pennsylvania and TCG Pittsburgh, et al., Docket Nos. A-310125F0002, A-310213F0002, Order entered April 10, 2001, 95 Pa. P.U.C. 277 (2001), 2001 Pa. P.U.C. LEXIS 11.

<sup>5</sup> 2006 Tentative Order at 3.

<sup>6</sup> See generally Application of Comcast Business Communications, LLC d/b/a Comcast Long Distance for Expanded Authority to Offer, Render, Furnish or Supply Telecommunications Services as a Competitive Local Exchange Carrier to the public in the Commonwealth of Pennsylvania, et al., Docket Nos. A-2008-2029089 et al., Order entered September 29, 2008.

Since the extensive litigation that occurred with the Sprint and Core Application proceedings and issuance of the regulations governing transfers of control in Section 63.321 of our rules, the Commission has not experienced the same degree of controversy with the market entry of competitive carriers in the Commonwealth, including areas served by rural ILECs, where wholesale interconnection issues under Section 251(c) of TA-96, 47 U.S.C. § 251(c), have not so far been implicated.

This combination of regulatory action and recent historical experience currently resolves most, if not all, of the more serious concerns that were expressed by the interested parties during the comment cycle in this proceeding including those that were put forward by the U.S. DOJ. However, we wish to highlight some of the U.S. DOJ concerns below and explain why further action at this time is not needed in light of subsequent developments.

The first primary U.S. DOJ concern regarding this Commission's market entry certification process centered on the fact "that the filing of any timely protest challenging an application for certification, regardless of the merits, automatically sends the application to the Office of the Administrative Law Judge ("OALJ") for an administrative hearing, which can entail extensive discovery and the presentation of evidence and live witnesses."<sup>11</sup> The second U.S. DOJ concern focused on the grant of provisional operating authority for competitive local exchange carriers (CLECs) that wished to enter the service areas of rural ILECs. The U.S. DOJ observed that "in contrast to its rules for non-rural areas, the Commission has not authorized CLECs to enter on a provisional basis in rural areas pending resolution of the certification dispute."<sup>12</sup> The U.S. DOJ commented that these "procedures not only delay entry, but also raise costs for a new entrant, thereby erecting barriers to entry in tension with Section 253(a) of the [federal] Telecommunications Act."<sup>13</sup>

The U.S. DOJ Comments also pointed out that on occasion, competitive carriers seeking market entry into the service areas of certain ILECs have entered into "agreements to limit the territories in which CLECs will compete"<sup>14</sup> and thus avoid costly litigation proceedings associated with protested applications. The U.S. DOJ asserted that "such agreements by competitors or prospective competitors to divide territories or not compete in certain territories are among the most serious anti-trust law problems."<sup>15</sup>

The U.S. DOJ recommended "that the Commission extend its non-rural procedures to facilities-based entrants in rural areas by (1) granting provisional operating authority and (2) providing that protests by rural ILECs should be reviewed by Commission staff before the matter is referred to an ALJ, to determine if they raise legitimate issues."<sup>16</sup> The U.S. DOJ suggested that "the Commission adopt time limits to speed the ALJ hearing process," and that "as in non-rural territories, the Commission should permit facilities-based entrants in rural

territories to 'commence the provision of service included in the application' at the time its application 'has been accepted for filing.'<sup>17</sup>

The concerns of the U.S. DOJ hold merit, especially since the U.S. DOJ is entrusted with the enforcement of relevant federal law. However, recent history and other regulatory action indicate that the market entry of competitive wireline carriers in both non-rural and rural ILEC service territories has been addressed in much more abbreviated proceedings as a routine matter without the protracted litigation that took place in the Sprint and Core Application proceedings around the 2006/2007 time period.

Also, the Commission has not hesitated to take appropriate action to clarify the scope of relevant issues and provide guidance in application proceedings where substantive litigation was imminent.<sup>18</sup> The Commission has also taken affirmative action in order to facilitate the certification of new entrants in a manner that has prevented future contested wholesale interconnection proceedings.<sup>19</sup>

Furthermore, as pointed out earlier, the Commission has been able to substantially revise the regulations governing transfers of control to mesh them with federal law, particularly the coordination of control and/or merger proceedings involving the subsidiary or affiliate ILECs of certain holding companies with corresponding proceedings before the Federal Communications Commission (FCC), and to incorporate appropriate merger conditions in its related decisions. See generally *Embarq-CenturyTel Merger Orders*. Consequently, the application processes that were originally established in our 1996 Implementation Orders, as modified through time, have not recently presented "barrier to entry" issues in potential conflict with the letter and the spirit of Sec. 253(a) of TA-96, 47 U.S.C. § 253(a).

At this point, however, we are hesitant to adopt a uniform mandate suggested by the U.S. DOJ recommendation that facilities-based CLECs seeking market entry in the service areas of rural ILECs be automatically given provisional operational authority pending the adjudication of their respective certification applications. The existing process, the unique federal legislative provisions addressing competitive carrier entry in service areas of rural ILECs, and the recent lack of protests against relevant market entry and certification applications, adequately balances the rights of competitive carriers and those for rural ILECs under Sec. 251(f)(1) of TA-96, 47 U.S.C. § 251(f)(1), and does not produce any extraordinary delays or costs that would constitute an unwarranted "barrier to entry."

The risk of protests against market entry applications of competitive carriers where such protests may lack substantive merit, and are used to delay entry, or support anticompetitive restrictions as a precondition to with-

<sup>17</sup> U.S. DOJ Comments, at 11 (citations omitted).

<sup>18</sup> See generally *Joint Petition of Verizon Pennsylvania Inc. and Halo Wireless Services, Inc. for Approval of an Interconnection Agreement and Amendment No. 1 to the Interconnection Agreement Under Section 252(e) of the Telecommunications Act of 1996 et al.*, Docket Nos. A-2011-2251147, A-2011-2250700, Comments Protests and Objections of the Pennsylvania Telephone Association filed August 2, 2011, Secretarial Letter entered August 11, 2011, Halo Wireless Services, Inc., Notice of Dismissal Without Prejudice filed September 29, 2011.

<sup>19</sup> See generally *Application of Intrado Communications, Inc. for Approval to Offer, Render, Furnish or Supply Telecommunications Services as a Competitive Local Exchange Carrier to the Public in the Service Territories of: Verizon Pennsylvania Inc.; Verizon North Inc.; The United Telephone Company of Pennsylvania d/b/a Embarq Pennsylvania*, Docket Nos. A-2008-2027726, A-2008-2027733, A-2008-2027713, Order entered August 1, 2008 (CLEC supplying alternative 911/E911 connectivity services is entitled to rights and responsibilities of Sec. 251 and 252 of TA-96, 47 U.S.C. §§ 251 and 252).

<sup>11</sup> U.S. DOJ Comments, at 7 and n. 13.

<sup>12</sup> U.S. DOJ Comments, at 8 (citation omitted).

<sup>13</sup> U.S. DOJ Comments, at 8.

<sup>14</sup> U.S. DOJ Comments, at 9.

<sup>15</sup> U.S. DOJ Comments, at 9.

<sup>16</sup> U.S. DOJ Comments, at 10-11. The U.S. DOJ points out that such a procedure had been adopted for the entry of competitive carriers in the service areas of non-rural ILECs with our June 1996 Implementation Order. Id., at 11 and n. 26.

drawing such protests are matters that can continue to be addressed through the existing process of the Commission's Implementation Orders in conjunction with our procedural rules and due process requirements. To the extent that future developments demonstrate that the working procedures supporting termination of this application revision proceeding raise issues of unreasonable process, timelines, or competitive impact, the Commission could limit those protest proceedings under the Public Utility Code to specific time periods governing market entry in rural areas under federal law. However, we see no reason to take that approach at this time because the process of referring protests to the OALJ has produced timely results in a reasonable period.

In particular, we emphasize that the automatic referral of a protested application to OALJ does not mean that a meritless protest will necessarily survive the process of preliminary and subsequent motions or that the Commission will not be able to constructively intervene by timely addressing relevant petitions for interlocutory review and answers to material questions. See generally 52 Pa. Code §§ 5.302 to 5.305. We acknowledge that this process may entail an expenditure of time and impose potentially unnecessary costs on an applicant. However, this Commission is also legally obliged to afford appropriate due process to all pending proceedings and their participants, including protestants to market entry applications of competitive carriers. Similarly, in matters where an applicant's provisional operating authority is concerned, the preliminary grant of such authority and its potential revocation while an application is pending are decisions first made by Commission Staff. Such action is subject to Commission review and approval. This process already requires notice to a recipient that the action is being taken and that the notice inform the recipient of their right to file a timely appeal from a Staff determination under our regulations. See inter alia 52 Pa. Code 1.75 and 52 Pa. Code § 5.44.

In light of our extensive review of the comments submitted in this proceeding, we will not make, at this time, any substantive modifications to the existing application form and the accompanying processes that govern the market entry of providers of telecommunications services within this Commonwealth. Nevertheless, we will continue to actively monitor the relevant issue areas and actively intervene where and when the conduct of entities that we regulate so requires. *Therefore,*

*It Is Ordered That:*

1. A copy of this Order be served upon the parties submitting comments in this proceeding.
2. A copy of this Order be published in the *Pennsylvania Bulletin*.
3. The instant phase of this proceeding be terminated and marked closed while retaining the relevant Docket No. M-00960799 for appropriate use in future proceedings as needed.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1231. Filed for public inspection June 6, 2014, 9:00 a.m.]

## Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge

Public Meeting held  
May 22, 2014

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

*Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge; M-2014-2399129; M-00900239*

### Order

*By the Commission:*

Pursuant to our May 29, 1990 Order, at Docket No. M-00900239 establishing the Pennsylvania Telephone Relay Service (Relay)<sup>1</sup> and surcharge funding mechanism (TRS surcharge) and subsequent Commission orders and legislation,<sup>2</sup> we have completed the annual recalculation of the TRS surcharge as it will apply to residence and business wireline access lines for July 1, 2014, through June 30, 2015. The monthly residential and business monthly access line surcharge will remain set at \$0.08.

### Background

The annual TRS recalculation is dependent on data from several sources. Local Exchange Carriers (LECs)<sup>3</sup> submit annual wireline access line counts pursuant to 52 Pa. Code § 63.37. The traditional relay provider, AT&T Corp., submitted the estimated minutes of use and charges for July 1, 2014, through June 30, 2015. Hamilton Telecommunications submitted the estimated minutes-of-use report for the Captioned Telephone Relay Service (CTRS). The Deputy Executive Director of the Office of Vocational Rehabilitation (OVR) in the Department of Labor and Industry submitted the 2014-2015 TDDP budget and the 2014-2015 PMASP budget. The surcharge also funds the TRS Advisory Board activities and Fund administration costs. U.S. Bank,<sup>4</sup> the Fund Administrator, provided a statement of the financial status of the Fund.<sup>5</sup>

### Calculation for 2014—2015

Wireline access lines reported by LECs for 2013 and adjusted for Centrex lines are 5,311,603 (3,439,901 Residence and 1,871,702 Business). Based upon the number of access lines, projected program costs (Relay, CTRS, TDDP, and PMASP), anticipated Relay Advisory Board expenses, TRS Fund administration costs, and the financial status of the TRS Fund, the 2014-2015 monthly TRS surcharge rate for both residence and business access lines will continue to be set at \$0.08 per month. All LECs shall continue to remit TRS surcharge revenues to the Fund

<sup>1</sup> Additional information on TRS may be found at [http://www.puc.pa.gov/utility\\_industry/telecommunications/telecommunications\\_relay\\_service.aspx](http://www.puc.pa.gov/utility_industry/telecommunications/telecommunications_relay_service.aspx)

<sup>2</sup> See Act 34 of 1995, 35 P. S. §§ 6701.1—6701.4 (the statutory provisions were amended by Act 181 of 2002 to be more inclusive of persons with disabilities), establishing the Telephone Device Distribution Program (TDDP) to be funded by the TRS surcharge and which codified Relay and use of the TRS surcharge funding mechanism; and Act 174 of 2004, 35 P. S. § 6701.3a, which established the Print Media Access System Program (PMASP) to be funded in part by the TRS surcharge. PMASP is a reading service for persons with certain vision and physical disabilities. The law is now called the "Universal Telecommunications and Print Media Access Act."

<sup>3</sup> LECs include both incumbent and competitive local exchange carriers. 189 LECs submitted access line count data as required.

<sup>4</sup> As a result of mergers, acquisitions, and name changes, Fund administration has been handled by Hamilton Bank (1990), CoreStates Bank N.A. (1995), First Union National Bank (1999), Wachovia Bank, N.A. (2002), and U.S. Bank Institutional Trust & Custody (2006).

<sup>5</sup> Separate accounts are maintained for the portions of the surcharge allocated to Relay, TDDP, and PMASP. Relay Advisory Board, CTRS, and outreach activities are funded from the Relay account; Fund administration draws from each respective account.

Administrator.<sup>6</sup> Since the 2014-2015 surcharge remains the same as the 2013-2014 rate of \$0.08, the filing of tariff supplements are not required.

Effective July 1, 2014, the monthly surcharge allocation for each fund account is as follows:<sup>7</sup>

	2014-2015	
	<i>Monthly Surcharge Percentage</i>	
	<i>Residence %</i>	<i>Business %</i>
Relay	91.0	91.0
TDDP	5.0	5.0
PMASP	4.0	4.0
Total Percentage	100.0	100.0

*Operations for 2014-2015*

We shall continue our active oversight of the operations of the Pennsylvania Telecommunications Relay Service. Further, in accordance with 35 P. S. §§ 6701.3a & 4, we shall continue to collaborate with OVR and its TDDP administrator<sup>8</sup> to ensure adequate funding for distribution of TDDP equipment to low-income persons. Further, we shall continue to assist OVR in its mission to ensure adequate funding for PMASP.

*Audits*

The Commission's Bureau of Audits (Audits) has issued a TRS related audit report, at Docket No. D-2011-2266114, on the TDDP and PMASP for the twelve-month periods ended June 30, 2011, and June 30, 2010. The audit of the TDDP and PMASP for the twelve-month periods ended June 30, 2013, and June 30, 2012 is currently in progress.

The audit of the TRS Program (collection and disbursement of the TRS funds), at Docket No. D-2012-2308658, for the twelve-month periods ended February 29, 2012, February 28, 2011, and February 28, 2010, was released in February 2014.

*Service of Paper Copies*

In the past, our practice has been to serve the annual TRS surcharge recalculation order on every LEC in the

<sup>6</sup> U.S. Bank Institutional Trust & Custody, Attn: Sue Massey, EX-PA-WBSP, 50 South 16th Street, 20th Floor, Philadelphia, PA 19102, payable to the "PA Relay Service Fund" and designated for Relay. Wire instructions can be found on the remittance form.

<sup>7</sup> The TRS surcharge appears as a single line item on customers' bills but actually has three components (Relay TDDP and PMASP).

<sup>8</sup> As of January 1, 2007, the TDD program is administered by Pennsylvania's Initiative on Assistive Technology (PIAT), Institute on Disabilities, Temple University (IDT).

Commonwealth, in addition to the service providers, Office of Vocational Rehabilitation, Office of Consumer Advocate, Office of Small Business Advocate, Pennsylvania Telephone Association, and the Fund Administrator. As proposed in the TRS Surcharge Recalculation order at Docket No M-2013-2341301, entered May 23, 2013, service of paper copies of the recalculation orders on the LECs will only henceforth be served if there is a change in the TRS surcharge or other provision in the order requiring that the LECs file a tariff change or take other action. As this order does not change the set surcharge rate or require any other tariff changes in response to this order, paper copies will not be served. Additionally, we will continue to publish the recalculation orders in the *Pennsylvania Bulletin* and on the Commission's website.

*Conclusion*

The Commission has completed the annual recalculation of the TRS Surcharge. The surcharge to be applied beginning July 1, 2014, through June 30, 2015 will remain at \$0.08 for residential and business access lines. We also note that paper copies of this order will not be served as there is no change in the set surcharge rate or impose new requirements on the LECs requiring tariff changes in response to this Order; *Therefore,*

*It Is Ordered That:*

1. For the period of July 1, 2014, through June 30, 2015, the monthly TRS surcharge rate shall be \$0.08 for residence and business, unless we take further action to revise the TRS surcharge prior to June 30, 2015.

2. All local exchange carriers are directed to use the attached form to remit the monthly TRS surcharge collections to U.S. Bank, Institutional Trust & Custody. The remittance sheet shall be posted to the PUC web site <http://www.puc.pa.gov>. All local exchange carriers are required to collect and remit the TRS surcharge revenue monthly by the 20th of each month.

3. A copy of this Order be published in the *Pennsylvania Bulletin*.

4. A copy of this Order be posted to the Commission's website.

ROSEMARY CHIAVETTA,  
*Secretary*

**REMITTANCE FORM FOR MONTHLY TRS SURCHARGE COLLECTIONS**

Effective July 1, 2014 through June 30, 2015

M-2014-2399129

All local exchange carriers are required to collect and remit the TRS surcharge revenue monthly, by the 20th of each month using the following format for the monthly remittance:

*Pennsylvania TRS Surcharge*

For the Month Ending \_\_\_\_\_

Number of Residential access lines \_\_\_\_\_  
 X \$0.08 per line \_\_\_\_\_

Allocated:

TRS Relay 91.0 percent \_\_\_\_\_  
 TDDP 5.0 percent \_\_\_\_\_  
 PMASP 4.0 percent \_\_\_\_\_

Number of Business access lines \_\_\_\_\_  
 X \$0.08 per line \_\_\_\_\_

*Pennsylvania TRS Surcharge*

Allocated:  
 TRS Relay 91.0 percent \_\_\_\_\_  
 TDDP 5.0 percent \_\_\_\_\_  
 PMASP 4.0 percent \_\_\_\_\_  
 Total Remittance \_\_\_\_\_

Make check payable to: Pennsylvania TRS Fund

<i>Mail Report and payment to:</i>	<i>Wire Instructions:</i>
U.S. Bank Institutional Trust & Custody Sue Massey EX-PA-WBSP 50 South 16th Street, 20th Floor Philadelphia, PA 19102	BANK U.S. Bank N.A ADDRESS 60 Livingston Avenue, St Paul MN 55107-2292 ABA 091 000 022 BNF ITC Depository South & East ACCOUNT 173 103 781 832 OBI PA Relay ATTN: Sue Massey

Remittance for:  
 Company Name: \_\_\_\_\_  
 Utility Code: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 Voice Phone Number: (\_\_\_\_) \_\_\_\_\_ FAX: (\_\_\_\_) \_\_\_\_\_  
 E-mail address \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please direct any questions regarding the TRS Surcharge remittance to Mr. Eric Jeschke at (717) 783-3850 or [ejeschke@pa.gov](mailto:ejeschke@pa.gov).

[Pa.B. Doc. No. 14-1232. Filed for public inspection June 6, 2014, 9:00 a.m.]

**STi Prepaid, LLC**

Public Meeting held  
May 22, 2014

*Commissioners Present:* Robert F. Powelson, Chairperson;  
John F. Coleman, Jr., Vice Chairperson; James H.  
Cawley; Pamela A. Witmer; Gladys M. Brown

*STi Prepaid, LLC; A-311443; A-311443F0002;  
A-311125F2000*

**Tentative Order**

*By the Commission:*

STi Prepaid, LLC, (STi Prepaid), whose utility code is 311443, was authorized by the Commission to provide interexchange reseller services by order entered August 14, 2007, at Docket Nos. A-311443, A-311443F0002, and A-311125F2000.

Commission records reveal that STi Prepaid is delinquent in the amount of \$1,610 for annual assessment for the fiscal year 2011-2012. STi Prepaid is also delinquent in its assessment to the Pennsylvania Universal Service Fund (PA USF), in the amount of \$7,053.45.

On July 18, 2012, the Commission’s Bureau of Investigation & Enforcement (I&E) served a complaint alleging that STi Prepaid, LLC violated Section 510 of the Public Utility Code, 66 Pa.C.S. § 510, for failing to pay the Commission’s assessment for the 2011-2012 fiscal year. The complaint alleged that STi Prepaid, LLC owes \$1,610 in unpaid assessments and levied a civil penalty of \$240 for failing to timely pay the assessment.

Thereafter, on September 5, 2012, Vivaro Corporation (Vivaro), the parent company of STi Prepaid, LLC, sought

protection from the Bankruptcy Court and filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code. The petition was filed in the U.S. Bankruptcy Court for the Southern District of New York, Case No. 12-13810-mg.

As a result of Vivaro’s bankruptcy filing, I&E’s complaint was subject to the automatic stay provisions of the Bankruptcy Code pursuant to 11 U.S.C. § 362(a). Accordingly, on November 21, 2012, I&E filed a petition for leave to withdraw its complaint against STi Prepaid, pursuant to 52 Pa. Code § 5.94.

Then, by letter dated April 4, 2014, STi Prepaid informed the Pa USF that on February 7, 2013, STi Prepaid ceased operations and transferred substantially all of its assets pursuant to a sale under Section 363 of the United States Bankruptcy Code, 11 U.S.C. § 363, and approved by the U.S. Bankruptcy Court for the Southern District of New York. This letter further stated that since the company no longer exists, it no longer has a need for its certificate of public convenience.

Based upon the information above, STi Prepaid is no longer a public utility. To confirm STi’s activity status, Commission staff researched the FCC Form 499 website, which revealed that STi Prepaid is no longer active as of February 7, 2013.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on the above facts, we tentatively conclude that it is appropriate to



revoke STi Prepaid's certificate of public convenience without the necessity of a formal complaint as being in the public interest. Where a company does not provide utility service, there is no reason to maintain a certificate of public convenience for that company; *Therefore,*

*It Is Ordered That:*

1. Revocation of STi Prepaid, LLC's certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation & Enforcement, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary and shall advise the affected Bureaus within the Commission in writing that the certificate of public convenience held by STi Prepaid, LLC, utility code 311443 at Docket Nos. A-311443, A-311443F0002 and A-311125F2000 is cancelled and that the dockets may be closed.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1233. Filed for public inspection June 6, 2014, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 23, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2014-2413704. Wyomissing Car Service and Taxi, LLC** (4 Darlin Drive, Wyomissing, Berks County, PA 19610) for the right to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Berks County, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2413719. GPS Limo, Inc.** (10201 Bustleton Avenue, Suite A-6, Philadelphia, Philadelphia County, PA 19116) for the right to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return,

excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2415198. Advanced Limousine Coach Services, Inc.** (538 Durham Road, Newtown, Bucks County, PA 18940) for the right to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David P. Temple, Esquire, 1760 Market Street, Philadelphia, PA 19103.

**A-2014-2422554. Checkerx of Delaware Valley, Inc.** (2301 Church Street, Philadelphia, PA 19124)—a corporation of the Commonwealth of Pennsylvania—for the right to begin to transport, by motor vehicle, persons in the experimental service of Transportation Network Service for passenger trips between points in the Counties of Bucks, Chester, Delaware and Montgomery.

#### Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.*

**A-2014-2418497. Appalachian Movers, LLC** (221 Belle Avenue, Boalsburg, PA 16827) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Centre County.

#### Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

**A-2014-2413867. PJS Transportation, LLC** (210 Jennifer Court, Levittown, Bucks County, PA 19057) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2014-2416094. Quaker Rapid Medical Response, LLC** (214 South 42nd Street, Unit LL, Philadelphia, Philadelphia County, PA 19104) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, between points in the City and County of Philadelphia.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1234. Filed for public inspection June 6, 2014, 9:00 a.m.]

### Water Service

**A-2014-2423510. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval to offer, render, furnish or supply water service to the public in an additional portion of Jackson Township, Butler 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 June 23, 2014. The documents filed in support of the application are available for

inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1235. Filed for public inspection June 6, 2014, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-040.6, Miscellaneous Sprinkler Repairs & Testing at Various facilities, until 2 p.m. on Thursday, July 10, 2014. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-1236. Filed for public inspection June 6, 2014, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. David Lewis, LPN; Doc. No. 1182-51-13

On March 6, 2014, David Lewis, LPN, license no. PN095457L, last known of Philadelphia, Philadelphia County, was indefinitely suspended, retroactive to October 9, 2013, based on finding that he is unable to practice practical nursing with reasonable skill and safety by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs that impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 14-1237. Filed for public inspection June 6, 2014, 9:00 a.m.]

## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

### Documentary Preparation Fee; Correction

In accordance with section 27.1 of the Board of Vehicles Act (act) (63 P. S. § 818.27a), the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) provides notice that a dealer may not charge the purchaser of a vehicle a documentary preparation fee under section 27.1(c) and (d) of the act that exceeds the limits set forth as follows. Persons may review this table at the Board's web site at [http://www.dos.state.pa.us/portal/server.pt/community/state\\_board\\_of\\_vehicle\\_manufacturers%2C\\_dealers\\_and\\_salespersons/12526](http://www.dos.state.pa.us/portal/server.pt/community/state_board_of_vehicle_manufacturers%2C_dealers_and_salespersons/12526). This notice is a correction of the notice previously published by the Board at 44 Pa.B. 2605 (April 26, 2014).

Type	Citation	Calendar Year 2012	Calendar Year 2013	Calendar Year 2014
Nonelectronic	63 P. S. § 818.27a(c)(1)	\$108	\$110	\$112
Electronic	63 P. S. § 818.27a(c)(2)	\$129	\$131	\$133

FRANK M. SNYDER, II,  
*Chairperson*

[Pa.B. Doc. No. 14-1238. Filed for public inspection June 6, 2014, 9:00 a.m.]





