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PENNSYLVANIA BULLETIN

Volume 44

Number 31

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Pages 5167—5314

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Capitol Preservation Committee

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Department of Banking and Securities

Department of Community and Economic
Development

Department of Environmental Protection

Department of Health

Environmental Hearing Board

Fish and Boat Commission

Game Commission

Independent Regulatory Review Commission

Insurance Department

Office of Administration

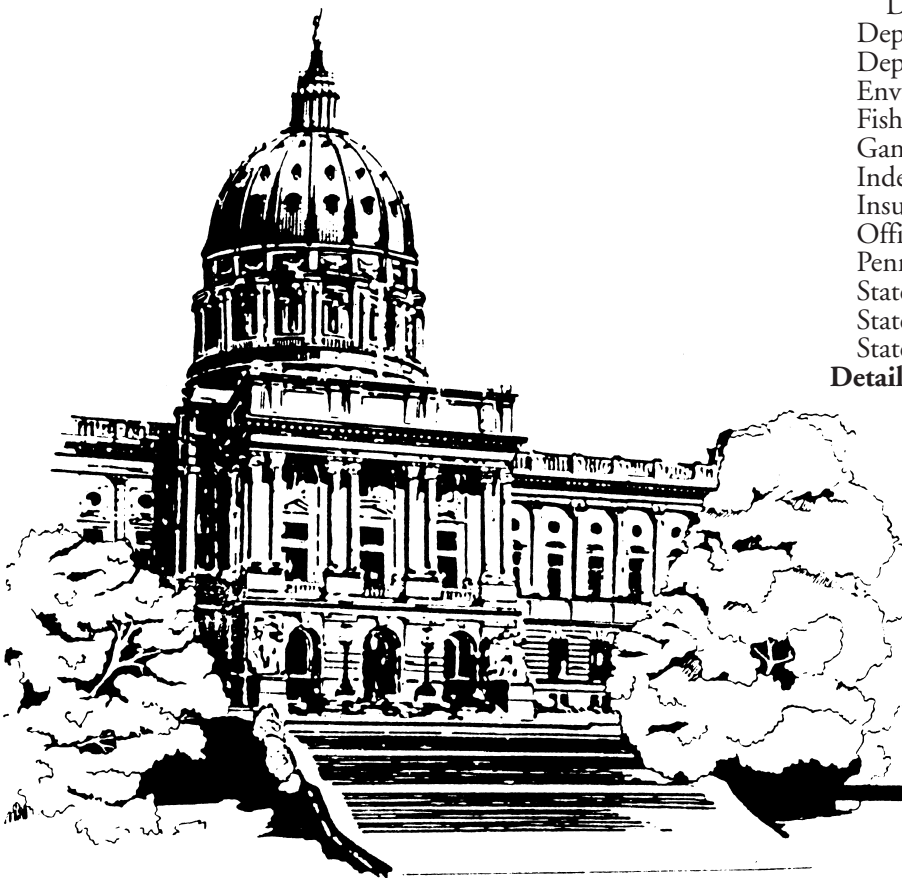
Pennsylvania Public Utility Commission

State Board of Chiropractic

State Board of Nursing

State System of Higher Education

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

No. 477, August 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.

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

Adopted Rules

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| 6 | 2505, 2617 |
| 113 | 888 |
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| 9 | 32, 783, 1005, 1241, 1451, 2060, 2758, 3237, 3572, 3965, 5061 |

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THE GENERAL ASSEMBLY

Recent Actions during the 2014 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during 2014 Regular Session

| <i>Doc. No.</i> | <i>Date of Action</i> | <i>Bill Number</i> | <i>Printer's Number</i> | <i>Effective Date</i> | <i>Subject Matter</i> |
|---|-----------------------|--------------------|-------------------------|-----------------------|--|
| 2014 General Acts of Regular Session Enacted—Act 086 through 130 | | | | | |
| 086 | Jul 2 | HB0043 | PN3541 | Immediately | Volunteer Health Services Act—purpose, approved organization procedure, liability and prescription of medication for family members |
| 087 | Jul 2 | HB0118 | PN3864 | 60 days | Whistleblower Law—protection of employees, enforcement and penalties |
| 088 | Jul 2 | HB0185 | PN3863 | 60 days | Whistleblower Law—protection of employees and penalties |
| 089 | Jul 2 | HB0272 | PN3542 | 60 days | Dental Law—general powers of the State Board of Dentistry, reason for refusal, revocation or suspension of license or certificate, penalties, reporting of multiple licensure or certification and restricted faculty license |
| 090 | Jul 2 | HB0927 | PN2100 | Immediately | Community Services Block Grant Act—extending expiration of act and financial assistance for community services block grant program |
| 091 | Jul 2 | HB1090 | PN2005 | 60 days | Crimes Code (18 Pa.C.S.) and Domestic Relations Code (23 Pa.C.S.)—protective custody of newborn children in the areas of criminal liability, child protective services and newborn protection |
| 092 | Jul 2 | HB1144 | PN1402 | 60 days | Game and Wildlife Code (34 Pa.C.S.)—disabled person permits |
| 093 | Jul 2 | HB1271 | PN2774 | Immediately | Project 70 lands—release and imposition of restrictions in Borough of Brentwood, Allegheny County |
| 094 | Jul 2 | HB1420 | PN3544 | 90 days | Newborn Child Pulse Oximetry Screening Act—enactment |
| 095 | Jul 2 | HB1429 | PN3708 | Immediately* | Probate, Estates and Fiduciaries Code (20 Pa.C.S.)—omnibus amendments |
| 096 | Jul 2 | HB1574 | PN2502 | 60 days | Health Maintenance Organization Act—omnibus amendments |
| 097 | Jul 2 | HB1575 | PN2503 | 60 days | Associations Code (15 Pa.C.S.)—purposes of limited liability companies |
| 098 | Jul 2 | HB1831 | PN3748 | 60 days | Glenn Bowers Memorial Bridge, Blair County Veterans Memorial Bridge, Alvin E. Morrison Memorial Bridge, Roberto Clemente Way, Charles Chrin Interchange, Fred L. Lebder Interchange and Officer Robb McCray Memorial Bridge—designations |
| 099 | Jul 2 | HB1929 | PN3128 | 60 days | Bucktail Regiment Memorial Bridge—designation |
| 100 | Jul 2 | HB1945 | PN3813 | Immediately* | Conveyances—Commonwealth property in multiple municipalities |
| 101 | Jul 2 | HB1972 | PN3865 | Immediately* | Lieutenant Colonel Cephus Lee Roupe Memorial Bridge, Fayette Expressway Completion Organization (FAECO) Bridges and Cornelius McElhenny Memorial Bridge—designations |

| <i>Doc. No.</i> | <i>Date of Action</i> | <i>Bill Number</i> | <i>Printer's Number</i> | <i>Effective Date</i> | <i>Subject Matter</i> |
|-----------------|-----------------------|--------------------|-------------------------|-----------------------|--|
| 102 | Jul 2 | HB1980 | PN2920 | 60 days | Employment Agency Law—repealed |
| 103 | Jul 2 | HB2072 | PN3880 | Immediately* | Multiple designations |
| 104 | Jul 2 | HB2242 | PN3869 | Immediately | Medical Practice Act of 1985—prosthetists, orthotists, pedorthists and orthotic fitters |
| 105 | Jul 2 | SB0075 | PN2188 | 60 days | Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—extensively revising law on human trafficking and classification of sexual offenses |
| 106 | Jul 2 | SB0137 | PN1603 | 60 days | Speech—Language and Hearing Licensure Act—omnibus amendments |
| 107 | Jul 2 | SB0193 | PN2209 | Immediately | Public School Code of 1949—employment of school health personnel |
| 108 | Jul 2 | SB0874 | PN0969 | 60 days | Public School Code of 1949—financial program and Reimbursement of payments relating to community colleges |
| 109 | Jul 2 | SB1187 | PN2210 | Immediately* | Vehicle Code (75 Pa.C.S.)—omnibus amendments |
| 110 | Jul 2 | SB1261 | PN1783 | 60 days | Dog Law—dogs used for law enforcement |
| 111 | Jul 2 | SB1287 | PN1840 | 60 days | Vehicle Code (75 Pa.C.S.)—further providing for the definition of all-terrain vehicle or ATV |
| 112 | Jul 2 | SB1422 | PN2141 | Immediately | Judicial Code (42 Pa.C.S.)—successor business entity liability |
| 113 | Jul 9 | HB1337 | PN3900 | 30 days | Judicial Code (42 Pa.C.S.)—surcharge, fee deposit into the access to justice account, form of permanent recordation and copies of destroyed records |
| 114 | Jul 9 | HB1772 | PN2525 | 60 days | Deputy Sheriffs' Education and Training Act—omnibus |
| 115 | Jul 9 | HB2107 | PN3866 | 60 days | Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—unlawful dissemination of intimate image and damages in actions for unlawful dissemination of intimate image |
| 116 | Jul 9 | HB2169 | PN3718 | Immediately | Game and Wildlife Code (34 Pa.C.S.)—elk hunting licenses |
| 117 | Jul 9 | SB0145 | PN2208 | 60 days | Mechanics' Lien Law of 1963—right to lien and amount, priority of lien and discharge or reduction of lien on payment into court or entry of security |
| 118 | Jul 9 | SB0622 | PN2222 | Immediately* | Debt Settlement Services Act—enactment |
| 119 | Jul 9 | SB1001 | PN2154 | Immediately* | Notaries Public (57 Pa.C.S.)—appointment and commission as notary public, qualifications and no immunity or benefit and regulations |
| 120 | Jul 9 | SB1096 | PN1846 | 60 days | Eminent Domain Code (26 Pa.C.S.)—limited reimbursement of appraisal, attorney and engineering fees |
| 121 | Jul 9 | SB1185 | PN2194 | 60 days | Second Class County Code—requests for examinations and reports of coroners |
| 122 | Jul 9 | SB1194 | PN2127 | 60 days | Public School Code of 1949—sale of unused and unnecessary lands and buildings, school police officers and Office for Safe Schools |
| 123 | Jul 9 | SB1255 | PN2195 | 60 days | General Local Government Code (53 Pa.C.S.)—purposes and powers of municipal authorities |

| <i>Doc. No.</i> | <i>Date of Action</i> | <i>Bill Number</i> | <i>Printer's Number</i> | <i>Effective Date</i> | <i>Subject Matter</i> |
|---|-----------------------|--------------------|-------------------------|-----------------------|---|
| 124 | Jul 9 | SB1401 | PN2237 | Immediately | Multiple bridge and highway designations |
| 125 | Jul 9 | SB1409 | PN2176 | Immediately | Board of Vehicles Act—unlawful acts by manufacturers or distributors |
| 126 | Jul 10 | HB0278 | PN3930 | Immediately* | Fiscal Code—omnibus amendments-line item veto |
| 127 | Jul 10 | HB2244 | PN3884 | Immediately | Highway—Railroad and Highway Bridge Capital Budget Supplemental Act for 2014-2015—enactment |
| 128 | Jul 10 | HB2355 | PN3897 | Immediately | Capital Budget and Project Itemization Act of 2014-2015—enactment |
| 129 | Jul 10 | SB1384 | PN2196 | Immediately | Highway Capital Budget Project Itemization Act of 2014-2015—enactment |
| 130 | Jul 18 | HB2111 | PN3841 | 60 days | Down Syndrome Prenatal and Postnatal Education Act—enactment |
| 2014 Appropriation Acts of Regular Session Enacted—Act 001A through 015A | | | | | |
| 001A | Jul 10 | HB2328 | PN3895 | Immediately | General Appropriation Act of 2014—enactment—line item veto |
| 002A | Jul 10 | HB2280 | PN3595 | Immediately | Bureau of Professional and Occupational Affairs—support of professional licensure boards |
| 003A | Jul 10 | HB2281 | PN3596 | Immediately | Department of Labor and Industry and Department of Community and Economic Development—expenses for Workers' Compensation Act, Pennsylvania Occupational Disease Act and Office of Small Business Advocate |
| 004A | Jul 10 | HB2282 | PN3597 | Immediately | Office of Small Business Advocate—operation |
| 005A | Jul 10 | HB2283 | PN3598 | Immediately | Office of Consumer Advocate—operation |
| 006A | Jul 10 | HB2284 | PN3599 | Immediately | Public School Employees' Retirement Board—administrative expenses, etc. |
| 007A | Jul 10 | HB2285 | PN3600 | Immediately | State Employees' Retirement Board—administrative expenses, etc. |
| 008A | Jul 10 | HB2286 | PN3601 | Immediately | Philadelphia Parking Authority—operation |
| 009A | Jul 10 | HB2287 | PN3618 | Immediately | Pennsylvania Public Utility Commission—operation |
| 010A | Jul 10 | HB2288 | PN3681 | Immediately | Gaming Control Appropriation Act of 2014—enactment |
| 011A | Jul 10 | HB2334 | PN3896 | Immediately | Pennsylvania State University—general support and Pennsylvania College of Technology |
| 012A | Jul 10 | HB2335 | PN3701 | Immediately | University of Pittsburgh—general support and rural education outreach |
| 013A | Jul 10 | HB2336 | PN3702 | Immediately | Temple University—general support |
| 014A | Jul 10 | HB2337 | PN3703 | Immediately | Lincoln University—general support |
| 015A | Jul 10 | HB2338 | PN3704 | Immediately | University of Pennsylvania—veterinary activities and Center for Infectious Diseases |

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified previously for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$25.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$25, payable to the “Commonwealth of Pennsylvania.”

VINCENT C. DeLIBERATO, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 14-1618. Filed for public inspection August 1, 2014, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION [204 PA. CODE CH. 29]

Promulgation of Financial Regulations Pursuant to Acts 113 and 126 of 2014 (42 Pa.C.S. § 3733(a.1) and 3733.1, and 72 P.S. § 1795.1-E); No. 426 Judicial Administration Doc.

Order

Per Curiam:

And Now, this 18th day of July, 2014, it is *Ordered* pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania and Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), that the Court Administrator of Pennsylvania is authorized to promulgate the following Financial Regulations.

To the extent that notice of proposed rule-making may be required by Pa.R.J.A. No. 103, the immediate promulgation of the regulations is hereby found to be in the interests of efficient administration.

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter I. BUDGET AND FINANCE

§ 29.351. Definitions.

(a) *Pennsylvania Supreme, Superior and Commonwealth Courts. Initial Filing.*

1. Except for the provisions of subsection (g) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed on all items enumerated in the fee schedules of the Appellate Courts for which a filing and service fee is collected, excluding the following:

- i. Second and Subsequent Filings for Extension of Time;
- ii. Reargument/Reconsideration;
- iii. Services in Connection with Appeals to or Writs of Certiorari from the United States Supreme Court;
- iv. Miscellaneous Fees; and
- v. Subpoenas.

(b) *Court of Common Pleas. Prothonotary. Civil Actions and Legal Proceedings.*

1. Except for the provisions of subsection (g) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed on a civil action or legal proceeding in a Court of Common Pleas whenever it is initiated upon the

filing of the first legal paper therein of record with the prothonotary, which legal paper may be:

- i. Praecipe for a Writ of Summons;
 - ii. Complaint;
 - iii. Agreement for an Amicable Action;
 - iv. Petition;
 - v. Notice of Appeal from a court of limited jurisdiction;
- or,
- vi. Petition or grant of any other legal paper commencing an action or proceeding authorized by Act of Assembly or rule of court.

2. For purposes of these regulations, the initiation of a civil action or legal proceeding shall include, but is not limited to:

i. Actions governed by or authorized under the Pennsylvania Rules of Civil Procedure, such as Civil Action Ejectment, Equity, Ground Rent, Mandamus, Mortgage Foreclosure, Partition of Real Property, Quiet Title, Quo Warranto, Replevin, and the Prevention of Waste;

ii. Actions pertaining to Dependency, Annulments, Divorce, Custody, Partial Custody, Visitation of Minor Children, Support, and Paternity. With respect to Divorce actions, a separate statutory fee shall be imposed for each count in the complaint in addition to the count requesting divorce;

iii. Statutory actions such as Confirmation of Arbitration Awards, Conformation of Confessed Judgment, Declaratory Judgment, Opening or Striking Off a Judgment, Eminent Domain, Habeas Corpus, Proceedings on Liens (other than revival), Name Changes, Partition of Property Held by Husband and Wife as Tenants By the Entireties, Tax Sales of Real Property; or,

iv. Other actions not included in subsections (i), (ii) or (iii) such as: Appeals from Board of Elections, Appeals from Board of Viewers, Appeals from Zoning Boards, and Certiorari to Magisterial District Judges.

(c) *Court of Common Pleas. Orphans' Court Clerk, Register of Wills.*

1. Except for the provisions of subsection (g) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed on all petitions for grant of letters, and first filings in petitions concerning adoptions, incompetents' estates, minors' estates, and inter vivos trusts.

(d) *Court of Common Pleas. Clerk of Court.*

1. Except for the provisions of subsection (g) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed upon conviction, guilty plea, or when a defendant is granted entry into an Accelerated Rehabilitative Disposition (ARD) or other pretrial diversionary program based upon the initiation of any criminal proceeding. The initiation of a criminal proceeding shall include:

i. Cases commenced at the magisterial district judge level resulting in the issuance of a numbered docket transcript form (OTN), and subsequently waived or held to court;

ii. the appeal of a summary conviction to the Court of Common Pleas;

iii. cases involving juvenile defendants where a petition alleging delinquency has been filed in the Court of Common Pleas;

iv. cases involving juvenile defendants certified to the Court of Common Pleas, resulting in the issuance of a numbered docket transcript form (OTN); and

v. cases involving the severance of charges into separate cases resulting in the issuance of one or more additional numbered docket transcripts (OTNs).

2. Except for the provisions of subsection (g) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed for each filing of a deed, mortgage or property transfer for which a fee, charge or cost is now authorized. The documents identified as meeting the above conditions are listed below. The list is not exclusive and any other filing for which a fee is imposed, which can be considered a property transfer is included and should have the fee imposed. Subject to later amendment, the following documents have been identified as meeting the statutory provisions:

- i. Deeds in any form;
- ii. Mortgages;
- iii. Mortgage assignments;
- iv. Mortgage releases;
- v. Mortgage satisfaction pieces;
- vi. Installment sales agreements;
- vii. Leases for a term of thirty (30) years or longer;
- viii. Easements; and
- ix. Rights of Way.

(e) *Minor Judiciary. Civil and Criminal Proceedings.*

1. For purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1 a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed on the initiation of a legal proceeding. The initiation of a legal proceeding, in the following courts of the Minor Judiciary, shall include, but is not limited to, the following:

i. *Magisterial District Judge. Civil Actions.* Except for the provisions of subsection (g) below, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed in connection with the filing of a complaint in Trespass and Assumpsit or for the Recovery of Possession of Real Property (Landlord and Tenant Proceeding) or for any other Civil Action as provided in the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges.

ii. *Magisterial District Judge. Criminal Actions.* Except for the provisions of subsection (g) below, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed upon a conviction, guilty plea or when a defendant is granted entry into an Accelerated Rehabilitative Disposition (ARD) or any other pretrial diversionary program based upon the filing of a criminal complaint or non-traffic citation charging an offense classified as misdemeanor or summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.

iii. *Magisterial District Judge, Pittsburgh Municipal Court, and Philadelphia Municipal Court. Title 75 Summary Offenses Initiated by Traffic Citation.* A statutory fee of ten dollars (\$10.00) shall be imposed upon a conviction or guilty plea based upon the filing of a traffic citation charging a violation of Title 75 (relating to

vehicles) offense classified as summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.

iv. *Pittsburgh Municipal Court. Civil Actions.* Except for the provisions of subsection (g) below, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed in connection with the filing of a civil complaint seeking recovery of fines and penalties imposed by an ordinance of the City of Pittsburgh or by any ordinance or regulation relating to housing and health administered and enforced by the county health department where the violation occurs within the City of Pittsburgh.

v. *Pittsburgh Municipal Court. Criminal Actions.* Except for the provisions of subsection (g) below, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed upon a conviction, guilty plea or when a defendant is granted entry into an Accelerated Rehabilitative Disposition (ARD) or any other pretrial diversionary program based upon the filing of a criminal complaint or non-traffic citation charging an offense classified as misdemeanor or summary under state statute or local ordinance as provided for in the Pennsylvania Rules of Criminal Procedure.

vi. *Philadelphia Municipal Court. Civil Actions.* Except for the provisions of subsection (g) below, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed in connection with the filing of a complaint for a Civil Action, as defined in the Philadelphia Municipal Court Rules of Civil Procedure.

vii. *Philadelphia Municipal Court. Criminal Actions.* Except for the provisions of subsection (g) below, a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed upon conviction, guilty plea or when a defendant is granted entry into an Accelerated Rehabilitative Disposition (ARD) or any other pretrial diversionary program based upon the filing of a criminal complaint or non-traffic citation charging an offense classified as misdemeanor or summary under state statute or local ordinance as provided for in the Pennsylvania Rules of Criminal Procedure.

(f) *Recorders of Deeds.* Except for the provisions of subsection (g) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1 a statutory fee of fourteen dollars and twenty-five cents (\$14.25) shall be imposed for each filing of a deed, mortgage or property transfer for which a fee, charge or cost is now authorized. The documents identified as meeting the above conditions are listed below. The list is not exclusive and any other filing for which a fee is imposed, which can be considered a property transfer is included. Subject to later amendment, the following documents have been identified as meeting the statutory provisions:

- i. Deeds in any form;
- ii. Mortgages;
- iii. Mortgage assignments;
- iv. Mortgage releases;
- v. Mortgage satisfaction pieces;
- vi. Installment sales agreements;
- vii. Leases for a term of thirty (30) years or longer;
- viii. Easements; and
- ix. Rights of Way.

(g) *Temporary Surcharge.*

i. Beginning July 10, 2014 until December 31, 2017, for purposes of 42 Pa.C.S. § 3733.1 and 72 P. S. § 1795.1-E,

a temporary surcharge of twenty-one dollars and twenty-five cents (\$21.25) shall be collected by all collectors of the JCS/ATJ/CJEA fee to supplement the fourteen dollars and twenty-five cents (\$14.25) statutory fee described above.

ii. The temporary surcharge may not be imposed upon a conviction or guilty plea based upon the filing of a traffic citation charging a Title 75 (relating to vehicles) offense classified as summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.

iii. The statutory fee described in paragraphs A, B, C, D, E, and F above is twelve dollars and twenty-five cents (\$12.25) until August 8, 2014 when the fee shall increase to fourteen dollars and twenty-five cents (\$14.25).

(h) Pursuant to the authority under 42 Pa.C.S. § 3502(a) to promulgate regulations specifying the time and manner of remittance and disbursement of this fee by county staff, all collectors of the fee must be in compliance with these regulations on or before August 8, 2014. This implementation period is necessary to allow all collectors of the fee sufficient time to make the necessary adjustments to existing automated systems and protocols.

[Pa.B. Doc. No. 14-1619. Filed for public inspection August 1, 2014, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1000]

Proposed Amendment of Rule 1026 Governing Time for Filing and Notice to Plead; Proposed Recommendation No. 261

The Civil Procedural Rules Committee proposes that Rule of Civil Procedure 1026 governing time for filing and notice to plead be amended as set forth herein. The proposed recommendation is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court of Pennsylvania.

All communications in reference to the proposed recommendation should be sent no later than October 3, 2014 to:

Karla M. Shultz
Counsel
Civil Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
P. O. Box 62635
Harrisburg PA 17106-2635
FAX 717-231-9526
civilrules@pacourts.us

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1000. ACTIONS

Subchapter A. CIVIL ACTION

PLEADINGS

Rule 1026. Time for Filing. Notice to Plead.

(a)(1) Except as provided by Rule 1042.4 or by subdivision [(b)] (a)(2) of this rule, every pleading subsequent

to the complaint shall be filed within twenty days after service of the preceding pleading, but no pleading need be filed unless the preceding pleading contains a notice to defend or is endorsed with a notice to plead.

Official Note: For the form of notice to defend see Rule 1018.1 and for the form of notice to plead see Rule 1361.

Additional time within which to plead may be sought under Rule 248.

Rule 1042.4 governs actions in which a professional liability claim is asserted.

[(b)] (2) A defendant served outside the United States shall have sixty days from service of the complaint within which to plead.

(b) No pleading may be stricken for non-compliance with the time limits set forth in subdivision (a) unless the party seeking to strike the pleading demonstrates that it has been substantially prejudiced by the late pleading.

Explanatory Comment

Existing Rule 1026 is incomplete because it does not address the issue of the standard to be applied where a party, through preliminary objections raising a failure of a pleading to conform to rule of court, seeks to have a pleading stricken on the ground that it was filed outside the time limits of Rule 1026.

Most trial courts look to *Fisher v. Hill*, 81 A.2d 860, 866 (Pa. 1951), and its progeny. In *Fisher*, the Supreme Court ruled that the trial court did not abuse its discretion in refusing to strike the defendant's answer and new matter on the ground that the pleading was untimely filed.

In its opinion, the Court said that the word "shall," as used in Rule 1026 is not mandatory in the sense that it admits no exception. The Court based its ruling on Rule 126 which provides that the rules are to be liberally construed to secure the just, speedy, and inexpensive determination of any action or proceeding and that a court may disregard errors or defects of procedure which do not affect the substantial rights of the parties. As a result, the Court established the standard that "dilatatory pleadings may be filed if the opposing party is not prejudiced and justice requires." *Fisher*, 81 A.2d at 866.

Notwithstanding this precedent, it has been reported to the Civil Procedural Rules Committee that there have been instances in which a trial court judge, in the exercise of his or her discretion, has stricken a pleading solely on a showing of non-compliance with Rule 1026 where no party has been prejudiced by the late filing.

The purpose of this amendment is to incorporate into Rule 1026 a standard that does not penalize a party for a late filing unless substantial prejudice is established. This approach is intended to ensure that errors and defects that do not affect the substantial rights of the parties may be disregarded without impacting the just and prompt disposition of cases.

By the Civil Procedural Rules Committee

PETER J. HOFFMAN,
Chair

[Pa.B. Doc. No. 14-1620. Filed for public inspection August 1, 2014, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 300]

Order Amending Rules 307, 308, 309, 310, 312, 313 and 314 of the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges; No. 373 Magisterial Doc.

Order

Per Curiam

And Now, this 21st day of July, 2014, upon the recommendation of the Minor Court Rules Committee; the proposal having been published for public comment at 44 Pa.B. 10 (January 4, 2014):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 307, 308, 309, 310, 312, 313, and 314 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges are amended in the following form.

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

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 300. CIVIL ACTION

Rule 307. Service of the Complaint.

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

* * * * *

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

* * * * *

Rule 308. Service Upon Individuals.

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

* * * * *

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

agent of the defendant [authorized in writing to receive his restricted delivery mail].

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

Rule 309. Service Upon Partnerships.

Service of the complaint upon a partnership shall be made:

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

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

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

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

Rule 310. Service Upon Corporations.

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

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

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

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

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

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

Rule 312. Service on a Political Subdivision.

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

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

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

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

(3) by mailing, via certified mail or comparable delivery method resulting in a return receipt in paper or electronic form, a copy to the office of the

political subdivision. The return receipt shall show that the complaint was received by the political subdivision.

Official Note: Compare Pa.R.C.P. No. [2104(c)] 422. The definition of “political subdivision” is derived from Pa.R.C.P. No. 76.

Rule 313. Service Outside the Commonwealth.

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

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

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

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

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

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

Official Note: See the Judicial Code, § 5322, 42 Pa.C.S. § 5322 (as amended by § 10(61) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53) and § 5329(1), 42 Pa.C.S. § 5329(1), as to the basis of personal jurisdiction over persons outside the Commonwealth. The magisterial district judge may designate any Pennsylvania sheriff or constable to make service under subdivision (1), but such service should not be attempted if it would be offensive to the jurisdiction in which service is to be made. See Uniform Interstate and International Procedures Act, § 2.02, Commissioners’ Comment, 13 Uniform Laws Annotated 297. Alternatively, the magisterial district judge may designate any adult other than the plaintiff to make service under subdivision (1). Although the magisterial district judge may not designate the plaintiff as the person to make such service, the plaintiff may suggest to the magisterial district judge the name of a person to make service. If service is made by ordinary mail under subdivision (2), the magisterial district judge shall note that fact on the docket with the remark that a sufficient time having elapsed the ordinary mail was not returned. The magisterial district judge shall attach to the original complaint form the returned certified or [registered letter] comparable delivery method resulting in a return receipt in paper or electronic form with the notation by the postal authorities or commercial carrier that the defendant refused to accept it. If service is to be made under subdivision (3), the magisterial district judge may send the service copy of the complaint to an appropriate official of the jurisdiction in which service is to be made. If service is made under subdivisions (1) or (3), proof of service may be made on the form provided under Rule 314A with such alterations

as may be necessary or in any manner provided by the law of the jurisdiction in which the service is made for proof of service in an action in any of its courts of general jurisdiction. Compare Pa.R.C.P. No. 404.

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

* * * * *

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

* * * * *

FINAL REPORT¹

Recommendation 2-2014, Minor Court Rules Committee

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

Permitting Use of Electronic Receipts and Commercial Carriers

On July 21, 2014, effective August 20, 2014, upon recommendation of the Minor Court Rules Committee (“Committee”)², the Supreme Court of Pennsylvania adopted amendments to Rules 307, 308, 309, 310, 312, 313, and 314 of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges.

I. Background and Discussion

The goal of the amendments is to provide for the use of electronic receipts in lieu of “greens cards” where elected and available, as well as the use of commercial carriers in lieu of the United States Postal Service. Currently, proof of service by certified or registered mail is provided by “a return receipt card,” colloquially referred to as a “green card.” Committee members are aware of postal delays in returning the return receipt cards. For some time now, the United States Postal Service has offered electronic return receipts in lieu of the traditional green cards to demonstrate proof of delivery. The Committee recognizes that court administrators in some judicial districts may want to utilize these services, and proposed amending the above referenced rules to specifically permit such activity. The Committee noted that this practice is already allowed under the Pennsylvania Rules of Criminal Procedure, with the comment to Pa.R.Crim.P. 114 providing that “[n]othing in this rule is intended to preclude a judicial district from utilizing the United States Postal Service’s return receipt electronic option, or any similar service that electronically provides a return receipt, when using certified mail, return receipt requested.” See Pa.R.Crim.P. 114, comment.

The Committee also recognized that there may be circumstances where a judicial district may elect to use a commercial carrier service as an alternative to the United States Post Office. The Committee proposed permitting the use of such services where a return receipt in paper or electronic form is available. The Committee noted a similar practice is already allowed by the Pennsylvania Rules of Criminal Procedure for service of most orders and court notices. See Pa.R.Crim.P. 114(B)(3)(vii) (permitting delivery by “carrier service”).

¹ 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.

² Minor Court Rules Committee Recommendation 2-2014.

II. Rule Changes

Changes to Rules 307(3), 308(3), 309(3), 310(4), 312(3), 313(2), and 314(B) include adding the phrase “comparable delivery method resulting in a return receipt in paper or electronic form” to permit the use of electronic receipts. Additional changes include adding references to alternative commercial carrier services, updating cross references to the Rules of Civil Procedure, adding a definition of “political subdivision” to Rule 312, and amending Rule 308(3) to simplify determination of when a person other than the defendant is authorized to sign for the defendant’s restricted delivery mail.

[Pa.B. Doc. No. 14-1621. Filed for public inspection August 1, 2014, 9:00 a.m.]

**Title 25—LOCAL
COURT RULES**

MERCER COUNTY

Clerk of Courts’ Schedule of Fees and Costs; No. 2 AD 2014

Order

And Now, this 25th day of June, 2014, It Is Hereby Ordered, Adjudged and Decreed That:

1. The revised Fee Schedule submitted by the Clerk of Courts of Mercer County, Pennsylvania, a copy of which follows hereto and incorporated herein, Is Approved.

2. The revised Fee Schedule approved by this Order of Court shall be effective on August 1, 2014.

3. The Clerk of Courts is hereby directed to immediately cause the publication of the revised Fee Schedule in the *Mercer County Legal Journal* once a week for two (2) successive weeks, and to file a copy of the Proof of Publication of the advertisement at the above term and docket number.

4. The Clerk of Courts shall file one (1) certified copy hereof with the Administrative Office of Pennsylvania Courts, Attention: Court Administrator of PA; and distribute two (2) certified hard copies, along with a diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

5. The Clerk of Courts is to distribute a copy of the Fee Schedule to each of the Judges of the Court of Common Pleas of Mercer County and to the Mercer County Bar Association.

6. Nothing contained herein shall prevent this Court to further revise the Fee Schedule approved by this Order of Court upon proper application made in accordance with law.

By the Court

THOMAS R. DOBSON,
President Judge

EXHIBIT “A”

2014 Fee Bill (Effective 8-8-2014)

\$209.00 Misdemeanor and Felony cases disposed of at any time during or after trial (Rev. 8/1/2014)

| | |
|------------------|--|
| \$157.00 | Misdemeanor and Felony cases disposed of before trial (Rev. 8/1/2014) |
| \$ 32.00 | All Proceedings in Summary Matters Originated/Filed at Clerk of Courts (Rev. 8/1/2014) |
| \$ 29.15 | Additional Felony charge on Court Costs, Rev. 1/1/14 |
| \$ 32.70 | Additional Misdemeanor charge on Court Costs, Rev. 1/1/14 |
| \$ 20.80 | Additional Summary Vehicle charge on Court Costs, Rev. 1/1/14 |
| \$ 30.80 | Additional Summary Criminal charge on Court Costs, Rev. 1/1/14 |
| \$ 28.80 | Summary Conviction, motor vehicle cases, hearing demanded, Rev. 1/1/14 |
| \$ 13.35 | Act 204—Felony Charge, Rev. 1/1/14 |
| \$ 11.75 | Act 204—Misdemeanor Charge, Rev. 1/1/14 |
| \$ 8.35 | Act 204—Summary Vehicle or Criminal Charge, Rev. 1/1/14 |
| \$ 20.00 | Act 167—Felony Charge, Rev. 1/1/14 |
| \$ 10.05 | Act 167—Misdemeanor Charge, Rev. 1/1/14 |
| \$ 8.35 | Act 167—Summary Vehicle or Criminal Charge, Rev. 1/1/14 |
| \$ 35.00/\$25.00 | Act 96—(CVC) Rev. 8/27/02 (Adult \$35/Juvenile \$25) |
| \$ 10.00 | Act 157—(DVC) Effective 10/14/91 (Does not apply to Juv. Cases, Non-DUI ARD, Rule 586) |
| \$ 25.00 | Act 96—(CC) Revised 12/29/2000 |
| \$ 10.00 | Act 45—(EMS) Effective 7/3/85 All DUI related moving vehicle violations; amended 10/21/88 to all traffic violations, except parking |
| \$ 25.00 | Act 121—(EMS-ARD-DUI) Effective 12/29/2000. Fee on all DUI cases |
| \$ 35.50 | Act 113 & 126 of 2014—(JCS/ATJ/CJEA) (Temporary Adjustment Effective 8/8/2014 until 12/31/17 & thereafter fee will be \$14.25.) [Note: From 7/10/14—8/8/14 assessment will be \$33.50] |
| \$150.00 | L- 178—Administrative Fee for DUI cases. Revision effective on all cases adjudicated > 1/1/94 |
| \$150.00 | L- 1/09—Administrative Fee for Non-DUI ARD Cases effective 4/22/09 |
| \$ 5.00 | Act 158—(P. O. Education Training Fund) Effective 2/26/95. Applicable to Felony & Misdemeanor only. |
| \$500.00 | Act 154—(Fleeing/Eluding—M2—VC3733) Effective 6/26/95 |
| \$ 50.00 | Act 170—(Add'l Parking Violations) Effective 2/27/95 |
| | Act—(CAT Fund Surcharge—Motor Transportation Fund) Effective 1/1/14, upon conviction |
| | DUI—1st Offense |

| | | | |
|-----------------|---|--|---|
| \$100.00 | DUI—2nd Offense | \$??? | Blood Kit Fee (Mercer) [Payable to Mercer County Liquor Forfeiture Fund] Effective 3/2011 |
| \$200.00 | DUI—3rd Offense | | |
| \$300.00 | DUI—4th and subsequent offenses [Except 3802 (C) only] | \$??? | Buy Money—PSP (PA State Police)—Effective 4/27/2011 |
| \$ 30.00 | “Most” traffic violations | \$??? | Buy Money—OAG (Office of Attorney General)—Effective 4/27/2011 |
| \$ 5.00 | Act 44—Constable Service Surcharge—Effective 8/8/92; Revised | \$100.00 | Booking Center Fee—Effective 5/2/11 sentence date. |
| \$250.00 | Act 185—(DNA Detention Fund—All Felony & Misd. Under Sect. 2910 & 3126, Rev. 1/29/05 | | PA Transportation Trust Fund—Title 75, Sections 1543(b)(1.1), 3802 or 3808(a)(2)—Effective 1/4/2014 |
| \$ 25.00/Mo. | L- -(County ARD) Effective on cases adjudicated on or after 6/1/96. Applicable to Misdemeanor and Felony only. | \$ 75.00 \$ 150.00 | 1st Offense (Act 89 and 126 of 2013) 2nd Offense |
| \$ 3.00 | L- -(Autotrack) Effective on cases adjudicated on or after 6/1/97. Applicable to Misdemeanor and Felony only. | \$ 300.00 \$ 400.00 \$ 57.00\ | 3rd Offense 4th Offense Mercer County’s fee for appeals to Superior or Supreme Court, Rev. 8/1/2014 |
| \$ 5.00 | Act 84—(Credit Cards) Effective 10/16/98. Adjudicated Misdemeanor & Felony | \$ 73.50/ | Fee payable to Superior or Supreme Court, Rev. 12/8/09 |
| \$ 5.00 | Act 36—Automation Fee—Effective 8/21/00, Implemented 9/1/00—For implementation of any action or legal proceeding | \$.06 | Per dollar for first \$1,000 and \$.02 per dollar for fractions thereof for handling of money paid into Court (i.e. Commission Cash Bonds), Rev. 8/1/2014 |
| \$ 60.00 | L- -IPP-CRN Effective 1/1/99, DUI Offense | \$ 40.00 | NSF Charge, Rev. 8/1/2014 |
| \$ 50.00 | L- -IPP Fee—Effective 1999, Community Service | \$.50 | Xerox copy, Rev. 8/1/2014 (Public and Attorneys) |
| \$100.00 | Act 198—Mandatory, unless “undue hardship” deemed by Court—Effective 2/7/03 | \$.50 \$ 10.00 | Fax Charge/Sheet, Rev. 8/1/2014 All Certifications, Rev. 8/1/2014 |
| \$200.00 | Act 198—(\$100 County/\$100 State) If BAC .16% within 2 hours after 2/7/03, or If BAC .15% within 2 hours after 2/1/04 | \$ 11.50 \$ 10.00 | All Exemptions, Rev. 8/1/2014 Expungements Rev. 8/1/2014 (Per Certification, Plus Postage) |
| \$ 25.00 | Act 153 of 2004—Amber Alert—Certain crimes code offenses, Effective 11/24/04 | \$ 26.00 \$ 20.00 | Property Bond (Entering Judgments) All other matters filed (Except that no fee shall be charged for township audit reports or district justice transcripts received which have been disposed of by the district justice, with the exception of misdemeanor cases), [Plus \$5 Automation] Rev. 8/1/2014 |
| \$100.00 | Act 100 of 2006—Application Fee—Effective 9/5/2006 (Interstate Supervision Transfer) | | DETECTIVE LICENSES: |
| \$ 1.00/mo | Payment Plan Fee, Effective 12/6/2006—Discontinued 3/31/2010 [See HB 267 below] | | Detective License (Corporations, etc.) |
| \$ 50.00 | Act 30 of 2007—CJEA (Criminal Justice Enhancement Account), Effective on or after 11/10/07, on ARD, Title 18 (Fel and Misd 1&2) and Title 35-113(a)(16) | \$300.00 \$200.00 \$ 50.00 \$ 17.50 ea. | Detective Licenes (Individual) Detective License Filing Fee Detective License Fingerprint (Payable to Commonwealth of Pennsylvania) |
| \$??? | Additional charges will be made for Commonwealth Bills, Sheriff) Costs and monies collected for other government agencies or offices, such as IPP fees and charges. | | |
| \$ 51.00 (\$57) | Summary Appeal Filing Fee [Plus \$1 for mailing if requested] [Plus \$5 Automation], Rev. 8/1/14 | | Clerk of Courts Fee and Cost Schedule for Those Fees and Costs under Act 36 of 2000 Effective Date August 8, 2014 |
| \$ 16.00 | HB 267—Payment Plan Fee—Effective 4/1/2011—Discontinued 6/17/2011 | | (1) M-F cases disposed of at any time during/ after trial \$209.00 (2) M-F cases disposed of before trial \$157.00 (3) All proceedings in summary matters..... \$ 32.00 (4) Certifications..... \$ 10.00 |

(5) All other matters filed in the state and for all reports prepared except no fee for township/ borough audit reports or transcripts disposition by the District Justice \$ 19.00

(6) Filing of appeal from summary conviction before District Justice..... \$ 51.00

(7) Filing of appeal from Court of Common Pleas to an Appellate Court \$ 57.00

(8) A fee of 6 cents per dollar for the first \$1000 and 2 cents per dollar for each additional \$1000 or fraction thereof for the handling of money paid into court (i.e. bail formula)

The automation fee of \$5.00 under Title 42, 1725.4(B) will also still apply for the initiation of any action or legal proceedings filed in the Office of Clerk of Courts. This fee does not change.

[Pa.B. Doc. No. 14-1622. Filed for public inspection August 1, 2014, 9:00 a.m.]

**MONTGOMERY COUNTY
Fees of Clerk of Orphans' Court**

And Now, this 17th day of July, 2014, the following bill of costs is established effective August 8, 2014 to be chargeable to parties and to estates, before said Court for settlement, for the services of the Clerk of said Court and in the transaction of the business of said Court.

| | |
|--|----------|
| ACCOUNTS—Filing, advertising, recording, setting up printed copies of advertising of accounts of trustees and guardians of minors and incapacitated, including adjudication and certificate of the Clerk in estates not exceeding in value \$1,000 | \$35.00 |
| Over \$ 1,000 and not exceeding \$ 5,000 | \$77.00 |
| Over \$ 5,000 and not exceeding \$ 10,000 | \$99.00 |
| Over \$ 10,000 and not exceeding \$ 25,000 | \$110.00 |
| Over \$ 25,000 and not exceeding \$ 50,000 | \$138.00 |
| Over \$ 50,000 and not exceeding \$ 100,000 | \$165.00 |
| Over \$100,000 and not exceeding \$ 250,000 | \$220.00 |
| Over \$250,000 and not exceeding \$ 500,000 | \$300.00 |
| Over \$500,000 and not exceeding \$1,000,000 | \$360.00 |
| Each succeeding \$500,000 or fraction thereof | \$175.00 |

In addition to the above fees for filing, there will be a fee for recording, per page \$1.00

Supplemental or Amended Accounts, per page \$1.00
TECHNOLOGY FEE for Accounts \$10.00

| | |
|---|----------|
| ADOPTION, Petition for, recording, including Certified copy of DECREE and CERTIFICATE of ADOPTION | \$83.00 |
| Report of intent to Adopt (15.00 & Act 34 \$75.00) | \$90.00 |
| Abandonment, petition for finding and transcript | \$33.00 |
| Foreign Decree Registration filing | \$33.00 |
| Petition for release of Identifying Information | \$193.00 |
| Petition for release of NonIdentifying Information | \$55.00 |
| AMENDED PETITIONS | \$28.00 |
| ANSWER | \$18.00 |
| APPEAL to Supreme or Superior Court, Certificate of record, Bond and Transmission costs | \$83.00 |
| APPEAL, Inheritance Tax | \$83.00 |

| | |
|--|------------------------------|
| AWARD OF REAL ESTATE, certification of excerpt from Schedule of Distribution, each additional description | \$18.00 \$6.00 |
| AWARD OF REAL ESTATE, Filing Petition each additional description | \$23.00 \$6.00 |
| BIRTH RECORD, certified copy of | \$25.00 |
| BOND, filing, approval of, and recording | \$6.00 |
| CERTIFICATE and seal | \$25.00 |
| CITATION, Petition for, and Order (one name) (includes issuance and proof of service) each additional name | \$58.00 \$4.00 |
| Riders (over 10 names) additional fee | \$2.00 |
| CLAIM, filing of | \$18.00 |
| COPIES OF DECREES per page | \$1.00 |
| DEED, execution of by clerk | \$23.00 |
| DEED OF TRUST, filing, per page | \$1.00 |
| DISCLAIMER | \$18.00 |
| ELECTION to take under or against will | \$18.00 |
| EXCEPTIONS to adjudication, schedule of distribution, etc. | \$29.00 |
| JUDICIAL COMPUTER FEE, first time filings | \$35.50 |
| CHILD CARE FUND, all first time filings | \$5.00 |
| TECHNOLOGY FEE, all first time filings | \$10.00 |
| GENEALOGICAL RESEARCH FEES | \$30.00 |
| SEARCH FEE (ANY TYPE SEARCH) | \$30.00 |
| EXEMPLIFICATION of record, per page Certificate | \$1.00 \$35.00 |
| FAMILY EXEMPTION personal estate | \$18.00 |
| real estate, one description | \$18.00 |
| each additional description | \$3.00 |
| FAMILY SETTLEMENT AGREEMENT additional name | \$29.00 \$4.00 |
| GUARDIAN'S REPORT, person and/or estate (each) | \$20.00 |
| PETITION FOR APPOINTMENT OF GUARDIAN | \$35.00 |
| PETITION FOR MINOR'S COMPROMISE each additional minor in same petition | \$58.00 \$4.00 |
| PETITION FOR ADJUDICATION OF INCAPACITY | \$58.00 |
| PETITION FOR EMERGENCY AND PERMANENT GUARDIAN | \$58.00 |
| INTERROGATORIES | \$12.00 |
| INVENTORY FILED BY GUARDIAN | \$5.00 |
| NON-JUDICIAL SETTLEMENT AGREEMENT each additional name | \$29.00 \$4.00 |
| NON-PETITION FILING | \$11.00 |
| OBJECTIONS & PRELIMINARY OBJECTIONS | \$35.00 |
| PETITIONS WITH ESTATE NUMBERS | \$58.00 |
| PETITIONS WITHOUT ESTATE NUMBERS | \$96.50 |
| POWER OF ATTORNEY | \$18.00 |
| RECEIPT and RELEASE each additional name | \$29.00 \$4.00 |
| RENUNCIATION | \$4.00 |
| SALE, Receive Proceeds, Petition to, Amount of Additional Bond and Certificate Order of Public Sale and Return (one description) each additional description | \$58.00 \$46.00 \$4.00 |
| SATISFACTION OF AWARD, each name | \$6.00 |
| SCHEDULE OF DISTRIBUTION first ten pages | \$35.00 |
| next ten pages or less (double spaced) | \$18.00 |
| SHORT CERTIFICATE, guardian and trustee | \$10.00 |

| | | | |
|---|----------------------|--|----------|
| STIPULATION | \$29.00 | Over \$10,000 and not exceeding \$ 25,000 | \$83.00 |
| SUBPOENA | \$10.00 | Over \$25,000 and not exceeding \$ 50,000 | \$110.00 |
| MARRIAGE LICENSE | \$29.50 | Over \$50,000 and not exceeding \$100,000 | \$138.00 |
| State tax | \$.50 | Over \$100,000 and not exceeding \$200,000 | \$165.00 |
| Childrens' Fund/Domestic Violence | \$20.00 | Over \$200,000 and not exceeding \$300,000 | \$193.00 |
| Total | \$50.00 | Over \$300,000 and not exceeding \$400,000 | \$240.00 |
| Appointment of Guardian, Marriage License | | Over \$400,000 and not exceeding \$500,000 | \$270.00 |
| Petition and ORDER (under 16 Years of Age) | \$22.00 | Over \$500,000 and not exceeding \$600,000 | \$300.00 |
| Consent Form (16 to 18 Years of Age) | \$12.00 | Over \$600,000 and not exceeding \$700,000 | \$330.00 |
| Waiver of three day waiting period | | Over \$700,000 and not exceeding \$800,000 | \$360.00 |
| (Military Waiver n/c) | \$17.00 | Over \$800,000 and not exceeding \$900,000 | \$390.00 |
| Certified duplicate of application or certificate | \$12.00 | Over \$900,000 and not exceeding One Million | \$420.00 |
| Combination Certification of application/ Certificate for Immigration, Apostille, Adoptions, etc. | \$24.00 | First Million | \$420.00 |
| Uncertified duplicate of application or certificate | \$1.00 | Each Million above first | \$300.00 |
| Re-issue of Marriage License | \$50.00 | Each succeeding \$100,000 or fraction thereof | \$28.00 |
| license issue | \$27.00 | Judicial Computer Fee | \$35.50 |
| new application | \$27.00 | Child Care Fund | \$5.00 |
| Single Status Letter | 55.00 | Technology Fee | \$10.00 |
| No Record Letter | \$12.00 | | |
| Marriage License Clearance (other state requirement) | \$12.00 | LETTERS TESTAMENTARY, including probate, filing and entering bond and tax due the Commonwealth in estates not exceeding in value of \$250.00 | \$10.00 |
| Outside Marriage Application and Travel Fee (plus Marriage License Fee of \$50.00 = total | \$75.00 \$125.00) | Over \$ 250 and not exceeding \$ 1,000 | \$28.00 |
| Returned Check Fee | \$29.00 | Over \$1,000 and not exceeding \$ 5,000 | \$44.00 |

1. The word "page" means a page of cap, brief, or typewriting paper written double space.

2. If a fee is not specifically provided for in this schedule, it shall be the same fee as for a similar service.

3. All prior Orders made establishing bills of costs for the services of the Register of Wills of this County in the transaction of the business of said office are hereby revoked.

By the Court

WILLIAM J. FURBER, Jr.,
President Judge

[Pa.B. Doc. No. 14-1623. Filed for public inspection August 1, 2014, 9:00 a.m.]

**MONTGOMERY COUNTY
Fees of Register of Wills**

And Now, this day of 17th July, 2014 the following bill of costs is established effective August 8, 2014 to be chargeable to parties and to estates for the probate of Wills and Testaments, and granting of Letters Testamentary and of Administration, and for all services of the Register of Wills of this County, in the transaction of the business of said office.

**ACCOUNTS—ACCOUNTS ARE ACCEPTED BY THE
CLERK OF THE ORPHANS' COURT**

| | |
|--|---------|
| ADMINISTRATION, Letters of, including filing and entering bond and tax due the Commonwealth in estates not exceeding the value of \$250.00 | \$10.00 |
| Over \$ 250 and not exceeding \$ 1,000 | \$28.00 |
| Over \$1,000 and not exceeding \$ 5,000 | \$44.00 |
| Over \$5,000 and not exceeding \$ 10,000 | \$66.00 |

| | |
|---|----------|
| Over \$10,000 and not exceeding \$ 25,000 | \$83.00 |
| Over \$25,000 and not exceeding \$ 50,000 | \$110.00 |
| Over \$50,000 and not exceeding \$100,000 | \$138.00 |
| Over \$100,000 and not exceeding \$200,000 | \$165.00 |
| Over \$200,000 and not exceeding \$300,000 | \$193.00 |
| Over \$300,000 and not exceeding \$400,000 | \$240.00 |
| Over \$400,000 and not exceeding \$500,000 | \$270.00 |
| Over \$500,000 and not exceeding \$600,000 | \$300.00 |
| Over \$600,000 and not exceeding \$700,000 | \$330.00 |
| Over \$700,000 and not exceeding \$800,000 | \$360.00 |
| Over \$800,000 and not exceeding \$900,000 | \$390.00 |
| Over \$900,000 and not exceeding One Million | \$420.00 |
| First Million | \$420.00 |
| Each Million above first | \$300.00 |
| Each succeeding \$100,000 or fraction thereof | \$28.00 |
| Judicial Computer Fee | \$35.50 |
| Child Care Fund | \$5.00 |
| Technology Fee | \$10.00 |
| For each page of Will, per page | \$1.00 |
| ADDING CODICIL TO PROBATE | \$18.00 |
| AFFIDAVIT, filing of | \$6.00 |
| APPEAL, filing and certifying to Orphans' Court | \$83.00 |
| ANSWER | \$18.00 |
| AUDIT FILING TECHNOLOGY FEE | \$10.00 |
| BRIEFS, filing relating to hearing, etc. | \$29.00 |
| CAVEAT, filing informal | \$29.00 |
| CAVEAT, filing formal with bond | \$87.00 |
| CANCELLATION and RESCHEDULING of HEARING | \$29.00 |
| CERTIFICATE and seal | \$12.00 |
| CERTIFICATE and seal for real estate tax clearance | \$12.00 |
| CITATION or attachment, petition for (one name) | \$58.00 |
| each additional name | \$4.00 |
| COMMISSIONS | |
| to other jurisdiction to take testimony | \$41.00 |
| from other jurisdiction, execution of | \$18.00 |
| COPIES of account, will, inventory, etc. per page | \$1.00 |

| | |
|--|-------------------|
| EXEMPLIFICATION of will (including first page) | \$35.00 |
| additional pages (per page) | \$1.00 |
| miscellaneous records (including first page) | \$12.00 |
| miscellaneous filings | \$12.00 |
| INVENTORY & APPRAISEMENT, TAX PAPERS (double spaced) | \$18.00 |
| OBJECTIONS | \$29.00 |
| NON PROBATE INHERITANCE TAX FEE | \$62.50 |
| Tax Forms | \$12.00 |
| Judicial Computer Fee | \$35.50 |
| Child Care Fund | \$5.00 |
| Technology Fee | \$10.00 |
| RECORDING—Exemplified copy of Administration or Will from another jurisdiction when letters are not required to be issued one page and affidavits each additional page | \$29.00 \$1.00 |
| RENUNCIATION, filing for each | \$4.00 |
| RETURNED CHECK FEE | \$29.00 |
| SEARCH FEE | \$30.00 |
| SECOND COPY, including seal and certificate filing and entering where additional security/ bond is required | \$6.00 |

| | |
|---|---------|
| SHORT CERTIFICATE | \$10.00 |
| Up-dating (first time only) | \$5.00 |
| SPECIAL SERVICES | |
| Probate of Will outside of Office | \$87.00 |
| Affidavit of Witness | \$87.00 |
| SUBPOENA | \$10.00 |
| SUCCESSOR PERSONAL REPRESENTATIVE APPOINTMENT | \$18.00 |
| SUGGESTION OF DEATH | \$12.00 |

1. The word “page” means a page of cap, brief, or typewriting paper written double space.

2. If a fee is not specifically provided for in this schedule, it shall be the same fee as for a similar service.

3. All prior Orders made establishing bills of costs for the services of the Register of Wills of this County in the transaction of the business of said office are hereby revoked.

By the Court

WILLIAM J. FURBER, Jr.,
President Judge

[Pa.B. Doc. No. 14-1624. Filed for public inspection August 1, 2014, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 133]

Wildlife Classification; General

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its June 10, 2014, meeting, adopted § 133.6 (relating to Eurasian collared-dove) to reclassify Eurasian collared-doves as a game bird and additionally require a general hunting license and a migratory license to hunt these birds.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 3103 (May 24, 2014).

1. Purpose and Authority

Native to Europe and Asia, Eurasian collared-doves were first introduced to the Bahamas in the 1970s, made their way to Florida by the 1980s and then rapidly colonized most of North America. The first collared-dove sighting in this Commonwealth occurred in 1996, with the first breeding population in this Commonwealth established by 2004. The second Pennsylvania Breeding Bird Atlas (2004-2008) found possible breeding populations in 15 survey blocks in 8 counties. Studies on interactions between collared-doves and other species have not yet shown a negative impact on populations of native birds, including mourning doves, though this information is preliminary and largely based on species interactions in milder climates where competition for feeding and nesting resources may not be as strong. As an introduced invasive species, Eurasian collared-doves are not protected under the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712). However, Eurasian collared-doves are not designated as game birds in this Commonwealth and must be classified as a game bird to create a hunting season concurrent with mourning doves. Since Eurasian collared-doves are difficult to distinguish from mourning doves in the field, a hunter inadvertently taking a collared-dove would be in violation of State law. Conversely, designating collared-doves as exotic species with year-round take could lead to mistaken mourning dove kills. This situation would be remedied by classifying Eurasian collared-doves as a game bird, with hunting seasons concurrent with mourning doves and part of an aggregate daily bag and possession limits. The Commission adopted § 133.6 to reclassify Eurasian collared-doves as a game bird and require a general hunting license and a migratory license to hunt these birds.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the Commission to “[a]dd to or change the classification of any wildbird or wild animal.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, man-

ner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The adoption of § 133.6 is adopted under this authority.

2. Regulatory Requirements

The final-form rulemaking adds § 133.6 to reclassify Eurasian collared-doves as a game bird and require a general hunting license and a migratory license to hunt these birds.

3. Persons Affected

Persons wishing to hunt Eurasian collared-doves or mourning doves within this Commonwealth will be affected by the final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding the final-form rulemaking.

5. Cost and Paperwork Requirements

The final-form rulemaking should not result in additional cost or paperwork.

6. Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 133, are amended by adding § 133.6 to read as set forth at 44 Pa.B. 3103.

(b) The Executive Director of the Commission shall certify this order and 44 Pa.B. 3103 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: Fiscal Note 48-366 remains valid for the final adoption of the subject regulation.

[Pa. B. Doc. No. 14-1625. Filed for public inspection August 1, 2014, 9:00 a.m.]

PROPOSED RULEMAKING

BOARD OF COAL MINE SAFETY

[25 PA. CODE CH. 208]

Standards for Surface Facilities

The Board of Coal Mine Safety (Board) proposes to amend Chapter 208 (relating to underground coal mine safety) to read as set forth in Annex A. This rulemaking proposes to implement existing Federal regulations, thereby making them independently enforceable by the Commonwealth.

Sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (BCMSA) (52 P. S. §§ 690-106 and 690-106.1) authorize the adoption of regulations for its implementation including additional safety standards. The BCMSA further authorizes the Board to promulgate necessary or appropriate regulations to implement the requirements of the BCMSA and to protect the health, safety and welfare of miners and other individuals in and about mines.

This proposed rulemaking was given under Board order at its meeting of June 10, 2014.

A. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

B. *Contact Persons*

For further information, contact Joe Sbaffoni, Director, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown PA 15401, (724) 439-7469, jsbaffoni@pa.gov; or Robert "Bo" Reiley, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060, rreiley@pa.gov. Information regarding submitting comments on this proposed rulemaking appears in Section J of this preamble.

C. *Statutory Authority*

The proposed rulemaking is authorized under sections 106 and 106.1 of the BCMSA, which grant the Board the authority to adopt regulations to implement the BCMSA including additional safety standards. The Board is further authorized to promulgate regulations that are necessary or appropriate to protect the health, safety and welfare of miners and other individuals in and about mines.

D. *Background and Purpose*

On July 7, 2008, the General Assembly enacted the BCMSA, which was the first significant update of the Commonwealth's underground bituminous coal mine safety laws since 1961. See section 103(a) of the BCMSA (52 P. S. § 690-103(a)). The BCMSA provides broad authority to promulgate regulations that are necessary or appropriate to implement the BCMSA and to protect the health, safety and welfare of miners and other individuals in and about mines. See section 106.1(a) of the BCMSA. Final regulations consistent with Federal standards may also be promulgated under section 106.1(c) of the BCMSA. Regulations were to be promulgated by the Board. Under section 106 of the BCMSA, the Board consists of three members representing mine workers, three members representing underground bituminous coal

mine operators and the Secretary of the Department of Environmental Protection (Department) who serves as the Board's chairperson.

This proposed rulemaking will implement existing Federal regulations that broadly relate to the surface work areas of underground coal mines and govern surface installations, thermal dryers, safeguards for mechanical equipment, electrical equipment, trailing cables, grounding, surface high-voltage distribution, low-voltage and medium-voltage alternating currents, ground control, fire protection, maps, personnel hoisting, wire ropes, trolley wires and trolley feeder wires, and slope and shaft sinking. As a result, the existing Federal regulations will become independently enforceable in this Commonwealth.

At the outset, the proposed rulemaking will implement the Federal regulations regarding qualified or certified persons. The Federal regulations require certain types of work and certain tests—electrical work and tests for methane, for example—to be conducted by qualified or certified persons. Requiring a person to be qualified or certified ensures that the examinations and tests they conduct and the duties they carry out will be done in a professional manner, thus enhancing the safety of persons in and around mine sites.

Another component of the proposed rulemaking will implement the Federal regulations governing surface installations. These rules ensure that underground bituminous coal mine structures, enclosures and other facilities located on the surface are maintained in good repair to prevent accidents and injuries. Accordingly, the rules mandate proper illumination, safe storage of materials, and suitable slings and hitches for hoisting materials, among other requirements.

Additionally, the proposed rulemaking will implement the Federal mine safety regulations for thermal dryers. Thermal dryers are an integral part of coal processing and are used to dry coal at high temperatures. The Federal regulations governing thermal dryers are intended to ensure that thermal dryers are properly used and located on the site and mandate certain safeguards to minimize the risks associated with the use of thermal dryers.

This proposed rulemaking will also implement the Federal regulations mandating safeguards for mechanical equipment. These Federal regulations ensure that various machines and other types of mechanical equipment are maintained, located, operated and handled in a safe and proper manner. Similarly, this proposed rulemaking will adopt the Federal requirements regarding electrical equipment at the surface operations of underground bituminous coal mines. These requirements ensure that electrical equipment is adequately maintained, insulated and used.

Another component of the Federal regulations that will be implemented by this proposed rulemaking regards trailing cables. Generally, trailing cables are the cords that connect portable or mobile equipment and devices to power sources. Ensuring that trailing cables on mine sites are properly handled, spliced and protected enhances safety at a mine site.

This proposed rulemaking also implements the Federal regulations regarding the grounding of electricity-conducting materials. Included in these Federal regulations are requirements for grounding wires, equipment

receiving power from underground alternating power current systems and enclosures of electric equipment.

In addition, this proposed rulemaking will implement the Federal regulations governing surface high-voltage distribution. These Federal regulations promote safety at a mine site by ensuring high-voltage power supplies and transmission are properly maintained, connected, grounded and tested. This proposed rulemaking will likewise implement the Federal requirements relative to low-voltage and medium-voltage alternating current at the surface areas of underground bituminous coal mine sites which ensure the proper usage, maintenance, grounding, connecting and testing of low-voltage and medium-voltage currents.

The Federal ground control mine safety regulations will also be implemented by this proposed rulemaking. These Federal requirements require operators to establish certain plans and procedures and take certain precautions when conducting activities relative to stripping, box cuts, highwalls and drilling.

The proposed rulemaking will adopt Federal regulations relative to fire protection at the surface operations of underground bituminous coal mine sites. These requirements ensure that proper plans, warning signs and firefighting equipment are maintained on the mine site. They also ensure that flammable materials and fire-prone units like battery-charging stations are properly maintained.

The Federal requirements relative to personnel hoisting and wire ropes are also included in this proposed rulemaking. These requirements are intended to ensure that workers and cargo at mine sites may be safely elevated or lowered by structurally sound hoisting equipment. The wire-rope components of this equipment must be examined and measured and must meet minimum strength requirements.

There are loading and haulage requirements in the Federal regulations that will be adopted by this proposed rulemaking. These Federal regulations ensure that loading and haulage equipment will be properly installed, inspected, maintained and operated.

In addition, this proposed rulemaking adopts some miscellaneous safety provisions including requirements for workers to have access to adequate means of communication and first aid equipment, and wear protective clothing. The proposed rulemaking adopts the Federal regulations governing mine maps.

This proposed rulemaking adopts Federal requirements regulating trolley wires and trolley feeder wires. These requirements ensure that trolley wires and trolley feeder wires are maintained in a way to reduce the risk of overcurrent.

This proposed rulemaking will implement Federal mine safety regulations relative to slope and shaft sinking. These Federal regulations ensure that the operations associated with slopes and shafts are conducted in a safe manner.

Also included in this proposed rulemaking are definitions for "barricaded," "berm," "certified or registered," "flash point," "qualified person," "roll protection," "safety can" and "trailing cable." These definitions will improve the clarity of the proposed regulations and facilitate compliance with its requirements.

Adopting these proposed regulations will ensure that surface operations at underground bituminous coal mine sites are safely conducted and maintained. Although

underground bituminous coal mine operators are already required to comply with these Federal regulations, implementing them in Chapter 208 will provide the Department with the independent authority to enforce the Federal requirements. This will result in improved efficiency and enhanced autonomy for the Commonwealth.

E. Summary of Proposed Regulatory Requirements

§ 208.1. Definitions

The proposed rulemaking proposes the following definitions of "barricaded," "berm," "certified or registered," "flash point," "qualified person," "roll protection," "safety can" and "trailing cable" to § 208.1 (relating to definitions).

Qualified and certified persons

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing qualified and certified persons.

Proposed § 208.101 (relating to certified person) incorporates by reference 30 CFR 77.100 (relating to certified person). Certified persons are authorized to conduct certain tests and examinations at the surface areas of underground bituminous coal mining sites.

Proposed § 208.102 (relating to tests for methane and for oxygen deficiency; qualified person) incorporates by reference 30 CFR 77.101 (relating to tests for methane and for oxygen deficiency; qualified person). This provision requires tests for methane and oxygen deficiency to be made by qualified persons.

Proposed § 208.103 (relating to tests for methane; oxygen deficiency; qualified person, additional requirement) incorporates by reference 30 CFR 77.102 (relating to tests for methane; oxygen deficiency; qualified person, additional requirement). This provision requires the qualified person conducting methane and oxygen deficiency tests to possess a current card issued by the Mine Safety and Health Administration (MSHA) indicating that the person is in fact qualified to conduct this testing.

Proposed § 208.104 (relating to electrical work; qualified person) incorporates by reference 30 CFR 77.103 (relating to electrical work; qualified person). This provision describes qualification procedures to become a qualified person to perform electrical work.

Proposed § 208.105 (relating to repair of energized surface high-voltage lines; qualified person) incorporates by reference 30 CFR 77.104 (relating to repair of energized surface high-voltage lines; qualified person). This provision describes the qualification requirements for persons to repair energized surface high-voltage lines.

Proposed § 208.106 (relating to qualified hoistman; slope or shaft sinking operation; qualifications) incorporates by reference 30 CFR 77.105 (relating to qualified hoistman; slope or shaft sinking operation; qualifications). This provision describes when a hoistman is qualified to operate a hoist at a slope or shaft operation.

Proposed § 208.107 (relating to records of certified and qualified persons) incorporates by reference 30 CFR 77.106 (relating to records of certified and qualified persons). This provision requires an operator to maintain records of certified and qualified persons.

Proposed § 208.108 (relating to training programs) incorporates by reference 30 CFR 77.107 (relating to training programs), with the exception that the MSHA will approve the training program. This provision requires operators to provide a program of training and retraining certified and qualified persons.

Surface installations

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing surface installations.

Proposed § 208.111 (relating to surface installations; general) incorporates by reference 30 CFR 77.200 (relating to surface installations; general). This provision requires all mine structures, enclosures or other facilities to be maintained in good repair to prevent accidents and injuries.

Proposed § 208.112 (relating to methane content in surface installations) incorporates by reference 30 CFR 77.201 (relating to methane content in surface installations). This provision mandates that the methane content in the air of any structure, enclosure or other facility be less than 1% of the volume of air.

Proposed § 208.113 (relating to tests for methane; qualified person; use of approved device) incorporates by reference 30 CFR 77.201-1 (relating to tests for methane; qualified person; use of approved device). This provision requires tests for methane in structures, enclosures or other facilities be conducted by a qualified person with an approved device at least once during each operating shift and immediately prior to any repair work where a welding torch or open flame is used or a spark may be produced.

Proposed § 208.114 (relating to methane accumulations; change in ventilation) incorporates by reference 30 CFR 77.201-2 (relating to methane accumulations; change in ventilation). This provision provides for a change in the ventilation of any structure, enclosure or other facility when the air in a structure, enclosure or other facility contains more than 1% methane.

Proposed § 208.115 (relating to dust accumulations in surface installations) incorporates by reference 30 CFR 77.202 (relating to dust accumulations in surface installations). This provision prohibits the dangerous accumulation of coal dust in the air of, in or on the surfaces of structures, enclosures or other facilities.

Proposed § 208.116 (relating to use of material or equipment overhead; safeguards) incorporates by reference 30 CFR 77.203 (relating to use of material or equipment overhead; safeguards). This provision mandates the adequate protection of persons working or passing below areas where overhead work is being done or repairs are being made.

Proposed § 208.117 (relating to openings in surface installations; safeguards) incorporates by reference 30 CFR 77.204 (relating to openings in surface installations; safeguards). This provision provides that openings in surface installations through which people or material may fall must be protected by railings, barriers or similar protective coverings or devices.

Proposed § 208.118 (relating to travelways at surface installations) incorporates by reference 30 CFR 77.205 (relating to travelways at surface installations). This provision requires travelways to be maintained in a condition as to minimize the risk of slips, falls and other accidents.

Proposed § 208.119 (relating to ladders; construction; installation and maintenance) incorporates by reference 30 CFR 77.206 (relating to ladders; construction; installation and maintenance). This provision provides for the safe use and maintenance of ladders.

Proposed § 208.120 (relating to illumination) incorporates by reference 30 CFR 77.207 (relating to illumina-

tion). This provision requires safe illumination of surface structures, paths, walkways, stairways, switch panels, loading and dumping sites, and working areas.

Proposed § 208.121 (relating to storage of materials) incorporates by reference 30 CFR 77.208 (relating to storage of materials). This provision requires materials to be stored in a way so as to minimize unsafe conditions.

Proposed § 208.122 (relating to surge and storage piles) incorporates by reference 30 CFR 77.209 (relating to surge and storage piles). This provision prohibits a person from walking or standing immediately above a reclamation area or another area at or near a surge or storage pile where the reclamation operation may expose the person to a hazard.

Proposed § 208.123 (relating to hoisting of materials) incorporates by reference 30 CFR 77.210 (relating to hoisting of materials). This provision mandates that hitches and slings used for hoisting be suitable for handling the type of materials being hoisted and requires workers to stay clear of hoisted loads.

Proposed § 208.124 (relating to draw-off tunnels; stockpiling and reclaiming operations; general) incorporates by reference 30 CFR 77.211 (relating to draw-off tunnels; stockpiling and reclaiming operations; general). This provision requires tunnels located below stockpiles, surge piles and coal storage silos to be ventilated so that concentrations of methane do not exceed 1%. The provision also requires the concentration of methane to be less than 1% before electric equipment is energized, operated, or repaired.

Proposed § 208.125 (relating to continuous methane monitoring device; installation and operation; automatic deenergization of electric equipment) incorporates by reference 30 CFR 77.211-1 (relating to continuous methane monitoring device; installation and operation; automatic deenergization of electric equipment). This provision provides that continuous methane monitoring devices must be set to de-energize electric equipment automatically when a monitor is not operating properly and give a warning signal to alert of a certain concentration of methane not above 1%.

Proposed § 208.126 (relating to draw-off tunnel ventilation fans; installation) incorporates by reference 30 CFR 77.212 (relating to draw-off tunnel ventilation fans; installation). This provision dictates installation requirements for draw-off tunnel ventilation fans.

Proposed § 208.127 (relating to draw-off tunnel escapeways) incorporates by reference 30 CFR 77.213 (relating to draw-off tunnel escapeways). This provision provides that an escapeway shall be installed at the closed end of the tunnel to a safe location on the surface.

Thermal Dryers

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing thermal dryers.

Proposed § 208.131 (relating to thermal dryers; general) incorporates by reference 30 CFR 77.300 (relating to thermal dryers; general). This provision provides that the operation and maintenance of thermal dryers shall comply with 30 CFR 77.301—77.306.

Proposed § 208.132 (relating to dryer heating units; operation) incorporates by reference 30 CFR 77.301 (relating to dryer heating units; operation). This provision dictates the operation of dryer heating units used to dry coal at high temperatures.

Proposed § 208.133 (relating to bypass stacks) incorporates by reference 30 CFR 77.302 (relating to bypass stacks). This provision requires thermal dryer systems to include a bypass stack, relief stack or individual discharge stack provided with automatic venting to permit gases from the dryer to bypass the heating chamber and vent to the outside atmosphere.

Proposed § 208.134 (relating to hot gas inlet chamber dropout doors) incorporates by reference 30 CFR 77.303 (relating to hot gas inlet chamber dropout doors). This provision requires thermal dryer systems with hot gas inlet chambers to be equipped with dropout doors at the bottom of the inlet chamber to permit coal, fly ash or other heated material to fall from the chamber.

Proposed § 208.135 (relating to explosion release vents) incorporates by reference 30 CFR 77.304 (relating to explosion release vents). This provision provides that drying chambers, dry-dust collectors and ductwork between collectors and discharge stacks shall be protected by explosion release vents which open directly to the outside atmosphere.

Proposed § 208.136 (relating to access to drying chambers, hot gas inlet chambers and duct-work; installation and maintenance) incorporates by reference 30 CFR 77.305 (relating to access to drying chambers, hot gas inlet chambers and ductwork; installation and maintenance). This provision requires drying chambers, hot gas inlet chambers and all ductwork in which coal dust may accumulate to be equipped with tight sealing access doors.

Proposed § 208.137 (relating to fire protection) incorporates by reference 30 CFR 77.306 (relating to fire protection). This provision allows an authorized representative of the regulator to require certain fire protection measures like water sprays and fog nozzles.

Proposed § 208.138 (relating to thermal dryers; location and installation; general) incorporates by reference 30 CFR 77.307 (relating to thermal dryers; location and installation; general). This provision provides setback requirements for thermal dryers from mine openings and installation requirements regarding enclosing thermal dryers.

Proposed § 208.139 (relating to structures housing other facilities; use of partitions) incorporates by reference 30 CFR 77.308 (relating to structures housing other facilities; use of partitions). This provision requires that thermal dryers installed in structures also housing tipples, cleaning plants or other operating facility be separated from other working areas by a substantial partition.

Proposed § 208.140 (relating to visual check of system equipment) incorporates by reference 30 CFR 77.309 (relating to visual check of system equipment). This provision requires frequent visual checks of thermal dryer system control stations.

Proposed § 208.141 (relating to control stations; location) incorporates by reference 30 CFR 77.309-1 (relating to control stations; location). This provision requires thermal dryer control stations to be located so as to give the operator of the control system the widest field of visibility of the system and equipment.

Proposed § 208.142 (relating to control panels) incorporates by reference 30 CFR 77.310 (relating to control panels). This provision requires control panels to be located in areas free of moisture and requires control panels to be accompanied by diagrams and directions for use.

Proposed § 208.143 (relating to alarm devices) incorporates by reference 30 CFR 77.311 (relating to alarm devices). This provision mandates that thermal dryer systems be equipped with audible and visible alarm devices.

Proposed § 208.144 (relating to fail safe monitoring systems) incorporates by reference 30 CFR 77.312 (relating to fail safe monitoring systems). This provision provides that fail safe monitoring systems and controls must accompany thermal dryer systems to ensure the dryer system is safely shut down in the event of a failure of any component of the dryer system.

Proposed § 208.145 (relating to wet-coal feed bins; low-level indicators) incorporates by reference 30 CFR 77.313 (relating to wet-coal feedbins; low-level indicators). This provision provides that the wet-coal bins feeding the thermal drying systems must be equipped with audible and visual low-coal-level indicators.

Proposed § 208.146 (relating to automatic temperature control instruments) incorporates by reference 30 CFR 77.314 (relating to automatic temperature control instruments). This provision dictates the type, use and inspection requirements for automatic temperature control instruments associated with thermal dryer systems.

Proposed § 208.147 (relating to thermal dryers; examination and inspection) incorporates by reference 30 CFR 77.315 (relating to thermal dryers; examination and inspection). This provision mandates the examination of thermal dryer systems for fires and coal-dust accumulations.

Safeguards for mechanical equipment

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing safeguards for mechanical equipment.

Proposed § 208.151 (relating to mechanical equipment guards) incorporates by reference 30 CFR 77.400 (relating to mechanical equipment guards). This provision requires parts of mechanical equipment to be guarded to prevent accidents and injuries to workers.

Proposed § 208.152 (relating to stationary grinding machines; protective devices) incorporates by reference 30 CFR 77.401 (relating to stationary grinding machines; protective devices). This provision requires stationary grinding machines to be equipped with parts and certain protective devices to protect workers.

Proposed § 208.153 (relating to hand-held power tools; safety devices) incorporates by reference 30 CFR 77.402 (relating to hand-held power tools; safety devices). This provision mandates that hand-held power tools must be equipped with controls requiring constant hand or finger pressure to operate and must be equipped with friction or equivalent safety devices.

Proposed § 208.154 (relating to mobile equipment; falling object protective structures) incorporates by reference 30 CFR 77.403 (relating to mobile equipment; falling object protective structures (FOPS)). This provision requires falling object protective structures to be installed to certain types of equipment at the surface work areas of underground mine sites.

Proposed § 208.155 (relating to mobile equipment; roll-over protective structures) relates to rollover protective structures (ROPS) for mobile equipment and provides that all rubber-tired or crawler-mounted self-propelled scrapers front-end loaders, dozers, cranes, loaders and tractors, with or without attachments, at the surface

work areas of underground coal mines shall be provided with ROPS in accordance with the certification requirements approved by the MSHA.

Proposed § 208.156 (relating to seat belts) incorporates by reference 30 CFR 77.403-1(g) (relating to mobile equipment; rollover protective structures (ROPS)). This provision requires the use of seat belts by operators of mobile equipment that are required to be equipped with ROPS.

Proposed § 208.157 (relating to machinery and equipment; operation and maintenance) incorporates by reference 30 CFR 77.404 (relating to machinery and equipment; operation and maintenance). This provision dictates operation and maintenance requirements for machinery and equipment.

Proposed § 208.158 (relating to performing work from a raised position; safeguards) incorporates by reference 30 CFR 77.405 (relating to performing work from a raised position; safeguards). This provision provides that workers may not work on or from a piece of mobile equipment in a raised position unless it has been securely blocked in place. Moreover, work may not be performed under machinery or equipment that is raised until it is securely blocked in place.

Proposed § 208.159 (relating to drive belts) incorporates by reference 30 CFR 77.406 (relating to drive belts). This provision dictates the use of drive belts for machines.

Proposed § 208.160 (relating to power-driven pulleys) incorporates by reference 30 CFR 77.407 (relating to power-driven pulleys). This provision mandates that belts, chains and ropes may not be guided onto a power-driven moving pulley or similar system with the hands and pulleys of conveyors may not be manually cleaned while the conveyor is in motion.

Proposed § 208.161 (relating to welding operations) incorporates by reference 30 CFR 77.408 (relating to welding operations). This provision requires welding operations to be shielded and the area well-ventilated.

Proposed § 208.162 (relating to shovels, draglines and tractors) incorporates by reference 30 CFR 77.409 (relating to shovels, draglines, and tractors). This provision dictates the use of shovels, draglines and tractors and requires shovels and draglines to be equipped with handrails.

Proposed § 208.163 (relating to mobile equipment; automatic warning devices) incorporates by reference 30 CFR 77.410 (relating to mobile equipment; automatic warning devices). This provision provides that mobile equipment such as forklifts and front-end loaders must be equipped with warning devices and dictates the types of warning those devices emit.

Proposed § 208.164 (relating to compressed air and boilers; general) incorporates by reference 30 CFR 77.411 (relating to compressed air and boilers; general). This provision requires boilers and pressure vessels to be constructed, installed and maintained in accordance with the standards and specifications of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code.

Proposed § 208.165 (relating to compressed air systems) incorporates by reference 30 CFR 77.412 (relating to compressed air systems). This provision specifies the operation and maintenance requirements for compressed air systems.

Proposed § 208.166 (relating to boilers) incorporates by reference 30 CFR 77.413 (relating to boilers). This provision provides the operation and maintenance requirements for boilers.

Electrical equipment—general

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing electrical equipment.

Proposed § 208.171 (relating to electric power circuits and electric equipment; de-energization) incorporates by reference 30 CFR 77.500 (relating to electric power circuits and electric equipment; deenergization). This provision requires power circuits and electric equipment to be de-energized before work is done on circuits and equipment.

Proposed § 208.172 (relating to electric distribution circuits and equipment; repair) incorporates by reference 30 CFR 77.501 (relating to electric distribution circuits and equipment; repair). This provision provides that repair of electric distribution circuits and equipment shall be conducted by a qualified person.

Proposed § 208.173 (relating to qualified person) incorporates by reference 30 CFR 77.501-1 (relating to qualified person). This provision provides that a qualified person for the purposes of proposed § 208.131 is one that meets the requirements of § 208.83 (relating to power centers).

Proposed § 208.174 (relating to electric equipment; examination, testing and maintenance) incorporates by reference 30 CFR 77.502 (relating to electric equipment; examination, testing, and maintenance). This provision requires electric equipment to be frequently examined and tested and properly maintained.

Proposed § 208.175 (relating to qualified person) incorporates by reference 30 CFR 77.502-1 (relating to qualified person). This provision provides that a qualified person for the purposes of proposed § 208.133 is one that meets the requirements of § 208.83.

Proposed § 208.176 (relating to electric equipment; frequency of examination and testing) incorporates by reference 30 CFR 77.502-2 (relating to electric equipment; frequency of examination and testing). This provision requires at least monthly testing of electric equipment.

Proposed § 208.177 (relating to electric conductors; capacity and insulation) incorporates by reference 30 CFR 77.503 (relating to electric conductors; capacity and insulation). This provision mandates size and current carrying capacity requirements for electric conductors.

Proposed § 208.178 (relating to electric conductors) incorporates by reference 30 CFR 77.503-1 (relating to electric conductors). This provision requires electric conductors to meet size and minimum current carrying capacity requirements provided for in the National Electric Code. There is a similar minimum standard for trailing cables in this provision as well.

Proposed § 208.179 (relating to electrical connections or splices; suitability) incorporates by reference 30 CFR 77.504 (relating to electrical connections or splices; suitability). This provision specifies that electrical connections or splices must be mechanically and electrically efficient.

Proposed § 208.180 (relating to cable fittings; suitability) incorporates by reference 30 CFR 77.505 (relating to cable fittings; suitability). This provision dictates that

cables must enter metal frames of motors, splice boxes and electric compartments only through proper fittings.

Proposed § 208.181 (relating to electric equipment and circuits; overload and short-circuit protection) incorporates by reference 30 CFR 77.506 (relating to electric equipment and circuits; overload and short-circuit protection). This provision mandates that automatic circuit-breaking devices or fuses of the correct type and capacity shall be installed to protect electric equipment and circuits from overload and short-circuit.

Proposed § 208.182 (relating to electric equipment and circuits; overload and short-circuit protection; minimum requirements) incorporates by reference 30 CFR 77.506-1 (relating to electric equipment and circuits; overload and short circuit protection; minimum requirements). This provision requires devices providing overload or short-circuit protection to conform to the minimum requirements for protection of electric circuits and equipment in the National Electric Code.

Proposed § 208.183 (relating to electric equipment; switches) incorporates by reference 30 CFR 77.507 (relating to electric equipment; switches). This provision requires all electric equipment to be provided with switches or other controls that are safely designed.

Proposed § 208.184 (relating to lightning arresters; ungrounded and exposed power conductors and telephone wires) incorporates by reference 30 CFR 77.508 (relating to lightning arresters, ungrounded and exposed power conductors and telephone wires). This provision requires all underground, exposed power conductors and telephone wires to be equipped with suitable lighting arresters.

Proposed § 208.185 (relating to lightning arresters; wires entering buildings) incorporates by reference 30 CFR 77.508-1 (relating to lightning arresters; wires entering buildings). This provision provides that lighting arresters shall be provided at the point where telephone wires enter a building.

Proposed § 208.186 (relating to transformers; installation and guarding) incorporates by reference 30 CFR 77.509 (relating to transformers; installation and guarding). This provision dictates the installation and guarding requirements for transformers.

Proposed § 208.187 (relating to resistors; location and guarding) incorporates by reference 30 CFR 77.510 (relating to resistors; location and guarding). This provision requires resistors, heaters and rheostats to be located to minimize fires and hazards.

Proposed § 208.188 (relating to danger signs at electrical installations) incorporates by reference 30 CFR 77.511 (relating to danger signs at electrical installations). This provision specifies that suitable danger signs shall be posted at all major electrical installations.

Proposed § 208.189 (relating to inspection and cover plates) incorporates by reference 30 CFR 77.512 (relating to inspection and cover plates). This provision dictates that inspection and cover plates on electrical equipment shall be kept in place at all times except during repair.

Proposed § 208.190 (relating to insulating mats at power switches) incorporates by reference 30 CFR 77.513 (relating to insulating mats at power switches). This provision requires nonconductive material to be kept in place at all switchboards and power-control switches.

Proposed § 208.191 (relating to switchboards; passageways and clearance) incorporates by reference 30 CFR 77.514 (relating to switchboards; passageways and clear-

ance). This provision requires switchboards to be installed to provide passageways permitting access the back of the switchboard from both ends for inspection, adjustment or repair. Openings are to be guarded.

Proposed § 208.192 (relating to bare signal or control wires; voltage) incorporates by reference 30 CFR 77.515 (relating to bare signal or control wires; voltage). This provision requires the voltage on bare signal or control wires accessible to personal contact to not exceed 40 volts.

Proposed § 208.193 (relating to electric wiring and equipment; installation and maintenance) incorporates by reference 30 CFR 77.516 (relating to electric wiring and equipment; installation and maintenance). This provision requires all wiring and electric equipment to meet the requirements of the National Electric Code in effect at the time of installation.

Trailing cables

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing trailing cables.

Proposed § 208.201 (relating to trailing cables; short-circuit protection; disconnecting devices) incorporates by reference 30 CFR 77.600 (relating to trailing cables; short-circuit protection; disconnecting devices). This provision requires short-circuit protection for trailing cables to be provided by automatic circuit breakers. Moreover, disconnecting devices used to disconnect power from trailing cables shall be plainly marked.

Proposed § 208.202 (relating to trailing cables or portable cables; temporary splices) incorporates by reference 30 CFR 77.601 (relating to trailing cables or portable cables; temporary splices). This provision specifies how temporary splices in trailing or portable cables are to be made.

Proposed § 208.203 (relating to permanent splicing of trailing cables) incorporates by reference 30 CFR 77.602 (relating to permanent splicing of trailing cables). This provision provides specifications for when permanent splices in trailing cables are made.

Proposed § 208.204 (relating to clamping of trailing cables to equipment) incorporates by reference 30 CFR 77.603 (relating to clamping of trailing cables to equipment). This provision requires trailing cables to be clamped to machines in a manner that protects the cables from damage.

Proposed § 208.205 (relating to protection of trailing cables) incorporates by reference 30 CFR 77.604 (relating to protection of trailing cables). This provision requires trailing cables to be adequately protected.

Proposed § 208.206 (relating to breaking trailing cable and power cable connections) incorporates by reference 30 CFR 77.605 (relating to breaking trailing cable and power cable connections). This provision mandates that trailing and power cable connections may not be made or broken under load.

Proposed § 208.207 (relating to energized trailing cables; handling) incorporates by reference 30 CFR 77.606 (relating to energized trailing cables; handling). This provision requires persons handling energized trailing cables to wear protective gloves.

Proposed § 208.208 (relating to rubber gloves; minimum requirements) incorporates by reference 30 CFR 77.606-1 (relating to rubber gloves; minimum require-

ments). This provision provides the minimum requirements for the use of rubber gloves when handling energized trailing cables.

Grounding

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing grounding.

Proposed § 208.211 (relating to grounding metallic sheaths, armors and conduits enclosing power conductors) incorporates by reference 30 CFR 77.700 (relating to grounding metallic sheaths, armors, and conduits enclosing power conductors). This provision requires the metallic sheaths, armors and conduits enclosing power conductors to be electrically continuous throughout and to be grounded by approved methods.

Proposed § 208.212 (relating to approved methods of grounding) incorporates by reference 30 CFR 77.700-1 (relating to approved methods of grounding). This provision dictates the approved methods of grounding.

Proposed § 208.213 (relating to grounding metallic frames, casings and other enclosures of electric equipment) incorporates by reference 30 CFR 77.701 (relating to grounding metallic frames, casings, and other enclosures of electric equipment). This provision provides that metallic frames, casings and other enclosures of electric equipment that may become live must be grounded.

Proposed § 208.214 (relating to approved methods of grounding of equipment receiving power from ungrounded alternating current power systems) incorporates by reference 30 CFR 77.701-1 (relating to approved methods of grounding of equipment receiving power from ungrounded alternating current power systems). This provision specifies the approved methods of grounding equipment receiving power from underground alternating current systems.

Proposed § 208.215 (relating to approved methods of grounding metallic frames, casings and other enclosures of electric equipment receiving power from a direct-current power system) incorporates by reference 30 CFR 77.701-2 (relating to approved methods of grounding metallic frames, casings, and other enclosures of electric equipment receiving power from a direct-current power system). This provision specifies the approved methods of grounding metallic frames, casings and other enclosures of electric equipment receiving power from a direct-current power system.

Proposed § 208.216 (relating to grounding wires; capacity) incorporates by reference 30 CFR 77.701-3 (relating to grounding wires; capacity). This provision specifies the approval requirements when grounding wires are used to ground metallic sheaths, armors, conduits, frames, casings and other metallic enclosures.

Proposed § 208.217 (relating to use of grounding connectors) incorporates by reference 30 CFR 77.701-4 (relating to use of grounding connectors). This provision requires clamps to be used or installed when attaching grounding wires to grounded power conductors.

Proposed § 208.218 (relating to protection other than grounding) incorporates by reference 30 CFR 77.702 (relating to protection other than grounding). This provision permits the use of protective methods other than grounding when these methods are approved and no less effective than grounding.

Proposed § 208.219 (relating to grounding frames of stationary high-voltage equipment receiving power from ungrounded delta systems) incorporates by reference 30

CFR 77.703 (relating to grounding frames of stationary high-voltage equipment receiving power from ungrounded delta systems). This provision requires the frames of stationary high-voltage equipment receiving power from ungrounded delta systems to be grounded.

Proposed § 208.220 (relating to approved methods of grounding) incorporates by reference 30 CFR 77.703-1 (relating to approved methods of grounding). This provision specifies which methods of grounding will be approved with respect to the grounding of frames of high-voltage equipment.

Proposed § 208.221 (relating to work on high-voltage lines; de-energizing and grounding) incorporates by reference 30 CFR 77.704 (relating to work on high-voltage lines; deenergizing and grounding). This provision requires high-voltage lines to be de-energized and grounded prior to work being started on them.

Proposed § 208.222 (relating to work on high-voltage lines) incorporates by reference 30 CFR 77.704-1 (relating to work on high-voltage lines). This provision specifies requirements for working on high-voltage lines.

Proposed § 208.223 (relating to repairs to energized high-voltage lines) incorporates by reference 30 CFR 77.704-2 (relating to repairs to energized high-voltage lines). This provision identifies the specifications for when and how high-voltage lines may be repaired.

Proposed § 208.224 (relating to work on energized high-voltage surface lines; reporting) incorporates by reference 30 CFR 77.704-3 (relating to work on energized high-voltage surface lines; reporting). This provision requires records of repairs to high-voltage lines to be maintained.

Proposed § 208.225 (relating to simultaneous repairs) incorporates by reference 30 CFR 77.704-4 (relating to simultaneous repairs). This provision requires workers to work simultaneously when working on high-voltage lines within reach of each other.

Proposed § 208.226 (relating to installation of protective equipment) incorporates by reference 30 CFR 77.704-5 (relating to installation of protective equipment). This provision requires protective equipment to be installed prior to beginning work on high-voltage lines.

Proposed § 208.227 (relating to protective clothing; use and inspection) incorporates by reference 30 CFR 77.704-6 (relating to protective clothing; use and inspection). This provision requires workers to wear protective clothing when performing work on high-voltage lines.

Proposed § 208.228 (relating to protective equipment; inspection) incorporates by reference 30 CFR 77.704-7 (relating to protective equipment; inspection). This provision requires the visual inspection of protective equipment and clothing.

Proposed § 208.229 (relating to protective equipment; testing and storage) incorporates by reference 30 CFR 77.704-8 (relating to protective equipment; testing and storage). This provision requires protective equipment to be tested and stored properly and in compliance with certain standards.

Proposed § 208.230 (relating to operating disconnecting or cutout switches) incorporates by reference 30 CFR 77.704-9 (relating to operating disconnecting or cutout switches). This provision mandates that disconnecting or cutout switches on high-voltage lines shall only be operated with insulated sticks, fuse tongs or pullers which are adequately insulated.

Proposed § 208.231 (relating to tying into energized high-voltage surface circuits) incorporates by reference 30 CFR 77.704-10 (relating to tying into energized high-voltage surface circuits). This provision requires workers tying into high-voltage surface circuits to wear protective clothing and employ protective equipment.

Proposed § 208.232 (relating to use of grounded messenger wires; ungrounded systems) incorporates by reference 30 CFR 77.704-11 (relating to use of grounded messenger wires; ungrounded systems). This provision permits the use of grounded messenger wires to suspend cables of systems to serve as a grounding medium.

Proposed § 208.233 (relating to guy wires; grounding) incorporates by reference 30 CFR 77.705 (relating to guy wires; grounding). This provision requires guy wires from poles supporting high-voltage transmission lines to be securely connected.

Surface high-voltage distribution

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing surface high-voltage distribution.

Proposed § 208.241 (relating to high-voltage circuits; circuit breakers) incorporates by reference 30 CFR 77.800 (relating to high-voltage circuits; circuit breakers). This provision provides that high-voltage circuits providing power to portable or mobile equipment must be protected by suitable circuit breakers.

Proposed § 208.242 (relating to testing, examination and maintenance of circuit breakers; procedures) incorporates by reference 30 CFR 77.800-1 (relating to testing, examination, and maintenance of circuit breakers; procedures). This provision provides the testing and examination procedures for circuit breakers.

Proposed § 208.243 (relating to testing, examination and maintenance of circuit breakers; record) incorporates by reference 30 CFR 77.800-2 (relating to testing, examination, and maintenance of circuit breakers; record). This provision requires written records to be kept for tests of circuit breakers.

Proposed § 208.244 (relating to grounding resistors) incorporates by reference 30 CFR 77.801 (relating to grounding resistors). This provision requires grounding resistors, when required, to be of the proper ohmic value to limit the voltage drop in the grounding circuit external to the resistor to no more than 100 volts under fault conditions.

Proposed § 208.245 (relating to grounding resistors; continuous current rating) incorporates by reference 30 CFR 77.801-1 (relating to grounding resistors; continuous current rating). This provision requires the current rating of grounding resistors to meet the extended time rating in American Institute of Electrical Engineering Standard No. 32.

Proposed § 208.246 (relating to protection of high-voltage circuits; neutral grounding resistors; disconnecting devices) incorporates by reference 30 CFR 77.802 (relating to protection of high-voltage circuits; neutral grounding resistors; disconnecting devices). This provision requires high-voltage circuits supplying portable or mobile equipment to contain either a direct or derived neutral which must be grounded through a suitable resistor.

Proposed § 208.247 (relating to fail safe ground check circuits on high-voltage resistance grounded systems) incorporates by reference 30 CFR 77.803 (relating to fail

safe ground check circuits on high-voltage resistance grounded systems). This provision requires high-voltage, resistance grounded systems to include a fail safe ground check circuit or other no less effective device.

Proposed § 208.248 (relating to fail safe ground check circuits; maximum voltage) incorporates by reference 30 CFR 77.803-1 (relating to fail safe ground check circuits; maximum voltage). This provision specifies that the maximum voltage used for ground check circuits under the previous subsection may not exceed 96 volts.

Proposed § 208.249 (relating to ground check systems not employing pilot check wires; approval by the Secretary of the United States Department of Labor) incorporates by reference 30 CFR 77.803-2 (relating to ground check systems not employing pilot check wires; approval by the Secretary). This provision permits approval of ground check systems not employing pilot check wires when it is determined that the system includes a fail safe design.

Proposed § 208.250 (relating to high-voltage trailing cables; minimum design requirements) incorporates by reference 30 CFR 77.804 (relating to high-voltage trailing cables; minimum design requirements). This provision provides the minimum design requirements for high-voltage trailing cables.

Proposed § 208.251 (relating to cable couplers and connection boxes; minimum design requirements) incorporates by reference 30 CFR 77.805 (relating to cable couplers and connection boxes; minimum design requirements). This provision provides the minimum design requirements for cable couplers and connection boxes.

Proposed § 208.252 (relating to connection of single-phase loads) incorporates by reference 30 CFR 77.806 (relating to connection of single-phase loads). This provision requires single-phase loads to be connected phase-to-phase in resistance grounded systems.

Proposed § 208.253 (relating to installation of high-voltage transmission cables) incorporates by reference 30 CFR 77.807 (relating to installation of high-voltage transmission cables). This provision mandates that high-voltage transmission cables shall be installed or placed to afford protection against damage.

Proposed § 208.254 (relating to high-voltage powerlines; clearances above ground) incorporates by reference 30 CFR 77.807-1 (relating to high-voltage powerlines; clearances above ground). This provision requires high-voltage powerlines located above driveways, haulageways and railroad tracks to be installed to provide the minimum vertical clearance specified in the National Electric Safety Code. A powerline may not be installed less than 15 feet above ground.

Proposed § 208.255 (relating to booms and masts; minimum distance from high-voltage lines) incorporates by reference 30 CFR 77.807-2 (relating to booms and masts; minimum distance from high-voltage lines). This provision specifies that booms and masts of equipment operated on the surface may not be operated within 10 feet of an overhead energized powerline.

Proposed § 208.256 (relating to movement of equipment; minimum distance from high-voltage lines) incorporates by reference 30 CFR 77.807-3 (relating to movement of equipment; minimum distance from high-voltage lines). This provision specifies the minimum distance requirements from high-voltage powerlines for moving equipment.

Proposed § 208.257 (relating to disconnecting devices) incorporates by reference 30 CFR 77.808 (relating to disconnecting devices). This provision requires disconnecting devices to be installed at the beginning of each branch line in a high-voltage circuit.

Proposed § 208.258 (relating to identification of circuit breakers and disconnecting switches) incorporates by reference 30 CFR 77.809 (relating to identification of circuit breakers and disconnecting switches). This provision requires circuit breakers and disconnection switches to be labelled to show the units they control.

Proposed § 208.259 (relating to high-voltage equipment; grounding) incorporates by reference 30 CFR 77.810 (relating to high-voltage equipment; grounding). This provision requires frames, supporting structures and enclosures of stationary, portable or mobile high-voltage equipment to be grounded.

Proposed § 208.260 (relating to movement of portable substations and transformers) incorporates by reference 30 CFR 77.811 (relating to movement of portable substations and transformers). This provision requires portable substations and transformers to be de-energized before moving.

Low-voltage and medium-voltage alternating current

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing low-voltage and medium-voltage alternating current.

Proposed § 208.271 (relating to low-voltage and medium-voltage circuits serving portable or mobile three-phase alternating current equipment; circuit breakers) incorporates by reference 30 CFR 77.900 (relating to low- and medium-voltage circuits serving portable or mobile three-phase alternating current equipment; circuit breakers).

Proposed § 208.272 (relating to testing, examination and maintenance of circuit breakers; procedures) incorporates by reference 30 CFR 77.900-1 (relating to testing, examination, and maintenance of circuit breakers; procedures).

Proposed § 208.273 (relating to testing, examination and maintenance of circuit breakers; record) incorporates by reference 30 CFR 77.900-2 (relating to testing, examination, and maintenance of circuit breakers; record).

Proposed § 208.274 (relating to protection of low-voltage and medium-voltage three-phase circuits) incorporates by reference 30 CFR 77.901 (relating to protection of low- and medium-voltage three-phase circuits).

Proposed § 208.275 (relating to grounding resistor; continuous current rating) incorporates by reference 30 CFR 77.901-1 (relating to grounding resistor; continuous current rating).

Proposed § 208.276 (relating to low-voltage and medium-voltage ground check monitor circuits) incorporates by reference 30 CFR 77.902 (relating to low- and medium-voltage ground check monitor circuits).

Proposed § 208.277 (relating to fail safe ground check circuits; maximum voltage) incorporates by reference 30 CFR 77.902-1 (relating to fail safe ground check circuits; maximum voltage).

Proposed § 208.278 (relating to approved ground check systems not employing pilot check wires) incorporates by reference 30 CFR 77.902-2 (relating to approved ground check systems not employing pilot check wires).

Proposed § 208.279 (relating to attachment of ground conductors and ground check wires to equipment frames; use of separate connections) incorporates by reference 30 CFR 77.902-3 (relating to attachment of ground conductors and ground check wires to equipment frames; use of separate connections).

Proposed § 208.280 (relating to disconnecting devices) incorporates by reference 30 CFR 77.903 (relating to disconnecting devices).

Proposed § 208.281 (relating to identification of circuit breakers) incorporates by reference 30 CFR 77.904 (relating to identification of circuit breakers).

Proposed § 208.282 (relating to connection of single-phase loads) incorporates by reference 30 CFR 77.905 (relating to connection of single-phase loads).

Proposed § 208.283 (relating to trailing cables supplying power to low-voltage mobile equipment; ground wires and ground check wires) incorporates by reference 30 CFR 77.906 (relating to trailing cables supplying power to low-voltage mobile equipment; ground wires and ground check wires).

Ground control

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing ground control.

Proposed § 208.291 (relating to highwalls, pits and spoil banks; plans) incorporates by reference 30 CFR 77.1000 (relating to highwalls, pits and spoil banks; plans).

Proposed § 208.292 (relating to filing of plan) incorporates by reference 30 CFR 77.1000-1 (relating to filing of plan).

Proposed § 208.293 (relating to stripping; loose material) incorporates by reference 30 CFR 77.1001 (relating to stripping; loose material).

Proposed § 208.294 (relating to box cuts; spoil material placement) incorporates by reference 30 CFR 77.1002 (relating to box cuts; spoil material placement).

Proposed § 208.295 (relating to benches) incorporates by reference 30 CFR 77.1003 (relating to benches).

Proposed § 208.296 (relating to ground control; inspections and maintenance; general) incorporates by reference 30 CFR 77.1004 (relating to ground control; inspection and maintenance; general).

Proposed § 208.297 (relating to scaling highwalls; general) incorporates by reference 30 CFR 77.1005 (relating to scaling highwalls; general).

Proposed § 208.298 (relating to highwalls; men working) incorporates by reference 30 CFR 77.1006 (relating to highwalls; men working).

Proposed § 208.299 (relating to drilling; general) incorporates by reference 30 CFR 77.1007 (relating to drilling; general).

Proposed § 208.300 (relating to relocation of drills; safeguards) incorporates by reference 30 CFR 77.1008 (relating to relocation of drills; safeguards).

Proposed § 208.301 (relating to drill; operation) incorporates by reference 30 CFR 77.1009 (relating to drill; operation).

Proposed § 208.302 (relating to collaring holes) incorporates by reference 30 CFR 77.1010 (relating to collaring holes).

Proposed § 208.303 (relating to drill holes; guarding) incorporates by reference 30 CFR 77.1011 (relating to drill holes; guarding).

Proposed § 208.304 (relating to jackhammers; operation; safeguards) incorporates by reference 30 CFR 77.1012 (relating to jackhammers; operation; safeguards).

Proposed § 208.305 (relating to air drills; safeguards) incorporates by reference 30 CFR 77.1013 (relating to air drills; safeguards).

Fire protection

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing fire protection.

Proposed § 208.311 (relating to fire protection; training and organization) incorporates by reference 30 CFR 77.1100 (relating to fire protection; training and organization).

Proposed § 208.312 (relating to escape and evacuation; plan) incorporates by reference 30 CFR 77.1101 (relating to escape and evacuation; plan).

Proposed § 208.313 (relating to warning signs; smoking and open flame) incorporates by reference 30 CFR 77.1102 (relating to warning signs; smoking and open flame).

Proposed § 208.314 (relating to flammable liquids; storage) incorporates by reference 30 CFR 77.1103 (relating to flammable liquids; storage).

Proposed § 208.315 (relating to accumulations of combustible materials) incorporates by reference 30 CFR 77.1104 (relating to accumulations of combustible materials).

Proposed § 208.316 (relating to internal combustion engines; fueling) incorporates by reference 30 CFR 77.1105 (relating to internal combustion engines; fueling).

Proposed § 208.317 (relating to battery-charging stations; ventilation) incorporates by reference 30 CFR 77.1106 (relating to battery-charging stations; ventilation).

Proposed § 208.318 (relating to belt conveyors) incorporates by reference 30 CFR 77.1107 (relating to belt conveyors).

Proposed § 208.319 (relating to firefighting equipment; requirements; general) incorporates by reference 30 CFR 77.1108 (relating to firefighting equipment; requirements; general).

Proposed § 208.320 (relating to type and capacity of firefighting equipment) incorporates by reference 30 CFR 77.1108-1 (relating to type and capacity of firefighting equipment).

Proposed § 208.321 (relating to quantity and location of firefighting equipment) incorporates by reference 30 CFR 77.1109 (relating to quantity and location of firefighting equipment).

Proposed § 208.322 (relating to examination and maintenance of firefighting equipment) incorporates by reference 30 CFR 77.1110 (relating to examination and maintenance of firefighting equipment).

Proposed § 208.323 (relating to welding, cutting and soldering; use of fire extinguisher) incorporates by reference 30 CFR 77.1111 (relating to welding, cutting, soldering; use of fire extinguisher).

Proposed § 208.324 (relating to welding, cutting or soldering with arc or flame; safeguards) incorporates by reference 30 CFR 77.1112 (relating to welding, cutting, soldering with arc or flame; safeguards).

Maps

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing maps.

Proposed § 208.331 (relating to mine map) incorporates by reference 30 CFR 77.1200 (relating to mine map). This provision specifies the requirements for mine maps.

Proposed § 208.332 (relating to certification of mine maps) incorporates by reference 30 CFR 77.1201 (relating to certification of mine maps). This provision identifies certification requirements for mine maps.

Proposed § 208.333 (relating to availability of mine map) incorporates by reference 30 CFR 77.1202 (relating to availability of mine map). This provision requires mine maps to be available for inspection.

Personnel hoisting

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing personnel hoisting.

Proposed § 208.341 (relating to personnel hoists and elevators) incorporates by reference 30 CFR 77.1400 (relating to personnel hoists and elevators).

Proposed § 208.342 (relating to automatic controls and brakes) incorporates by reference 30 CFR 77.1401 (relating to automatic controls and brakes).

Proposed § 208.343 (relating to rated capacity) incorporates by reference 30 CFR 77.1402 (relating to rated capacity).

Proposed § 208.344 (relating to maximum load; posting) relates to posting a load maximum for elevators and hoists and incorporates by reference 30 CFR 77.1402-1 (relating to maximum load; posting).

Proposed § 208.345 (relating to daily examination of hoisting equipment) incorporates by reference 30 CFR 77.1403 (relating to daily examination of hoisting equipment).

Proposed § 208.346 (relating to certifications and records of daily examinations) incorporates by reference 30 CFR 77.1404 (relating to certifications and records of daily examinations).

Proposed § 208.347 (relating to operation of hoisting equipment after repairs) incorporates by reference 30 CFR 77.1405 (relating to operation of hoisting equipment after repairs).

Wire ropes

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing wire ropes.

Proposed § 208.351 (relating to wire ropes; scope) incorporates by reference 30 CFR 77.1430 (relating to wire ropes; scope).

Proposed § 208.352 (relating to minimum rope strength) incorporates by reference 30 CFR 77.1431 (relating to minimum rope strength).

Proposed § 208.353 (relating to initial measurement) incorporates by reference 30 CFR 77.1432 (relating to initial measurement).

Proposed § 208.354 (relating to examinations) incorporates by reference 30 CFR 77.1433 (relating to examinations).

Proposed § 208.355 (relating to retirement criteria) incorporates by reference 30 CFR 77.1434 (relating to retirement criteria).

Proposed § 208.356 (relating to load end attachments) incorporates by reference 30 CFR 77.1435 (relating to load end attachments).

Proposed § 208.357 (relating to drum end attachment) incorporates by reference 30 CFR 77.1436 (relating to drum end attachment).

Proposed § 208.358 (relating to end attachment retermination) incorporates by reference 30 CFR 77.1437 (relating to end attachment retermination).

Proposed § 208.359 (relating to end attachment replacement) incorporates by reference 30 CFR 77.1438 (relating to end attachment replacement).

Loading and haulage

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing loading and haulage.

Proposed § 208.361 (relating to loading and haulage; general) incorporates by reference 30 CFR 77.1600 (relating to loading and haulage; general).

Proposed § 208.362 (relating to transportation of persons; restrictions) incorporates by reference 30 CFR 77.1601 (relating to transportation of persons; restrictions).

Proposed § 208.363 (relating to trains and locomotives; authorized persons) incorporates by reference 30 CFR 77.1603 (relating to trains and locomotives; authorized persons).

Proposed § 208.364 (relating to transportation of persons; overcrowding) incorporates by reference 30 CFR 77.1604 (relating to transportation of persons; overcrowding) with the modification that the mine work areas will be the surface areas of underground coal mines.

Proposed § 208.365 (relating to loading and haulage equipment; installations) incorporates by reference 30 CFR 77.1605 (relating to loading and haulage equipment; installations).

Proposed § 208.366 (relating to loading and haulage equipment; inspection and maintenance) incorporates by reference 30 CFR 77.1606 (relating to loading and haulage equipment; inspection and maintenance).

Proposed § 208.367 (relating to loading and haulage equipment; operation) incorporates by reference 30 CFR 77.1607 (relating to loading and haulage equipment; operation).

Proposed § 208.368 (relating to dumping facilities) incorporates by reference 30 CFR 77.1608 (relating to dumping facilities).

Miscellaneous

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing miscellaneous provisions from the Federal regulations.

Proposed § 208.371 (relating to communications in work areas) incorporates by reference 30 CFR 77.1700 (relating to communications in work areas).

Proposed § 208.372 (relating to first aid equipment; location; minimum requirements) incorporates by reference 30 CFR 77.1707 (relating to first aid equipment; location; minimum requirements).

Proposed § 208.373 (relating to protective clothing; requirements) incorporates by reference 30 CFR 77.1710 (relating to protective clothing; requirements).

Proposed § 208.374 (relating to distinctively colored hard hats or hard caps; identification for newly employed, inexperienced miners) incorporates by reference 30 CFR 77.1710-1 (relating to distinctively colored hard hats or hard caps; identification for newly employed, inexperienced miners).

Proposed § 208.375 (relating to smoking prohibition) incorporates by reference 30 CFR 77.1711 (relating to smoking prohibition).

Trolley wires and trolley feeder wires

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing trolley wires and trolley feeder wires.

Proposed § 208.381 (relating to cutout switches) incorporates by reference 30 CFR 77.1800 (relating to cutout switches).

Proposed § 208.382 (relating to overcurrent protection) incorporates by reference 30 CFR 77.1801 (relating to overcurrent protection).

Proposed § 208.383 (relating to devices for overcurrent protection) incorporates by reference 30 CFR 77.1801-1 (relating to devices for overcurrent protection).

Proposed § 208.384 (relating to insulation of trolley wires, trolley feeder wires and bare signal wires; guarding of trolley wires and trolley feeder wires) incorporates by reference 30 CFR 77.1802 (relating to insulation of trolley wires, trolley feeder wires and bare signal wires; guarding of trolley wires and trolley feeder wires).

Slope and shaft sinking

The following proposed additions to Chapter 208 incorporate by reference the Federal mine safety regulations governing slope and shaft sinking.

Proposed § 208.391 (relating to slopes and shafts; approval of plans) incorporates by reference 30 CFR 77.1900 (relating to slopes and shafts; approval of plans) with the modifications.

Proposed § 208.392 (relating to compliance with approved slope and shaft sinking plans) incorporates by reference 30 CFR 77.1900-1 (relating to compliance with approved slope and shaft sinking plans).

Proposed § 208.393 (relating to preshift and onshift inspections; reports) incorporates by reference 30 CFR 77.1901 (relating to preshift and onshift inspections; reports).

Proposed § 208.394 (relating to methane and oxygen deficiency tests; approved devices) incorporates by reference 30 CFR 77.1901-1 (relating to methane and oxygen deficiency tests; approved devices).

Proposed § 208.395 (relating to drilling and mucking operations) incorporates by reference 30 CFR 77.1902 (relating to drilling and mucking operations).

Proposed § 208.396 (relating to permissible diesel-powered equipment) incorporates by reference 30 CFR 77.1902-1 (relating to permissible diesel-powered equipment).

Proposed § 208.397 (relating to hoists and hoisting; minimum requirements) incorporates by reference 30 CFR 77.1903 (relating to hoists and hoisting; minimum requirements).

Proposed § 208.398 (relating to communications between slope and shaft bottoms and hoist operators) incorporates by reference 30 CFR 77.1904 (relating to communications between slope and shaft bottoms and hoist operators).

Proposed § 208.399 (relating to hoist safeguards; general) incorporates by reference 30 CFR 77.1905 (relating to hoist safeguards; general).

Proposed § 208.400 (relating to hoists; daily inspection) incorporates by reference 30 CFR 77.1906 (relating to hoists; daily inspection).

Proposed § 208.401 (relating to hoist construction; general) incorporates by reference 30 CFR 77.1907 (relating to hoist construction; general).

Proposed § 208.402 (relating to hoist installations; use) incorporates by reference 30 CFR 77.1908 (relating to hoist installations; use).

Proposed § 208.403 (relating to hoist operation; qualified hoistman) incorporates by reference 30 CFR 77.1908-1 (relating to hoist operation; qualified hoistman).

Proposed § 208.404 (relating to explosives and blasting; use of permissible explosives and shot-firing units) incorporates by reference 30 CFR 77.1909 (relating to explosives and blasting; use of permissible explosives and shot-firing units).

Proposed § 208.405 (relating to use of nonpermissible explosives and nonpermissible shot-firing units; approval by Health and Safety District Manager) incorporates by reference 30 CFR 77.1909-1 (relating to use of nonpermissible explosives and nonpermissible shot-firing units; approval by Health and Safety District Manager).

Proposed § 208.406 (relating to explosives and blasting; general) incorporates by reference 30 CFR 77.1910 (relating to explosives and blasting; general) with a modification.

Proposed § 208.407 (relating to ventilation of slopes and shafts) incorporates by reference 30 CFR 77.1911 (relating to ventilation of slopes and shafts).

Proposed § 208.408 (relating to ladders and stairways) incorporates by reference 30 CFR 77.1912 (relating to ladders and stairways).

Proposed § 208.409 (relating to fire-resistant wood) incorporates by reference 30 CFR 77.1913 (relating to fire-resistant wood).

Proposed § 208.410 (relating to electrical equipment) incorporates by reference 30 CFR 77.1914 (relating to electrical equipment).

Proposed § 208.411 (relating to storage and handling of combustible materials) incorporates by reference 30 CFR 77.1915 (relating to storage and handling of combustible materials).

Proposed § 208.412 (relating to welding, cutting and soldering; fire protection) incorporates by reference 30 CFR 77.1916 (relating to welding, cutting, and soldering; fire protection).

F. *Benefits, Costs and Compliance*

Benefits

The proposed rulemaking will implement existing Federal regulations thereby making them independently enforceable in this Commonwealth. This will promote interaction between the regulated community and the Commonwealth. Furthermore, the proposed definitions in § 208.1 improve the clarity of the regulatory scheme.

Compliance costs

The proposed rulemaking will not add compliance costs since it will implement existing Federal regulations with which mining operators in this Commonwealth already comply.

Paperwork requirements

The proposed rulemaking will not generate additional paperwork because mining operators must comply with the existing Federal regulations that will be implemented by this proposed rulemaking.

G. *Pollution Prevention*

The Federal Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) establishes a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance.

H. *Sunset Review*

The regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether they effectively fulfill the goals for which they are intended.

I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on July 17, 2014, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

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

J. *Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to the Board. Comments, suggestions or objections must be received by the Board by September 2, 2014. In addition to the submission of comments, interested persons may also submit a summary of their comments to the Board. The summary may not exceed

one page in length and must also be received by the Board by September 2, 2014. The one-page summary will be distributed to the Board and available publicly prior to the meeting when the final-rulemaking will be considered.

Comments including the submission of a one-page summary of comments may be submitted to the Board by e-mail, mail or express mail as follows. If an acknowledgement of comments submitted by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Comments may be submitted to the Board by e-mail at RegComments@pa.gov. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

Written comments should be mailed to the Board of Coal Mine Safety, P. O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Board of Coal Mine Safety, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

E. CHRISTOPHER ABRUZZO,
Chairperson

Fiscal Note: 7-488. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE IV. OCCUPATIONAL HEALTH AND SAFETY

CHAPTER 208. UNDERGROUND COAL MINE SAFETY

GENERAL PROVISIONS

§ 208.1. Definitions.

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

AED—Automated external defibrillator—A portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest.

Act—The Bituminous Coal Mine Safety Act (52 P. S. §§ 690-101—690-708).

Approval or approved—The term as defined in section 104 of the act (52 P. S. § 690-104).

Barricaded—To obstruct passage of persons, vehicles or flying materials.

Berm—A pile or mound of material capable of restraining a vehicle.

Certified or registered—A person certified or registered by the state in which the coal mine is located to perform duties prescribed by 30 CFR Part 77 (relating to mandatory safety standards, surface coal mines and surface work areas of underground coal mines), except that, in a state where a program of certification or registration is not provided or when the program does not meet at least minimum Federal standards established by the Secretary of the United States Department of

Labor, the certification or registration shall be by the Secretary of the United States Department of Labor.

Flash point—The minimum temperature at which sufficient vapor is released by a liquid or solid to form a flammable vapor-air mixture at atmospheric pressure.

MSHA—The term as defined in section 104 of the act.

Miner—The term as defined in section 104 of the act.

NIOSH—The term as defined in section 104 of the act.

Operator—The term as defined in section 104 of the act.

Overpressure—The pressure over the background atmospheric pressure that could result from an explosion, which includes the impact of the pressure wave on an object.

psi—Pounds per square inch.

Qualified person—The term means either of the following as determined by the context of the regulation:

(i) An individual deemed qualified by the Secretary of the United States Department of Labor and designated by the operator to make tests and examinations required under 30 CFR Part 77.

(ii) An individual deemed, in accordance with the minimum requirements to be established by the Secretary of the United States Department of Labor, qualified by training, education and experience to perform electrical work, to maintain electrical equipment, and to conduct examinations and make tests of all electrical equipment.

Representative of the miners—The term as defined in section 104 of the act.

Roll protection—A framework, safety canopy or similar protection for the operator when equipment overturns.

SCSR—Self-contained self-rescue device—A type of closed-circuit, self-contained breathing apparatus approved by MSHA and NIOSH under 42 CFR Part 84 (relating to approval of respiratory protective devices) for escape only from underground mines.

Safety can—An approved container, of not over 5 gallons capacity, having a spring-closing lid and spout cover.

Trailing cable—The cable connecting portable and mobile equipment to a power source. A cable is not considered a trailing cable if it connects to equipment which is installed in a stationary location and is permanently wired.

Underground bituminous coal mine or mine—The term as defined in section 104 of the act.

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

QUALIFIED AND CERTIFIED PERSONS

§ 208.101. Certified person.

The provisions of 30 CFR 77.100 (relating to certified person) are incorporated by reference.

§ 208.102. Tests for methane and for oxygen deficiency; qualified person.

The provisions of 30 CFR 77.101 (relating to tests for methane and for oxygen deficiency; qualified person) are incorporated by reference.

§ 208.103. Tests for methane; oxygen deficiency; qualified person, additional requirement.

The provisions of 30 CFR 77.102 (relating to tests for methane; oxygen deficiency; qualified person, additional requirement) are incorporated by reference.

§ 208.104. Electrical work; qualified person.

The provisions of 30 CFR 77.103 (relating to electrical work; qualified person) are incorporated by reference.

§ 208.105. Repair of energized surface high-voltage lines; qualified person.

The provisions of 30 CFR 77.104 (relating to repair of energized surface high-voltage lines; qualified person) are incorporated by reference.

§ 208.106. Qualified hoistman; slope or shaft sinking operation; qualifications.

The provisions of 30 CFR 77.105 (relating to qualified hoistman; slope or shaft sinking operation; qualifications) are incorporated by reference.

§ 208.107. Records of certified and qualified persons.

The provisions of 30 CFR 77.106 (relating to records of certified and qualified persons) are incorporated by reference.

§ 208.108. Training programs.

The provisions of 30 CFR 77.107 (relating to training programs) are incorporated by reference, with the exception that MSHA will approve the training program.

SURFACE INSTALLATIONS

§ 208.111. Surface installations; general.

The provisions of 30 CFR 77.200 (relating to surface installations; general) are incorporated by reference.

§ 208.112. Methane content in surface installations.

The provisions of 30 CFR 77.201 (relating to methane content in surface installations) are incorporated by reference.

§ 208.113. Tests for methane; qualified person; use of approved device.

The provisions of 30 CFR 77.201-1 (relating to tests for methane; qualified person; use of approved device) are incorporated by reference.

§ 208.114. Methane accumulations; change in ventilation.

The provisions of 30 CFR 77.201-2 (relating to methane accumulations; change in ventilation) are incorporated by reference.

§ 208.115. Dust accumulations in surface installations.

The provisions of 30 CFR 77.202 (relating to dust accumulations in surface installations) are incorporated by reference.

§ 208.116. Use of material or equipment overhead; safeguards.

The provisions of 30 CFR 77.203 (relating to use of material or equipment overhead; safeguards) are incorporated by reference.

§ 208.117. Openings in surface installations; safeguards.

The provisions of 30 CFR 77.204 (relating to openings in surface installations; safeguards) are incorporated by reference.

§ 208.118. Travelways at surface installations.

The provisions of 30 CFR 77.205 (relating to travelways at surface installations) are incorporated by reference.

§ 208.119. Ladders; construction; installation and maintenance.

The provisions of 30 CFR 77.206 (relating to ladders; construction; installation and maintenance) are incorporated by reference.

§ 208.120. Illumination.

The provisions of 30 CFR 77.207 (relating to illumination) are incorporated by reference.

§ 208.121. Storage of materials.

The provisions of 30 CFR 77.208 (relating to storage of materials) are incorporated by reference.

§ 208.122. Surge and storage piles.

The provisions of 30 CFR 77.209 (relating to surge and storage piles) are incorporated by reference.

§ 208.123. Hoisting of materials.

The provisions of 30 CFR 77.210 (relating to hoisting of materials) are incorporated by reference.

§ 208.124. Draw-off tunnels; stockpiling and reclaiming operations; general.

The provisions of 30 CFR 77.211 (relating to draw-off tunnels; stockpiling and reclaiming operations; general) are incorporated by reference.

§ 208.125. Continuous methane monitoring device; installation and operation; automatic deenergization of electric equipment.

The provisions of 30 CFR 77.211-1 (relating to continuous methane monitoring device; installation and operation; automatic deenergization of electric equipment) are incorporated by reference.

§ 208.126. Draw-off tunnel ventilation fans; installation.

The provisions of 30 CFR 77.212 (relating to draw-off tunnel ventilation fans; installation) are incorporated by reference.

§ 208.127. Draw-off tunnel escapeways.

The provisions of 30 CFR 77.213 (relating to draw-off tunnel escapeways) are incorporated by reference.

THERMAL DRYERS

§ 208.131. Thermal dryers; general.

The provisions of 30 CFR 77.300 (relating to thermal dryers; general) are incorporated by reference.

§ 208.132. Dryer heating units; operation.

The provisions of 30 CFR 77.301 (relating to dryer heating units; operation) are incorporated by reference.

§ 208.133. Bypass stacks.

The provisions of 30 CFR 77.302 (relating to bypass stacks) are incorporated by reference.

§ 208.134. Hot gas inlet chamber dropout doors.

The provisions of 30 CFR 77.303 (relating to hot gas inlet chamber dropout doors) are incorporated by reference.

§ 208.135. Explosion release vents.

The provisions of 30 CFR 77.304 (relating to explosion release vents) are incorporated by reference.

§ 208.136. Access to drying chambers, hot gas inlet chambers and duct-work; installation and maintenance.

The provisions of 30 CFR 77.305 (relating to access to drying chambers, hot gas inlet chambers and ductwork; installation and maintenance) are incorporated by reference.

§ 208.137. Fire protection.

The provisions of 30 CFR 77.306 (relating to fire protection) are incorporated by reference.

§ 208.138. Thermal dryers; location and installation; general.

The provisions of 30 CFR 77.307 (relating to thermal dryers; location and installation; general) are incorporated by reference.

§ 208.139. Structures housing other facilities; use of partitions.

The provisions of 30 CFR 77.308 (relating to structures housing other facilities; use of partitions) are incorporated by reference.

§ 208.140. Visual check of system equipment.

The provisions of 30 CFR 77.309 (relating to visual check of system equipment) are incorporated by reference.

§ 208.141. Control stations; location.

The provisions of 30 CFR 77.309-1 (relating to control stations; location) are incorporated by reference.

§ 208.142. Control panels.

The provisions of 30 CFR 77.310 (relating to control panels) are incorporated by reference.

§ 208.143. Alarm devices.

The provisions of 30 CFR 77.311 (relating to alarm devices) are incorporated by reference.

§ 208.144. Fail safe monitoring systems.

The provisions of 30 CFR 77.312 (relating to fail safe monitoring systems) are incorporated by reference.

§ 208.145. Wet-coal feed bins; low-level indicators.

The provisions of 30 CFR 77.313 (relating to wet-coal feedbins; low-level indicators) are incorporated by reference.

§ 208.146. Automatic temperature control instruments.

The provisions of 30 CFR 77.314 (relating to automatic temperature control instruments) are incorporated by reference.

§ 208.147. Thermal dryers; examination and inspection.

The provisions of 30 CFR 77.315 (relating to thermal dryers; examination and inspection) are incorporated by reference.

SAFEGUARDS FOR MECHANICAL EQUIPMENT

§ 208.151. Mechanical equipment guards.

The provisions of 30 CFR 77.400 (relating to mechanical equipment guards) are incorporated by reference.

§ 208.152. Stationary grinding machines; protective devices.

The provisions of 30 CFR 77.401 (relating to stationary grinding machines; protective devices) are incorporated by reference.

§ 208.153. Hand-held power tools; safety devices.

The provisions of 30 CFR 77.402 (relating to hand-held power tools; safety devices) are incorporated by reference.

§ 208.154. Mobile equipment; falling object protective structures.

The provisions of 30 CFR 77.403 (relating to mobile equipment; falling object protective structures (FOPS)) are incorporated by reference.

§ 208.155. Mobile equipment; rollover protective structures.

All rubber-tired or crawler-mounted self-propelled scrapers front-end loaders, dozers, cranes, loaders and tractors, with or without attachments, at the surface work areas of underground coal mines shall be provided with rollover protective structures, in accordance with the certification requirements approved by MSHA.

§ 208.156. Seat belts.

The provisions of 30 CFR 77.403-1(g) (relating to mobile equipment; rollover protective structures (ROPS)) are incorporated by reference.

§ 208.157. Machinery and equipment; operation and maintenance.

The provisions of 30 CFR 77.404 (relating to machinery and equipment; operation and maintenance) are incorporated by reference.

§ 208.158. Performing work from a raised position; safeguards.

The provisions of 30 CFR 77.405 (relating to performing work from a raised position; safeguards) are incorporated by reference.

§ 208.159. Drive belts.

The provisions of 30 CFR 77.406 (relating to drive belts) are incorporated by reference.

§ 208.160. Power-driven pulleys.

The provisions of 30 CFR 77.407 (relating to power-driven pulleys) are incorporated by reference.

§ 208.161. Welding operations.

The provisions of 30 CFR 77.408 (relating to welding operations) are incorporated by reference.

§ 208.162. Shovels, draglines and tractors.

The provisions of 30 CFR 77.409 (relating to shovels, draglines, and tractors) are incorporated by reference.

§ 208.163. Mobile equipment; automatic warning devices.

The provisions of 30 CFR 77.410 (relating to mobile equipment; automatic warning devices) are incorporated by reference.

§ 208.164. Compressed air and boilers; general.

The provisions of 30 CFR 77.411 (relating to compressed air and boilers; general) are incorporated by reference.

§ 208.165. Compressed air systems.

The provisions of 30 CFR 77.412 (relating to compressed air systems) are incorporated by reference.

§ 208.166. Boilers.

The provisions of 30 CFR 77.413 (relating to boilers) are incorporated by reference.

ELECTRICAL EQUIPMENT—GENERAL**§ 208.171. Electric power circuits and electric equipment; de-energization.**

The provisions of 30 CFR 77.500 (relating to electric power circuits and electric equipment; deenergization) are incorporated by reference.

§ 208.172. Electric distribution circuits and equipment; repair.

The provisions of 30 CFR 77.501 (relating to electric distribution circuits and equipment; repair) are incorporated by reference.

§ 208.173. Qualified person.

The provisions of 30 CFR 77.501-1 (relating to qualified person) are incorporated by reference.

§ 208.174. Electric equipment; examination, testing and maintenance.

The provisions of 30 CFR 77.502 (relating to electric equipment; examination, testing, and maintenance) are incorporated by reference.

§ 208.175. Qualified person.

The provisions of 30 CFR 77.502-1 (relating to qualified person) are incorporated by reference.

§ 208.176. Electric equipment; frequency of examination and testing.

The provisions of 30 CFR 77.502-2 (relating to electric equipment; frequency of examination and testing) are incorporated by reference.

§ 208.177. Electric conductors; capacity and insulation.

The provisions of 30 CFR 77.503 (relating to electric conductors; capacity and insulation) are incorporated by reference.

§ 208.178. Electric conductors.

The provisions of 30 CFR 77.503-1 (relating to electric conductors) are incorporated by reference.

§ 208.179. Electrical connections or splices; suitability.

The provisions of 30 CFR 77.504 (relating to electrical connections or splices; suitability) are incorporated by reference.

§ 208.180. Cable fittings; suitability.

The provisions of 30 CFR 77.505 (relating to cable fittings; suitability) are incorporated by reference.

§ 208.181. Electric equipment and circuits; overload and short-circuit protection.

The provisions of 30 CFR 77.506 (relating to electric equipment and circuits; overload and short-circuit protection) are incorporated by reference.

§ 208.182. Electric equipment and circuits; overload and short-circuit protection; minimum requirements.

The provisions of 30 CFR 77.506-1 (relating to electric equipment and circuits; overload and short circuit protection; minimum requirements) are incorporated by reference.

§ 208.183. Electric equipment; switches.

The provisions of 30 CFR 77.507 (relating to electric equipment; switches) are incorporated by reference.

§ 208.184. Lightning arresters; ungrounded and exposed power conductors and telephone wires.

The provisions of 30 CFR 77.508 (relating to lightning arresters, ungrounded and exposed power conductors and telephone wires) are incorporated by reference.

§ 208.185. Lightning arresters; wires entering buildings.

The provisions of 30 CFR 77.508-1 (relating to lightning arresters; wires entering buildings) are incorporated by reference.

§ 208.186. Transformers; installation and guarding.

The provisions of 30 CFR 77.509 (relating to transformers; installation and guarding) are incorporated by reference.

§ 208.187. Resistors; location and guarding.

The provisions of 30 CFR 77.510 (relating to resistors; location and guarding) are incorporated by reference.

§ 208.188. Danger signs at electrical installations.

The provisions of 30 CFR 77.511 (relating to danger signs at electrical installations) are incorporated by reference.

§ 208.189. Inspection and cover plates.

The provisions of 30 CFR 77.512 (relating to inspection and cover plates) are incorporated by reference.

§ 208.190. Insulating mats at power switches.

The provisions of 30 CFR 77.513 (relating to insulating mats at power switches) are incorporated by reference.

§ 208.191. Switchboards; passageways and clearance.

The provisions of 30 CFR 77.514 (relating to switchboards; passageways and clearance) are incorporated by reference.

§ 208.192. Bare signal or control wires; voltage.

The provisions of 30 CFR 77.515 (relating to bare signal or control wires; voltage) are incorporated by reference.

§ 208.193. Electric wiring and equipment; installation and maintenance.

The provisions of 30 CFR 77.516 (relating to electric wiring and equipment; installation and maintenance) are incorporated by reference.

TRAILING CABLES**§ 208.201. Trailing cables; short-circuit protection; disconnecting devices.**

The provisions of 30 CFR 77.600 (relating to trailing cables; short-circuit protection; disconnecting devices) are incorporated by reference.

§ 208.202. Trailing cables or portable cables; temporary splices.

The provisions of 30 CFR 77.601 (relating to trailing cables or portable cables; temporary splices) are incorporated by reference.

§ 208.203. Permanent splicing of trailing cables.

The provisions of 30 CFR 77.602 (relating to permanent splicing of trailing cables) are incorporated by reference.

§ 208.204. Clamping of trailing cables to equipment.

The provisions of 30 CFR 77.603 (relating to clamping of trailing cables to equipment) are incorporated by reference.

§ 208.205. Protection of trailing cables.

The provisions of 30 CFR 77.604 (relating to protection of trailing cables) are incorporated by reference.

§ 208.206. Breaking trailing cable and power cable connections.

The provisions of 30 CFR 77.605 (relating to breaking trailing cable and power cable connections) are incorporated by reference.

§ 208.207. Energized trailing cables; handling.

The provisions of 30 CFR 77.606 (relating to energized trailing cables; handling) are incorporated by reference.

§ 208.208. Rubber gloves; minimum requirements.

The provisions of 30 CFR 77.606-1 (relating to rubber gloves; minimum requirements) are incorporated by reference.

GROUNDING

§ 208.211. Grounding metallic sheaths, armors and conduits enclosing power conductors.

The provisions of 30 CFR 77.700 (relating to grounding metallic sheaths, armors, and conduits enclosing power conductors) are incorporated by reference.

§ 208.212. Approved methods of grounding.

The provisions of 30 CFR 77.700-1 (relating to approved methods of grounding) are incorporated by reference.

§ 208.213. Grounding metallic frames, casings and other enclosures of electric equipment.

The provisions of 30 CFR 77.701 (relating to grounding metallic frames, casings, and other enclosures of electric equipment) are incorporated by reference.

§ 208.214. Approved methods of grounding of equipment receiving power from ungrounded alternating current power systems.

The provisions of 30 CFR 77.701-1 (relating to approved methods of grounding of equipment receiving power from ungrounded alternating current power systems) are incorporated by reference.

§ 208.215. Approved methods of grounding metallic frames, casings and other enclosures of electric equipment receiving power from a direct-current power system.

The provisions of 30 CFR 77.701-2 (relating to approved methods of grounding metallic frames, casings, and other enclosures of electric equipment receiving power from a direct-current power system) are incorporated by reference.

§ 208.216. Grounding wires; capacity.

The provisions of 30 CFR 77.701-3 (relating to grounding wires; capacity) are incorporated by reference.

§ 208.217. Use of grounding connectors.

The provisions of 30 CFR 77.701-4 (relating to use of grounding connectors) are incorporated by reference.

§ 208.218. Protection other than grounding.

The provisions of 30 CFR 77.702 (relating to protection other than grounding) are incorporated by reference.

§ 208.219. Grounding frames of stationary high-voltage equipment receiving power from ungrounded delta systems.

The provisions of 30 CFR 77.703 (relating to grounding frames of stationary high-voltage equipment receiving power from ungrounded delta systems) are incorporated by reference.

§ 208.220. Approved methods of grounding.

The provisions of 30 CFR 77.703-1 (relating to approved methods of grounding) are incorporated by reference.

§ 208.221. Work on high-voltage lines; de-energizing and grounding.

The provisions of 30 CFR 77.704 (relating to work on high-voltage lines; deenergizing and grounding) are incorporated by reference.

§ 208.222. Work on high-voltage lines.

The provisions of 30 CFR 77.704-1 (relating to work on high-voltage lines) are incorporated by reference.

§ 208.223. Repairs to energized high-voltage lines.

The provisions of 30 CFR 77.704-2 (relating to repairs to energized high-voltage lines) are incorporated by reference.

§ 208.224. Work on energized high-voltage surface lines; reporting.

The provisions of 30 CFR 77.704-3 (relating to work on energized high-voltage surface lines; reporting) are incorporated by reference.

§ 208.225. Simultaneous repairs.

The provisions of 30 CFR 77.704-4 (relating to simultaneous repairs) are incorporated by reference.

§ 208.226. Installation of protective equipment.

The provisions of 30 CFR 77.704-5 (relating to installation of protective equipment) are incorporated by reference.

§ 208.227. Protective clothing; use and inspection.

The provisions of 30 CFR 77.704-6 (relating to protective clothing; use and inspection) are incorporated by reference.

§ 208.228. Protective equipment; inspection.

The provisions of 30 CFR 77.704-7 (relating to protective equipment; inspection) are incorporated by reference.

§ 208.229. Protective equipment; testing and storage.

The provisions of 30 CFR 77.704-8 (relating to protective equipment; testing and storage) are incorporated by reference.

§ 208.230. Operating disconnecting or cutout switches.

The provisions of 30 CFR 77.704-9 (relating to operating disconnecting or cutout switches) are incorporated by reference.

§ 208.231. Tying into energized high-voltage surface circuits.

The provisions of 30 CFR 77.704-10 (relating to tying into energized high-voltage surface circuits) are incorporated by reference.

§ 208.232. Use of grounded messenger wires; ungrounded systems.

The provisions of 30 CFR 77.704-11 (relating to use of grounded messenger wires; ungrounded systems) are incorporated by reference.

§ 208.233. Guy wires; grounding.

The provisions of 30 CFR 77.705 (relating to guy wires; grounding) are incorporated by reference.

SURFACE HIGH-VOLTAGE DISTRIBUTION

§ 208.241. High-voltage circuits; circuit breakers.

The provisions of 30 CFR 77.800 (relating to high-voltage circuits; circuit breakers) are incorporated by reference.

§ 208.242. Testing, examination and maintenance of circuit breakers; procedures.

The provisions of 30 CFR 77.800-1 (relating to testing, examination, and maintenance of circuit breakers; procedures) are incorporated by reference.

§ 208.243. Testing, examination and maintenance of circuit breakers; record.

The provisions of 30 CFR 77.800-2 (relating to testing, examination, and maintenance of circuit breakers; record) are incorporated by reference.

§ 208.244. Grounding resistors.

The provisions of 30 CFR 77.801 (relating to grounding resistors) are incorporated by reference.

§ 208.245. Grounding resistors; continuous current rating.

The provisions of 30 CFR 77.801-1 (relating to grounding resistors; continuous current rating) are incorporated by reference.

§ 208.246. Protection of high-voltage circuits; neutral grounding resistors; disconnecting devices.

The provisions of 30 CFR 77.802 (relating to protection of high-voltage circuits; neutral grounding resistors; disconnecting devices) are incorporated by reference.

§ 208.247. Fail safe ground check circuits on high-voltage resistance grounded systems.

The provisions of 30 CFR 77.803 (relating to fail safe ground check circuits on high-voltage resistance grounded systems) are incorporated by reference.

§ 208.248. Fail safe ground check circuits; maximum voltage.

The provisions of 30 CFR 77.803-1 (relating to fail safe ground check circuits; maximum voltage) are incorporated by reference.

§ 208.249. Ground check systems not employing pilot check wires; approval by the Secretary of the United States Department of Labor.

The provisions of 30 CFR 77.803-2 (relating to ground check systems not employing pilot check wires; approval by the Secretary) are incorporated by reference.

§ 208.250. High-voltage trailing cables; minimum design requirements.

The provisions of 30 CFR 77.804 (relating to high-voltage trailing cables; minimum design requirements) are incorporated by reference.

§ 208.251. Cable couplers and connection boxes; minimum design requirements.

The provisions of 30 CFR 77.805 (relating to cable couplers and connection boxes; minimum design requirements) are incorporated by reference.

§ 208.252. Connection of single-phase loads.

The provisions of 30 CFR 77.806 (relating to connection of single-phase loads) are incorporated by reference.

§ 208.253. Installation of high-voltage transmission cables.

The provisions of 30 CFR 77.807 (relating to installation of high-voltage transmission cables) are incorporated by reference.

§ 208.254. High-voltage powerlines; clearances above ground.

The provisions of 30 CFR 77.807-1 (relating to high-voltage powerlines; clearances above ground) are incorporated by reference.

§ 208.255. Booms and masts; minimum distance from high-voltage lines.

The provisions of 30 CFR 77.807-2 (relating to booms and masts; minimum distance from high-voltage lines) are incorporated by reference.

§ 208.256. Movement of equipment; minimum distance from high-voltage lines.

The provisions of 30 CFR 77.807-3 (relating to movement of equipment; minimum distance from high-voltage lines) are incorporated by reference.

§ 208.257. Disconnecting devices.

The provisions of 30 CFR 77.808 (relating to disconnecting devices) are incorporated by reference.

§ 208.258. Identification of circuit breakers and disconnecting switches.

The provisions of 30 CFR 77.809 (relating to identification of circuit breakers and disconnecting switches) are incorporated by reference.

§ 208.259. High-voltage equipment; grounding.

The provisions of 30 CFR 77.810 (relating to high-voltage equipment; grounding) are incorporated by reference.

§ 208.260. Movement of portable substations and transformers.

The provisions of 30 CFR 77.811 (relating to movement of portable substations and transformers) are incorporated by reference.

LOW-VOLTAGE AND MEDIUM-VOLTAGE ALTERNATING CURRENT

§ 208.271. Low-voltage and medium-voltage circuits serving portable or mobile three-phase alternating current equipment; circuit breakers.

The provisions of 30 CFR 77.900 (relating to low- and medium-voltage circuits serving portable or mobile three-phase alternating current equipment; circuit breakers) are incorporated by reference.

§ 208.272. Testing, examination and maintenance of circuit breakers; procedures.

The provisions of 30 CFR 77.900-1 (relating to testing, examination, and maintenance of circuit breakers; procedures) are incorporated by reference.

§ 208.273. Testing, examination and maintenance of circuit breakers; record.

The provisions of 30 CFR 77.900-2 (relating to testing, examination, and maintenance of circuit breakers; record) are incorporated by reference.

§ 208.274. Protection of low-voltage and medium-voltage three-phase circuits.

The provisions of 30 CFR 77.901 (relating to protection of low- and medium-voltage three-phase circuits) are incorporated by reference.

§ 208.275. Grounding resistor; continuous current rating.

The provisions of 30 CFR 77.901-1 (relating to grounding resistor; continuous current rating) are incorporated by reference.

§ 208.276. Low-voltage and medium-voltage ground check monitor circuits.

The provisions of 30 CFR 77.902 (relating to low- and medium-voltage ground check monitor circuits) are incorporated by reference.

§ 208.277. Fail safe ground check circuits; maximum voltage.

The provisions of 30 CFR 77.902-1 (relating to fail safe ground check circuits; maximum voltage) are incorporated by reference.

§ 208.278. Approved ground check systems not employing pilot check wires.

The provisions of 30 CFR 77.902-2 (relating to approved ground check systems not employing pilot check wires) are incorporated by reference.

§ 208.279. Attachment of ground conductors and ground check wires to equipment frames; use of separate connections.

The provisions of 30 CFR 77.902-3 (relating to attachment of ground conductors and ground check wires to equipment frames; use of separate connections) are incorporated by reference.

§ 208.280. Disconnecting devices.

The provisions of 30 CFR 77.903 (relating to disconnecting devices) are incorporated by reference.

§ 208.281. Identification of circuit breakers.

The provisions of 30 CFR 77.904 (relating to identification of circuit breakers) are incorporated by reference.

§ 208.282. Connection of single-phase loads.

The provisions of 30 CFR 77.905 (relating to connection of single-phase loads) are incorporated by reference.

§ 208.283. Trailing cables supplying power to low-voltage mobile equipment; ground wires and ground check wires.

The provisions of 30 CFR 77.906 (relating to trailing cables supplying power to low-voltage mobile equipment; ground wires and ground check wires) are incorporated by reference.

GROUND CONTROL

§ 208.291. Highwalls, pits and spoil banks; plans.

The provisions of 30 CFR 77.1000 (relating to highwalls, pits and spoil banks; plans) are incorporated by reference.

§ 208.292. Filing of plan.

The provisions of 30 CFR 77.1000-1 (relating to filing of plan) are incorporated by reference.

§ 208.293. Stripping; loose material.

The provisions of 30 CFR 77.1001 (relating to stripping; loose material) are incorporated by reference.

§ 208.294. Box cuts; spoil material placement.

The provisions of 30 CFR 77.1002 (relating to box cuts; spoil material placement) are incorporated by reference.

§ 208.295. Benches.

The provisions of 30 CFR 77.1003 (relating to benches) are incorporated by reference.

§ 208.296. Ground control; inspections and maintenance; general.

The provisions of 30 CFR 77.1004 (relating to ground control; inspection and maintenance; general) are incorporated by reference.

§ 208.297. Scaling highwalls; general.

The provisions of 30 CFR 77.1005 (relating to scaling highwalls; general) are incorporated by reference.

§ 208.298. Highwalls; men working.

The provisions of 30 CFR 77.1006 (relating to highwalls; men working) are incorporated by reference.

§ 208.299. Drilling; general.

The provisions of 30 CFR 77.1007 (relating to drilling; general) are incorporated by reference.

§ 208.300. Relocation of drills; safeguards.

The provisions of 30 CFR 77.1008 (relating to relocation of drills; safeguards) are incorporated by reference.

§ 208.301. Drill; operation.

The provisions of 30 CFR 77.1009 (relating to drill; operation) are incorporated by reference.

§ 208.302. Collaring holes.

The provisions of 30 CFR 77.1010 (relating to collaring holes) are incorporated by reference.

§ 208.303. Drill holes; guarding.

The provisions of 30 CFR 77.1011 (relating to drill holes; guarding) are incorporated by reference.

§ 208.304. Jackhammers; operation; safeguards.

The provisions of 30 CFR 77.1012 (relating to jackhammers; operation; safeguards) are incorporated by reference.

§ 208.305. Air drills; safeguards.

The provisions of 30 CFR 77.1013 (relating to air drills; safeguards) are incorporated by reference.

FIRE PROTECTION

§ 208.311. Fire protection; training and organization.

The provisions of 30 CFR 77.1100 (relating to fire protection; training and organization) are incorporated by reference.

§ 208.312. Escape and evacuation; plan.

The provisions of 30 CFR 77.1101 (relating to escape and evacuation; plan) are incorporated by reference.

§ 208.313. Warning signs; smoking and open flame.

The provisions of 30 CFR 77.1102 (relating to warning signs; smoking and open flame) are incorporated by reference.

§ 208.314. Flammable liquids; storage.

The provisions of 30 CFR 77.1103 (relating to flammable liquids; storage) are incorporated by reference.

§ 208.315. Accumulations of combustible materials.

The provisions of 30 CFR 77.1104 (relating to accumulations of combustible materials) are incorporated by reference.

§ 208.316. Internal combustion engines; fueling.

The provisions of 30 CFR 77.1105 (relating to internal combustion engines; fueling) are incorporated by reference.

§ 208.317. Battery-charging stations; ventilation.

The provisions of 30 CFR 77.1106 (relating to battery-charging stations; ventilation) are incorporated by reference.

§ 208.318. Belt conveyors.

The provisions of 30 CFR 77.1107 (relating to belt conveyors) are incorporated by reference.

§ 208.319. Firefighting equipment; requirements; general.

The provisions of 30 CFR 77.1108 (relating to firefighting equipment; requirements; general) are incorporated by reference.

§ 208.320. Type and capacity of firefighting equipment.

The provisions of 30 CFR 77.1108-1 (relating to type and capacity of firefighting equipment) are incorporated by reference.

§ 208.321. Quantity and location of firefighting equipment.

The provisions of 30 CFR 77.1109 (relating to quantity and location of firefighting equipment) are incorporated by reference.

§ 208.322. Examination and maintenance of firefighting equipment.

The provisions of 30 CFR 77.1110 (relating to examination and maintenance of firefighting equipment) are incorporated by reference.

§ 208.323. Welding, cutting and soldering; use of fire extinguisher.

The provisions of 30 CFR 77.1111 (relating to welding, cutting, soldering; use of fire extinguisher) are incorporated by reference.

§ 208.324. Welding, cutting or soldering with arc or flame; safeguards.

The provisions of 30 CFR 77.1112 (relating to welding, cutting, soldering with arc or flame; safeguards) are incorporated by reference.

MAPS

§ 208.331. Mine map.

The provisions of 30 CFR 77.1200 (relating to mine map) are incorporated by reference.

§ 208.332. Certification of mine maps.

The provisions of 30 CFR 77.1201 (relating to certification of mine maps) are incorporated by reference.

§ 208.333. Availability of mine map.

The provisions of 30 CFR 77.1202 (relating to availability of mine map) are incorporated by reference.

PERSONNEL HOISTING

§ 208.341. Personnel hoists and elevators.

The provisions of 30 CFR 77.1400 (relating to personnel hoists and elevators) are incorporated by reference.

§ 208.342. Automatic controls and brakes.

The provisions of 30 CFR 77.1401 (relating to automatic controls and brakes) are incorporated by reference.

§ 208.343. Rated capacity.

The provisions of 30 CFR 77.1402 (relating to rated capacity) are incorporated by reference.

§ 208.344. Maximum load; posting.

The provisions of 30 CFR 77.1402-1 (relating to maximum load; posting) are incorporated by reference.

§ 208.345. Daily examination of hoisting equipment.

The provisions of 30 CFR 77.1403 (relating to daily examination of hoisting equipment) are incorporated by reference.

§ 208.346. Certifications and records of daily examinations.

The provisions of 30 CFR 77.1404 (relating to certifications and records of daily examinations) are incorporated by reference.

§ 208.347. Operation of hoisting equipment after repairs.

The provisions of 30 CFR 77.1405 (relating to operation of hoisting equipment after repairs) are incorporated by reference.

WIRE ROPES

§ 208.351. Wire ropes; scope.

The provisions of 30 CFR 77.1430 (relating to wire ropes; scope) are incorporated by reference.

§ 208.352. Minimum rope strength.

The provisions of 30 CFR 77.1431 (relating to minimum rope strength) are incorporated by reference.

§ 208.353. Initial measurement.

The provisions of 30 CFR 77.1432 (relating to initial measurement) are incorporated by reference.

§ 208.354. Examinations.

The provisions of 30 CFR 77.1433 (relating to examinations) are incorporated by reference.

§ 208.355. Retirement criteria.

The provisions of 30 CFR 77.1434 (relating to retirement criteria) are incorporated by reference.

§ 208.356. Load end attachments.

The provisions of 30 CFR 77.1435 (relating to load end attachments) are incorporated by reference.

§ 208.357. Drum end attachment.

The provisions of 30 CFR 77.1436 (relating to drum end attachment) are incorporated by reference.

§ 208.358. End attachment retermination.

The provisions of 30 CFR 77.1437 (relating to end attachment retermination) are incorporated by reference.

§ 208.359. End attachment replacement.

The provisions of 30 CFR 77.1438 (relating to end attachment replacement) are incorporated by reference.

LOADING AND HAULAGE

§ 208.361. Loading and haulage; general.

The provisions of 30 CFR 77.1600 (relating to loading and haulage; general) are incorporated by reference.

§ 208.362. Transportation of persons; restrictions.

The provisions of 30 CFR 77.1601 (relating to transportation of persons; restrictions) are incorporated by reference.

§ 208.363. Trains and locomotives; authorized persons.

The provisions of 30 CFR 77.1603 (relating to trains and locomotives; authorized persons) are incorporated by reference.

§ 208.364. Transportation of persons; overcrowding.

The provisions of 30 CFR 77.1604 (relating to transportation of persons; overcrowding) are incorporated by reference, with the exception of the following modification:

(a) No man-trip vehicle or other conveyance used to transport persons to and from the surface work areas of underground bituminous coal mines shall be overcrowded and all persons shall ride in a safe position.

§ 208.365. Loading and haulage equipment; installations.

The provisions of 30 CFR 77.1605 (relating to loading and haulage equipment; installations) are incorporated by reference.

§ 208.366. Loading and haulage equipment; inspection and maintenance.

The provisions of 30 CFR 77.1606 (relating to loading and haulage equipment; inspection and maintenance) are incorporated by reference.

§ 208.367. Loading and haulage equipment; operation.

The provisions of 30 CFR 77.1607 (relating to loading and haulage equipment; operation) are incorporated by reference.

§ 208.368. Dumping facilities.

The provisions of 30 CFR 77.1608 (relating to dumping facilities) are incorporated by reference.

MISCELLANEOUS

§ 208.371. Communications in work areas.

The provisions of 30 CFR 77.1700 (relating to communications in work areas) are incorporated by reference.

§ 208.372. First aid equipment; location; minimum requirements.

The provisions of 30 CFR 77.1707 (relating to first aid equipment; location; minimum requirements) are incorporated by reference.

§ 208.373. Protective clothing; requirements.

The provisions of 30 CFR 77.1710 (relating to protective clothing; requirements) are incorporated by reference.

§ 208.374. Distinctively colored hard hats or hard caps; identification for newly employed, inexperienced miners.

The provisions of 30 CFR 77.1710-1 (relating to distinctively colored hard hats or hard caps; identification for newly employed, inexperienced miners) are incorporated by reference.

§ 208.375. Smoking prohibition.

The provisions of 30 CFR 77.1711 (relating to smoking prohibition) are incorporated by reference.

TROLLEY WIRES AND TROLLEY FEEDER WIRES

§ 208.381. Cutout switches.

The provisions of 30 CFR 77.1800 (relating to cutout switches) are incorporated by reference.

§ 208.382. Overcurrent protection.

The provisions of 30 CFR 77.1801 (relating to overcurrent protection) are incorporated by reference.

§ 208.383. Devices for overcurrent protection.

The provisions of 30 CFR 77.1801-1 (relating to devices for overcurrent protection) are incorporated by reference.

§ 208.384. Insulation of trolley wires, trolley feeder wires and bare signal wires; guarding of trolley wires and trolley feeder wires.

The provisions of 30 CFR 77.1802 (relating to insulation of trolley wires, trolley feeder wires and bare signal wires; guarding of trolley wires and trolley feeder wires) are incorporated by reference.

SLOPE AND SHAFT SINKING

§ 208.391. Slopes and shafts; approval of plans.

The provisions of 30 CFR 77.1900 (relating to slopes and shafts; approval of plans) are incorporated by reference, with the following modifications:

The Department will approve plans relating to slope and shaft sinking and construction.

§ 208.392. Compliance with approved slope and shaft sinking plans.

The provisions of 30 CFR 77.1900-1 (relating to compliance with approved slope and shaft sinking plans) are incorporated by reference.

§ 208.393. Preshift and onshift inspections; reports.

The provisions of 30 CFR 77.1901 (relating to preshift and onshift inspections; reports) are incorporated by reference.

§ 208.394. Methane and oxygen deficiency tests; approved devices.

The provisions of 30 CFR 77.1901-1 (relating to methane and oxygen deficiency tests; approved devices) are incorporated by reference.

§ 208.395. Drilling and mucking operations.

The provisions of 30 CFR 77.1902 (relating to drilling and mucking operations) are incorporated by reference.

§ 208.396. Permissible diesel-powered equipment.

The provisions of 30 CFR 77.1902-1 (relating to permissible diesel-powered equipment) are incorporated by reference.

§ 208.397. Hoists and hoisting; minimum requirements.

The provisions of 30 CFR 77.1903 (relating to hoists and hoisting; minimum requirements) are incorporated by reference.

§ 208.398. Communications between slope and shaft bottoms and hoist operators.

The provisions of 30 CFR 77.1904 (relating to communications between slope and shaft bottoms and hoist operators) are incorporated by reference.

§ 208.399. Hoist safeguards; general.

The provisions of 30 CFR 77.1905 (relating to hoist safeguards; general) are incorporated by reference.

§ 208.400. Hoists; daily inspection.

The provisions of 30 CFR 77.1906 (relating to hoists; daily inspection) are incorporated by reference.

§ 208.401. Hoist construction; general.

The provisions of 30 CFR 77.1907 (relating to hoist construction; general) are incorporated by reference.

§ 208.402. Hoist installations; use.

The provisions of 30 CFR 77.1908 (relating to hoist installations; use) are incorporated by reference.

§ 208.403. Hoist operation; qualified hoistman.

The provisions of 30 CFR 77.1908-1 (relating to hoist operation; qualified hoistman) are incorporated by reference.

§ 208.404. Explosives and blasting; use of permissible explosives and shot-firing units.

The provisions of 30 CFR 77.1909 (relating to explosives and blasting; use of permissible explosives and shot-firing units) are incorporated by reference.

§ 208.405. Use of nonpermissible explosives and nonpermissible shot-firing units; approval by Health and Safety District Manager.

The provisions of 30 CFR 77.1909-1 (relating to use of nonpermissible explosives and nonpermissible shot-firing units; approval by Health and Safety District Manager) are incorporated by reference.

§ 208.406. Explosives and blasting; general.

The provisions of 30 CFR 77.1910 (relating to explosives and blasting; general) are incorporated by reference, with the exception of the following modification:

(b) All explosive materials, detonators and any other related blasting material employed in the development of any slope or shaft shall be stored, transported, carried, charged and fired in accordance with 25 Pa. Code Chapters 210 and 211 (relating to blasters' licenses; and storage, handling and use of explosives). Except as provided in paragraph (c) of this section, all shots shall be fired from the surface.

§ 208.407. Ventilation of slopes and shafts.

The provisions of 30 CFR 77.1911 (relating to ventilation of slopes and shafts) are incorporated by reference.

§ 208.408. Ladders and stairways.

The provisions of 30 CFR 77.1912 (relating to ladders and stairways) are incorporated by reference.

§ 208.409. Fire-resistant wood.

The provisions of 30 CFR 77.1913 (relating to fire-resistant wood) are incorporated by reference.

§ 208.410. Electrical equipment.

The provisions of 30 CFR 77.1914 (relating to electrical equipment) are incorporated by reference.

§ 208.411. Storage and handling of combustible materials.

The provisions of 30 CFR 77.1915 (relating to storage and handling of combustible materials) are incorporated by reference.

§ 208.412. Welding, cutting and soldering; fire protection.

The provisions of 30 CFR 77.1916 (relating to welding, cutting, and soldering; fire protection) are incorporated by reference.

[Pa.B. Doc. No. 14-1626. Filed for public inspection August 1, 2014, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Big Game

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its June 10, 2014, meeting, proposed to amend § 141.42 (relating to parties hunting big game) by deleting voided roster requirement text in subsections (a)—(d) and (f).

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the June 10, 2014, meeting of the Commission. Comments can be sent, until September 19, 2014, to the Director, Bureau of Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

On January 27, 2014, the act of November 27, 2013 (P. L. 1148, No. 103) (Act 103) became effective. Act 103 amended section 2324 of the code (relating to parties hunting big game) to eliminate the roster requirement and remove the Commission's authority to establish roster requirements. The Commission is proposing to amend § 141.42 by deleting the voided roster requirement text in subsections (a)—(d) and (f).

Section 2102(a) of the code (relating to regulations) provides that "[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 141.42 are proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will amend § 141.42 by deleting voided roster requirement text remaining in subsections (a)—(d) and (f).

3. *Persons Affected*

Persons wishing to hunt Eurasian collared-doves or mourning doves within this Commonwealth will be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking will not result in additional cost or paperwork. Rather, it will reduce paperwork requirements for parties cooperating to hunt big game.

5. *Effective Date*

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-367. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.42. [**Big game animal hunting roster**] Parties hunting big game.

[(a) **Rosters are required for groups of five or more persons who are members of a permanent camp and hunt together for deer, bear or elk or cooperate with others to hunt for deer, bear or elk.**

(b) **Rosters shall conform to the following:**

(1) **Be prepared in duplicate with one copy being carried by the leader, and the other permanently posted at the headquarters.**

(2) **Include the following information:**

(i) **Name of the camp or party.**

(ii) **Name of the leader.**

(iii) **Name of each person hunting along with his current hunting license number.**

(iv) **Date the person joined the party.**

(v) **Date of departure.**

(vi) **Caliber of firearm used.**

(vii) **Big game killed.**

(viii) **Sex, approximate weight and total number of points if a deer, and the date the animal was killed.**

(c) **A roster containing false, fraudulent or misleading information, or failing to set forth the information in subsection (b) is deemed not in compliance with the act and this part.**

(d) **The roster shall remain posted at a permanent camp for 30 days after the close of the season so that it can be read from outside the camp.**

(e) [(a) Parties hunting deer, bear or elk shall be limited to 25 persons.

[(f)] (b) Penalties in section 2324(c) of the act (relating to [**roster of**] parties hunting big game) pertain to this section. Each person may be liable for penalties in this section.

[Pa.B. Doc. No. 14-1627. Filed for public inspection August 1, 2014, 9:00 a.m.]

**[58 PA. CODE CH. 147]
Special Permits; Falconry**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its June 10, 2014, meeting, proposed to amend §§ 147.101 and 147.103 (relating to definitions; and classes) to make it clear that “hybrid” applies to all offspring of species listed in 50 CFR 10.13 (relating to list of migratory birds).

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the June 10, 2014, meeting of the Commission. Comments can be sent, until September 19, 2014, to the Director, Bureau of Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The United States Fish and Wildlife Service (Service) recently amended the definition of “hybrid” in 50 CFR 21.3 (relating to definitions) to include any bird that results from a cross of genetic material between two separate taxa when one or both are listed in 50 CFR 10.13. See 78 FR 65576 (November 1, 2013). This revision clarified that “hybrid” includes any bird resulting from propagation when only one parent is defined as a migratory bird. The previous definition required both parents to be defined as a migratory bird. The previous definition created difficulties due to its inconsistency with the Service’s longstanding interpretation of the same term under the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as requiring only one parent to be defined as a migratory bird. The Commission is proposing to amend §§ 147.101 and 147.103 to make it clear that “hybrid” applies to all offspring of species listed in 50 CFR 10.13. Adoption of this amendment will maintain the Commonwealth’s necessary compliance with the applicable Federal regulations concerning falconry to continue this program in this Commonwealth.

Section 2901(b) of the code (relating to authority to issue permits) provides that “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to §§ 147.101 and 147.103 are proposed under this authority.

2. *Regulatory Requirements*

The proposed rulemaking will amend §§ 147.101 and 147.103 to make it clear that “hybrid” applies to all offspring of species listed in 50 CFR 10.13.

3. *Persons Affected*

Persons wishing to engage in falconry activities within this Commonwealth will be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-368. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter F. FALCONRY

§ 147.101. Definitions.

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

* * * * *

Hybrid—[**The offspring of birds listed as two or more distinct species in 50 CFR 10.13 (relating to list of migratory birds), offspring of birds recognized by ornithological authorities as two or more distinct species listed in 50 CFR 10.13 and the offspring of any hybrid birds.**] Any bird that results from a cross of genetic material between two separate taxa when one or both are listed in 50 CFR 10.13 (relating to list of migratory birds) and any progeny of those birds.

* * * * *

§ 147.103. Classes.

* * * * *

(b) *General.* Permittees of the general class shall be subject to the following requirements and limitations:

* * * * *

(3) A first year permittee of this class may take only one additional raptor and possess up to a total of two raptors with only one replacement during the first permit year. Other permittees of this class may possess up to a total of three raptors with two replacements during each permit year. Captive-bred **and hybrid** raptors shall be included in these quota limits.

* * * * *

(c) *Master.* Permittees of the master class shall be subject to the following requirements and limitations:

* * * * *

(3) A first year permittee of this class may take only one additional raptor and possess up to a total of four raptors with only one replacement during the first permit year. Other permittees of this class may each possess a total of five raptors with two replacements during each permit year. **Hybrid raptors shall be included in**

these quota limits. Captive-bred raptors **not defined as hybrid** will not be included in these quota limits.

* * * * *

[Pa.B. Doc. No. 14-1628. Filed for public inspection August 1, 2014, 9:00 a.m.]

**STATE BOARD OF
CHIROPRACTIC**

[49 PA. CODE CH. 5]

Distance Education

The State Board of Chiropractic (Board) proposes to add § 5.79 (relating to distance education) to read as set forth in Annex A.

Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

Statutory Authority

The proposed rulemaking is authorized under section 302(3) of the Chiropractic Practice Act (act) (63 P.S. § 625.302(3)).

Background and Need for the Proposed Rulemaking

Section 507(a) of the act (63 P.S. § 625.507(a)) requires each licensed chiropractor to complete at least 24 hours of continuing chiropractic education within the immediately preceding 2-year period as a condition of biennial license renewal. Section 507(b) of the act provides permitted and prohibited subject matter and requires that the programs be approved by the Board. The balance of section 507 of the act and Subchapter G (relating to continuing education) lay out various requirements for licensees and providers to follow. Without explicitly saying so, the tenor of these requirements suggests that all continuing education must be in the traditional classroom lecture or clinical presentation. Yet, useful education can be delivered through other methods such as real-time web-cast or Internet presentation. To the extent the subject matter of the education requires hands-on participation, the Board would approve only those courses that are presented in person. While other learning can occur through nontraditional methods such as prerecorded video, these tools present the opportunity for an individual so inclined to go through the formalities without actual participation. In this proposed rulemaking, the Board proposes to clearly permit nontraditional methods of continuing education while limiting the amount.

Description of the Proposed Amendments

The proposed rulemaking would add § 5.79. Subsection (a) would define "distance learning" as instruction delivered in an independent format or in an instructor-led format during which the participant and the instructor are separated by distance and time. This definition would explicitly exclude live, interactive webinars and online courses in which the participant and instructor are able to interact in real time. Subsection (b) would state the general rule that continuing education used to satisfy the requirements be obtained through traditional continuing education such as classroom lecture, clinical presentation, real-time web-cast or other live sessions when a presenter

is involved. Subsection (c) would restrict licensees to obtaining no more than 50% of the required hours by distance learning.

Fiscal Impact and Paperwork Requirements

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will not impose additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

Sunset Date

The Board continuously monitors the effectiveness of its regulations. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 21, 2014, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Regulatory Unit Counsel, Department of

State, State Board of Chiropractic, P. O. Box 2649, Harrisburg, PA 17105-2649, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-4323 (distance learning) when submitting comments.

KATHLEEN G. McCONNELL, DC,
Chairperson

Fiscal Note: 16A-4323. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 5. STATE BOARD OF CHIROPRACTIC

Subchapter G. CONTINUING EDUCATION

§ 5.79. Distance education.

(a) As used in this section, “distance education” means instruction delivered in an independent format or in an instructor-led format during which the participant and the instructor are separated by distance and time. The term does not include live, interactive webinars or online courses in which the participant and instructor are able to interact in real time.

(b) Except as provided in subsection (c), continuing education hours used to satisfy the requirement of section 507(a) of the act (63 P. S. § 625.507(a)) shall be obtained through traditional continuing education such as classroom lecture, clinical presentation, real-time web-cast or other live sessions where a presenter is involved.

(c) No more than 50% of the required number of continuing education hours may be obtained through distance education.

[Pa.B. Doc. No. 14-1629. Filed for public inspection August 1, 2014, 9:00 a.m.]

NOTICES

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 14.146: Clock Conservation and Maintenance. This project involves the following cyclical maintenance: onsite oiling; studio cleaning; installation of temporary clocks; weekly winding, general maintenance; condition assessment reports; and documentation of historic wall and mantle clocks. A \$100 deposit is required for issuance of project documents. Issue date of the request for proposal will be September 4, 2014. A mandatory preproposal conference and walk through will be held on September 18, 2014, at 10 a.m. in Room 630, Main Capitol Building, Harrisburg, PA. The proposal receipt date is October 14, 2014, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 14-1630. Filed for public inspection August 1, 2014, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Order of Quarantine; Thousand Cankers Disease of Walnut

Recitals

A. Thousand Cankers Disease (TCD), a disease complex that kills walnut trees, *Juglans spp.*, has been detected in the Commonwealth. There is no cure for a tree once it is infected. The fungus *Geosmithia morbida* is vectored by the walnut twig beetle, *Pityophthorus juglandis*, causing small cankers under the bark of the tree. The beetle introduces the fungus while it tunnels beneath the bark. As more beetles attack the tree, the number of cankers increases until they coalesce to girdle twigs and branches, restricting movement of nutrients and eventually killing the tree. Thousand Cankers Disease has been detected in the Commonwealth and has the potential to spread to uninfested areas by natural means or through the movement of infested articles.

B. The Plant Pest Act (Act) (3 P. S. §§ 258.1—258.27) empowers The Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. These powers include the authority to establish quarantines to prevent the spread of plant pests within this Commonwealth.

C. Under the authority of section 258.20 of the Act (3 P. S. § 258.20) the Department may declare a pest to be a public nuisance when the Department determines a plant pest to be dangerous or destructive to the agriculture, horticulture or forests of this Commonwealth. For the reasons set forth in Paragraph A above, the Department

declares TCD, the fungus *Geosmithia morbida* and the walnut twig beetle, *Pityophthorus juglandis*, to be plant pests.

D. Where the Department detects or confirms any of the plant pests established in this Order of Quarantine—Thousand Cankers Disease, *Geosmithia morbida* or *Pityophthorus juglandis*—the place or area in which any of these plant pests are detected or confirmed shall be subject to this Order of Quarantine.

E. The place or area in which the plant pest is detected or confirmed shall be added to this Order of Quarantine through an addendum delineating the specific location and geographic parameters of the area or place. Such addendum shall be published in the *Pennsylvania Bulletin* and enforcement of this Order of Quarantine with regard to that place or area shall become effective immediately upon such publication in the *Pennsylvania Bulletin*.

Order

Under authority of section 21 of the act (3 P. S. § 258.21), and with the Recitals previously listed incorporated into this Order of Quarantine by reference, the Department orders the following:

1. *Establishment of Quarantine.*

A quarantine is hereby established with respect to Bucks, Chester, Delaware, Montgomery and Philadelphia counties and any other area or place delineated in an addendum to this Order of Quarantine as set forth in Paragraphs D. and E. of the “Recitals” to this Order of Quarantine.

2. *Regulated Articles and Limitations Imposed.* The plant pests established by this Order of Quarantine—Thousand Cankers Disease, *Geosmithia morbida* and *Pityophthorus juglandis*—along with any material or object that may carry or spread those plant pests, such as the following objects or materials, are considered regulated articles under this Order of Quarantine and may not be moved out of the quarantined area, unless done in accordance with Paragraph 3 of this Order of Quarantine:

- Any life stage of the walnut twig beetle, *Pityophthorus juglandis*.
- The fungal pathogen, *Geosmithia morbida*.
- Firewood of any non-coniferous (hardwood) species.
- All plants and plant parts of the genus *Juglans*. This shall include, but is not limited to, all live, dead, infected or non-infected trees of the genus *Juglans*, nursery stock, budwood, scionwood, green lumber, firewood, and other material living, dead, cut, fallen including stumps, roots, branches, mulch, and composted and uncomposted chips.

- Any other article or means of conveyance when it is determined by an inspector to present a risk of spread of Thousand Cankers Disease or the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis*.

Specific exemptions include nuts, nut meats, hulls, processed lumber (which is one hundred percent bark-free and kiln-dried, with squared edges) and finished wood products without bark, including walnut furniture, musical instruments, and other items derived from the genus *Juglans*.

3. *Movement of regulated articles from quarantined areas.* A regulated article, delineated in Paragraph 2 of

this Order of Quarantine, may be moved from a quarantined area only under the following circumstances:

a. With a valid certificate or limited permit attached and issued in accordance with the provisions of Paragraph 4 or Paragraph 6 of this Order of Quarantine. The valid certificate or limited permit shall be attached to the regulated article(s) as set forth in Paragraph 5 of this Order of Quarantine.

b. Without a certificate or limited permit attached and issued in accordance with the provisions of Paragraph 4 of this Order of Quarantine if the regulated article originates outside the quarantined area and is moved intrastate through the quarantined area under the following conditions:

i. The points of origin and destination are indicated on a waybill accompanying the regulated article; and

ii. The regulated article, if moved through the quarantined area during the period of May 1 through August 31 or when the ambient air temperature is 40°F or higher, is moved in an enclosed vehicle or is completely covered, such as by a tarp or full shrink wrapping, to prevent exposure to Thousand Cankers Disease or the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis* or access to the regulated article by any of the plant pests established in this Order of Quarantine; and

iii. The regulated article is moved directly through the quarantined area without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed or handled at locations approved by the Department inspector as not posing a risk of infestation by or exposure to Thousand Cankers Disease or the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis*; and

iv. The article has not been combined or commingled with other articles so as to lose its individual identity.

4. *Obtaining a Certificate or Limited Permit from the Department for Movement of Articles.* The Department or a person operating under a compliance agreement, as set forth in Paragraph 6 of this Order of Quarantine, may issue a certificate or limited permit authorizing the movement of a regulated article, delineated in Paragraph 2 of this Order of Quarantine, if it is satisfied that all of the following criteria are accurate and will be met:

a. The regulated article is to be moved in compliance with the provisions of this Order of Quarantine and any additional emergency conditions that the Department may impose under the Plant Pest Act in order to prevent the artificial spread of Thousand Cankers Disease, the fungus *Geosmithia morbida* and the twig beetle *Pityophthorus juglandis*; and

b. The regulated article is either of the following:

i. The regulated article is determined to be free of Thousand Cankers Disease, the fungus *Geosmithia morbida* and the twig beetle *Pityophthorus juglandis*, based on inspection; or the regulated article has been grown, produced, manufactured, stored or handled in a manner that, in the judgment of the Department, prevents the regulated article from presenting a risk of spreading Thousand Cankers Disease, the fungus *Geosmithia morbida* and the twig beetle *Pityophthorus juglandis*; or

ii. The regulated article is to be moved to a specified destination for specific processing, handling or utilization (the destination and other conditions to be listed on the advance written permission), and the Department has

determined this movement will not result in the spread of Thousand Cankers Disease, the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis* because those plant pests will have been destroyed by the specific processing, handling or utilization process undertaken and completed prior to movement of the regulated article.

5. *Documentation to Accompany Regulated Articles in Movement from a Quarantined Area.* If a regulated article(s), delineated in Paragraph 2 of this Order of Quarantine, is to be moved from a quarantined area, the regulated article(s) shall be plainly marked with the name and address of the consignor and any person utilized in processing the regulated article for movement and the name and address of the consignee and must have a copy of the applicable Department-issued or Department-authorized (by compliance agreement as described in Paragraph 6 of this Order of Quarantine) certificate or limited permit securely attached to each regulated article itself or the container carrying each regulated article and such certificate or limited permit shall be attached to the consignee's copy of the accompanying waybill at all times during movement. The description of the regulated article(s) on the certificate or limited permit, and on the waybill, shall be sufficient to identify each regulated article. The consignor shall be responsible for compliance with such documentation standards and shall assure the carrier furnishes the certificate or limited permit authorizing the movement of the regulated article to the consignee at the destination of the shipment. The consignor, carrier and the consignee shall keep a copy of the certificate or limited permit. All such records shall be maintained by the consignee, consignor and carrier for a period of 2 years. Such records shall be made available to the Department for inspection upon request.

6. *Compliance Agreements.* The Department will consider entering into a compliance agreement with any person that demonstrates an understanding of the requirements of this Order of Quarantine and satisfies the Department that said person is capable of issuing certificates or limited permits in accordance with the requirements of this Order of Quarantine. The Department shall either provide blank certificates and limited permits to a person operating under a compliance agreement or authorize reproduction of the certificates or limited permits on shipping containers, or both, as requested by the person operating under the compliance agreement. These certificates and limited permits may then be completed and used, as needed, for the movement of regulated articles that have met all of the requirements of Paragraph 4 of this Order of Quarantine. Originals of each certificate or limited permit issued by a person operating under a compliance agreement shall be kept by said person for a period of 3 years and shall be made available to the Department upon request.

7. *Cancellation of a Certificate, Limited Permit or Compliance Agreement.* Any certificate or limited permit or any Compliance Agreement may be canceled orally or in writing by the Department whenever the Department determines that the holder of the certificate or limited permit or the Compliance Agreement has not complied with a provision of the Act or this Order of Quarantine. If the cancellation is oral, the cancellation will become effective immediately, and the cancellation and the reasons for the cancellation will be confirmed in writing as soon as circumstances permit.

8. *Prohibited entry into Pennsylvania.* The movement of a regulated article, delineated in Paragraph 2 of this Order of Quarantine, originating in states known to have Thousand Cankers Disease, the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis* or from any other area of the United States where federal or state plant regulatory officials have determined Thousand Cankers Disease, the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis* to be present, is prohibited unless prior written approval is issued by the Department. States with known areas of infestation of Thousand Cankers Disease, the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis* include, but are not limited to, Arizona, California, Colorado, Idaho, Indiana, Maryland, Nevada, New Mexico, North Carolina, Ohio, Oregon, Tennessee, Utah, Virginia, and Washington.

Consideration by the Department for entry of a regulated article, delineated in Paragraph 2 of this Order of Quarantine, into Pennsylvania may be given if:

- The plant regulatory agency of the state of origin issues a document certifying that the regulated article is determined to be free of Thousand Cankers Disease, the fungus *Geosmithia morbida* and the twig beetle *Pityophthorus juglandis*, based on inspection; or that the regulated article has been grown, produced, manufactured, stored, processed or handled in a manner that, in the judgment of the state regulatory agency, will prevent the regulated article from presenting a risk of spreading Thousand Cankers Disease, the fungus *Geosmithia morbida* and the twig beetle *Pityophthorus juglandis*; or

- The regulated article is to be moved to a specified destination for specific processing, handling or utilization (the destination and other conditions to be listed on the advance written permission), and this movement will not result in the spread of Thousand Cankers Disease, the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis* because all those plant pests will be destroyed by the specific processing, handling or utilization undertaken and completed prior to movement of the regulated article; or

- The movement of the regulated article is for research purposes to a facility with appropriate containment conditions and the movement to that facility will not result in the spread of Thousand Cankers Disease, the fungus *Geosmithia morbida* or the twig beetle *Pityophthorus juglandis* because the packaging or other shipping methods to be utilized, which were undertaken and completed prior to movement of the regulated article will act to contain all said plant pests; and

- The regulated article will be moved in a manner consistent with the provisions of Paragraph 3(b)(ii) of this Order of Quarantine; and

- The regulated article will be identified, moved and recorded in a manner consistent with the provisions of Paragraph 5 of this Order of Quarantine.

Any person or business receiving a regulated article(s) from outside the Commonwealth who finds that the shipment or entry of the regulated article(s) into the Commonwealth does not fully comply with the requirements of this Paragraph 8 (related to prohibited entry into Pennsylvania) shall report that information or observation to the Department immediately upon discovery. Failure to do so shall constitute a violation of this Order of Quarantine by the person(s) receiving the regulated article(s).

9. *Federal Requirements for Interstate Movement of Articles.* This Order of Quarantine is distinct from, and in addition to, any Federal statute, regulation or quarantine order addressing the movement of articles from the quarantined area or this Commonwealth.

10. *Contacting the Department.* A person seeking information about the requirements of this Order of Quarantine, or a limited permit or certificate for movement of a regulated article(s), or a compliance agreement for intra-state movement of a regulated article(s), shall contact the Department at: Pennsylvania Department of Agriculture, Bureau of Plant Industry, Attention: Dana Rhodes, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5205, danrhodes@pa.gov.

11. *Violations.* In accordance with the provisions of section 258.22 of the Act (3 P. S. § 258.22) it shall be unlawful to violate or fail to comply with any provision of the Act, regulations or this Order of Quarantine.

12. *Criminal and Civil Penalties.* A person who violates this Order of Quarantine may face summary criminal prosecution carrying up to 90 days imprisonment and a fine of up to \$300 with respect to each violation. In addition, a person who violates this Order of Quarantine may be assessed a civil penalty of up to \$20,000 with respect to each violation.

13. *Cooperation with other agencies.* As authorized by section 258.26 of the Act (3 P. S. § 258.26), the Department will consult with other State agencies and the Pennsylvania State University Cooperative Extension with respect to the most efficacious measures to survey for and detect Thousand Cankers Disease, the fungus *Geosmithia morbida* and the twig beetle *Pityophthorus juglandis* to slow the spread or eradicate these plant pests.

14. *Effective Date.* This quarantine is effective upon publication in the *Pennsylvania Bulletin*, and shall remain in effect until rescinded by subsequent order.

GEORGE D. GREIG,
Secretary

[Pa.B. Doc. No. 14-1631. Filed for public inspection August 1, 2014, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of 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 July 22, 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> |
|-------------|--|--|---------------|
| 7-14-2014 | Union Community Bank Mount Joy Lancaster County | 600 Richmond Drive Lancaster Lancaster County | Opened |
| 7-15-2014 | First Resource Bank Exton Chester County | 1 East Uwchlan Avenue Exton Chester County (Limited Service Facility) | Opened |
| 7-17-2014 | PeoplesBank, A Codorus Valley Company York York County | 3100 Market Street Camp Hill Cumberland County | Filed |

Branch Relocations

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|--|---|---------------|
| 7-14-2014 | Merchants Bank of Bangor Bangor Northampton County | <i>To:</i> 46 Centre Square Easton Northampton County <i>From:</i> 1 Centre Square Easton Northampton County | Effective |

Branch Discontinuances

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|--|---|---------------|
| 4-11-2014 | Lafayette Ambassador Bank Bethlehem Northampton County | Route 512 and Crawford Drive Bethlehem Northampton County | Closed |
| 4-11-2014 | Lafayette Ambassador Bank Bethlehem Northampton County | 402 State Road Emmaus Lehigh County | Closed |

CREDIT UNIONS

No activity.

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 14-1632. Filed for public inspection August 1, 2014, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Corrected Revision of the Substantial Amendment for the Community Development Block Grant— Disaster Recovery 2012 Allocation

Due to corrections needing to be made to the revised substantial amendment of the Commonwealth's Fiscal Year 2012 Community Development Block Grant—Disaster Recovery (CDBG-DR) Action Plan of May 24, 2014, a corrected version of the revised substantial amendment is being proposed by the Department of

Community and Economic Development (Department). Notice is hereby given for a public comment period to review the corrected revised substantial amendment. The public comment period is from August 2, 2014, through August 10, 2014.

The United States Department of Housing and Urban Development (HUD) issued a notice at 77 FR 22583 (April 16, 2012) which awarded \$27,142,501 of CDBG-DR funds to the Commonwealth to be administered by the Department. An Action Plan for these funds was submitted to HUD on July 23, 2012, and subsequently approved. As the needs for disaster relief in the various areas of funding have changed since the submission of the original Action Plan, due to completion of the first round of applications for assistance by affected municipalities, changes needed to be made to those areas in the original Action Plan. In addition a more definitive unmet needs

survey was completed and was presented in the revised substantial amendment of May 24, 2014. Upon submission of the revised substantial amendment, HUD identified some corrections needed in the area of economic development and required the document to be posted in Spanish during the comment period. For these reasons the revised substantial amendment was denied and returned to the Commonwealth for correction.

The corrected revised substantial amendment to the Action Plan and supporting documentation is available for a 7-day public comment period and can be viewed on the Department's web site under the CDBG-DR section at <http://www.newpa.com/community/documents-publications/cdbg-dr>. The text is available to visual-impaired persons by means of the Department's web site at the link listed previously. A translation into Spanish will also be available on the Department's web site. The final version of

the Substantial Amendment will be submitted to HUD no later than August 12, 2014.

Persons who would like to provide written comment on the revised substantial amendment to the CDBG-DR Action Plan may send those comments electronically to RA-DCEDcdbg&homequestions@pa.gov or mail to the attention of Mary J. Smith, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Harrisburg, PA 17120. Comments must be received before 9 a.m. on August 11, 2014.

C. ALAN WALKER,
Secretary

[Pa.B. Doc. No. 14-1633. Filed for public inspection August 1, 2014, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed No.) | EPA Waived Y/N? |
|-----------------------|---|---|--------------------------------|--------------------|
| PA0060551 (Sewage) | Rivercrest WWTF Route 92 and Black Diamond Beach Road Tunkhannock Township, PA 18657 | Wyoming County Tunkhannock Township | Susquehanna River (4-G) | Y |

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed #) | EPA Waived Y/N? |
|---------------------|--|--|------------------------------|--------------------|
| PA0083909— Sew | Conestoga Wood Specialties Corporation PO Box 158 245 Reading Road East Earl, PA 17519 | Lancaster County / East Earl Township | 7J—Conestoga River | Y |

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed No.) | EPA Waived Y/N? |
|-----------------------|---|------------------------------------|--------------------------------|--------------------|
| PA0113743 (Sewage) | Grove Township Crestline STP State Route 2001 Sinnamahoning, PA 15861 | Cameron County Grove Township | Sinnemahoning Creek (8-A) | Y |
| PA0228877 (Sewage) | Lazafame SRSTP 15 Stony Brook Road Orangeville, PA 17859 | Columbia County Orange Township | Stony Brook (5-C) | Y |

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed#) | EPA Waived Y/N? |
|-----------------------|---|-------------------------------|-----------------------------|--------------------|
| PA0020541 (Sewage) | Girard Borough STP Waterworks Park Drive Girard, PA 16417 | Erie County Girard Borough | Elk Creek (15-A) | Y |

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

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

PA0085979, Sewage, SIC Code 7033, **Guest Farm Village Inc.**, 525 Hilltop Circle, Greencastle, PA 17225. Facility Name: Guest Farm Development STP. This existing facility is located in Montgomery Township, **Franklin County**.

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

The receiving stream(s), Unnamed tributary to Licking Creek, is located in State Water Plan watershed 13C and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0372 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|-----------------------------------|------------------------|----------------------|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine (Interim) | XXX | XXX | XXX | 0.4 | XXX | 1.2 |
| (Final) | XXX | XXX | XXX | 0.18 | XXX | 0.61 |
| CBOD ₅ | XXX | XXX | XXX | 10 | XXX | 20 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Nitrate-Nitrite as N | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 10 | XXX | 20 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 1.7 | XXX | 3.4 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 5.1 | XXX | 10 |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |

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

The EPA Waiver is in effect.

PA0260975, Sewage, SIC Code 4952, **Richmond Township Berks County**, 11 Kehl Drive, Fleetwood, PA 19522-9285. Facility Name: Richmond Township-Virginville STP. This existing facility is located in Richmond Township, **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), Sacony Creek, 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 0.023 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------------|------------------------|----------------------|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (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 ₅ | 4.8 | XXX | XXX | 25 | XXX | 50 |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 5.7 | XXX | XXX | 30 | XXX | 60 |
| Total Suspended Solids (lbs) | Report | XXX | XXX | XXX | XXX | XXX |
| | Total | | | | | |
| Total Suspended Solids (lbs) | XXX | 1,716.9 | XXX | XXX | XXX | XXX |
| | | Total Annual | | | | |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Ammonia-Nitrogen | 3.8 | 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 | | | | | |

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Total Phosphorus (lbs) | XXX | 57.2 | XXX | XXX | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Dissolved Solids | XXX | XXX | XXX | Annual Avg Report | XXX | XXX |

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

- The facility's discharge is to a receiving water within the jurisdiction of the Delaware River Basin Commission (DRBC) who may have additional effluent limits and conditions.

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: the receiving water is subject to a Total Maximum Daily Load (TMDL) for Total Suspended Solids and for Total Phosphorus.

PA0261106, Industrial Wastewater, SIC Code 3339, **Voith Hydro, Inc.**, PO Box 712, York, PA 17405. Facility Name: Voith Hydro, Inc. This existing facility is located in West Manchester Township, **York County**.

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

The receiving stream, Unnamed Tributary of Codorus Creek, is located in State Water Plan watershed 7-H and is classified for Warm Water Fishes, Migratory Fishes and 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 0.15 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|-------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Copper | XXX | XXX | XXX | XXX | Report | XXX |
| Total Lead | XXX | XXX | XXX | XXX | Report | XXX |
| Total Mercury | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| pH (S.U.) | XXX | XXX | XXX | XXX | XXX | Report |
| Total Suspended Solids | XXX | XXX | XXX | XXX | Report | XXX |
| Total Arsenic | XXX | XXX | XXX | XXX | Report | XXX |
| Total Cadmium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Chromium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Copper | XXX | XXX | XXX | XXX | Report | XXX |
| Total Iron | XXX | XXX | XXX | XXX | Report | XXX |
| Total Lead | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfall 005 are based on a design flow of 0.0 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| pH (S.U.) | XXX | XXX | XXX | XXX | XXX | Report |
| Total Suspended Solids | XXX | XXX | XXX | XXX | Report | XXX |
| Total Arsenic | XXX | XXX | XXX | XXX | Report | XXX |
| Total Cadmium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Chromium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Copper | XXX | XXX | XXX | XXX | Report | XXX |
| Total Iron | XXX | XXX | XXX | XXX | Report | XXX |
| Total Lead | XXX | XXX | XXX | XXX | Report | XXX |

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

The EPA Waiver is in effect.

PA0031968, Sewage, SIC Code 7032, **PA DPW**, 4534 Tar Kiln Road, James Creek, PA 16657. Facility Name: Youth Forestry Camp 3. This existing facility is located in Todd Township, **Huntingdon 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, UNT to Great Trough Creek, is located in State Water Plan watershed 11-D 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 0.0095 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|-----|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 6.0 | XXX | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | Geo Mean 2,000 | XXX | 10,000 |
| Nitrate-Nitrite as N | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 5.5 | XXX | 11 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 16.5 | XXX | 33 |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | 2.0 | XXX | 4.0 |

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

The EPA Waiver is in effect.

III. WQM Industrial Waste and Sewerage Applications Under the Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

WQM Permit No. 0214405 A-0, Sewage, **Penn Hills Municipal Allegheny County**, 12245 Frankstown Road, Penn Hills, PA 15235.

This existing facility is located in Penn Hills Township, **Allegheny County**.

Description of Proposed Action/Activity: Sewer Extension.

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

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

| NPDES Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|---------------------|---|---------|---|---|
| PAI01 0914005 | Temple Partners I, LP 251 Veterans Way Warminster, PA 18974 | Bucks | Solebury Township | Paunnaucussing Creek HQ—CWF—MF |
| PAI01 1513016(1) | The Vanguard Group 400 Devon Park Drive Wayne, PA 19087 | Chester | East Whiteland Township & Tredyffrin Township | Little Valley Creek EV |
| PAI01 1514017 | Westbrook IP, LLC 540 White School Road Honey Brook, PA 19344 | Chester | Honey Brook Township | West Branch Brandywine Creek HQ—TSF |

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------------------|--|---------------|----------------------|--------------------------------|
| PAI01 510704R(2) | Sugarhouse HSP Gaming, L.P. 1600 Arch Street, Suite 201 Philadelphia, PA 19103 | Philadelphia | City of Philadelphia | Delaware River WWF—MF |
| PAI01 5114006-1 | Liberty Property 18th & Arch, L.P. 1628 John F. Kennedy Boulevard Suite 1100 Philadelphia, PA 19103 | Philadelphia | City of Philadelphia | Schuylkill River WWF—MF |

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

Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth PA 18064-9211

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------------------|--|---------------|-------------------------|--|
| PAI024814009 | Kenneth G. Voorhees, Jr. Ungerer & Company 4 Bridgewater Lane Lincoln Park, NJ 07035-1439 | Northampton | Hanover Township | Monocacy Creek (HQ-CWF, MF) |
| PAI024812016(1) | Blaine Phillips Phillips & Phillips 3747 Hecktown Road Easton, PA 18045 | Northampton | Lower Nazareth Township | UNT to Bushkill Creek (HQ-CWF, MF) |

Pike County Conservation District, 556 Route 402, Hawley PA 18428

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------------------|--|---------------|---------------------|----------------------------------|
| PAI025214001 | Cellco Partnership d/b/a Verizon Wireless 4642 Jonestown Road Suite 200 Harrisburg, PA 17109 | Pike | Shohola Township | Twin Lakes Creek (HQ-CWF, MF) |

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

| <i>Permit #</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------|--|---------------|-------------------------------|--------------------------------|
| PAI030614004 | Pennsylvania Department of Transportation | Berks | Richmond & Perry Townships | Maiden Creek (WWF, MF) |

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 & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------------------|---|---------------|---------------------|---|
| PAI041414002 | PA Dept of Transportation 2-0 1924 Daisy St Ext Clearfield PA 16830 | Centre | Potter Township | UNT to Laurel Run HQ-CWF, MF UNT to Potters Run HQ-CWF, MF |
| PAI041414003 | Daniel W Herr 6103 Penns Valley Rd Aaronsburg PA 16820 | Centre | Haines Township | Quarry Road Tributary EV |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------------------|---|---------------|---------------------|--------------------------------|
| PAI041814006 | Wag-Myr Woodlands Subd 236 Wag-Myr Ln Loganton PA 17747 | Clinton | Greene Twp | Fishing Creek HQ-CWF, MF |

Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|--|
| PAI044114003 | Tom Clemens Smiling Porker Farms LLC 2700 Clemens Rd Hatfield PA 19440 | Lycoming | Pine Township | Hughes Run HQ-CWF UNT to Hughes Run EV, CWF |

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315

| <i>Permit No.</i> | <i>Applicant & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Stream Name</i> |
|-------------------|--|---------------|---|--|
| PAI055614001 | PA Turnpike Commission PO Box 67676 Harrisburg, PA 17106 | Somerset | Jefferson, Lincoln, and Somerset Townships | Clear Run, Keller Run, Crab & UNT to Crab Run (HQ-CWF); UNT to Quemahoning Creek (CWF); UNT to East Branch of Coxes Creek (WWF) |

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

Erie County Conservation District, 1927 Wager Road, Erie PA 16509

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|----------------------------|
| PAI062514001 | Midwest XV LLC Attn: Peter Oleszczuk 403 Oak Street Spring Lake MI 49456 | Erie | Waterford Township | LeBoeuf Creek TSF |

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

PAG-12 CAFOs

STATE CONSERVATION COMMISSION

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

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

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

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

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

**APPLICATIONS
NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

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

| <i>Agricultural Operation Name and Address</i> | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Renewal/New</i> |
|---|---------------|--------------------|--------------------------------|--------------------|---|--------------------|
| Downs Racing L.P. d/b/a Mohegan Sun at Pocono Downs 1280 Highway 315 Wilkes-Barre, PA 18702 | Luzerne | 216 | 308.98 | Horse | N/A | Renewal |

| <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>Application or Action</i> |
|--|---------------|--------------------|--------------------------------|-----------------------------|---|------------------------------|
| Phillip Courter, 6527 Jacksonville Rd, Mill Hall, PA 17751 | Clinton | 146.3 | 690.01 | Swine, Heifers, Goats | Cedar Run HQ | Application |

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Central Office: Bureau Director, Safe Drinking Water, PO Box 8467, Harrisburg, PA 17105-8467

| |
|--|
| Permit No. [9996600] , Public Water Supply. |
| Applicant [Waters of America, LLC] |
| [Township or Borough] [Woodridge, Illinois] |
| Responsible Official [Chris Yakel, Site Manager] |
| Type of Facility [Out of State Bottled Water System] |
| Application Received Date [July 16, 2014] |
| Description of Action [Applicant requesting Department approval to sell bottled drinking water in Pennsylvania under the brand name: Cabela's Purified Drinking Water.] |

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

| |
|---|
| Permit No. 2414501 , Public Water Supply |
| Applicant Jay Township Water Authority |
| Township or Borough Jay Township |
| County Elk |
| Responsible Official Martin Rosenfeld |
| Type of Facility Public Water Supply |
| Consulting Engineer James S. Garvin, Jr., P.E. Garvin Engineering & Municipal Mgmt. 184 East Market Street Blairsville, PA 15717 |
| Application Received Date June 17, 2014 |
| Description of Action Construction of new water well of existing drinking water system. |

MINOR AMENDMENT

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. 3914506MA, Minor Amendment.

| | |
|---------------------------|---|
| Applicant | Lehigh County Authority PO Box 3348 Allentown, PA 18106-3348 |
| [Township or Borough] | Lower Macungie, Upper Macungie, North Whitehall, Heidelberg, Lynn, Lower Milford and Upper Milford Townships Lehigh County |
| Responsible Official | Mr. Aurel M. Arndt Lehigh County Authority 1053 Spruce Street PO Box 3348 Allentown, PA 18106-3348 |
| Type of Facility | Public Water Supply |
| Consulting Engineer | Edward L. Hoyle, Jr., P.E. Lehigh County Authority PO Box 3348 Allentown, PA 18106-3348 |
| Application Received Date | July 16, 2014 |
| Description of Action | This application proposes the replacement of pulsation pumps with peristaltic pumps to feed the sodium hypochlorite disinfectant at fifteen water supply wells, located within six public water supply systems owned and operated by the Lehigh County Authority. |

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:

Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Cathy Balliet Property, 4235 Manor Drive, South Whitehall Township, **Lehigh County**, Derek Bartram, EP&S of Vermont, has submitted a Notice of Intent to Remediate on behalf of his client, Catherine Balliet, 4235 Manor Drive, Allentown, PA 18104, concerning the remediation of soil from kerosene due to a leaking aboveground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The intended future use of the site is residential. A Summary of the Notice of Intent to Remediate was published in *The Morning Call* on June 13, 2014.

Simon Silk Mill and Moon Property, 671 North 13th Street and 1250 Bushkill Drive, City of Easton, **Northampton County**, Elizabeth Schamberger, Moonstone Environmental, has submitted a Notice of Intent to Remediate on behalf of his client, Gretchen Longenbach, Redevelopment Authority of Easton, PA, concerning the remediation of soil and groundwater from VOC's, SVOC's, PCB's, and heavy metals due to the site's long history of industrial and commercial use. The applicant proposes to remediate the site to meet the Site Specific Standards for soil and groundwater. The intended future use of the site is for it to be used as a multi-use arts destination with anticipated end uses such as artist' lofts, restaurants, offices, retail space, apartments, schools, etc. A Summary of the Notice of Intent to Remediate was published in *The Morning Call* on June 28, 2014.

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

Former Cumberland Valley Motors Property, 6714-6726 Carlisle Pike, Mechanicsburg, PA 17050, Silver Spring Township, **Cumberland County**. Hafer Environmental Services, Inc., PO Box 4418, Reading, PA 19606, on behalf of JLLH Associates, Ltd., 4437 Street Road, Trevoise, PA 19053, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs and arsenic. The site will be remediated to a combination of Background, Residential and Nonresidential Statewide Health, and Site Specific Standards. Future use of the site remains commercial for automotive sales and service. The Notice of Intent to Remediate was published in the *Patriot News* on June 26, 2014.

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

Silva Residence, 124 Berkeley Road, Easttown Township, **Chester County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Ken Gramo, Westfield Insurance, 201 East Oregon Road, P. O. Box 3010, Lancaster, PA 17604 on behalf of Michele Silva, 124 Berkeley Road, Devon, PA 19333 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The present and intended future use of the property is residential. The Notice of Intent to Remediate was published in the *Daily Local News* on June 16, 2014. PF777643

Baldwin Property, 18 Derstine Road, Hatfield Township, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of Jay Baldwin, 1304 Sumneytown Pike, Lower Gwynedd, PA 19002 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 heating oil. The property use will remain residential. The Notice of Intent to Remediate was published in *The Reporter* on May 2, 2014. PF777847

Lifestyle Real Estate, L.P., 1 and 2 New Road, Bensalem Township, **Bucks County**. Andrew Basehoar, GIT, TTI Environmental, Inc., 1253 North Church Street, Moorestown, NJ 08057 on behalf of Dr. Fred Rappaport, Lifestyle Real Estate, LP, 790 Tardley Newtown Road, Suite 425, Newtown, PA 18940 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on June 1, 2014. PF777848

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Approved 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.

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

Permit Application No. 603456. Greater Hazleton Joint Sewer Authority, P. O. Box 651, Hazleton, PA 18201. A permit authorizing the construction and operation of a sewage sludge incinerator at the Greater

Hazleton Wastewater Treatment Plant located in West Hazleton Borough, **Luzerne County**. The permit was approved by the Regional Office on July 17, 2014.

Persons interested in reviewing the permit may contact William Tomayko, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department of Environmental Protection (Department or DEP) has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that 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, the *Pennsylvania Bulletin*, or by telephone, where the DEP determines such notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate DEP Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Subchapters D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise appli-

cable Federal requirements may be submitted to the U.S. Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

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

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

66-00001C: Proctor and Gamble Paper Products Co. (P. O. Box 32, State Route 87 South, Mehoopany, PA 18629) for modification to one converting line (MC2) at their facility in Washington Township, **Wyoming County**.

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: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

09-00114: Active Brass Foundry, Inc. (330 Progress Drive, Telford, PA 18969) for renewal of State Only (Natural Minor) Operating Permit No. 09-00114 in Hilltown Township, **Bucks County**. The facility's main sources of air contaminant emissions are four electric induction furnaces, two No. 2 fuel oil-fired crucible furnaces, and various operations for producing metal castings at the facility. The facility operates several dust collectors to control particulate matter (PM) emissions from each of these sources or operations except the crucible furnaces. No changes have occurred at the facility since the State Only Operating Permit ("SOOP") was last renewed. The renewed SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

09-00080: Milford Enterprises, Inc. (450 Commerce Drive Quakertown, PA 18951) for manufacturing of custom display cases that are used for commercial, architectural, and other professional applications, in Milford Township, **Bucks County**. This action is a renewal of a State Only Operating Permit (Synthetic Minor), which

was issued on December 18, 2008. The permit is for a non-Title V (State Only) facility. The facility has elected to cap Volatile Organic Compounds (VOCs) to less than 25 tons per year making the facility a Synthetic Minor. The permit includes 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.

07-03002A: Pittsburgh Glass Works, LLC (4408 East Pleasant Valley Boulevard, Tyrone, PA 16686) for construction of two new urethane bonding lines and an autoclave to support the existing automotive safety glass plant in Antis Township, **Blair County**.

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

Plan Approval 07-03002A authorizes the construction of two additional urethane bonding lines used to affix metal or plastic hardware to automotive glass. They will be the third and fourth such lines at the facility. The new autoclave will join an existing unit that is used to thermally bond a polymeric film between the sheets of automotive glass. The proposed installations will increase the facility's VOC emission potential by 9 tons per year and its potential hazardous air pollutant (HAP) emissions by 0.64 ton per year.

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

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

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

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

28-05002J: Letterkenny Army Depot—US Department of Defense (One Overcash Avenue, Chambersburg, PA 17201) to construct a new AP Rocket Motor Destruction (ARMD) Facility in Greene/Letterkenny Townships, **Franklin County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a

Plan Approval to the abovementioned company for the abovementioned project. This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date.

28-05002J is for construction and temporary operation of a new AP Rocket Motor Destruction (ARMD) Facility within the Letterkenny Munitions Center (LEMC) ammunition storage area. The company shall be subject to and comply with the requirements of Best Available Technology (BAT) in accordance with 25 Pa. Code §§ 127.1 and 127.12(a)(5). Best available technology (BAT) for this source is limiting NO_x emissions to 35 tons per year through managing the type and throughput rate of the various rocket motors. The facility shall be subject to and comply with the requirements of 25 Pa. Code § 123.45—Alternative Opacity Limitations. 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. The potential air emissions from the proposed project are 35 tons per year of NO_x; 2.54 tons of CO; 3.55 tons per year of combined HAPs and less than 1 ton per year each of SO₂, PM_{10/2.5} and VOCs.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at DEP's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

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

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

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

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

12-00013A: Endeavour Operating Corp. (1125 17th Street, Suite 1525, Denver, CO 80202) for construction of a 1,380 bhp Caterpillar G3516B four stroke, ultra lean burn, natural gas-fired compressor engine equipped with an oxidation catalyst at the company's Pad D facility in Shippen Township, **Cameron County**.

The Department of Environmental Protection's (Department) review of the information submitted by Endeavour Operating Corporation indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580 through 63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230 through 60.4248, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the proposed engine will not exceed the following limits: 0.5 g/bhp-hr and 6.66 TPY NO_x, 0.17 g/bhp-hr and 2.27 TPY CO, 0.25 g/bhp-hr and 3.33 TPY VOCs, 0.000588 lb/MMBtu and 0.03 TPY SO_x, 0.00999 g/bhp-hr and 0.50 TPY PM/PM₁₀/PM_{2.5}, 0.047 g/bhp-hr and 0.63 TPY formaldehyde; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements.

Performance testing requirement for the engine to verify compliance with the emissions limitations.

Restrict the engine to natural gas firing only.

In addition to performance testing, establish a follow-up, periodic portable analyzer testing for NO_x and CO for the engine.

The plan approval will also contain applicable monitoring, recordkeeping and reporting conditions.

The facility is a State Only (Natural Minor) facility. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 12-00013A, the applicant will subsequently apply for a State Only (Natural Minor) Operating Permit in accordance with 25 Pa. Code Subchapter F.

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

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. 12-00013A); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that

such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-654-5984.

12-00014A: Endeavour Operating Corp. (1125 17th Street, Suite 1525, Denver, CO 80202) for construction of a 1,380 bhp Caterpillar G3516B four stroke, ultra lean burn, natural gas-fired compressor engine equipped with an oxidation catalyst at the company's Pad E facility in Shippen Township, **Cameron County**.

The Department of Environmental Protection's (Department) review of the information submitted by Endeavour Operating Corporation indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580 through 63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230 through 60.4248, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the proposed engine will not exceed the following limits: 0.5 g/bhp-hr and 6.66 TPY NO_x, 0.17 g/bhp-hr and 2.27 TPY CO, 0.25 g/bhp-hr and 3.33 TPY VOCs, 0.000588 lb/MMBtu and 0.03 TPY SO_x, 0.00999 g/bhp-hr and 0.50 TPY PM/PM₁₀/PM_{2.5}, 0.047 g/bhp-hr and 0.63 TPY formaldehyde; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements.

Performance testing requirement for the engine to verify compliance with the emissions limitations.

Restrict the engine to natural gas firing only.

In addition to performance testing, establish a follow-up, periodic portable analyzer testing for NO_x and CO for the engine.

The plan approval will also contain applicable monitoring, recordkeeping and reporting conditions.

The facility is a State Only (Natural Minor) facility. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan

Approval 12-00014A, the applicant will subsequently apply for a State Only (Natural Minor) Operating Permit in accordance with 25 Pa. Code Subchapter F.

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

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. 12-00014A); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-654-5984.

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

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

32-00436A: John A. Lefdahl Funeral Home (898 Old Route 119 North, Indiana, PA 15701) to authorize construction and temporary operation of one (1) Matthews International-Cremation Division IEB-16 natural gas-fired crematory incinerator for the cremation of animal remains at the above identified facility in White Township, **Indiana County**.

In accordance with 25 Pa. Code §§ 127.44—127.46, the Department of Environmental Protection ("Department") intends to issue Air Quality Plan Approval PA-32-00436A to authorize construction and temporary operation of one (1) Matthews International-Cremation Division IEB-16 natural gas-fired crematory incinerator for the cremation of animal remains at the above identified facility located in White Township, Indiana County. The proposed crematory incinerator has a maximum cremation rate of 100 pounds per hour.

The proposed crematory incinerator has an annual potential to emit (PTE) of less than 1 ton each of nitrogen oxides (NO_x), carbon monoxide (CO), sulfur oxides (SO_x), total particulate matter (PM, PM₁₀, and PM_{2.5}), and volatile organic compounds (VOC); and less than 0.1 ton of total hazardous air pollutants (HAP). Best available technology (BAT) for the proposed crematory incinerator includes good combustion practices; operation and maintenance in accordance with the manufacturer's specifications and instructions; multi-chamber design with a minimum secondary chamber temperature of 1800°F; and a pollution control system with stack opacity monitor. The proposed crematory is subject to applicable portions of 25 Pa. Code Chapters 123 and 127. The proposed Plan Approval has been conditioned to ensure compliance with all applicable regulations and includes limitations on emissions and hours of operation, and also work practice, monitoring, recordkeeping, and reporting requirements.

A person may oppose the proposed plan approval by filing a written protest with the Department through Devin P. Tomko, 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-32-00436A) 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.

For additional information you may contact Devin P. Tomko at 412-442-5231.

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

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

10-028J: Armstrong Cement & Supply Corp. (100 Clearfield Road, Cabot, PA 16023) for the installation of a baghouse and carbon injection system to control emissions from Kiln 1 & 2 and the removal of the COM and COM requirements for the kilns and clinker coolers in Winfield Township, **Butler County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only operating permit at a later date.

Plan approval No 10-028J is for the proposed installation of two new baghouses and a carbon injection system to further reduce emissions to meet new federal emission requirements (40 CFR 63 Subpart LLL) and to remove the COM and COM conditions associated with the kilns and clinker coolers. The projected actual emissions from the kilns are 825 tpy of NO_x, 1065 tpy of SO_x, 99 tpy of PM, 97 tpy of PM₁₀, 94 tpy of PM_{2.5}, 49.3 tpy of CO, and 4.76 tpy of VOC. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Kilns 1 & 2 (Source 101 & 121)
 - NO_x emissions shall not exceed 4.85 #/ton.
 - NO_x emissions shall not exceed 936 tpy.
 - Subject to 40 CFR 63 Subpart LLL including the CPMS requirements.
 - Deleted all conditions that referenced the COM because the COM is no longer required by the Federal requirements.
 - Deleted all conditions that referenced the ESP because the ESP is not the control device after installation of baghouse.
 - The permittee shall update the AIMs Inventory for PM/PM₁₀/PM_{2.5} to include both filterable and condensable emissions. The update should include year 2005 to the present. If applicable, the permittee shall revise their AIMs Emission Fee submittals for those same years.
 - All the conditions from the facility operating permit revised on August 1, 2013, remain in effect unless modified in this plan approval.
- Clinker Coolers 1 & 2 (Source 105 & 122)
 - Deleted all conditions that referenced the COM because the COM is no longer required by the Federal requirements.
 - All conditions from the facility operating permit revised on August 1, 2013, remain in effect unless modified in this plan approval.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [10-028J] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region Air Quality Program Manager.

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

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

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

AMS 14149: Philadelphia Energy Solutions Refining and Marketing, LLC. (3144 Passayunk Avenue, Philadelphia, PA 19145) to install a 350 MMBTU/hr boiler at No. 3 Boilerhouse. The boiler (Boiler # 45) will be installed with low NO_x burners (LNB), flue gas recirculation (FGR), CO Oxidation catalyst, selective catalytic reduction (SCR) system, a wet electrostatic precipitator (WESP), and continuous oxygen trim system. The annual emissions (NO_x, SO₂, CO, PM/PM₁₀, and VOC) of this boiler (Boiler # 45) and the three (3) existing boilers at the No. 3 Boilerhouse will be limited by existing combined emission caps. The four boilers (Boiler # 45 and the three existing boilers) will be limited to the existing combined heat input of 12,685,000 MMBTU/yr. The permit will include operating, monitoring, and recordkeeping requirements to assure compliance.

AMS 14192: Kearsley Rehabilitation & Nursing Center (2100 North 49th Street, Philadelphia, PA 19131) for installation of two (2) boilers less than 2.5 MMBTU/hr and two (2) boilers each 0.50 MMBTU/hr, one 250 KW emergency generator and one 100KW emergency generator. The plan approval will contain operating, monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 14198: Philadelphia Cold Fill Bottling Facility (11701 Roosevelt Blvd, Philadelphia, PA 19154) for installing Ink printers, twelve Syrup mix tank and Bottle line cleaning solvent, Bottle line lubricant, and two (2) parts washers. There will be a potential emission increase of 20 tons of volatile organic chemical (VOC) per year for the facility. The plan approval will contain operating, monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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.

36-05136: Granger Energy of Honeybrook, LLC. (16980 Wood Road, Lansing, MI 48909) for a major modification to the facility's Title V Operating Permit 36-05136, issued on March 19, 2012, for the operation of two (2) landfill gas-fired engine generator sets in Caernarvon Township, **Lancaster County**.

In accordance with 25 Pa. Code § 127.541(a) and (b), the Department of Environmental Protection (DEP) has received an application and intends to issue a major operating permit modification to the abovementioned company for the abovementioned project.

The operating permit modification will remove the requirements for the pre-test sampling of HAPs at the inlet of the two (2) approved landfill gas-fired engine generator sets and will also remove the stack testing requirements for HAPs other than formaldehyde. The proposed modification will not increase any emissions from the facility.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 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, 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, or for requests for a public hearing. 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.

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

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

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

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

28-05018: Knouse Foods Cooperative, Inc. (P. O. Box 807, Biglerville, PA 17307) to operate their Chambersburg fruit processing facility located in Chambersburg Borough, **Franklin County**.

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

Actual 2013 emissions at the facility are estimated to be approximately 2.93 tons of NO_x, 2.49 tons of CO and less than one ton each of SO_x, VOC, HAPs, and PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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

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

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

Gary Helsel, P.E., 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, protests or requests for a public hearing.

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

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

55-00020: Meckley's Limestone Products, Inc. (1543 State Route 225, Herndon, PA 17830-7332) a state only operating permit renewal for their Beavertown Plant facility in Franklin Township, **Snyder County**. In accordance with 25 Pa. Code § 127.425, the Department of Environmental Protection (DEP) has received an application and intends to renew State Only (Synthetic Minor) Operating Permit 55-00020 for the abovementioned facility. The facility has potential to emit levels of pollutants that are all below major thresholds. The levels of potential to emit are as follows, 10.6 tons per year (TPY) of CO; 5 TPY of NO_x; 6.9 TPY of SO_x; 25.1 TPY of PM; 25.1 TPY of PM-10; 25.1 TPY of PM_{2.5}; 2.7 TPY of VOC; 0.8 TPY of HAP and 4,000 TPY of CO_{2e}. The facility's primary operation is an asphalt plant which includes a rotary stone dryer fired on reclaimed oil or No. 2 oil. The Department has determined that the air contaminant sources, (or sources), at the facility meet the applicable state and federal regulatory requirements pertaining to the sources. This renewal operating permit includes monitoring, recordkeeping, and reporting conditions to demonstrate compliance with the applicable regulatory requirements. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions in the state only operating permit have been derived from the applicable regulatory requirements as codified at 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 as well as Title 25, Article III of the rules and regulations of the Department of Environmental Protection.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's North Central Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this

publication will exist for the submission of comments. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments; Identification of the proposed permit (specify Permit No. 55-00020); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, North Central Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570.327.3648.

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.

19-00031: Press Enterprise, Inc. (3185 Lackawanna Avenue, Bloomsburg, PA 17815) to issue a state only operating permit for their facility located in Scott Township, **Columbia County**. The facility is currently operating under State Only Operating Permit 19-00031. The facility's sources include two heatset lithographic printing presses, three non-heatset lithographic printing presses, a digital press, a piezoelectric printer, a small degreaser and an 80 kilowatt emergency generator. The facility has potential emissions of 1.89 ton of NO_x, 0.68 ton of CO, 14.78 tons of VOCs, 0.01 ton of SO_x, 0.13 ton of PM/PM₁₀, 3.28 tons of HAPs, and 1,827 tons GHG's as carbon dioxide equivalent. No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SMOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this operating permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments; Identification of the proposed operating permit (specify State Only Operating Permit No. 19-00031); Concise statements regarding the relevancy of the information or objections to issuance of the operating permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that

such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to David M. 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.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570.327.3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800.654.5984.

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

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

56-00302: Lincoln Contracting & Equipment Co. (2478 Lincoln Highway, Stoytown, PA 15531) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Lincoln Contracting & equipment Co. to authorize the continued operation of a metal fabrication and painting facility located in Jenner Township, **Somerset County**.

The facility's operations include abrasive blasting, welding and painting. Other air emission sources at this facility are a .3 mmbtu/hr natural gas fired boiler, a 1 mmbtu/hr coal-fired boiler, a solvent cleaning machine, and other miscellaneous equipment associated with this type of operation. There is a dust collector to control particulate emissions from blasting and a filter to control particulate emissions from painting operations. The estimated facility wide emissions are 15 tons per year of VOC, 1 ton per year of PM₁₀, 1 ton per year of NO_x, and 5 tons per year of SO₂. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

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

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

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating 56-00302) and

a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

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

Written comments, protests and requests for a public hearing should be directed to Noor Nahar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, and 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Noor Nahar at 412-442-5225.

56-00303: Lincoln Contracting & equipment Co. (2478 Lincoln Highway, Stoytown, PA 15531) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Lincoln Contracting & equipment Co. to authorize the continued operation of a metal fabrication and painting facility located in Somerset Township, **Somerset County**.

The facility's operations include abrasive blasting, welding and painting. Other air emission sources at this facility are two small natural gas fired boilers, a solvent cleaning machine, and other miscellaneous equipment associated with this type of operation. There are dust collectors to control particulate emissions from blasting and a filter to control particulate emissions from painting operations. The estimated facility wide emissions are 11 tons per year of VOC, 1 ton per year of PM₁₀, 1 ton per year of NO_x, and negligible amount of SO₂. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

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

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

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 56-00303) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

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

Written comments, protests and requests for a public hearing should be directed to Noor Nahar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, and 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Noor Nahar at 412-442-5225.

11-00280: Northern Cambria School District (600 Joseph St., Barnesboro, PA, 15714-1233). Synthetic Minor Operating Permit renewal for the Northern Cambria High School located in Northern Cambria Boro, **Cambria County**. Equipment at this facility includes one tri-fuel boiler equipped to burn either coal or fuel oil, a fuel oil-fired boiler, and an emergency generator fired on propane. Potential emissions from the facility are based on a limit of burning 2,000 tons of coal per consecutive 12-month period in the tri-fuel boiler, 8,760 hours of operation for the fuel oil-fired boiler, and 500 hours of operation per consecutive 12-month period for the emergency generator and are estimated to be 12.8 tons NO_x, 1.4 ton VOCs, 1.4 ton CO, 5.1 tons particulate matter and 89.1 tons SO_x. Actual emissions from the facility are much lower as the boilers do not generally operate from May through September and only one of the boilers operates at a time with the other serving as a backup unit. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

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

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

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 11-00280) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted

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

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

65-00732: Latrobe Hospital (1 Mellon Way, Latrobe, PA, 15650-1197) Synthetic Minor Operating Permit renewal for the Latrobe Hospital, city of Latrobe, **Westmoreland County**. Equipment at this facility includes two 35.7 mmbtu/hr natural gas-fired boilers with No. 2 fuel oil as back-up. There are also four (4) No. 2 fuel oil-fired emergency generators located at the hospital an Ethylene Oxide Sterilizer. Potential emissions from the emission sources at this facility are based on a limit of burning natural gas in the boilers for 8,760 hours per year and No. 2 fuel oil in the emergency generators for 300 hours per year per generator and are estimated to be 30.8 tons NO_x, 1.7 ton VOCs, 25.6 tons CO, 2.4 tons particulate matter and 1.7 ton SO₂. Actual emissions from the facility are much lower considering only one boiler operates at a time. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

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

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

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 65-00732) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

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

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

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

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

25-00972: Insul-Board (2120 Colonial Avenue, PO Box 8103, Erie, PA 16505) for the renewal of a State Only operating permit for the expanded polystyrene insulation & packing material molding facility in Millcreek Township, **Erie County**. The sources at the facility include a 5.2 million Btu/hr natural gas fueled boiler, 4 natural gas fueled space heaters each rated less than 500,000 Btu/hr, pre-expanded pellet heating, pre-expanded pellet storage, molding of product, and storage of finished goods. The facility is a Synthetic Minor due to its potential to emit Pentane which is a VOC. The potential emissions from the facility are as follows: NO_x, 0.1 tpy; CO, 0.1 tpy; and VOCs not more than 35 tpy. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

PLAN APPROVALS

Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.

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

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

40-00128A: InterMetro Industries Corp. (651 North Washington Street, Wilkes-Barre, PA 18705) for their facility in Wilkes-Barre City, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to InterMetro Industries Corporation (651 North Washington Street, Wilkes-Barre, PA 18705) for their facility located in Wilkes-Barre City, Luzerne County. This Plan Approval No. 40-00128A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00128A is for revisions to their current plan approval 40-399-077 pertaining to the natural gas fired boiler. The company request conditions within plan approval 40-399-077 be removed as they do not apply to the boiler. 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.: 40-00128A 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.

48-00089A: Spray Tek LLC (3010 Avenue B, Bethlehem, PA 18017) for their facility in Bethlehem City, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Spray Tek LLC (3010 Avenue B, Bethlehem, PA 18017) for their facility located in Bethlehem City, Northampton County. This Plan Approval No. 48-00089A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00089A is the installation and operation of a spray dryer system at their location. The main emissions from the source is VOCs. The new source will meet all applicable requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00089A 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.

54-00085A: Ringtown Wilbert Vault Works, Inc. (710 West Main Street, Ringtown, PA 17967) for their facility located in Ringtown Borough, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Ringtown Wilbert Vault Works, Inc. (710 West Main Street, Ringtown, PA 17967) for their facility located in Ringtown Borough, Schuylkill County. This Plan Approval No. 54-00085A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00085A is the installation and operation of an animal crematory. The new source will meet all applicable state and federal requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00085A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district

mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

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

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

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

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

Coal Applications Received

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

32111601 and NPDES No. PA0236039, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to operate the Blairsville Preparation Plant in Burrell Township, **Indiana County** to operate a new coal preparation plant and related NPDES permit with three NPDES outfalls, Surface Acres Proposed 44.4. Receiving Stream: Unnamed Tributaries to Conemaugh River, classified for the following use: CWF. The application was considered administratively complete on May 26, 2011. Application received January 13, 2011. Application returned July 10, 2014.

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

Permit No. 05130101 and NPDES No. PA0279307. Robindale Energy Services, Inc., 224 Grange Hall Road, Armagh, PA 15920 commencement, operation and restoration of a bituminous surface and auger mine in Broadtop Township, **Bedford County**, affecting 302.5 acres. Receiving streams: unnamed tributaries to/and Longs Run, Shreves Run and Six Mile Run classified for the following use: warm water fishery. The first downstream potable water supply intake from the point of discharge is Saxton Municipal Authority. Application received: June 20, 2014.

The application includes a stream encroachment to mine through and reconstruct the lower reaches of unnamed tributaries A and F to Longs Run. The application also includes a wetland encroachment for the construction of diversion ditch DD-4 through a wetland. These wetland

impacts will be temporary. The application also includes a request for a section 401 Water Quality Certification.

Permit No. 32080103 and NPDES No. PA0262676. KMP Associates, Inc., 3756 State Route 981, Saltsburg, PA 15681, permit renewal for reclamation only of a bituminous surface and auger mine in Young Township, **Indiana County**, affecting 66.0 acres. Receiving streams: unnamed tributaries to/and Harpers Run and unnamed tributaries to Blacklegs Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 26, 2014.

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

Permit No. 40840202R6 & NPDES Permit No. PA0613703. Silverbrook Anthracite, Inc., (1 Market Street, Laflin, PA 18702), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation and NPDES Permit for discharge of treated mine drainage in Laflin Borough, **Luzerne County** affecting 30.3 acres, receiving stream: Gardner Creek, classified for the following use: cold water fishes. Application received: July 1, 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.

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

37880304. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201) Revision to add 6.5 acres to the existing large industrial minerals permit and delete 6.5 unaffected acres in Slippery Rock Township, **Lawrence County**, affecting 227.5 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: July 3, 2014.

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

Permit No. 64030301C9 and NPDES Permit No. PA0224332. Middle Creek Quarry, Inc., (2893 Owego Turnpike, Hawley, PA 18428), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Palmyra Township, **Wayne County** affecting 94.3 acres, receiving stream: Middle Creek, classified for the following use: HQ—cold water fishes. Application received: July 8, 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:

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

Alkalinity greater than acidity*

*The parameter is applicable at all times.

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

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a

precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

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

Effluent Limits for Noncoal Mining Activities

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

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

* The parameter is applicable at all times.

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0262731 (Mining Permit No. 32090101), Britt Energies, P. O. Box 515 Indiana, PA 15701, renewal of an NPDES permit for discharge of water resulting from surface mining of coal in Conemaugh Township, **Indiana County**, affecting 43.7 acres. Receiving stream: Sulfur Run, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: June 17, 2014.

The outfalls listed below discharge to Sulfur Run:

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 001 | N |
| 002 | N |
| 003 | N |
| 004 | N |

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

| <i>Outfalls: 001 and 002 (Sediment Ponds) Parameter</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|---|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l) | 1.5 | 3.0 | 3.7 |
| Manganese (mg/l) | 1.0 | 2.0 | 2.5 |

| <i>Outfalls: 001 and 002 (Sediment Ponds)</i> <i>Parameter</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Aluminum (mg/l) | N/A | N/A | 1.8 |
| Total Suspended Solids (mg/l) | 35.0 | 70.0 | 90.0 |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times | | | |
| Alkalinity must exceed acidity at all times | | | |
| <i>Outfalls: 003 and 004 (Treatment Ponds)</i> <i>Parameter</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
| Iron (mg/l) | 3.0 | 6.0 | 7.0 |
| Manganese (mg/l) | 2.0 | 4.0 | 5.0 |
| Aluminum (mg/l) | N/A | N/A | 5.0 |
| Total Suspended Solids (mg/l) | 35.0 | 70.0 | 90.0 |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times | | | |
| Alkalinity must exceed acidity at all times | | | |

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1103. FEF, Inc., 10 Schoolhouse Road, Suite 1, Souderton, PA 18964, New Hanover Township, **Montgomery County**, ACOE Philadelphia, District.

To place fill in an existing 0.36 acre of manmade pond in and along an UNT to Minister Creek (TSF, MF) due to liability concerns for children with special needs. This project also includes replacement of an existing 36-inch culvert and endwalls which will serve as a driveway crossing.

The site is located near the intersection of Big Road (S.R. 0073) and Church Road (Sassamanville, PA USGS map, Lat. 401845, Long. 753308).

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

E36-930: Elizabethtown Borough, 600 South Hanover Street, Elizabethtown, Pennsylvania, 17022 in Elizabethtown Borough, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District

To 1) install and maintain a 33.0-foot long by 10.0-foot wide pedestrian bridge over Conoy Creek (TSF, MF); 2) to remove 1 cubic yard of fill from the floodway of Conoy Creek; and 3) to install and maintain an 80.0-foot long by 11.0-foot wide handicap accessible ramp and 1 cubic yard of fill in the floodway of Conoy Creek (TSF, MF), all for the purpose of relocating pedestrians from high traffic areas. The project is located approximately 0.06 mile southeast of the intersection of West High Street and Brown Street (Latitude: 40° 8' 55.28"N; Longitude: 76° 36' 34.43"W) in Elizabethtown Borough, Lancaster County. No wetlands will be impacted by this activity.

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

E49-332. Pennsylvania State Sportsmen's Association, 405 Monastery Road, Elysburg, PA 17824. Culvert Extension in Ralpho Township, **Northumberland County**, ACOE Baltimore District (Shamokin, PA Quadrangle Latitude: 40° 52' 2"; Longitude: -76° 32' 18").

The proposed project is intended to extend the currently in place 60 inch reinforced concrete culvert system by an additional 110 linear feet. The current culvert conveys flow from an unnamed tributary to Shamokin Creek, Warm Water Fishery, though the trap and skeet range. The culvert extension will eliminate the potential for shotgun shot to enter the stream system and be carried downstream. The proposed project will not impact any landowners upstream since the Sportsmen's Association owns all properties that may be impacted by a

backwater from the system. This project is located 0.78 mile east on SR 487 from the intersection with SR 54 in Ralpho Township, **Northumberland County**.

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

E65-957. PennDOT Engineering District 12-0, 825 North Gallatin Avenue Ext, Uniontown, PA 15401; Derry Borough, **Westmoreland County**; ACOE Pittsburgh District

The applicant is proposing to do the following:

1. Remove the existing SR 217 two lane, multiple span, high level bridge; construct and maintain adjacent to and to the south a replacement two lane, multiple span, high level bridge over an enclosed UNT to McGee Run (CWF) with a drainage area of 0.88 square mile;

2. Remove an existing 193 foot long, 72 inch diameter concrete pipe portion of approximately 2,000 LF enclosure: construct and maintain a replacement 193 foot long, 4 foot 7 inch by 8 foot 8 inch box culvert with a drainage area of 0.88 square mile to an UNT to McGee Run;

3. In addition, place and maintain fill in 0.16 acre of PEM wetland; install and maintain project associated stormwater outfalls; install and maintain culvert connection boxes; wetland mitigation will occur at the PennDOT District 10-0 Indiana County (Cindric) Wetland Bank;

4. Temporarily impact 244 LF of an UNT to McGee Run by installing and then removing a temporary diversion, as an erosion and sediment pollution control measure, during construction.

This project is associated with the SR 217 bridge and road improvement project in Derry Borough, Westmoreland County, (Derry Quadrangle, North 15.3 inches and West 7.1 inches; Latitude 40° 20' 3" and Longitude -79° 18' 12.3").

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

E4129-092: Pennsylvania General Energy Company, LLC, 120 Market St, Warren, PA 16365; Cummings, McHenry, & Pine Townships; **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 2,156 square feet of palustrine forested (PFO) wetland (Cammal, PA Quadrangle 41°24'35"N 77°23'21"W);

(2) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 40 linear feet of Ott Fork (HQ-CWF) (Cammal, PA Quadrangle 41°24'51"N 77°23'21"W);

(3) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 46 linear feet of an unnamed tributary to Benny's Run (HQ-CWF) (Cammal, PA Quadrangle 41°25'37"N 77°23'30"W);

(4) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 42 linear feet of an unnamed tributary to Benny's Run (HQ-CWF) (Cammal, PA Quadrangle 41°25'39"N 77°23'29"W);

(5) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 41 linear feet of Bark Cabin Run (HQ-CWF) (Cammal, PA Quadrangle 41°25'49"N 77°23'28"W);

(6) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 41 linear feet of Silver Branch (HQ-CWF) (Cammal, PA Quadrangle 41°26'21"N 77°23'23"W);

(7) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 54 linear feet of an unnamed tributary to Silver Branch (HQ-CWF) (Cammal, PA Quadrangle 41°26'52"N 77°23'02"W);

(8) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 53 linear feet of an unnamed tributary to Left Fork of Otter Run (CWF) and 179 square feet of adjacent palustrine emergent (PEM) wetland (Cammal, PA Quadrangle 41°27'59"N 77°23'08"W);

(9) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 2,262 square feet of palustrine forested (PFO) wetland (Cammal, PA Quadrangle 41°28'05"N 77°22'59"W);

(10) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 64 linear feet of an unnamed tributary to Left Fork of Otter Run (CWF-MF) (Cammal, PA Quadrangle 41°28'25"N 77°22'31"W);

(11) Two 24-inch gas pipelines, two 8-inch water pipelines, two 4-inch conduits, and a timber mat bridge impacting 1,619 square feet of palustrine forested (PFO) wetland (English Center, PA Quadrangle 41°28'46"N 77°21'01"W).

The project will result in a total of 381 linear feet of stream impacts and 0.14 acre of wetland impacts all for the purpose of installing a natural gas gathering lines, water lines, electric lines, and temporary access roadways for Marcellus well development.

ENVIRONMENTAL ASSESSMENTS

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

D42-079EA. Doug Zaffino, President, Wildcat Park Board of Directors, P. O. Box 125, Ludlow, PA 16333-0125. Hamilton Township, **McKean County**, USACOE Pittsburgh District.

Project proposes to remove the Wildcat Park Dam for the purpose of eliminating a threat to public safety and to restore the stream to a free-flowing condition. The dam is located across Twomile Run (HQ-CWF) (Ludlow, PA Quadrangle, Latitude: 41.7201; Longitude: -78.9246).

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N ?</i> |
|-----------------------------|--|--------------------------------------|--------------------------------------|-----------------------------|
| PA0088749— Sew | Mark Guise Gettysburg Municipal Authority PO Box 3307, 601 East Middle Street Gettysburg, PA 17325 | Adams County / Straban Township | Beaverdam Creek / 7-F | Y |
| PA0023604— Sew | Cory Fronk McAlisterville Area Joint Authority PO Box 61 McAlisterville, PA 17049 | Juniata County / Fayette Township | Little Lost Creek / 12-A | Y |
| PA0080349— Sew | Adam Martin Chesapeake Estates of Thomasville 585 Martin Road Gettysburg, PA 17325 | York County / Jackson Township | Little Conewago Creek / 7-F | Y |

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed #) | EPA Waived Y/N ? |
|---------------------|---|--|------------------------------|---------------------|
| PA0246921— Sew | Gerald Peters Lenhartsville Borough PO Box 238 Lenhartsville, PA 19534 | Berks County / Lenhartsville Borough | Furnace Creek / 3-B | Y |

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed No.) | EPA Waived Y/N? |
|-----------------------|---|---|--|--------------------|
| PA0111937 (Sewage) | Patriot Treatment Plant 10 Baker Lane Bloomsburg, PA 17815 | Columbia County South Centre Township | Unnamed Tributary of Susquehanna River (5-D) | Y |
| PA0020672 (Sewage) | Washingtonville Municipal Authority Sewer System STP Water Street Washingtonville, PA 17884 | Montour County Derry Township | (10-D) | Y |
| PA0111830 (IW) | Emporium Specialties Austin Metal Plant 94 Foster Street Austin, PA 16720 | Potter County Austin Borough | Freeman Run (8-A) | Y |
| PA0112305 (Sewage) | Wyalusing Municipal Authority Wastewater Treatment Plant River Street Wyalusing, PA 18853-0061 | Bradford County Wyalusing Borough | Susquehanna River (4-D) | N |

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed No.) | EPA Waived Y/N? |
|------------------------------------|---|--|--|--------------------|
| 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 |
| PA0096971 (Industrial Waste) | Bakerton System 191 Mitchel Road Bakerton, PA 15737-0374 | Cambria County West Carroll Township | West Branch Susquehanna River (8-B) | 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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed #) | EPA Waived Y/N ? |
|-----------------------|--|---|------------------------------|---------------------|
| PA0239160 (Sewage) | McCalmont Township WWTP 127 Firehouse La Anita, PA 15711 | Jefferson County McCalmont Township | Elk Run (17-D) | Y |

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

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

PA0272761, Storm Water, SIC Code 2421, **ITL Corporation**, 23925 Commerce Park Boulevard, Beachwood, OH 44122. Facility Name: Industrial Timber & Lumber Marienville Facility. This proposed facility is located in Jenks Township, **Forest County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of Storm Water runoff from a sawmill.

The receiving streams, an Unnamed Tributary to the Salmon Creek and an Unnamed Tributary to the Maple Creek, are located in State Water Plan watersheds 16-F and 17-B and are classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

PA0239500, Sewage, SIC Code 4952, 8811, **Spellman Richard L**, 2200 Brickyard Road, North East, PA 16428. Facility Name: Richard L Spellman SRSTP. This proposed facility is located in North East Township, **Erie County**.

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

The receiving stream is an unnamed tributary to Twelve mile Creek, located in State Water Plan watershed 15-A and 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.

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

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

WQM Permit No. WQG02091412, Sewage, **Hilltown Township Sewer & Water Authority**, P. O. Box 365, Sellersville, PA 18960.

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

Description of Action/Activity: Construction and operation of a pump station.

WQM Permit No. 0914402, Sewage, **Bedminster Municipal Authority**, 432 Elephant Road, Perkasie, PA 18944.

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

Description of Action/Activity: Upgrades of pumps and UV disinfection system to bring plant to maximum capacity of SBR units.

WQM Permit No. 2314403, Sewage, **DELCORA**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999.

This proposed facility is located in Edgmont Township, **Chester County**.

Description of Action/Activity: Construction and operation of a new pump station to replace the community STP.

WQM Permit No. 2314404, Sewage, **DELCORA**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999.

This proposed facility is located in Edgmont Township, **Chester County**.

Description of Action/Activity: Construction and operation of a new pump station to replace the community STP.

WQM Permit No. 2314405, Sewage, **DELCORA**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999.

This proposed facility is located in Edgmont Township, **Chester County**.

Description of Action/Activity: Construction and operation of a new pump station to replace the community STP.

WQM Permit No. WQG02151405, Sewage, **Phoenix Village PA, LP**, 100 Front Street, Suite 945, West Conshohocken, PA 19428.

This proposed facility is located in Phoenixville Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a sewer extension.

WQM Permit No. 4695428, Sewage, Amendment, **Lower Salford Township Authority**, P. O. Box 243, Harleysville, PA 19438-2515.

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

Description of Action/Activity: Modifications with a new bard screen influent pumps, force main, splitter box bypass, VFD's on orbal aerations.

WQM Permit No. 1501417, Sewage, Renewal, **Nantmeal Warwick Sewer Co., Inc.**, 26 East Main Street, P. O. Box 20, Elverson, PA 19520.

This proposed facility is located in Warwick Township, **Chester County**.

Description of Action/Activity: Renewal of the existing WQM permit.

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

WQM Permit No. 2813201, Amendment #1, CAFO, **Clinton Burkholder**, Burk Lea Farms, 3125 Grand Point Road, Chambersburg, PA 17202.

This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Permit approval for the construction / operation of 2 concrete storage units: A 60' diameter, 12" deep circular concrete storage with 211,507 gallons of capacity at a 24-inch freeboard including a leak detection observation pit with shut off valves and pump to replace the earthen storage at the Virginia style heifer barn on the Home Farm and a 102' diameter, 12" deep circular concrete storage with 611,254 gallons of capacity at a 24-inch freeboard including a leak detection observation pit with shut off valves to replace the earthen storage at the Kuhn's Farm heifer barn. The design will include 2 concrete collection screen boxes that will collect the stormwater runoff from the two concrete barnyards for conveyance to the new storage.

WQM Permit No. 0607402, Amendment #1, Sewerage, **Earl Rothermel, Maiden creek Township Authority Berks County**, PO Box 289, 1 Quarry Road, Blandon, PA 19510.

This proposed facility is located in Maiden creek Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for the construction / operation of the Phosphorus Removal System Project at the existing wastewater treatment plant.

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

WQM Permit No. WQG01251409, Sewage, **Barbara A Chapman**, 11362 West Greene Road, Waterford, PA 16441.

This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

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

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

| NPDES Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|------------------|--|-------------|---|--|
| PAI023913018 | Lehigh Parkway Apartments, LLC 2268 S. 12th Street, Suite 101 Allentown, PA 18103 | Lehigh | City of Allentown | Little Lehigh Creek (HQ-CWF, MF) |
| PAI024813014 | Palmer, LP c/o Mr. Abraham Atiyeh 1177 N. Sixth Street Whitehall, PA 18052 | Northampton | Palmer Township | Bushkill Creek (HQ-CWF, MF) |
| PAI024814005 | Lehigh Valley Industrial Park, Inc. 1720 Spillman Drive, Suite 150 Bethlehem, PA 18015 | Northampton | City of Bethlehem and Lower Saucon Township | Saucon Creek (CWF, MF) Saucon Creek (HQ-CWF, MF); East Branch Saucon Creek (CWF, MF); Lehigh River (WWF, MF) |

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

| Permit # | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|-----------------|---|------------|---|---------------------------|
| PAI032107004(R) | Dave Strong 3064 Bricker Road Manheim, PA 17545 | Cumberland | Hampden Township, Mechanicsburg Borough | Trindle Spring Run HQ-CWF |
| PAI033613013 | Amos Stoltzfus 355 Jacobs Road Narvon, PA 17555 | Lancaster | Salisbury Township | UNT Pequa Creek (HQ-CWF) |

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574

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(4) | Penn State Univ 106A Physical Plant Bldg University Park PA 16802 | Centre | State College Boro | Thompson Run HQ |

VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

| | |
|-------------|---|
| PAG-1 | General Permit for Discharges From Stripper Oil Well Facilities |
| PAG-2 | General Permit for Discharges of Stormwater Associated With Construction Activities |
| PAG-3 | General Permit for Discharges of Stormwater From Industrial Activities |
| PAG-4 | General Permit for Discharges From Small Flow Treatment Facilities |
| PAG-5 | General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems |
| PAG-6 | General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO) |
| PAG-7 | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application |
| PAG-8 | General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site |
| PAG-8 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage |

| | |
|-------------|---|
| PAG-9 | General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site |
| PAG-9 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage |
| PAG-10 | General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines |
| PAG-11 | (To Be Announced) |
| PAG-12 | Concentrated Animal Feeding Operations (CAFOs) |
| PAG-13 | Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) |
| PAG-14 | (To Be Announced) |
| PAG-15 | General Permit for Discharges From the Application of Pesticides |

*General Permit Type—PAG-02**Facility Location:*

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---------------------------------------|-----------------------|--|--|---|
| Bensalem Township Bucks County | PAG0200 0914012 | Bensalem Township School District 3000 Donallen Drive Bensalem, PA 19020 | Unnamed Tributary to Neshaminy Creek WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Bensalem Township Bucks County | PAG0200 0906172R | Beechwood Investors, LP 370 East Maple Avenue Suite 101 Langhorne, PA 19047 | Poquessing Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Middletown Township Bucks County | PAG0200 0912005R | St. Mary Medical Center 1201 Newtown-Langhorne Road Langhorne, PA 19047 | Neshaminy Creek WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Richland Township Bucks County | PAG0200 0912021(1) | Hidden Ponds Associates, LP 1574 Easton Road Warrington, PA 18976 | Beaver Run Creek TSF Tohickon Creek TSF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Doylestown Township Bucks County | PAG0200 0914036 | Delaware Valley College 700 East Butler Avenue Doylestown, PA 18901 | Unnamed Tributary to Neshaminy Creek WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Radnor Township Delaware County | PAG0200 2312017R | Boathouse Realty Associates, LP 1595 Paoli Pike West Chester, PA 19380 | Unnamed Tributary to Meadowbrook Run CWF | 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 |
| Edgmont Township Delaware County | PAG0200 2314009 | DELCORA 100 E. Fifth Street Chester, PA 19013 | Crum Creek CWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Newtown Township Delaware County | PAG0200 2311018-1 | BPG Properties Ltd. 3815 West Chester Pike Newtown Square, PA 19073 | Crum Creek CWF—MF Darby Creek CWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|----------------------|--|--|--|
| City of Chester Delaware County | PAG0200 2314011 | Widener University One University Place Chester, PA 19013 | Chester Creek WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Concord Township Delaware County | PAG0200 2308044R | Main Line Health Services 240 Radnor Chester Road Suite 270 Radnor, PA 19087 | Chester Creek via Webb Creek WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Radnor Township Delaware County | PAG0200 2313017-1 | Thomas P. Nerney 400 Inverary Road Villanova, PA 18085 | Little Darby Creek CWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Lower Merion Township Montgomery County | PAG0200 4614056 | David Magerman 1357 Hearthstone Lane Gladwyne, PA 19035 | Schuylkill River CWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Lower Merion Township Montgomery County | PAG0200 4614029 | Thistlewood Properties, LLC 745 Newtown Road Villanova, PA 19085 | Mill Creek TSF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Hatfield Township Montgomery County | PAG0200 4611060R | St. Mary's & Kyrillos Coptic Orthodox Church 2880 Bergey Road P. O. Box 340 Hatfield, PA 19440 | West Branch Neshaminy WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| City of Philadelphia Philadelphia County | PAG0201 511419 | Saint Joseph's Preparatory School 1733 Girard Avenue Philadelphia, PA 19130 | Delaware River WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |

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

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|---|--|
| Dickson City Borough Lackawanna County | PAG02003514007 | John Grow—Gibbons Real Estate, LLC 950 Main Street Dickson City, PA 18519 | Lackawanna River (CWF, MF) | Lackawanna County Conservation District 570-392-3086 |
| Hazle Township Luzerne County | PAG02004014008 | All Pro Airport Road, L.P. Michael Saporito c/o Hamilton Honda 655 US Highway 130 Hamilton, NJ 08691 | Black Creek (CWF, MF) | Luzerne Conservation District 570-674-7991 |
| Dallas Township Luzerne County | PAG02004014014 | C & N Dining, LLC Perry Dunford, Sr. PO Box 70 Dallas, PA 18612 | UNT to Huntsville Reservoir (CWF, MF) | Luzerne Conservation District 570-674-7991 |
| Hanover Township Luzerne County | PAG02004014004 | Schiel Development, LLC Francis Schiel 30 Hanover Street Wilkes-Barre, PA 18702 | Solomons Creek (CWF, MF) | Luzerne Conservation District 570-674-7991 |

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

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|---------------------------|--|---|--|
| Reading Township Adams County | PAG02000114018 Issued | Porto Vecchio Properties, LLC 113 Westminster Road, Suite 200 Reisterstown, MD 21136 | UNT to West Branch Conewago Creek/WWF | Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636 |
| Conewago Township Adams County | PAG02000114015 Issued | Borough of Hanover Hanover Municipal Water Works 44 Frederick Street Hanover, PA 17331 | South Branch Conewago Creek/WWF, MF | Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636 |
| Paradise Township Lancaster County | PAG02003607039R Issued | BB Real Estate Partners 5306 Lincoln Highway Gap, PA 17527 | UNT to Pequea Creek/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| Manheim Township Lancaster County | PAG02003610037R Issued | Simeral Construction 129 West Airport Road Lititz, PA 17543 | Little Conestoga Creek/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| Columbia Borough Lancaster County | PAG02003612047R Issued | Susquehanna Valley Nursing and Rehabilitation 745 Old Chickies Hill Road Columbia, PA 17512 | UNT Susquehanna River/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| West Earl Township Lancaster | PAG02003614025 Issued | Lloyd Ray Weaver 395 South Farmersville Road Ephrata, PA 17522 | Groff Creek/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| East Earl Township Lancaster County | PAG02003614041 Issued | Weaverland Mennonite Church 2010 Weaverland Valley Road East Earl, PA 17519 | UNT Conestoga River/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |

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| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|---------------------------|--|---|---|
| Penn Township Lancaster | PAG02003614043 Issued | Michael Cassel 259 Auction Road Manheim PA 17545 | Chiques Creek/WWF; MF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| Leacock Township Lancaster County | PAG02003614046 Issued | PA Dept. of Environmental Protection 909 Elmerton Avenue Harrisburg, PA 17110 | Muddy Run/WWF; UNT to Muddy Run/WWF; Pequea Creek/WWF; UNT to Pequea Creek/CWF; Watson Run/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| East Cocalico Township Lancaster | PAG02003614050 Issued | Cherry Place Properties LP 755 White Oak Road Denver, PA 17517 | Cocalico Creek/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| Manheim Township Lancaster County | PAG02003614056 Issued | Lancaster Bible College 902 Eden Road Lancaster, PA 17601 | Conestoga River/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| Caernarvon Township Berks County | PAG02000612020R Issued | TIMET 900 Hemlock Road Morgantown, PA 19543 | UNT to Conestoga River/WWF | Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657 |
| Oley and Pike Townships Berks County | PAG02000614027 Issued | Dutch Valley Property Management 486 Landis Store Road Boyertown, PA 19512 | Little Manatawny Creek/CWF | Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657 |
| Lower Heidelberg Township Berks County | PAG02000612031R Issued | Legacy Paper Mill Associates, LP 49 Fairwood Avenue Sinking Spring, PA 19608 | Tulpehocken and Cacoosing Creeks/CWF, MF | Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|------------------------------|--|--|---|
| Douglass Township Berks County | PAG02000614032 Issued | GW Packaging, Inc. PO Box 567 Douglassville, PA 19518 | Schuylkill River/WWF, MF | Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610-372-4657 |
| Tulpehocken Township Berks County | PAG02000607011(1)R Issued | Mount Aetna Developers, Inc. 530 West Trout Run Road Ephrata, PA 17522 | Little Swatara Creek/CWF | Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610-372-4657 |
| West Cocalico Township Lancaster County | PAG02003614057 Issued | Michael K. Leininger 1365 West Route 897 Denver, PA 17517 | UNT Blue Lake/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| Denver Borough Lancaster County | PAG02003614058 Issued | Cocalico School District 800 South 4th Street PO Box 800 Denver, PA 17517 | Cocalico Creek/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121 |
| Swatara Township Lebanon County | PAG02003810013R Issued | Mark Will 400 North Cedar Street Lititz, PA 17543-1153 | UNT to Little Swatara Creek/ WWF | Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon PA 17042 717.272.3908 Ext. 4 |
| Hummelstown Borough Dauphin County | PAG02002213054 Issued | Hummelstown Swim Club 270 Linden Road Hummelstown, PA 17036 | Swatara Creek/WWF | Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100 |
| Lower Paxton Township Dauphin County | PAG020022100119R Issued | Kings Crossing Phase C 4079 Derry Street Harrisburg, PA 17111 | Beaver Creek/ WWF, MF | Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100 |

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| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|--|------------------------------|--|---|--|
| Southampton Township Franklin County | PAG02002814016 Issued | Konrad Strawmyre PO Box 159 Newburg, PA 17240 | Furnace Run/CWF | Franklin County Conservation District 185 Franklin Farm Lane Chambersburg PA 17202 717.264.5499 |
| Guilford Township Franklin County | PAG02002812009R Issued | Chambersburg Waste Paper PO Box 975 Chambersburg, PA 17201 | Conococheague Creek/CWF | Franklin County Conservation District 185 Franklin Farm Lane Chambersburg PA 17202 717.264.5499 |
| Shippensburg Borough, Southampton Township Franklin County | PAG02002812007(2)R Issued | Volvo Construction Equipment 312 Volvo Way Shippensburg, PA 17257 | UNT to Rowe Run/CWF | Franklin County Conservation District 185 Franklin Farm Lane Chambersburg PA 17202 717.264.5499 |
| Guilford Township Franklin County | PAG02002810004R Issued | Hostettler Clean Fill Site/ Jeryl Martin 4961 Cumberland Highway Chambersburg, PA 17202 | Conococheague Creek/WWF | Franklin County Conservation District 185 Franklin Farm Lane Chambersburg PA 17202 717.264.5499 |
| Montgomery Township Franklin County | PAG02002811011R Issued | Whitetail Mountain Resort 13085 Blair Valley Rd Mercersburg PA 17236 | UNT to Licking Creek/CWF | Franklin County Conservation District 185 Franklin Farm Lane Chambersburg PA 17202 717.264.5499 |
| Montgomery Franklin County | PAG02002804021R Issued | Mountain Side Chalet 11144 Old Forge Road Waynesboro PA 17268 | UNT to Little Conococheague Creek/CWF | Franklin County Conservation District 185 Franklin Farm Lane Chambersburg PA 17202 717.264.5499 |

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|----------------------------------|--|
| Bradford County Athens Township | PAG02000814008 | Steven Bell TL Cannon Mgmt Corp 180 Lawrence Bell Dr Ste 100 Buffalo NY 14221 | Chemung River WWF | Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|--|--|
| Bradford County Sheshequin Township | PAG02000814009 | Kevin Dobrinski Dobrinski Brothers Inc RR 1 Box 482B Fall PA 18615 | Susquehanna River WWF Mallory Creek WWF | Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6 |
| Centre County Patton Township | PAG02001404017R | Wooded Hills LP 1836 Waddle Rd State College PA 16803 | UNT to Big Hollow CWF | Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817 |
| Centre County Ferguson Township | PAG02001412009R | DGKC Properties LLC 2029 Cato Ave State College PA 16801 | Big Hollow Run CWF | Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817 |
| Centre County Patton Township | PAG02001414007 | Pinnacle Development 2121 Old Gatesburg Rd State College PA 16803 | UNT to Spring Creek CWF | Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817 |
| Clinton County Bald Eagle Township | PAG02001808006R | Frank Mills PO Box 504 North Bend PA 17760 | UNT to Bald Eagle Creek CWF | Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798 |
| Lycoming County Clinton & Muncy Twps | PAG02004114010 | Edward Dunlap UGI Penn Natural Gas 1 UGI Ctr Wilkes-Barre PA 18711 | Carpenters Run WWF, MF Turkey Run WWF, MF Wolf Run CWF, MF W B Susquehanna River WWF, MF | Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003 |
| Montour County Mayberry Township | PAG02004714002 | Aaron & Abner Glick 65 High Rd Catawissa PA 17820 | UNT to Roaring Creek CWF | Montour County Conservation District 112 Woodbine Ln Ste 2 Danville PA 17821 Phone: (570) 271-1140 |
| Northumberland Cnty Ralpho Township | PAG02004909010R | Whitetail Run 2095 State Route 54 Elysburg PA 17824 | Miller's Run CWF | Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 Phone: (570) 286-7114 ext. 4 |

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*Facility Location:
Municipality &
County*

Tioga County
Duncan Township

Permit No.

PAG02005911003R(2)

*Applicant Name &
Address*

Hydro Recovery-Antrim LP
7 Plaza Ln
Blossburg PA 16912

*Receiving
Water/Use*

UNT to Wilson
Creek
CWF

*Contact Office &
Phone No.*

Tioga County
Conservation
District
50 Plaza Lane
Wellsboro, PA 16901
(570) 724-1801, X 3

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

*Facility Location:
Municipality &
County*

East Franklin
Township
Armstrong County

Permit No.

PAG02000314004

*Applicant Name and
Address*

R.E.D. Mantini, LLC.
717 Sixth Avenue
Ford City, PA 16226

*Receiving
Water/Use*

UNT to Glade Run
(TSF)

*Contact Office and
Phone No.*

Armstrong County
CD
124 Armsdale Road
Kittanning, PA
16201
(724) 548-3425

East Franklin
Township
Armstrong County

PAG02000314005

Armstrong County Memorial
Hospital
One Nolte Drive
Kittanning, PA 16201

UNT to Glade Run
(TSF)

Armstrong County
CD
124 Armsdale Road
Kittanning, PA
16201
(724) 548-3425

Brighton Township
Beaver County

PAG02000414008

Brighton Township
1300 Brighton Road
Beaver, PA 15009

Two Mile Run
(WWF)

Beaver County CD
156 Cowpath Rd
Aliquippa, PA 15001
(724) 378-1701

Chartiers Township
Washington County

PAG02006308008-1R

The Meritage Group
772 Pine Valley Drive
Pittsburgh, PA 15239

Chartiers Creek
(WWF)

Washington County
CD
2800 North Main St
Suite 105
Washington, PA
15301
(724) 705-7098

Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335

*Facility Location:
Municipality &
County*

Adams Township
Butler County

Permit No.

PAG02001014006

*Applicant Name &
Address*

Valencia Sports Park LP
302 Westburn Court
Seven Fields PA 16046

*Receiving
Water/Use*

Unt Glade Run
WWF

*Contact Office &
Phone No.*

Butler County
Conservation
District
724-284-5270

Summit Township
Erie County

PAG02002512023R

Auto Row LLC
8430 Peach Street
Erie PA 16509

Unt Walnut Creek
CWF; MF

Erie County
Conservation
District
814-825-6403

Waterford Township
Erie County

PAG02002514017

Erie County General Authority
5240 Knowledge Parkway
Erie PA 16510

LeBeouf Creek TSF

Erie County
Conservation
District
814-825-6403

*General Permit Type—PAG-03**Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Receiving
Water / Use**Contact Office &
Phone No.*Wayne Township
Schuylkill County

PAR222204

Reynmil, Inc.
(Formerly Reynolds Sawmill)
344 Summer Hill Road
Schuylkill Haven, PA 17972Unnamed Tributary
to Lower Little
Swatara Creek
7-D—CWFDEP Northeast
Regional Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2511Hazleton City
Luzerne County

PAR122215

Aryzta LLC
2 Chestnut Hill Drive
Hazleton, PA 18201Tomhicken
Creek—5-E / CWFDEP Northeast
Regional Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2511Allentown City
Lehigh County

PAR202213

Olson Tech Inc.
160 Walnut Street
Allentown, PA 18102

Lehigh River—2-C

DEP Northeast
Regional Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2511Berks County
Bern Township

PAR203511

Heyco Metals Inc.
1069 Stinson Drive
Reading, PA 19605UNT to Schuylkill
River / WWF and
MFDEP—SCRO—Clean
Water Program
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707Fulton County
Belfast Township

PAR223502

Mellott Wood Preserving
Company, Inc.
PO Box 209
1398 Sawmill Road
Needmore, PA 17238-0209UNT to Palmer
Run / WWF and MFDEP—SCRO—Clean
Water Program
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707Dauphin County
Lower Swatara
Township

PAG033505

Highspire Terminals
Corporation
PO Box 2621
Harrisburg, PA 17105-2621
Highspire Petroleum Storage
Terminal
900 Eisenhower Blvd
Middletown, PA 17057UNT to Buser Run /
WWF and MFDEP—SCRO—Clean
Water Program
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707Clinton Township
Lycoming County

PAG034809

Koppers Inc.
436 Seventh Avenue
Pittsburgh, PA 15219Unnamed Tributary
to West Branch
Susquehanna
River—10-CDEP Northcentral
Regional Office
Clean Water Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.0530Pine Creek Township
Jefferson County

PAG038307

BWP Hardwoods, Inc.
12942 Route 322
Brookville, PA 15825-6946Unnamed Tributary
to the Fivemile Run
17-CDEP
NWRO
Clean Water Program
230 Chestnut Street
Meadville, PA
16335-3481
814/332-6942

General Permit Type—PAG-4

*Facility Location:
Municipality &
County*

McKean Township
Erie County

Permit No.
PAG041170

*Applicant Name &
Address*
Barbara A Chapman
11362 West Greene Road,
Waterford, PA 16441

*Receiving
Water/Use*
Unnamed Tributary
to the Lamson Run
15

*Contact Office &
Phone No.*
DEP
NWRO
Clean Water Program
230 Chestnut Street
Meadville, PA
16335-3481
814/332-6942

Permit Type—PAG-5

*Facility Location &
Municipality*

Adams County
Arendtsville Borough

Permit No.
PAG053605

*Applicant Name &
Address*
Getty Properties Corp.
125 Jericho Turnpike
Suite 303
Jericho, NY 11753-1016

*Receiving
Water/Use*
Conewago Creek /
CWF and MF

*Contact Office &
Phone No.*
DEP—SCRO—CW
Program
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707

General Permit Type—PAG-13

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

*NPDES
Permit No.*

PAG133561

*Applicant Name &
Address*
Newberry Township
1915 Old Trail Road
Etters, PA 17319

County
York County

Municipality
Newberry
Township

*Receiving
Water/Use*
Bennett Run, Conewago
Creek, Fishing Creek,
Susquehanna River and
Unnamed Tributary of
Fishing Creek / TSF, MF,
WWF and MF

*DEP Protocol
(Y/N)*
Y

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Rescission of Operation Permit No. 6787507 issued to: **Forest Lakes Water Association** (PWS ID No. 7670106), Shrewsbury Township, **York County** on 7/7/2014. Action is for the Entire rescission of facilities approved under Operation Permit No. 6787507.

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

Permit No. 1814501—Construction—Public Water Supply.

| | |
|----------------------|--|
| Applicant | Suburban Lock Haven Water Authority |
| Township/Borough | City of Lock Haven |
| County | Clinton |
| Responsible Official | Mr. Jack Peters Suburban Lock Haven Water Authority 7893 Nittany Valley Drive Mill Hall, PA 17751 |
| Type of Facility | Public Water Supply |

Consulting Engineer David Swisher, P.E.
HRG, Inc.
474 Windmere Drive,
Suite 100
State College, PA 16801

Permit Issued July 17, 2014

Description of Action Authorizes an upgrade of Irwin Street Booster Pump Station, replacement of Sunset Pines Tank with a new 54,000 gallon tank, and replacement of sections of the distribution piping in Bald Eagle Township and Mill Hall Borough.

Permit No. 4113509MA—Operation—Public Water Supply.

Applicant **Harvest Moon Mobile Home Park**

Township/Borough Woodward Township

County **Lycoming**

Responsible Official Mr. David A. Liberti
Harvest Moon Mobile Home Park
38 Harvest Moon Park Road
Linden, PA 17744

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued July 21, 2014

Description of Action Operation of the recently installed EcoWater EWS 160T triplex ion exchange system for iron and manganese removal.

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

Permit No. 1114514, Public Water Supply.

Applicant **Glendale Valley Municipal Authority**
1800 Beaver Valley Road
Flinton, PA 16640

[Borough or Township] White Township

County **Cambria**

Type of Facility Water system

Consulting Engineer Keller Engineers, Inc.
420 Allegheny Street
PO Box 61
Hollidaysburg, PA 16648

Permit to Construct Issued July 11, 2014

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5020025) White Oak Borough, **Allegheny County** on July 16, 2014 for the operation of facilities approved under Construction Permit # 0212504.

Permit No. 3014512MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
PO Box 187
1442 Jefferson Road
Jefferson, PA 15344

[Borough or Township] Morgan Township

County **Greene**

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
Suite 200
267 Blue Run Road
Cheswick, PA 15024

Permit to Construct Issued July 16, 2014

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA30-1001, Water Allocations. Mount Morris Water and Sewage Authority, PO Box 340, Mount Morris, PA 15349, **Greene County**. The right to purchase up to 150,000 gallons of water per day (peak month, 30-day average) from Southwestern Pennsylvania Water Authority.

WA3-1001A, Water Allocations. Mahoning Township Municipal Authority, PO Box 60, Distant, PA 16223, **Armstrong County**. The right to purchase up to 85,000 gallons of water per day (peak month, 30-day average) from Redbank Valley Municipal Authority.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|------------------------------------|---------------|
| Exeter Township | 4975 Demoss Rd., Reading, PA 19606 | Berks County |

Plan Description: Approval of a revision to the official plan of Exeter Township, Berks County. The project is known as Stonersville Social Club Property. The plan provides for a proposed small flow treatment facility (SFTF) to replace the existing temporary holding tanks at the Stonersville Social Club commercial property, which generates 700 gallons of sewage per day. The SFTF will discharge to Owatin Creek. The proposed development is located at 5580 Boyertown Pike, Exeter Twp., Berks County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06932-284-3S and the APS Id is 842725.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act

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

Plan Location:

| Borough or Township | Borough or Township Address | County |
|---------------------|-------------------------------------|---------|
| Derry Township | P O Box 445 Yeagertown, PA 17099 | Mifflin |

Plan Description: The Request for Planning Exemption for the Richard Macknair Subdivision, DEP Code No. A3-44907-181-2E, APS Id 847635, consisting of two new single family residential lots to be served by individual on-lot sewage disposal systems, is disapproved. The proposed development is located on Vira Road, Derry Township, Mifflin County. The submission does not qualify as an exemption from the requirement to revise the Official Plan because the subdivision proposes the use of on-lot sewage disposal systems in an area underlain by carbonate geology as per Chapter 71, Section 71.51(b)(1)(ii).

Plan Location:

| Borough or Township | Borough or Township Address | County |
|---------------------|---------------------------------------|--------|
| Buffalo Township | 22 Cherry Road Liverpool, PA 17045 | Perry |

Plan Description: The Request for Planning Exemption for the James C. Witmer Subdivision, DEP Code No. A3-50904-107-2E, APS Id 807061, consisting of two new single family residential lots to be served by individual on-lot sewage disposal systems, is disapproved. The submission does not qualify as an exemption from the requirement to revise the Official Plan because the subdivision proposes the use of on-lot sewage disposal systems and each lot of the subdivision does not have separate sites available for both a permittable primary soil absorption area or spray field and a replacement soil absorption area or spray field as per Chapter 71, Section 71.51(b)(1)(v).

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate

that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Johnson Sabaratnam, DBA J.K.N.G. Transport, State Route 147S, Point Township, **Northumberland County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Johnson Sabaratnam, DBA J.K.N.G. Transport, 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.

Pennsylvania Department of Transportation, Intersection of Blockhouse Road, (State Route Business 15) and Sebring Lane (T-320), Township of Liberty, **Tioga County**. Cardno MM&A, 2 Gunpowder Road, Mechanicsburg, PA 17050, on behalf of Joseph Gennuso, D&D Freight Systems, 10 Corinne Lane, North Chili, NY 14514 submitted a Final Report concerning remediation of site soils contaminated with Diesel Fuel and Used Motor Oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Szymanski Residence, 132 Meadowridge Acres Road, Milford, PA 18337, Delaware Township, **Pike County**, Kevin D. Orabone, Applied Service Corp., has submitted an NIR, and Final Report on behalf of his clients, James Szymanski & Elisabeth Cologne, 132 Meadowridge Acres Road, Milford, PA 18337, concerning the remediation of soil due to removal of corroded Underground Storage Tank. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. The intended use of the site will be for residential purposes. A summary of the Notice of Intent to Remediate, and Final Report were published in *The Pike County Courier* on April 18, 2014.

YOU Trucking, 527-529 South Church Street, City of Hazleton, **Luzerne County**, Lori Girvin, Barry Isett &

Associates, has submitted a Site Characterization and an RIR, on behalf of her clients, YOU Trucking 527 South Church Street, Hazleton, PA 18201, concerning the remediation of soil and groundwater due to historical operations at the site. The applicant proposes to remediate the site to meet the Statewide Health Standard and the Site Specific Standard for soil and groundwater. The intended use of the site will be for vehicle sales and a service garage. A summary of the Site Characterization and, RIR (Remedial Investigation Report) were published in *The Standard Speaker* on June 12, 2014.

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

IAC Carlisle LLC / Former Masland Carpets, Carlisle Borough, **Cumberland County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA on behalf of IAC Carlisle, LLC, 50 Carlisle Springs Road, Carlisle, PA 17013, and Carlisle Auto Industries, Inc., 1000 Bryn Mawr Road, Carlisle, PA 17013, submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with VOCs, SVOCs, and metals. The report is intended to document remediation of the site to meet a combination of Statewide Health (residential and non-residential) and Site-Specific Standards.

Christian Thorne Property, 3 Poplar Avenue and 6 Walnut Avenue, Temple, PA 19560, Alsace Township, **Berks County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Christian Thorne, 3 Poplar Avenue, Temple, PA 19560, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

5026 City Line Avenue, 5026 City Avenue, City of Philadelphia, **Philadelphia County**. Keith T. D'Ambrosio, P.E., Whitestone Associates, Inc., 160 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Louis Lincoln Muchnick, 5026 City Line Associates, L.P., 822 Montgomery Avenue Suite 209, Narberth, PA 19072 has submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard. PF770630

Silva Residence, 124 Berkeley Road, Easttown Township, **Chester County**. Richard D. Trimpi, PG, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Kevin Gramo, Westfield Insurance, 201 East Oregon Road, P. O. Box 3010, Lancaster, PA 17604 on behalf of Michele Silva, 124 Berkeley Road, Devon, PA 19333 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF777643

Baldwin Property, 18 Derstine Road, Hatfield Township, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of Jay Baldwin, 1304 Sunnyside Pike, Lower Gwynedd, PA 19002 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF777847

Piskorski Residence, 103 Plumtree Road, Levittown Township, **Bucks County**. Jason Pero, Brilliant Environmental Services, 3070 Bristol Pike, Building 2, Suite 105, Bensalem, PA 19020, Dan Forrest, Bristol Environmental Services, 3111 State Road, Croydon, PA 19056 on behalf of Edward Piskorski, 103 Plumtree Road, Levittown, PA 19056 has submitted a 90 day Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF775595

Markloff Residence, 1 Candlewood Court, Newtown Township, **Bucks County**. Michael Kern, P.G., Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Margaret Markloff, 1 Candlewood Court Newtown, PA 19894 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF776323

312-320 Walnut Street & 319 Willings Alley, 312-320 Walnut Street & 319 Willings Alley City of Philadelphia, **Philadelphia County**. Thomas A. Petrecz, Penn E&R Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Arrus I. farmer, PMC property Group, 1608 Walnut Street, Suite 1400, Philadelphia, PA 19103 has submitted a Remedial Investigation/Cleanup Plan concerning remediation of site soil and groundwater contaminated with no. 4, 5, and no. 6 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF777120

Frankford & Darrah Site, 5129-5135 Frankford Avenue, City of Philadelphia, **Philadelphia County**. Kenneth M. Yoder, PG, BL Companies, Inc., 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of Loren Aloi, Rite Aid of Pennsylvania Inc., 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Final Report concerning remediation of site groundwater contaminated with no. 2 fuel and chlorinated solvents. The report is intended to document remediation of the site to meet Site Specific Standard. PF716772.

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

Earl Brown Jr. Trucking, Colonel John Kelly Road, West Buffalo Township, **Union County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of their client Earl Brown Jr. Trucking, 150 Elbow Road, Linden, Pa 17744 submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Methyl Tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on July 1, 2014.

Johnson Sabaratnam, DBA J.K.N.G. Transport, State Route 147S, Point Township, **Northumberland County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Johnson Sabaratnam, DBA, J.K.N.G. Transport, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on July 8, 2014.

Pennsylvania Department of Transportation, Intersection of Blockhouse Road, (State Route Business 15) and Sebring Lane (T-320), Liberty Township, **Tioga County**. Cardno MM&A, 2 Gunpowder Road, Mechanicsburg, PA 17050, on behalf of their client Joseph Gennuso, D&D Freight Systems, 10 Corinne Lane, North Chili, NY 14514 submitted a Final Report concerning the remediation

of site soils contaminated with Diesel Fuel and Used Motor Oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on July 7, 2014.

Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

J.H. Beers Inc., Male Road, Wind Gap Borough, Plainfield & Bushkill Township, **Northampton County**, Scott Campbell, EarthRes Group, Inc., has submitted a RIR (Remedial Investigation Report), on behalf of his client, Robert Zarrizski, P. O. Box 669 Male Road, Wind Gap, PA 18091, concerning the remediation of soil due to the historical activities on the site from being used as a slate quarry, a processing mill for slate and as a tire pyrolysis processing facility. Past uses have impacted the soil with pyro-oil related organic compounds and low levels of metals and petroleum hydrocarbons. The report documented attainment of the Site Specific Standards for soils and was approved on July 14, 2014.

Lubson Property, 2571 Bart Garden Drive, Upper Saucon Township, **Northampton County**, Thomas Martinelli, JMT Environmental has submitted an NIR (Notice of Intent To Remediate, and a Final Report, (on behalf of his client, Hal Lubson, Oak Leaf Properties, 824 Eighth Avenue, Bethlehem, PA 18018, concerning the remediation of soil due to a five gallon #2 heating oil release from one 275 gallon aboveground storage tank. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on July 7, 2014. The report was originally submitted within 90 days of the release.

Equity LifeStyle Properties, Inc., (Li'l Wolf Circle), 3510 Li'l Wolf Circle, North Whitehall Township, **Lehigh County**, Tom Schreffler, Light-Heigel & Associates, has submitted a Notice of Intent to Remediate and a Final Report on behalf of his client, Jerry Fenstermaker, Equity LifeStyle Properties, Inc., 3411 Li'l Wolf Drive, Orefield, PA 18069, concerning the remediation of soil due to approximately 10 gallons of #2 fuel oil which leaked from an above ground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The report documented attainment of the Statewide Health Standards for soils and was approved on July 9, 2014 .

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

Brian Ritchey Residence, formerly Olga Kohl Residence, 27 Fairview Road, McVeytown, PA 17051, Wayne Township, **Mifflin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Brian Ritchey, 15820 Kenwood Drive, Middlefield, OH 44062, and State Farm Insurance, PO Box 106110, Atlanta, GA 30348-6110, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil released from an aboveground storage tank. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on July 15, 2014.

IAC Carlisle LLC / Former Masland Carpets, Carlisle Borough, **Cumberland County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA on behalf of Former IAC Carlisle, LLC, 50 Carlisle Springs Road, Carlisle, PA 17013, and Carlisle Auto Industries, Inc., 1000 Bryn Mawr Road, Carlisle, PA 17013, submitted a Remedial Investigation Report concerning site soils and

groundwater contaminated with VOCs, SVOCs, and metals. The Remedial Investigation Report was administratively incomplete and was disapproved by the Department on July 15, 2014.

Christian Thorne Property, 3 Poplar Avenue and 6 Walnut Avenue, Temple, PA 19560, Alsace Township, **Berks County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Christian Thorne, 3 Poplar Avenue, Temple, PA 19560, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on July 15, 2014.

Judy Myers-Moore Residence, 344 Main Street, Landisville, PA 17538, East Hempfield Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Judy Myers-Moore, 344 Main Street, Landisville, PA 17538, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on July 16, 2014.

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

Merton Price Company, 1201 Chester Pike, Ridley Township, **Delaware County**. Michael Christie, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440, Darryl Borrelli, Manko, Gold, Katcher, & Fox, LLP, 401 Coty Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Kenneth Hurwitz, Merton Price Company, 207 Yorktown Place, Berwyn, PA 19312 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents and petroleum hydrocarbons including mtbe. The Final report demonstrated attainment of the Site Specific and Statewide Health Standard and was approved by the Department on July 10, 2014. PF689687

2413-2429 North Broad Street Site, 2413-2429 Broad Street, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Janet Stearns, Project H.O.M.E. 1845 North 23rd Street, Philadelphia, PA 19121 has submitted a Remedial Investigation/ Risk Assessment and Cleanup Plan concerning the remediation of site soil contaminated with used motor oil, pahs, carbazole, and lead. The Remedial Investigation/ Risk Assessment and Cleanup Plan were approved by the Department on July 9, 2014. PF769618

The Reserve at Hidden Ponds, Lot 14 & 15, Quaker Way, Richland Township, **Bucks County**. James P. Cinelli, P. E., Liberty Environmental Inc., 50 North Fifth Street, 5th Floor, Reading PA 19601 on behalf of Pamela A. Northrop, Hidden Ponds Associates, LP, 1574 Easton Road, Warrington, PA 18976 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 9, 2014. PF767760

REGISTRATION FOR MUNICIPAL WASTE GENERAL PERMITS

Registration for General Permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 relating to authorization for general permit).

South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit No. WMGM042-SC009. Scott Kreider, S&A Kreider and Sons Inc., 714 Spring Valley Road, Quarryville, PA 17566. The Department of Environmental Protection has issued a registration under General Permit WMGM042 to Scott Kreider of S&A Kreider & Sons Inc. This registration is for their location at 714 Spring Valley Road, Quarryville, PA 17566, in East Drumore Township, **Lancaster County**. The registration was issued on July 17, 2014.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP3-09-0053: B. Blair Corp. (95 Louise Drive, Ivyland, PA 18974) on July 16, 2014, was authorized to operate a portable nonmetallic mineral processing plant in Warrington Township, **Bucks County**.

GP9-09-0123: B. Blair Corp. (95 Louise Drive, Ivyland, PA 18974) on July 16, 2014, was authorized to operate one (1) diesel or #2 fuel-fired internal combustion engine in Warrington Township, **Bucks County**.

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

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

GP5-58-015: Williams Field Service Co., LLC (1212 South Abington Road, Clark Summit, PA 18411) on March 6, 2014, to operate existing equipment permitted under plan approval and to construct and operate additional equipment at its Natural Gas Compression Station at their Central Compressor Station, Bridgewater/Brooklyn Township, **Wyoming County**.

GP5-58-018: Williams Field Service Company, LLC (250 South 21st Street, Easton, PA 18042) on February 25, 2014, to operate existing equipment permitted under plan approval and to construct and operate additional equipment at its Natural Gas Compression Station at their Zick Compressor Station, Lenox Township, **Wyoming County**.

GP1-48-002: Northampton Hospital Company, LLC (1212 South Abington Road, Clark Summit, PA 18411) on March 6, 2014, to construct and operate a Unilux Steam Boiler at their facility in, Wilson Borough, **Northampton County**.

GP5-66-005: UGI Energy Services, Inc. (1 Meridian Boulevard, Wyomissing, PA 19610) on March 10, 2014, to operate existing equipment permitted under General Permit GP5-66-001 and to construct and operate additional equipment at its Natural Gas Compression Station at their Manning Compressor Station, Washington Township, **Wyoming County**.

GP22-48-001: Bethlehem Renewable Energy, LLC (1300 N. 17th Street, Suite 1500, Arlington VA 22209) on March 31, 2014, to construct and operate One (1) Solar Turbine, Model Taurus 60 T7801 at their facility at 2325 Applebutter Road, Lower Saucon Township, **Northampton County**.

GP3-58-021: Meshoppen Stone, Inc. (PO Box 127, Meshoppen, PA 18630) on April 24, 2014, to construct and operate crushers, screens, and conveyors controlled by water sprays at their Four Star Quarry facility in, Wilson Borough, **Northampton County**.

GP9-58-021: Meshoppen Stone, Inc. (PO Box 127, Meshoppen, PA 18630) on April 24, 2014, to construct and operate four (4) Caterpillar Generators at their Four Star Quarry facility in, Wilson Borough, **Northampton County**.

GP3-64-004: Middle Creek Quarry, Inc. (2893A Owego Turnpike, Hawley PA 18428) on May 13, 2014, to construct and operate crushers, screens, and conveyors controlled by water sprays at their Middle Creek Quarry facility in Palmyra Township, **Wayne County**.

GP9-64-004: Middle Creek Quarry, Inc. (2893A Owego Tpke, Hawley PA 18428) on May 13, 2014, to construct and operate of one (1) Caterpillar Generators at their Middle Creek Quarry facility in Palmyra Township, **Wayne County**.

GP9-58-023: Edward Green & Sons, Inc. (PO Box 275, Susquehanna, PA 18847) on May 13, 2014, to construct and operate one (1) Caterpillar Generator at their 3204 Bear Swamp Road facility in, Harmony Township, **Susquehanna County**.

GP4-40-001: Cornell Iron Works (24 Elmwood Road, Mountain Top, PA 18707) on June 10, 2014, to construct and operate one (1) Burn Off Oven, fired by Natural Gas (275 Mbtu/hr) with Secondary Chamber Afterburner at their facility in, Wright Township, **Luzerne 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.

GP4-21-03065: RAM Industrial Services, LLC (2850 Appleton Street, Suite D, Camp Hill, PA 17011) on July 16, 2014, for three (3) natural gas-fired burnoff ovens under GP4, at the motor reconditioning facility in Lower Allen Township, **Cumberland County**. The General Permit authorization 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

GP5-41-723: Pennsylvania General Energy Co., LLC (120 Market Street, Warren, PA 16365) on July 1, 2014, to construct and operate eight 1,775 bhp Caterpillar model G3606 LE four-stroke, lean-burn, natural gas-fired compressor engines, two 60 MMscf/day triethylene glycol dehydration units, each equipped with 2.31MMBtu/hr reboilers, eight various storage tanks and the COP Tract 293 Well Pads E & G under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the COP Tract 293 Compressor Station in McHenry Township, **Lycoming County**.

GP1-17-518: WhiteWave Foods Operating Co. (2592 Oklahoma-Salem Road, DuBois, PA 15801) on July 9, 2014, authorized the construction and operation of a 20.215 million Btu per hour, Cleaver Brooks model OL103617 natural gas-fired boiler pursuant to the General Plan Approval and General Operating Permit for Small Gas and No. 2 Oil Fired Combustion Units (BAQ-GPA/GP-1) located in Sandy Township, **Clearfield County**.

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

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

GP5-30-00216A: Regency Marcellus Gas Gathering, LLC (101 West Third Street, Williamsport, PA 17701) on July 16, 2014, to construct and operate one (1) 690 bhp Caterpillar G3508B natural gas-fired compressor engine controlled by an oxidation catalyst and continued operation of the previously authorized sources at the Milesky Compressor Station in Center Township, **Greene County**.

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

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

GP13-10-230A: Lindy Paving, Inc.—Zelienople Asphalt Plant (158 Lindsay Rd., Zelienople, PA 16063) on July 16, 2014, to operate the Counter Flow Drum Mix Plant to be installed at the Zelienople Plant (BAQ-GPA/GP-13) in Jackson Township, **Butler County**.

GP5-16-151C: Peoples Natural Gas Co., LLC (606 Limestone Road, Summerville, PA 15864) on July 11, 2014, to operate two (2) 1,150 bhp compressor engines (Caterpillar, Serial No. WPT01501 and WPT01505), a 0.375 MMBtu/hr TEG Dehydrator and a seven (7) storage tanks (BAQ-GPA/GP-5) in Limestone Township, **Clarion County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

ER-28-05012D: Volvo Construction Equipment NA, LLC (312 Volvo Way, Shippensburg, PA 17257-9209) on July 18, 2014, for an Air Quality Emission Reduction Credit (ERC) approval of 6.78 tons of volatile organic compounds (VOC) from the shutdown of Sources 101

(Building 2 Paint Booth) and 103 (Building 2 Big Paint Booth), at the heavy construction equipment manufacturing facility in Shippensburg Borough, **Franklin County**.

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

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

18-00011J: Croda, Inc. (8 Croda Way, Mill Hall, PA 17751) on July 21, 2014, issued plan approval for the modification of the facility's Super Refined Oil (SRO) process at the Mill Hall Facility in Bald Eagle Township, **Clinton County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southcentral Region: Air Quality Program, 909 Elmerston 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.

06-05069Q: East Penn Mfg. Co., Inc. (Deka Road, PO Box 147, Lyon Station, PA 19536) on July 11, 2014, for modifications and additions to the A-4 battery assembly plant and lead oxide mills at the lead acid battery manufacturing facility located in Richmond Township, **Berks County**. The plan approval was extended.

06-05077B: Can Corp. of America (326 June Ave., P. O. Box 170, Blandon, PA 19510) on July 11, 2014, to install a new oven for a metal sheet coater controlled by a new oxidizer at the Blandon Plant in Maiden Creek Township, **Berks County**. The plan approval was extended.

36-05160A: Morgan Truck Body LLC (1656 Dry Tavern Road, Denver, PA 17517) on July 17, 2014, to construct a new drive-thru paint booth and for an increase in production of an existing spray paint booth at the Denver Plant in Brecknock Township, **Lancaster County**. The plan approval was extended.

06-05128A: Reading Truck Body, LLC (P. O. Box 650, Reading, PA 19607-0650) on July 17, 2014, to remove individual source volatile organic compound (VOC) emission caps for sources at the facility, and to revise the surface coating VOC content limit for Source 111 (Chassis Pool Booth) to 6.67 lb. VOC/gallon applied solids. The heavy duty truck manufacturing facility is located in the City of Reading, **Berks County**. The plan approval was extended.

06-05115B: Granger Energy of Morgantown, LLC (16980 Wood Road, Lansing, MI 48906-1044) on July 18, 2014, to install two (2) landfill gas-fired engines, two (2) additional compressors and one (1) 2,000 acfm enclosed flare in in Caernarvon Township, **Berks County**. The plan approval was extended.

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

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

08-00030B: Angelina Gathering Co. (2350 North Sam Houston Parkway East, Houston, TX 77009) on July 16, 2014, to extend authorization for the construction of one natural-gas-fired compressor engine equipped with an oxidation catalyst at the Greenzweig Compressor Station

in Herrick Township, **Bradford County** to January 13, 2015. The plan approval has been extended.

57-00003A: Sullivan County School District (777 South Street, Laporte, PA 18626-9800) on July 21, 2014, to extend authorization to operate a 4.0 million Btu per hour, biomass-fired boiler in Laporte Borough, **Sullivan County** on a temporary basis to January 17, 2015. 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

32-00387B: Crooked Creek Coal Preparation Plant—Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) on July 16, 2014, to allow time to obtain approval from the Mining Department for their surface facility site changes at their proposed coal preparation plant to be located in Washington Township, **Indiana County**.

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

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

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

15-00104: Flowers Baking Co. Oxford, Inc. (700 Lincoln Street, Oxford, PA 19363; Attn: Mr. Dan Scott) on July 15, 2014, for renewal of the Title V Operating Permit in Oxford Borough, **Chester County**. The initial permit was issued on September 23, 2008, for their bakery. The facility is a major source for VOC. Sources include boilers, heating processes, a fire pump, fryer lines, oven lines, and other miscellaneous bakery components. The fryers are equipped with mist eliminators. All other sources have been deemed uncontrollable at this time. The fire pump (Source ID 036) is subject to 40 CFR Part 63, Subpart ZZZZ. This permit renewal also incorporates the requirements of Plan Approval No. 15-0104D and an exempt 60 kW emergency generators. Applicable requirements have been incorporated into the Title V Operating Permit renewal. The following are current potential site-wide emission rates for this facility: NO_x—14.8 TPY; SO_x—0.2 TPY; PM₁₀—5.6 TPY; PM_{2.5}—5.6; CO—11.5 TPY; VOC—41.7 TPY; HAP—0.3 TPY; and GHG—23,742.6 TPY (reported as CO₂e). Allowable emissions from the facility have not increased as a result of this permit renewal. Individual limits apply to the various sources at the facility. The operating permit contains requirements to keep the facility operating within all applicable air quality requirements for this source.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

46-00274: Sonoco Protective Solutions, Inc. (161 Corporate Drive, Montgomeryville, PA 18936) on July 15, 2014, for issuance of their initial operating permit for an insulated shipping container manufacturing operation in Montgomery Township, **Montgomery County**. Sonoco

Protective Solutions is a synthetic minor facility. The manufacturing process is a closed mold, rigid polyurethane foam molding operation which uses materials containing Volatile Organic Compounds (VOC). The facilities potential VOC emission limit is 8.0 tpy. All the VOC emissions are fugitive and are reduced by: reduction of clean up solvent used, more efficient injection equipment, and good housekeeping practices. The operating permit also includes work practice standards, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmerston 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.

01-05033: Knouse Foods Coop, Inc. (PO Box 807, Biglerville, PA 17307-0807) on July 15, 2014, for their fruit processing facility in Tyrone Township, **Adams County**. The State-only permit was renewed.

36-05159: Covance Research Products, Inc. (310 Swamp Bridge Road, Denver, PA 17517-8723) on July 15, 2014, for the animal crematory and emergency generators at the West Cocalico Township facility in **Lancaster County**. The State-only permit was renewed.

36-05032: Versatek Enterprises, LLC (508 Front Street, Lititz, PA 17543-1708) on July 16, 2014, for their display case and speaker box manufacturing facility in Lititz Borough, **Lancaster County**. The State-only permit was renewed.

38-03033: East Indies Coffee & Tea Co. (7 Keystone Drive, Lebanon, PA 17042-9791) on July 17, 2014, for their coffee manufacturing facility in South Lebanon Township, **Lebanon County**. The State-only permit was renewed.

01-05020: Knouse Foods Coop, Inc. (PO Box 807, Biglerville, PA 17307-0807) on July 21, 2014, for their fruit processing and canning facility in Biglerville Borough, **Adams County**. The State-only permit was renewed.

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

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

49-00053: Shumaker Industries, Inc. (PO Box 206, Northumberland, PA 17857) on July 3, 2014, issued State Only operating permit for their facility located in Northumberland Borough, **Northumberland County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

14-00020: Hanson Aggregates Pennsylvania, LLC (7660 Imperial Way, Allentown, PA 18195) on July 8, 2014, issued a State Only operating permit for their Oak Hall facility located in College Township, **Centre County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

41-00052: Hanson Aggregates Pennsylvania, LLC (7660 Imperial Way, Allentown, PA 18195) on July 2, 2014, issued a State Only operating permit renewal for their Pine Creek Quarry located in Limestone Township, **Lycoming County**. The State Only operating permit renewal contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

59-00019: Metalkraft Industries, Inc. (PO Box 606, Wellsboro, PA 16901-0606) on July 10, 2014, issued a State Only operating permit renewal for their facility located in Charleston Township, **Tioga County**. The State Only operating permit renewal contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

10-374A: Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) on July 1, 2014, issued a new State Only Operating Permit for the Black Run Mine in Worth Township, **Butler County**. The primary sources at the facility are sand and gravel crushing and screening operations, sand and gravel stockpiles, and truck transporting of material. The permit includes a restriction on operating hours for the plant of 3,000 hours per year and a throughput restriction of 1,000,000 tons of material processed per year. The facility is a Natural Minor. The only criteria pollutant is particulate matter for which the potential emissions are 29.914 tpy. The plant is subject to 40 CFR Part 60 Subpart OOO, the Standards of Performance for Nonmetallic Mineral Processing Plants. It is also subject to the conditions of the previously issued plan approval. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

20-00094: Ainsworth Pet Nutrition, Inc. (18746 Mill Street, Meadville, PA 16335) on July 16, 2014, renewed a State Only Operating Permit for the facility in Vernon Township, **Crawford County**. The facility is a Natural Minor. The primary sources at the facility include 2 natural gas fueled boilers rated at 12.5 million Btu/hr and 20.9 million Btu/hr; 17 natural gas fuel space heaters each rated less than 2.5 million Btu/hr each and 2 propane fueled boilers each rated less than 2.5 million Btu/hr; a 200,000 Btu/hr waste oil fueled space heater; a natural gas fueled space heater rated at 3.7 million Btu/hr; a natural gas fueled space heater rated at 3.2 million Btu/hr; 2 natural gas fueled drying ovens each rated at 8.5 million Btu/hr; and pet food conveying, milling, and transfer operations. The potential emissions from the facility are below the Title V thresholds. The facility is subject to 40 CFR Part 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

24-00111: Penn Highlands, Elk—previously Elk Regional Health Center (763 Johnsonburg Road, Saint Marys, PA 15857-3417) on July 16, 2014, to renew the

facility's State Only Operating Permit for the Saint Marys Health Center in the City of Saint Marys, **Elk County**. The facility is a Natural Minor. The primary sources at the facility include a wood fired biomass boiler (18.5 mmbtu/hr), two dual fired (gas/oil) backup boilers rated approximately 8 mmbtu/hr each, and two emergency generators. The Biomass Boiler is subject to 40 CFR Part 63, Subpart JJJJJ. All applicable conditions of Subpart 6J have included in the source level of the permit. The potential emissions as stated in the facility renewal permit application are: PM₁₀—19.4 Tons per year (TPY); CO—48.62 TPY; NO_x—28.77 TPY; SO_x—2.03 TPY; and, VOC—1.38 TPY.

25-00995: Essentra Components (3123 Station Road, Erie, PA 16510) on July 15, 2014, renewed a State Only Operating Permit for their facility in the City of Erie, **Erie County**. The facility is a Natural Minor. The primary sources at the facility include a 3 million Btu/hr natural gas fueled heating furnace, 2 plastisol dip lines, and a parts washer. The potential emissions from the facility are NO_x, 1.4 tpy; CO, 1.12 tpy; VOCs, 9.54 tpy; HAP's, 0.009 tpy; PM less than 1 tpy; SO_x less than 1 tpy. The renewed permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

09-00157: Barrett Asphalt, Inc. (7503 Weymouth Road, Hammonton, NJ 08037; Attn: Mr. Jack Barrett) on July 15, 2014, is a non-Title V facility in Falls Township, **Bucks County**. The Synthetic Minor Operating Permit has undergone a minor modification to make No. 2 fuel oil strictly a backup fuel, with natural gas as the primary fuel for their Drum Mix Asphalt Plant (Source ID 101), located at 14 Steel Road North, Morrisville, PA. Additionally, the 5-year source testing requirement for this source has been revised to be performed while the source operates on natural gas in lieu of No. 2 fuel oil. If the facility ever uses No. 2 fuel oil for 30 cumulative days or more within a 12-month rolling period, then the facility is required to test the source while operating on fuel oil, in addition to the 5-year testing while operating on natural gas. There shall be no increase in emissions as a result of this modification. The operating permit continues to contain testing, monitoring, recordkeeping, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

09-00096: Suburban Heating Oil Partners, LLC (3115 State Road, Telford, PA 18969-1076) on July 15, 2014, to modify a State Only, Synthetic Minor Operating Permit in West Rockhill Township, **Bucks County**. Suburban Heating Oil operates a bulk petroleum terminal at this site.

During the renewal of this operating permit in 2013 the VOC emission limits were calculated with a 98% control efficiency on storage tanks, source 102 and 103. This was incorrect, as the storage tanks have floating roofs which provide the accepted control requirement of 40 CFR Part

60 Subpart Kb and 40 CFR part 65 Subpart C and do not have a 98% control efficiency. Therefore with this modification the facility VOC emission limit will be modified to reflect that source 102 and 103 have internal floating roofs. The facility VOC emission limit will be listed as 4.00 tons per year rather than 2.00 tons per year.

There are no changes to any other conditions in this modification of the operating permit. The facility maintains a synthetic minor operating status by maintaining total VOC emissions to less than 4.00 tons per year. The modified permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and federal air quality requirements.

09-00122: Arkema, Inc.—Altuglas Int.—Bristol Plant (100 PA Route 413, Bristol, PA 19007) on July 15, 2014, for their facility in Bristol Township, **Bucks County**. The facility manufactures a variety of acrylic molding resins that are used as the raw material in a variety of applications (i.e., lighting applications, tail light lenses, faucet handles, etc.). The amended Title V Operating Permit, issued on July _____, 2014, contains monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. Pursuant to 25 Pa. Code § 127.450, the permit was reopened to administratively amend the source-level monitoring requirement (Condition #005) for the Bldg. 66 Plastic Additives Process (Source ID: 100) to read as follows:

“(a) The permittee shall, using a LDAR Program or other Department approved method, monitor the VOC emissions from Bldg. 66 fugitive and transfer piping; and,

(b) The permittee shall calculate the VOC emissions from the Bldg. 66 Scrubbers (Source ID: C03) and Bldg. 66 fugitive and transfer piping on a monthly basis and as 12-month rolling sum.”

Other revisions in the amended Title V Operating Permit include the following:

(1) The source-level testing conditions for the following sources:

- Source ID: 100, Condition #004
- Source ID: 117, Condition #002
- Source ID: 500, Condition #003
- Source ID: 723, Condition #004

(2) The source-level fuel restriction requirement (Condition #004) for the two (2) Small Natural Gas & No. 2 Fuel Oil Boilers (Source ID: 031).

(3) The source-level fuel testing requirement (Condition #006) for the two (2) Small Natural Gas & No. 2 Fuel Oil Boilers (Source ID: 031).

(4) The site-level volatile organic compound (VOC) emission limit restriction (Condition #007) has been revised to reflect the summation of all the permitted emission limits for all of the VOC-emitting source at the facility (e.g., 59.7 tpy).

This Administrative Amendment of the Title V Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

09-00219: Premium Excavating, LLC (P. O. Box 190, Morrisville, PA 19067) on July 15, 2014, has been

amended to modify work practice requirements for Source IDs 102 and 103 in accordance with 25 Pa. Code § 127.450. The amended Operating Permit includes monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmerston 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.

36-05008: Tyson Poultry, Inc. (403 S. Custer Avenue, PO Box 1156, New Holland, PA 17557-0901) on July 9, 2014, for their poultry processing facility in Earl Township, **Lancaster County**. The State-only permit was administratively amended to reflect a change of name.

67-05047: Republic Services of PA, LLC (4400 Mt. Pisgah Road, York, PA 17406-8240) on July 15, 2014, for their modern landfill waste disposal facility in Lower Windsor Township, **York County**. The Title V permit underwent a minor modification to remove the engine generator sources (IDs 104,105, and 106) and related conditions from the permit, since the units have been removed from the facility.

67-05056: Ardent Mills LLC (2800 Black Bridge Road, York, PA 17406-9703) on July 21, 2014, for their flour milling facility in Manchester Township, **York County**. The State-only permit was administratively amended to reflect a change of ownership.

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

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

03-00093: Murray Keystone Processing, Inc., (46226 National Road W, Saint Clairsville, OH 43950) Administrative Amendment issued on July 21, 2014 to change the name of the Owner/Operator, Responsible Official, and Environmental Contact. The owner/operator is now Murray Keystone Processing, Inc. Robert D. Moore is now the Responsible Official, and Charlie Sestak is now the Environmental Contact. The Keystone Cleaning Plant is located in Plumcreek Township, **Armstrong County**.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

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

04-00033: NOVA Chemicals, Inc. (400 Frankfort Road, Monaca, PA 15061). Per 25 Pa Code § 127.449(i), this Notice is for the following de minimis emission increase at the NOVA Chemicals facility located in Potter Township, **Beaver County**.

For a project which results in venting of styrene from nine trucks. VOC and HAP emissions from this project will not exceed 0.0036 tons; any actual emission increase will be included in the annual emission inventory; and this project will not trigger the requirements of 25 Pa. Code Subchapter E or 40 CFR Part 52

The list of de minimis increases includes the following:

- April 2014—Styrene Truck Venting
- June 2014—Bag Ballooning Study
- July 2014—Styrene Truck Venting

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

37-00317: Ellwood Mill Product (712 Moravia Street, New Castle, PA 16101) for its facility located in New Castle City, **Lawrence County**. The De minimis emission increase is for construction of a new Ringmill machine with dust collector. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on May 8, 2012.

| <i>Date</i> | <i>Source</i> | <i>PM₁₀ (tons)</i> | <i>SO_x (tons)</i> | <i>NO_x (tons)</i> | <i>VOC (tons)</i> | <i>CO (tons)</i> |
|--------------------------|------------------------------|-----------------------------------|------------------------------------|---------------------------------|---------------------------------|-----------------------------------|
| 7-17-14 | Ringmill with dust collector | 0.0172 | | | | |
| Total Reported Increases | | 0.0172 | | | | |
| Allowable | | 0.6 ton/source 3 tons/facility | 1.6 tons/source 8 tons/facility | 1 ton/source 5 tons/facility | 1 ton/source 5 tons/facility | 4 tons/source 20 tons/facility |

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

GP5-41-648A: SWEPI LP (2100 Georgetown Drive, Sewickley, PA 15143) terminated General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facil-

ities (BAQ-GPA/GP-5) on July 8, 2014, for their Graham #2 Well Site located in McNett Township, **Lycoming County**. The facility emits all air contaminants below the exemption emission thresholds.

GP5-53-118: SWEPI LP (2100 Georgetown Drive, Sewickley, PA 15143), terminated General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) on July 8, 2014, for their Allegany #900 Well Site located in Allegany Township, **Potter County**. The facility emits all air contaminants below the exemption emission thresholds.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

30841312 and NPDES No. PA0013790. Consolidation Coal Company, (1 Bridge Street, Monongah, WV 26554). To revise the permit for the Blacksville Mine No. 2 in Jackson, Gilmore and Wayne Townships, **Greene County** to add underground permit and subsidence control plan area acres for longwall mining. Potential stream restoration for stream flow loss from longwall mining may be necessary for three areas of Bloody Run, two areas of Roberts Run, and one area of Negro Run. In conjunction with this approval, the Department is granting 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 USCA § 1341) and will not violate Federal and State water quality standards. Underground Acres Proposed 2161.1, Subsidence Control Plan Acres Proposed 3260.8. No additional discharges. The application was considered administratively complete on March 15, 2012. Application received July 19, 2011. Permit issued July 14, 2014.

30841307. Emerald Coal Resources, LP, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Emerald Mine No. 1 in Franklin Township, **Greene County** to add subsidence control plan area acres for development mining. Subsidence Control Plan Acres Proposed 20.88. No additional discharges. The application was considered administratively complete on January 24, 2012. Application received November 18, 2011. Permit issued July 14, 2014.

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

Permit No. 56980109 and NPDES No. PA0234931. Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, revision of an existing bituminous surface mine to change the land use from Woodland and Residential to Pastureland in Brothersvalley Township, **Somerset County**, affecting 26.5 acres. Receiving streams: unnamed tributaries to/and Tubs Run, Unnamed Tributaries to/and Hayes Run and Unnamed Tributaries to/and Buffalo Creek classified for the following use: cold water fisheries. There are no potable water

supply intakes within 10 miles downstream. Application received: January 31, 2014. Permit Issued: July 16, 2014.

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

65890104 and NPDES Permit No. PA0591734. Coal Loaders, Inc. (210 E. Main Street, Ligonier, PA 15658). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 92.5 acres. Receiving streams: unnamed tributary to Barren Run. Application received: June 10, 2014. Permit issued: July 14, 2014.

03080104 and NPDES Permit No. PA0251496. Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in East Franklin and North Buffalo Townships, **Armstrong County**, affecting 114.8 acres. Receiving streams: unnamed tributaries to Glade Run. Application received: April 22, 2014. Permit issued: July 16, 2014.

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

17850127 and NPDES PA0596451. King Coal Sales, Inc. (P. O. Box 712, Philipsburg, PA 16866). Permit renewal for reclamation only to an existing bituminous surface mine located in Morris Township, **Clearfield County** affecting 233.0 acres. Receiving stream: Alder Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 18, 2014. Permit issued: July 16, 2014.

Noncoal Permits Issued

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

Permit No. 6477SM5 and NPDES No. PA0009059. Specialty Granules, Inc., 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214, revision of an existing bituminous surface mine to redesign 23 acres within the current permitted area from support to mining and will include associated enhanced reclamation plans in Hamiltonban Township, **Adams County**, affecting 306.6 acres. Receiving stream: unnamed tributaries to Toms 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 11, 2012. Permit Issued: July 16, 2014.

Permit No. 01930302 and NPDES No. PA0223239. Specialty Granules, Inc., 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214, revision of an existing bituminous surface mine to redesign 23 acres within the current permitted area from support to mining and will include associated enhanced reclamation plans in Hamiltonban Township, **Adams County**, affecting 313.2 acres. Receiving stream: unnamed tributaries to Toms 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 11, 2012. Permit Issued: July 16, 2014.

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

2969BSM24 and NPDES Permit No. PA0252018. Potato Ridge, LLC (520 West Short Street, Lexington KY 40507). NPDES permit renewal and revised the

chemical treatment system for a mine drainage permit, located in Stewart Township, **Fayette County**, affecting 169.8 acres. Receiving stream: unnamed tributary to Laurel Run. Application received: September 7, 2010. Permit issued: July 16, 2014.

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

37930305. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) Revision to an existing large industrial minerals mine to change the post-mining land use from cropland and forestland to unmanaged water impoundment on the Cunningham Heirs and Kenneth E. Meals properties in Plain Grove Township, **Lawrence County**. Receiving streams: Unnamed tributary to Taylor Run and Taylor Run. Application received: May 14, 2014. Permit Issued: July 16, 2014.

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

41990301 and NPDES PA238287. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803-1649). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Armstrong Township, **Lycoming County** affecting 41.27 acres. Receiving stream(s): Hagerman's Run. Application received: June 5, 2014. Renewal issued: July 16, 2014.

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

Permit No. 38120301. Greater Lebanon Refuse Authority, (1610 Russell Road, Lebanon, PA 17046), commencement, operation and restoration of quarry operation in North Annville Township, **Lebanon County** affecting 170.0 acres, receiving stream: Swatara Creek Watershed. Application received: October 4, 2012. Permit issued: July 16, 2014.

Permit No. 38120301GP104, Greater Lebanon Refuse Authority, (1610 Russell Road, Lebanon, PA 17046), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 38120301 in North Annville Township, **Lebanon County**, receiving stream: Swatara Creek Watershed. Application received: October 4, 2012. Permit issued: July 16, 2014.

Permit No. 58010301T3 and NPDES Permit No. PA0224171. Pennsy Supply, Inc., (PO Box 3331, Harrisburg, PA 17105), transfer of an existing quarry operation and renewal of NPDES Permit for discharge of treated mine drainage in Bridgewater Township, **Susquehanna County** affecting 41.96 acres, receiving stream: unnamed tributary to South Branch Wyalusing Creek. Application received: February 26, 2013. Transfer issued: July 18, 2014.

Permit No. 58142501. Nielton Dias, (503 Morgan Highway, Clarks Summit, PA 18411), commencement, operation and restoration of a General Permit for Bluestone (GP105) quarry operation in Lathrop Township, **Susquehanna County** affecting 10.0 acres, receiving stream: Horton Creek. Application received: February 10, 2014. Permit issued: July 21, 2014.

Permit No. 58142501GP104. Nielton Dias, (503 Morgan Highway, Clarks Summit, PA 18411), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58142501 in Lathrop Township, **Susquehanna County**, receiving stream: Horton Creek. Application received: February 10, 2014. Permit issued: July 21, 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

63144106. Wampum Hardware Co. (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the utility pipeline, located in Bentleyville Borough, **Washington County** and Waynesburg Borough, **Greene County** with an exploration date of December 31, 2014. Blasting permit issued: July 10, 2014.

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

17144101. Wampum Hardware Company (2856 Stoystown Rd, Friedens, PA 15541-7020). Blasting on mine site for RES Coal LLC, GFCC 17-10-02, Mine #34 located in Lawrence Township, **Clearfield County** with an expiration date of December 31, 2015. Permit issued: July 15, 2014.

41144003. Pennsylvania General Energy LLC (120 Market Street, Warren, PA 16365). Blasting for construction of SLG 75 Pad A located in McHenry Township, **Lycoming County** with an expiration date of July 31, 2015. Permit issued: July 15, 2014.

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

Permit No. 06144108. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for St. Mark's Place in Birdsboro Borough, **Berks County** with an expiration date of July 1, 2015. Permit issued: July 15, 2014.

Permit No. 40144107. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Fairmont Township Shale Pit in Fairmont Township, **Luzerne County** with an expiration date of July 30, 2015. Permit issued: July 15, 2014.

Permit No. 58144147. DW Drilling & Blasting, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Fontana Gas Pad in Bridgewater Township, **Susquehanna County** with an expiration date of June 30, 2015. Permit issued: July 15, 2014.

Permit No. 58144148. John H. Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for Jones Compressor Station in Middletown Township, **Susquehanna County** with an expiration date of December 14, 2014. Permit issued: July 15, 2014.

Permit No. 67144110. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting in Gifford Pinchot State Park in Warrington Township, **York County** with an expiration date of July 1, 2015. Permit issued: July 15, 2014.

Permit No. 35144105. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Northeast Reliability Project in

Covington Township, **Lackawanna County** with an expiration date of July 31, 2016. Permit issued: July 16, 2014.

Permit No. 06144109. J Roy's, Inc., (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Willow Glen in Ontelaunee Township, **Berks County** with an expiration date of July 17, 2015. Permit issued: July 17, 2014.

Permit No. 06144110. J Roy's, Inc., (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Woods Edge Phase 3C in Amity Township, **Berks County** with an expiration date of July 17, 2015. Permit issued: July 17, 2014.

Permit No. 06144111. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for River Bend Estates in Marion Township, **Berks County** with an expiration date of July 31, 2015. Permit issued: July 17, 2014.

Permit No. 23144101. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Webster Farms in Bethel Township, **Delaware County** with an expiration date of July 10, 2015. Permit issued: July 17, 2014.

Permit No. 38144108. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Zinns Mill Road Lot in Cornwall Borough, **Lebanon County** with an expiration date of July 16, 2015. Permit issued: July 17, 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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860

E43-08-002, Halcon Field Service LLC, 1000 Louisiana Street, Suite 6700, Houston, TX 77002-6003, Cude to Yoder Pipeline in West Salem Township, **Mercer County**, ACOE Pittsburgh District (Greenville West, PA Quadrangle, N: 41.406297°; W: 80.44925°).

The applicant proposes to construct and maintain approximately 6.53 miles of 16 inch diameter, steel natural gas pipeline in West Salem Township, Mercer County, PA. The proposed pipeline will connect Halcon Field Services, LLC's Cude and Yoder well pads to their proposed Phillips to Yoder Pipeline.

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

- 1 One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Shenango River (WWF) and its associated floodway consisting of palustrine emergent/palustrine forested/palustrine shrub-scrub (PEM/PFO/PSS) wetland. 41.429602° N; -80.427435°W
- 1 One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine emergent/palustrine forested/palustrine shrub-scrub (PEM/PFO/PSS) wetland. 41.429602° N; -80.427435°W
- 2 One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine forested (PFO) wetland. 41.424717° N; -80.427911°W
- 3 One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .07 acre of temporary impact. 41.423897°N; -80.428071°W
- 4 One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a palustrine Emergent (PEM) wetland, having .01 acre of temporary impact. 41.422106°N; -80.428167°W
- 5 One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 60 linear feet of temporary stream impact. 41.421198° N; -80.428955°W

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|----|--|----|--|
| 6 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 64 linear feet of temporary stream impact. 41.420927° N; -80.429321°W | 21 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath Big Run (WWF) 41.396285° N; -80.449502°W |
| 7 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a palustrine Emergent (PEM) wetland, having .006 acre of temporary impact. 41.420337°N; -80.430116°W | 22 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 29 linear feet of temporary stream impact. 41.391304° N; -80.448865°W |
| 8 | A temporary road to cross a palustrine Emergent (PEM) wetland, having .003 acre of temporary impact. 41.419908°N; -80.430563°W | 22 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .006 acre of temporary impact. 41.391304°N; -80.448865°W |
| 9 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine forested/palustrine shrub-scrub (PFO/PSS) wetland. 41.415149° N; -80.431260°W | 23 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Big Run (WWF) 41.389734° N; -80.448608°W |
| 10 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine forested/palustrine shrub-scrub (PFO/PSS) wetland. 41.414155° N; -80.433870°W | 24 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Big Run (WWF) 41.389275° N; -80.448551°W |
| 11 | A temporary road to cross a palustrine Emergent (PEM) wetland, having .008 acre of temporary impact. 41.411479°N; -80.432452°W | 25 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Big Run (WWF) 41.386398° N; -80.448218°W |
| 12 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 39 linear feet of temporary stream impact. 41.412433° N; -80.444739°W | 25 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine emergent/palustrine shrub-scrub (PEM/PSS) wetland. 41.386398° N; -80.448218°W |
| 13 | A permanent access road to cross a UNT to Big Run (WWF), having 26 linear feet of temporary stream impact. 41.408074° N; -80.449207°W | 26 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 47 linear feet of temporary stream impact. 41.382255° N; -80.453988°W |
| 14 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 60 linear feet of temporary stream impact. 41.407606° N; -80.448916°W | 27 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .3 acre of temporary impact. 41.380708°N; -80.453857°W |
| 15 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine emergent (PEM) wetland. 41.405336° N; -80.450753°W | 28 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .03 acre of temporary impact. 41.380016°N; -80.453906°W |
| 16 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Big Run (WWF) 41.405116° N; -80.450648°W | 29 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 50 linear feet of temporary stream impact. 41.379241° N; -80.453867°W |
| 17 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .003 acre of temporary impact. 41.39983°N; -80.450118°W | 30 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .006 acre of temporary impact. 41.378966°N; -80.45386°W |
| 18 | One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 47 linear feet of temporary stream impact. 41.398237° N; -80.44967°W | 31 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Big Run (WWF) 41.378882° N; -80.456216°W |
| 19 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine emergent (PEM) wetland. 41.397036° N; -80.449566°W | 31 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine emergent (PEM) wetland. 41.378882° N; -80.456216°W |
| 20 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a palustrine emergent (PEM) wetland. 41.396563° N; -80.449526°W | 32 | One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Big Run (WWF) 41.378884° N; -80.456776°W |

- 33 One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Big Run (WWF) 41.378881° N; -80.457193°W
- 34 One (1) 16 inch diameter, steel natural gas gathering line to be bored underneath a UNT to Big Run (WWF) 41.378870° N; -80.458600°W
- 35 One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 55 linear feet of temporary stream impact. 41.378606° N; -80.459353°W
- 35 A temporary road to cross a palustrine emergent (PEM) wetland, having .008 acre of temporary impact. 41.378606°N; -80.459353°W
- 36 One (1) 16 inch diameter, steel natural gas gathering line with associated right-of-way and a temporary road to cross a UNT to Big Run (WWF), having 55 linear feet of temporary stream impact. 41.377333° N; -80.459333°W
- 37 A temporary road to cross a palustrine emergent (PEM) wetland, having .0008 acre of temporary impact. 41.373081°N; -80.468014°W

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

E5829-072. Gibson and Clifford Townships, Williams Field Services Company, LLC, Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Gibson and Clifford Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

- 1) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 1,262 square feet of floodway to an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 27" Lat., W -75° 35' 25" Long.),
- 2) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 55 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 26" Lat., W -75° 35' 28" Long.),
- 3) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 57 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 26" Lat., W -75° 35' 29" Long.),
- 4) a 20-inch diameter natural gas pipeline and temporary timber mat crossing impacting 4,747 square feet (0.11 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 25" Lat., W -75° 35' 31" Long.),
- 5) a temporary timber mat crossing impacting 45 square feet (0.01 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 25" Lat., W -75° 35' 32" Long.),
- 6) a 20-inch diameter natural gas pipeline and temporary timber mat crossing impacting 10,548 square feet (0.24 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 22" Lat., W -75° 35' 33" Long.),
- 7) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 75 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 18" Lat., W -75° 35' 32" Long.),
- 8) a 20-inch diameter natural gas pipeline and temporary timber mat crossing impacting 802 square feet (0.02 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 18" Lat., W -75° 35' 32" Long.),

9) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 72 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 17" Lat., W -75° 35' 31" Long.),

10) a 20-inch diameter natural gas pipeline crossing impacting 695 square feet of floodway of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 30" Long.),

11) a 20-inch diameter natural gas pipeline crossing impacting 3 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 29" Long.),

12) a 20-inch diameter natural gas pipeline crossing impacting 3 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 29" Long.),

13) a 20-inch diameter natural gas pipeline crossing impacting 5 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 29" Long.),

14) a 20-inch diameter natural gas pipeline crossing impacting 143 square feet (0.01 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 29" Long.),

15) a 20-inch diameter natural gas pipeline and temporary timber mat crossing impacting 4,858 square feet (0.11 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 13" Lat., W -75° 35' 26" Long.),

16) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 53 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 42' 56" Lat., W -75° 35' 19" Long.),

17) a 20-inch diameter natural gas pipeline impacting 51 square feet (0.01 acre) of a PSS wetland and a temporary timber mat crossing impacting 693 square feet (0.02 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 42' 55" Lat., W -75° 35' 18" Long.),

18) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 53 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 42' 54" Lat., W -75° 35' 16" Long.),

19) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 50 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 42' 41" Lat., W -75° 35' 08" Long.),

20) a temporary timber mat crossing impacting 1,018 square feet (0.02 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 42' 40" Lat., W -75° 35' 07" Long.).

The project consists of constructing approximately 8,554 lineal feet (1.62 miles) of 20" natural gas gathering line, within a maintained 50 to 75 foot permanent right of way located in Gibson, and Clifford Townships, Susquehanna County. The project will result in 426 lineal feet of temporary stream impacts, 2,883 square feet of temporary floodway impacts, 0.48 acre of temporary wetland impacts, and 0.02 acre of wetland bore impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

E0829-087. 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 10,844 square feet of a

Palustrine Emergent and Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'54", Longitude: -76°20'12");

2. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 24 linear feet of an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) and impacting 3,110 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'55", Longitude: -76°20'18");

3. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,073 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'55", Longitude: -76°20'33");

4. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,420 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'57", Longitude: -76°20'45");

The project will result in 24 linear feet or 172 square feet of temporary stream impacts and impacts 16,447 square feet (0.38 acre) of temporary PEM and PSS 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.

E5829-066: Franklin, Great Bend, and New Milford Townships, Angelina Gathering Company, LLC, 2350 North Sam Houston Parkway E, Suite125, Houston, TX 77032; Franklin, Great Bend, and New Milford Townships, Susquehanna County, ACOE Baltimore District.

To construct, operate, and maintain:

(1) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 71 linear feet of Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 55' 07" Lat., W -75° 46' 06" Long.),

(2) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 39 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 55' 07" Lat., W -75° 46' 07" Long.),

(3) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 40,075 square feet (0.92 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 55' 01" Lat., W -75° 46' 20" Long.),

(4) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 9,785 square feet (0.22 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 51" Lat., W -75° 46' 21" Long.),

(5) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 1,101 square feet (0.03 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 51" Lat., W -75° 46' 21" Long.),

(6) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 83 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 50" Lat., W -75° 46' 21" Long.),

(7) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 2,298 square feet (0.05 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 26" Lat., W -75° 46' 24" Long.),

(8) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 69 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 24" Lat., W -75° 46' 24" Long.),

(9) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 78 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 22" Lat., W -75° 46' 25" Long.),

(10) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 502 square feet (0.01 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 22" Lat., W -75° 46' 25" Long.),

(11) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 1,452 square feet (0.03 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 13" Lat., W -75° 46' 32" Long.),

(12) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 71 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 11" Lat., W -75° 46' 32" Long.),

(13) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 982 square feet (0.02 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 10" Lat., W -75° 46' 36" Long.),

(14) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 1,985 square feet (0.05 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 09" Lat., W -75° 46' 36" Long.),

(15) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 725 square feet (0.02 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 09" Lat., W -75° 46' 41" Long.),

(16) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 70 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 08" Lat., W -75° 46' 36" Long.),

(17) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 20,453 square feet (0.47 acre) of PFO wetlands (Franklin Forks, PA Quadrangle; N 41° 53' 50" Lat., W -75° 46' 35" Long.),

(18) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 1,946 square feet (0.04 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 53' 44" Lat., W -75° 46' 34" Long.),

(19) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 8 linear feet of an unnamed tributary to Beaver Creek (HQ, CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 53' 40" Lat., W -75° 46' 334" Long.),

(20) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 5,663 square feet (0.13 acre) of PFO wetlands (Franklin Forks, PA Quadrangle; N 41° 53' 40" Lat., W -75° 46' 35" Long.).

The project consists of constructing approximately 2.8 miles of dual 12" natural gas gathering lines at a depth of 4' and a 16" waterline at a depth of 5', within a maintained 50 foot permanent right of way located in Franklin, Great Bend, and New Milford Townships, Susquehanna County. The project will result in 489 lineal feet of temporary stream impacts, 1.39 acre of temporary wetland impacts, and 0.60 acre of permanent wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

ENVIRONMENTAL ASSESSMENT

Cambria District: Contact Person: Patrick M. Webb, 286 Industrial Pk Rd, Ebensburg, PA 15931-4119.

EA1109-005. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Croyle and East Taylor Townships and Ehrenfeld Borough, **Cambria County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 17,200 linear feet of dangerous highwall. The project will also include the backfilling of 0.66 acre of PEM wetlands that have developed within the open surface mine pits of which 0.43 acre will require mitigation. A 0.43 acre replacement wetland will be constructed with the project. (Geistown Quadrangle 40° 22' 25" N, 78° 48' 54" W).

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

D15-125. Hershey Mill Dam, East Goshen Township, 1580 Paoli Pike, West Chester, PA 19380. To modify, operate, and maintain Hershey Mill Dam across Ridley Creek (HQ-TSF, MF), impacting 0 acre of wetlands (PEM) with no proposed impacts to the stream channel, for the purpose of rehabilitating the dam by constructing a new spillway. (Malvern, PA Quadrangle Latitude: 40.0132, Longitude: -75.5573) in East Goshen Township, **Chester County**.

D67-545. Forest Lakes Water Association, Inc. (649 Well Drive, New Freedom, PA 17349). To modify, operate and maintain Forest Lakes No. 2 Dam across a tributary to Deer Creek (CWF-MF) for the purpose of constructing a new spillway structure in order to pass the required 50-year design storm. (New Freedom, PA Quadrangle N: 21.55 inches; W: 12.1 inches) in Shrewsbury Township, **York County**.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

| <i>ESCGP No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|------------------|--|---------------|--|---------------------------------------|
| ESCGP222138011 | Texas Eastern Team 2014 890 Winter Street, Suite 300 Waltham, MA 02451 | Dauphin | Middle Paxton and West Hanover Townships | Stony Creek/CWF and Fishing Creek/WWF |

Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701

| | | | | |
|---|---|--|--|--|
| ESCP 2 # | ESG 00059140002 | | | |
| Applicant Name | Dominion Transmission Inc | | | |
| Contact Person | Leslie Hartz | | | |
| Address | 500 Dominion Blvd | | | |
| City, State, Zip | Glen Allen, VA 23060 | | | |
| County | Tioga | | | |
| Township(s) | Gaines & Clymer | | | |
| Receiving Stream(s) and Classification(s) | Baker Branch (EV); UNT's to Baker Branch (EV); UNT's to Bend Gully Run (CWF); Shin Hollow (HQ), Pine Creek (EV), Whitney Hollow (HQ), Lick Run (HQ) & UNT's to Lick Run (HQ). | | | |

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

| <i>ESCGP-2 No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|--------------------|---|-----------------------|--|--|
| ESG00059140003 | Equitrans, LP 625 Liberty Avenue Pittsburgh, PA 15222 | Greene | Washington Township | UNT to Garners Run (HQ-WWF) and Garners Run (HQ-WWF) |
| ESG00059140004 | Dominion Transmission, Inc. 5000 Dominion Blvd Glen Allen, PA 23060 | Greene | Franklin & Richhill Townships | Purman Run (WWF) and Poland Run (TSF) |
| 0063138007-2 | Columbia Gas Transmission, LLC. | Washington and Greene | Franklin, Washington, and Amwell Townships | Redd Run (WWF), Little Ten Mile Run (WWF), Horne Run (WWF), Bane Creek (WWF), Ten Mile Creek (TSF), Ten Mile Creek (WWF), Ruff Creek (WWF), Wallers Run (WWF), South Fork Ten Mile Creek (HQ-WWF), Wisecarver Run (HQ-WWF), Mud Lick Run (HQ-WWF), Browns Creek (HQ-WWF) |

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-2 #ESG14-019-0041—West Pad 55
Applicant PennEnergy Resources LLC
Contact Robert Crissinger
Address 1000 Commerce Drive, Park Place One, Suite 100
City Pittsburgh State PA Zip Code 15275
County Butler Township(s) Jefferson(s)
Receiving Stream(s) and Classification(s) Sarver Run, HQ, TSF

ESCGP-2 #ESX14-019-0034—Bell Properties Wells Lateral Line
Applicant Markwest Liberty Bluestone, LLC.
Contact Richard Lowry
Address 4600 J. Barry Court, Suite 500
City Canonsburg State PA Zip Code 15317
County Butler Township(s) Jackson(s)
Receiving Stream(s) and Classification(s) UNT to Glade Run/UNT to Likens Run, Glade Run (WWF)

ESCGP-2 #ESG14-083-0007—Clermont 24 inch Mainline Extension
Applicant NFG Midstream Clermont LLC
Contact Duane Wassum
Address 6363 Main St.
City Williamsville State NY Zip Code 14221
County McKean Township(s) Sergeant
Receiving Stream(s) and Classification(s) East Branch Clarion River; Trib (HQ-CWF) 50853 to East Branch Clarion River (HQ-CWF); Warner Brook (HQ-CWF)/East Branch Clarion River & Warner Brook Watersheds

ESCGP-2 #ESG14-083-0006-CRV Pad C08-J Pad
Applicant Seneca Resources Corporation
Contact Doug Kepler
Address 5800 Corporate Drive, Suite 300
City Pittsburgh State PA Zip Code 15237
County McKean Township(s) Norwich(s)
Receiving Stream(s) and Classification(s) Murdock

Branch & (1) UNT to same, and Rocky Run/Potato-Oswago Creeks; Elk Fork/Sinnemahoning Creek.

ESCGP-2 #ESG14-019-0039—Landgraf A B Well Pad
Applicant XTO Energy, Inc.
Contact Melissa Breitenbach
Address 502 Keystone Drive
City Warrendale State PA Zip Code 15086-7537
County Butler Township(s) Donegal(s)
Receiving Stream(s) and Classification(s) UNT Little Buffalo Run (HQ-CWF),
Secondary Receiving Water Buffalo Creek (HQ-TSF)

ESCGP-2 #ESG14-047-0008—Pad F10-F
Applicant Seneca Resources Corp
Contact Michael Clinger
Address 51 Zents Blvd
City Brookville State PA Zip Code 15825
County Elk Township(s) City of St. Mary's and Jones(s)
Receiving Stream(s) and Classification(s) Long Branch (HQ-CWF/EV); UNT to Crooked Creek (HQ-CWF/HQ-CWF)

SPECIAL NOTICE

Water Quality Certification under Section 401 of the Federal Clean Water Act for the Extended Power Uprate (EPU) for Exelon Generation Company, LLC (Exelon) Peach Bottom Atomic Power Station (PBAPS); DEP File No. EA 67-024; NRC Doc. ID- NRC-2013-0232

On July 23, 2014 the Commonwealth of Pennsylvania (Commonwealth) Department of Environmental Protection (Department, DEP or PADEP), issued Section 401 Water Quality Certification to Exelon for the PBAPS EPU project. The PADEP certifies that the construction, operation and maintenance of the EPU complies with the applicable provisions of sections 301—303, 306, 307 and 316 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316, 1317 and 1326) and appropriate requirements of state law. The Department further certi-

fies that the construction, operation and maintenance of the EPU complies with Commonwealth applicable water quality standards and that the construction, operation and maintenance of the EPU does not violate applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the EPU complies with the conditions of this certification, including the criteria and conditions of the following conditions and permits:

1. *Discharge Permit*—PBAPS shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of pollutants 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*—PBAPS shall obtain and comply with a PADEP's NPDES Permit for Stormwater Discharges Associated with Construction Activity 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) for any earth disturbance activities that require said permit.

3. *Water Obstruction and Encroachment Permits*—PBAPS shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permit or Dam Permit for the construction, operation and maintenance of all dams, water obstructions or encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law (35 P. S. §§ 691.1—691.1001), 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. *Susquehanna River Basis Commission*—PBAPS shall implement the Consumptive Water Use Mitigation Plan as approved and conditioned by the Susquehanna River Basin Commission including any future amendments to that plan.

5. *Habitat Improvement Projects*—

a. Commencing on the first March 1 after completion of the EPU of Unit 2, and by March 1 of each year thereafter, PBAPS shall provide a total ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) annually in compensatory mitigation to the Pennsylvania Fish and Boat Commission (PFBC), or to such other conservation district, resource agency or 501(c)(3) organization as directed by the PADEP, for the implementation of habitat/sediment improvement projects. This will include stream improvement projects, agricultural pasture and barnyard best management practices, and small dam removal projects.

b. This annual compensatory mitigation shall be by corporate check, or the like, made payable to the PFBC in the amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for habitat/sediment improvement projects in Lancaster or York Counties or to such other entities as the PADEP shall direct. PBAPS and PADEP shall receive from PFBC an annual accounting of projects implemented and fund expenditures. The funds shall be deposited by the PFBC into a special non-lapsing interest bearing account established and to be used only for the HIP Projects required by this Water Quality Certification ("PBAPS HIP Funds"). Such payments shall be made for the duration of the operation of PBAPS as an electric generation facility, unless otherwise modified and approved in writing by PADEP in accordance with paragraph 5.d., below.

c. PADEP shall ensure that each project proposed by the PFBC shall be submitted to the DEP South-central Regional Office Waterways and Wetlands Program Manager, or the successor position, for approval. No single project shall receive more than \$75,000.00 in compensatory mitigation funding from the PBAPS HIP Fund. Funding priority shall be given for projects that include stream forested buffers of at least 50 feet in width and wetland creation projects. Project funding shall not include any indirect administrative costs and, except where specifically authorized by the DEP, shall not include direct administrative costs. In no case shall direct administrative costs be greater than 10% of the project funding. At PBAPS's option, and subject to land owner approval, for each project signage shall be displayed acknowledging PBAPS's funding of the habitat improvement.

d. Exelon may request that the PADEP revise the compensatory mitigation in response to actions or activities by Exelon that reduce the degree of impingement and/or entrainment at the PBAPS.

6. *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 PBAPS.

7. *Operation*—For the EPU under this certification, PBAPS shall at all times properly operate and maintain the PBAPS 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 PBAPS.

8. *Inspection*—The PBAPS, 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, appropriate requirements of state law 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.

9. *Transfer of Projects*—If the owners of PBAPS intend to transfer any legal or equitable interest in the PBAPS, they 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.

10. *Correspondence*—All correspondence with and submittals to PADEP concerning this Certification shall be addressed to the Department of Environmental Protection, Southcentral Regional Office, Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

11. *Reservation of Rights*—PADEP may suspend or revoke this Certification if it determines that PBAPS has not complied with the terms and conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to PBAPS's applicable procedural and substantive rights.

12. *Other Laws*—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve PBAPS from any responsibilities, liabilities, or penalties established pursuant to any applicable federal or state law or regulation.

13. *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.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P. S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, 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 Environmental Hearing Board within 30 days of receipt of written notice of this action 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the board within 30 days. You do not need a lawyer to file an appeal with the board.

Important legal rights are at stake, however, so you should show this document to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the secretary to the board (717.787.3483) for more information.

[Pa.B. Doc. No. 14-1634. Filed for public inspection August 1, 2014, 9:00 a.m.]

Clean Air Interstate Rule; Final 2018 Annual and Ozone Season CAIR Nitrogen Oxides Allowance Allocations; Final Redistribution of 2012 Allowances for Certain Facilities; and Final Extension of CAIR Nitrogen Oxides Set Aside Program for Offsetting Sulfur Dioxide Emissions

In accordance with 25 Pa. Code §§ 145.211(d) and 145.221(d) (relating to timing requirements for CAIR NO_x allowance allocations; and timing requirements for CAIR NO_x Ozone Season allowance allocations), the Department of Environmental Protection (Department) is providing notice of finalization of the 2018 annual and ozone season Clean Air Interstate Rule (CAIR) nitrogen oxides (NO_x) allowance allocations, final redistribution of 2012 allowances for certain facilities and extension of the CAIR NO_x set aside program for sulfur dioxide (SO₂) emissions.

Notice of the proposed allocations of 2018 allowances, the proposed redistribution of 2012 allowances and the proposed extension was published at 44 Pa.B. 3177 (May 24, 2014). One comment was received that requested clarification on the population affected by this notice. The Department responded to the commentator by identifying the affected population of the notice, which consists of facilities that participate in the CAIR program, but no changes to the final allocations were made.

The Commonwealth's 2018 NO_x budget for the annual CAIR program contains 82,541 NO_x allowances; 81,389 NO_x allowances are allocated. A remaining 1,073 (1.3% of the annual CAIR program budget) NO_x allowances are set aside for future allocation as described as follows. Final notice of 79 vintage year 2018 allowances to new units was published at 44 Pa.B. 3284 (May 31, 2014). The allocation of additional NO_x allowances to offset SO₂ emissions may be extended after a 30-day public comment period provided in accordance with 25 Pa. Code § 145.212(f)(5) (relating to CAIR NO_x allowance allocations). The comment period ended on June 23, 2014, and no adverse comments were received.

In this notice, the Department is finalizing the extension of the set aside program described in 25 Pa. Code § 145.212(f)(2)—(4) to include a set aside of 2018 vintage year CAIR NO_x allowances. The Department is maintaining the 1.3% set aside for future allocation of additional CAIR NO_x allowances to offset SO₂ emissions to units exempted by section 405(g)(6)(A) of the Clean Air Act (42 U.S.C.A. § 7651d(g)(6)(A)).

This extension is appropriate in light of the continued implementation of the CAIR program that has resulted from an appellate court vacating the Federal Cross State Air Pollution Rule (CSAPR) on August 21, 2012, in *EME Homer City Generation, L.P. v. EPA* (D.C. Cir. 11-1302). While the Supreme Court of the United States reversed the lower court's vacatur of CSAPR and remanded the case to the appellate court on April 29, 2014 (*EPA v. EME Homer City Generation, U.S.*, No. 12-1182), CAIR remains in place until further direction is provided. The CSAPR is the United States Environmental Protection Agency's intended replacement for the CAIR rule.

The Commonwealth's 2018 NO_x budget for the ozone season CAIR program contains 35,143 NO_x allowances; 35,109 CAIR ozone season NO_x allowances are allocated. Final notice of 34 vintage year 2018 allowances to new units was published at 44 Pa.B. 3284.

In accordance with 25 Pa. Code § 145.212(c) and (f)(4), the Department is finalizing the distribution of 525 vintage 2012 annual NO_x allowances that remained after the Department's allocations last year to units exempted under the Federal Acid Rain Program provisions in section 405(g)(6)(A) of the Clean Air Act but not exempted from the CAIR requirements. See 43 Pa.B. 1659 (March 23, 2013), 43 Pa.B. 2677 (May 11, 2013) and 43 Pa.B. 5660 (September 21, 2013). No comments were received and no changes to the final allocations were made.

For each CAIR unit and qualifying resource receiving a NO_x allocation, Tables 1 and 2 as follows list the following: facility name; county; ORIS Code; unit ID; either the gross loading, steam loading, useful thermal energy, and/or total heat energy of steam, converted heat input from the base year, and final 2018 annual allowance allocation or final 2018 ozone season allowance allocation.

Table 3 lists each CAIR unit and qualifying resource that is allocated vintage 2012 NO_x allowances from the 525 allowances that remained after the 2013 allocation to the units exempted from the Acid Rain Program.

Owners and operators of units should be aware that CAIR NO_x allowances and CAIR NO_x Ozone Season allowances do not constitute property rights and that action at the Federal or State level, including Federal court proceedings in the legal challenges to the CSAPR, could affect these allocations, once final.

Persons aggrieved by an action may appeal, 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), to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the 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, 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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create

any right of appeal beyond that permitted by applicable statutes and decision law.

A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

E. CHRISTOPHER ABRUZZO,
Secretary

Table 1: Final 2018 CAIR NO_x Annual Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final 2018 CAIR NO _x Allowance Allocation |
|---|-------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| AES Beaver Valley LLC | Beaver | 10676 | 32 | - | - | 4,293,346.00 | - | 5,366,682.50 | 396 |
| AES Beaver Valley LLC | Beaver | 10676 | 33 | - | - | 4,293,246.00 | - | 5,366,557.50 | 395 |
| AES Beaver Valley LLC | Beaver | 10676 | 34 | - | - | 4,065,998.00 | - | 5,082,497.50 | 375 |
| AES Beaver Valley LLC | Beaver | 10676 | 35 | - | - | 1,998,167.00 | - | 2,497,708.75 | 184 |
| Springdale Power Station (AE Units 1&2) | Allegheny | 55196 | 1 | 19,091.00 | - | - | - | 127,432.43 | 9 |
| Springdale Power Station (AE Units 1&2) | Allegheny | 55196 | 2 | 18,232.00 | - | - | - | 121,698.60 | 9 |
| Springdale Power Station (AE Units 3&4) | Allegheny | 55710 | 3 | 1,092,429.00 | - | - | - | 7,291,963.58 | 537 |
| Springdale Power Station (AE Units 3&4) | Allegheny | 55710 | 4 | 995,244.00 | - | - | - | 6,643,253.70 | 490 |
| Gans Power Station (AE Units 8 & 9) | Fayette | 55377 | 8 | 18,270.00 | - | - | - | 121,952.25 | 9 |
| Gans Power Station (AE Units 8 & 9) | Fayette | 55377 | 9 | 18,426.00 | - | - | - | 122,993.55 | 9 |
| Armstrong Energy Ltd Partnership, LLP | Armstrong | 55347 | 1 | 44,250.00 | - | - | - | 295,368.75 | 22 |
| Armstrong Energy Ltd Partnership, LLP | Armstrong | 55347 | 2 | 42,466.33 | - | - | - | 283,462.75 | 21 |
| Armstrong Energy Ltd Partnership, LLP | Armstrong | 55347 | 3 | 50,496.01 | - | - | - | 337,060.87 | 25 |
| Armstrong Energy Ltd Partnership, LLP | Armstrong | 55347 | 4 | 50,902.00 | - | - | - | 339,770.85 | 25 |
| Armstrong Power Station | Armstrong | 3178 | 1 | 281,861.37 | - | - | - | 2,226,704.82 | 164 |
| Armstrong Power Station | Armstrong | 3178 | 2 | 91,853.02 | - | - | - | 725,638.86 | 53 |
| Bethlehem Power Plant | Northampton | 55690 | 1 | 885,659.23 | - | - | - | 5,911,775.36 | 436 |
| Bethlehem Power Plant | Northampton | 55690 | 2 | 892,716.26 | - | - | - | 5,958,881.04 | 439 |
| Bethlehem Power Plant | Northampton | 55690 | 3 | 904,488.30 | - | - | - | 6,037,459.40 | 445 |
| Bethlehem Power Plant | Northampton | 55690 | 5 | 897,606.30 | - | - | - | 5,991,522.05 | 442 |
| Bethlehem Power Plant | Northampton | 55690 | 6 | 921,416.74 | - | - | - | 6,150,456.74 | 453 |
| Bethlehem Power Plant | Northampton | 55690 | 7 | 921,806.36 | - | - | - | 6,153,057.45 | 453 |
| Bruce Mansfield | Beaver | 6094 | 1 | 6,100,565.00 | - | - | - | 48,194,463.50 | 3,552 |
| Bruce Mansfield | Beaver | 6094 | 2 | 6,209,627.00 | - | - | - | 49,056,053.30 | 3,615 |
| Bruce Mansfield | Beaver | 6094 | 3 | 6,680,852.00 | - | - | - | 52,778,730.80 | 3,890 |
| Brunner Island | York | 3140 | 1 | 1,119,135.00 | - | - | - | 8,841,166.50 | 652 |

Table 1: Final 2018 CAIR NO_x Annual Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final 2018 CAIR NO _x Allowance Allocation |
|-----------------------------|-----------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Brunner Island | York | 3140 | 2 | 2,082,814.00 | - | - | - | 16,454,230.60 | 1,213 |
| Brunner Island | York | 3140 | 3 | 3,333,354.00 | - | - | - | 26,333,496.60 | 1,941 |
| Brunot Island Power Station | Allegheny | 3096 | 2A | 6,848.29 | - | - | - | 45,712.34 | 3 |
| Brunot Island Power Station | Allegheny | 3096 | 2B | 11,412.12 | - | - | - | 76,175.90 | 6 |
| Brunot Island Power Station | Allegheny | 3096 | 3 | 9,586.59 | - | - | - | 63,990.49 | 5 |
| Cambria Cogen | Cambria | 10641 | 1 | - | - | 5,016,665.05 | - | 6,270,831.31 | 462 |
| Cambria Cogen | Cambria | 10641 | 2 | - | - | 5,016,873.85 | - | 6,271,092.31 | 462 |
| Chambersburg Units 12 & 13 | Franklin | 55654 | 12 | 28,714.00 | - | - | - | 191,665.95 | 14 |
| Chambersburg Units 12 & 13 | Franklin | 55654 | 13 | 27,352.00 | - | - | - | 182,574.60 | 13 |
| Cheswick | Allegheny | 8226 | 1 | 2,652,930.94 | - | - | - | 20,958,154.43 | 1,545 |
| Colver Power Project | Cambria | 10143 | AAB01 | 1,000,623.00 | - | - | - | 7,904,921.70 | 583 |
| Conemaugh | Indiana | 3118 | 1 | 5,594,629.35 | - | - | - | 44,197,571.87 | 3,257 |
| Conemaugh | Indiana | 3118 | 2 | 5,781,428.20 | - | - | - | 45,673,282.78 | 3,366 |
| Croydon Generating Station | Bucks | 8012 | 11 | 753.00 | - | - | - | 5,026.28 | - |
| Croydon Generating Station | Bucks | 8012 | 12 | 839.00 | - | - | - | 5,600.33 | - |
| Croydon Generating Station | Bucks | 8012 | 21 | 739.00 | - | - | - | 4,932.83 | - |
| Croydon Generating Station | Bucks | 8012 | 22 | 452.00 | - | - | - | 3,017.10 | - |
| Croydon Generating Station | Bucks | 8012 | 31 | 503.00 | - | - | - | 3,357.53 | - |
| Croydon Generating Station | Bucks | 8012 | 32 | 605.00 | - | - | - | 4,038.38 | - |
| Croydon Generating Station | Bucks | 8012 | 41 | 166.00 | - | - | - | 1,108.05 | - |
| Croydon Generating Station | Bucks | 8012 | 42 | 291.00 | - | - | - | 1,942.43 | - |
| Duke Energy Fayette, II LLC | Fayette | 55516 | CTG1 | 2,195,886.00 | - | - | - | 14,657,539.05 | 1,080 |
| Duke Energy Fayette, II LLC | Fayette | 55516 | CTG2 | 2,208,874.00 | - | - | - | 14,744,233.95 | 1,087 |
| Ebensburg Power Company | Cambria | 10603 | 31 | - | - | 4,611,649.00 | - | 5,764,561.25 | 425 |

Table 1: Final 2018 CAIR NO_x Annual Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final 2018 CAIR NO _x Allowance Allocation |
|-----------------------------------|--------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Eddystone Generating Station | Delaware | 3161 | 2 | - | - | - | - | - | - |
| Eddystone Generating Station | Delaware | 3161 | 3 | 33,950.00 | - | - | - | 226,616.25 | 17 |
| Eddystone Generating Station | Delaware | 3161 | 4 | 59,416.00 | - | - | - | 396,601.80 | 29 |
| Elrama | Washington | 3098 | 1 | - | - | - | - | - | - |
| Elrama | Washington | 3098 | 2 | 10,668.29 | - | - | - | 84,279.49 | 6 |
| Elrama | Washington | 3098 | 3 | 9,483.91 | - | - | - | 74,922.89 | 6 |
| Elrama | Washington | 3098 | 4 | 87,434.56 | - | - | - | 690,733.02 | 51 |
| FPL Energy Marcus Hook, LP | Delaware | 55801 | 1 | 1,110,475.59 | - | - | - | 7,412,424.56 | 546 |
| FPL Energy Marcus Hook, LP | Delaware | 55801 | 2 | 1,047,925.06 | - | - | - | 6,994,899.78 | 516 |
| FPL Energy Marcus Hook, LP | Delaware | 55801 | 3 | 1,007,642.48 | - | - | 14,132.10 | 3,456,748.91 | 255 |
| Fairless Energy, LLC | Bucks | 55298 | 1A | 2,105,697.75 | - | - | - | 14,055,532.48 | 1,036 |
| Fairless Energy, LLC | Bucks | 55298 | 1B | 2,172,268.25 | - | - | - | 14,499,890.57 | 1,069 |
| Fairless Energy, LLC | Bucks | 55298 | 2A | 2,045,589.15 | - | - | - | 13,654,307.58 | 1,006 |
| Fairless Energy, LLC | Bucks | 55298 | 2B | 2,078,220.85 | - | - | - | 13,872,124.17 | 1,022 |
| Fairless Hills Generating Station | Bucks | 7701 | PHBLR4 | 173,689.00 | - | - | - | 1,159,374.08 | 85 |
| Fairless Hills Generating Station | Bucks | 7701 | PHBLR5 | 64,305.00 | - | - | - | 429,235.88 | 32 |
| Gilberton Power Company | Schuylkill | 10113 | 31 | - | 2,021,661.01 | - | - | 2,439,260.36 | 180 |
| Gilberton Power Company | Schuylkill | 10113 | 32 | - | 2,041,339.80 | - | - | 2,463,004.05 | 182 |
| Grays Ferry Cogen Partnership | Philadelphia | 54785 | 2 | 664,995.99 | - | - | 3,275,986.23 | 6,364,614.10 | 469 |
| Grays Ferry Cogen Partnership | Philadelphia | 54785 | 25 | - | - | 2,087,576.00 | - | 2,609,470.00 | 192 |
| Handsome Lake Energy | Venango | 55233 | EU-1A | 11,377.00 | - | - | - | 75,941.48 | 6 |
| Handsome Lake Energy | Venango | 55233 | EU-1B | 11,359.00 | - | - | - | 75,821.33 | 6 |
| Handsome Lake Energy | Venango | 55233 | EU-2A | 10,980.00 | - | - | - | 73,291.50 | 5 |
| Handsome Lake Energy | Venango | 55233 | EU-2B | 10,951.00 | - | - | - | 73,097.93 | 5 |
| Handsome Lake Energy | Venango | 55233 | EU-3A | 11,207.00 | - | - | - | 74,806.73 | 6 |
| Handsome Lake Energy | Venango | 55233 | EU-3B | 11,267.00 | - | - | - | 75,207.23 | 6 |
| Handsome Lake Energy | Venango | 55233 | EU-4A | 13,134.00 | - | - | - | 87,669.45 | 6 |

Table 1: Final 2018 CAIR NO_x Annual Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final 2018 CAIR NO _x Allowance Allocation |
|--------------------------------|-------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Handsome Lake Energy | Venango | 55233 | EU-4B | 13,157.00 | - | - | - | 87,822.98 | 6 |
| Handsome Lake Energy | Venango | 55233 | EU-5A | 11,887.00 | - | - | - | 79,345.73 | 6 |
| Handsome Lake Energy | Venango | 55233 | EU-5B | 11,850.00 | - | - | - | 79,098.75 | 6 |
| Hatfield's Ferry Power Station | Greene | 3179 | 1 | 3,305,126.40 | - | - | - | 26,110,498.56 | 1,924 |
| Hatfield's Ferry Power Station | Greene | 3179 | 2 | 3,525,679.88 | - | - | - | 27,852,871.05 | 2,053 |
| Hatfield's Ferry Power Station | Greene | 3179 | 3 | 3,664,922.88 | - | - | - | 28,952,890.75 | 2,134 |
| Hazleton Generation | Luzerne | 10870 | TURB2 | 498.50 | - | - | - | 3,327.49 | - |
| Hazleton Generation | Luzerne | 10870 | TURB3 | 500.06 | - | - | - | 3,337.90 | - |
| Hazleton Generation | Luzerne | 10870 | TURB4 | 480.81 | - | - | - | 3,209.41 | - |
| Hazleton Generation | Luzerne | 10870 | TURBIN | 1,072.63 | - | - | - | 7,159.81 | 1 |
| Homer City | Indiana | 3122 | 1 | 3,115,946.24 | - | - | - | 24,615,975.30 | 1,814 |
| Homer City | Indiana | 3122 | 2 | 3,674,055.85 | - | - | - | 29,025,041.22 | 2,139 |
| Homer City | Indiana | 3122 | 3 | 3,778,172.46 | - | - | - | 29,847,562.43 | 2,200 |
| Hunlock Creek Energy Center | Luzerne | 3176 | CT5 | 238,366.00 | - | - | - | 1,591,093.05 | 117 |
| Hunlock Creek Energy Center | Luzerne | 3176 | CT6 | 141,310.00 | - | - | - | 943,244.25 | 70 |
| Hunlock Unit 4 | Luzerne | 56397 | 4 | 4,732.00 | - | - | - | 31,586.10 | 2 |
| Hunterstown Combined Cycle | Adams | 55976 | CT101 | 1,545,814.69 | - | - | - | 10,318,313.06 | 760 |
| Hunterstown Combined Cycle | Adams | 55976 | CT201 | 1,347,441.57 | - | - | - | 8,994,172.48 | 663 |
| Hunterstown Combined Cycle | Adams | 55976 | CT301 | 1,565,785.74 | - | - | - | 10,451,619.81 | 770 |
| Keystone | Armstrong | 3136 | 1 | 5,503,604.42 | - | - | - | 43,478,474.92 | 3,204 |
| Keystone | Armstrong | 3136 | 2 | 4,718,661.87 | - | - | - | 37,277,428.77 | 2,747 |
| Liberty Electric Power Plant | Delaware | 55231 | 1 | 1,949,524.26 | - | - | - | 13,013,074.44 | 959 |
| Liberty Electric Power Plant | Delaware | 55231 | 2 | 1,953,366.74 | - | - | - | 13,038,722.99 | 961 |
| Lower Mount Bethel Energy | Northampton | 55667 | CT01 | 1,515,872.89 | - | - | - | 10,118,451.54 | 746 |
| Lower Mount Bethel Energy | Northampton | 55667 | CT02 | 1,837,937.01 | - | - | - | 12,268,229.54 | 904 |
| Martins Creek | Northampton | 3148 | 3 | 804,114.00 | - | - | - | 5,367,460.95 | 396 |
| Martins Creek | Northampton | 3148 | 4 | 965,016.00 | - | - | - | 6,441,481.80 | 475 |

Table 1: Final 2018 CAIR NO_x Annual Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final 2018 CAIR NO _x Allowance Allocation |
|-------------------------------|----------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Mitchell Power Station | Washington | 3181 | 1 | 750.51 | - | - | - | 5,009.65 | - |
| Mitchell Power Station | Washington | 3181 | 2 | - | - | - | - | - | - |
| Mitchell Power Station | Washington | 3181 | 3 | 751.80 | - | - | - | 5,018.27 | - |
| Mitchell Power Station | Washington | 3181 | 33 | 1,267,322.25 | - | - | - | 10,011,845.78 | 738 |
| Montour | Montour | 3149 | 1 | 4,280,225.50 | - | - | - | 33,813,781.45 | 2,492 |
| Montour | Montour | 3149 | 2 | 4,281,518.00 | - | - | - | 33,823,992.20 | 2,493 |
| Mountain | Cumberland | 3111 | 31 | 2,338.00 | - | - | - | 15,606.15 | 1 |
| Mountain | Cumberland | 3111 | 32 | 3,708.00 | - | - | - | 24,750.90 | 2 |
| Mt. Carmel Cogeneration | Northumberland | 10343 | SG-101 | - | - | 1,263,805.00 | - | 1,579,756.25 | 116 |
| New Castle | Lawrence | 3138 | 3 | 129,847.17 | - | - | - | 1,025,792.64 | 76 |
| New Castle | Lawrence | 3138 | 4 | 123,226.20 | - | - | - | 973,486.98 | 72 |
| New Castle | Lawrence | 3138 | 5 | 159,448.86 | - | - | - | 1,259,645.99 | 93 |
| North East Cogeneration Plant | Erie | 54571 | 1 | - | - | - | - | - | - |
| North East Cogeneration Plant | Erie | 54571 | 2 | - | - | - | - | - | - |
| Northampton Generating Plant | Northampton | 50888 | NGC01 | 1,030,307.00 | - | - | - | 8,139,425.30 | 600 |
| Northeastern Power Company | Schuylkill | 50039 | 31 | 430,813.00 | - | - | - | 3,403,422.70 | 251 |
| Ontelaunee Energy Center | Berks | 55193 | CT1 | 1,730,989.00 | - | - | - | 11,554,351.58 | 852 |
| Ontelaunee Energy Center | Berks | 55193 | CT2 | 1,770,640.00 | - | - | - | 11,819,022.00 | 871 |
| PEI Power Corporation | Lackawanna | 50279 | 2 | 20,351.00 | - | - | - | 135,842.93 | 10 |
| PPL Ironwood, LLC | Lebanon | 55337 | 1 | 2,017,919.00 | - | - | - | 13,469,609.33 | 993 |
| PPL Ironwood, LLC | Lebanon | 55337 | 2 | 2,462,480.00 | - | - | - | 16,437,054.00 | 1,211 |
| Panther Creek Energy Facility | Carbon | 50776 | 1 | 373,990.00 | - | - | - | 2,954,521.00 | 218 |
| Panther Creek Energy Facility | Carbon | 50776 | 2 | 372,320.00 | - | - | - | 2,941,328.00 | 217 |
| Piney Creek Power Plant | Clarion | 54144 | 31 | 302,715.00 | - | - | - | 2,391,448.50 | 176 |
| Portland | Northampton | 3113 | 1 | 58,642.63 | - | - | - | 463,276.78 | 34 |
| Portland | Northampton | 3113 | 2 | 114,121.41 | - | - | - | 901,559.14 | 66 |
| Portland | Northampton | 3113 | 5 | 1,150.99 | - | - | - | 7,682.86 | 1 |
| Richmond | Philadelphia | 3168 | 91 | 728.00 | - | - | - | 4,859.40 | - |
| Richmond | Philadelphia | 3168 | 92 | 904.00 | - | - | - | 6,034.20 | - |

Table 1: Final 2018 CAIR NO_x Annual Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final 2018 CAIR NO _x Allowance Allocation |
|---|--------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Schuylkill | Philadelphia | 3169 | 1 | 408.00 | - | - | - | 2,723.40 | - |
| Scrubgrass Generating Plant | Venango | 50974 | 1 | 392,664.75 | - | - | - | 3,102,051.53 | 229 |
| Scrubgrass Generating Plant | Venango | 50974 | 2 | 395,181.25 | - | - | - | 3,121,931.88 | 230 |
| Seward | Indiana | 3130 | 1 | 875,841.12 | - | - | - | 6,919,144.85 | 510 |
| Seward | Indiana | 3130 | 2 | 1,239,841.88 | - | - | - | 9,794,750.85 | 722 |
| Shawville | Clearfield | 3131 | 1 | 240,154.17 | - | - | - | 1,897,217.94 | 140 |
| Shawville | Clearfield | 3131 | 2 | 292,316.63 | - | - | - | 2,309,301.38 | 170 |
| Shawville | Clearfield | 3131 | 3 | 507,397.16 | - | - | - | 4,008,437.56 | 295 |
| Shawville | Clearfield | 3131 | 4 | 469,324.45 | - | - | - | 3,707,663.16 | 273 |
| St. Nicholas Cogeneration Project | Schuylkill | 54634 | 1 | 815,960.00 | - | - | - | 6,446,084.00 | 475 |
| Sunbury | Snyder | 3152 | 1A | 34,978.00 | - | - | - | 276,326.20 | 20 |
| Sunbury | Snyder | 3152 | 1B | 34,807.00 | - | - | - | 274,975.30 | 20 |
| Sunbury | Snyder | 3152 | 2A | 22,864.00 | - | - | - | 180,625.60 | 13 |
| Sunbury | Snyder | 3152 | 2B | - | - | - | - | - | - |
| Sunbury | Snyder | 3152 | 3 | 65,298.00 | - | - | - | 515,854.20 | 38 |
| Sunbury | Snyder | 3152 | 4 | 24,405.00 | - | - | - | 192,799.50 | 14 |
| Titus | Berks | 3115 | 1 | 38,838.98 | - | - | - | 306,827.94 | 23 |
| Titus | Berks | 3115 | 2 | 31,246.60 | - | - | - | 246,848.14 | 18 |
| Titus | Berks | 3115 | 3 | 38,560.49 | - | - | - | 304,627.87 | 22 |
| Tolna | York | 3116 | 31 | 581.00 | - | - | - | 3,878.18 | - |
| Tolna | York | 3116 | 32 | 521.00 | - | - | - | 3,477.68 | - |
| Veolia Energy Philadelphia - Schuylkill | Philadelphia | 50607 | 23 | - | - | 15,565.00 | - | 19,456.25 | 1 |
| Veolia Energy Philadelphia - Schuylkill | Philadelphia | 50607 | 24 | - | - | - | - | - | - |
| Veolia Energy Philadelphia - Schuylkill | Philadelphia | 50607 | 26 | - | - | 552,674.00 | - | 690,842.50 | 51 |
| WPS Westwood Generation, LLC | Schuylkill | 50611 | 31 | 227,082.00 | - | - | - | 1,793,947.80 | 132 |
| Warren | Warren | 3132 | 5 | 6,825.00 | - | - | - | 45,556.88 | 3 |
| Wheelabrator - Frackville | Schuylkill | 50879 | GEN1 | - | 3,388,815.08 | - | - | 4,088,817.19 | 301 |
| York Energy Center | York | 55524 | 1 | 1,190,430.00 | - | - | - | 7,946,120.25 | 586 |
| York Energy Center | York | 55524 | 2 | 1,189,579.00 | - | - | - | 7,940,439.83 | 585 |
| York Energy Center | York | 55524 | 3 | 1,171,950.00 | - | - | - | 7,822,766.25 | 577 |
| | | | | | | | | 1,104,396,360.11 | 81,389 |

Table 2: Final 2018 CAIR NO_x Ozone Season Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final Calculated 2018 CAIR NO _x Ozone Season Allowance Allocation |
|---|-------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| AES Beaver Valley LLC | Beaver | 10676 | 32 | - | - | 1,775,255.00 | - | 2,219,068.75 | 156 |
| AES Beaver Valley LLC | Beaver | 10676 | 33 | - | - | 1,750,994.00 | - | 2,188,742.50 | 154 |
| AES Beaver Valley LLC | Beaver | 10676 | 34 | - | - | 1,610,812.00 | - | 2,013,515.00 | 141 |
| AES Beaver Valley LLC | Beaver | 10676 | 35 | - | - | 810,728.00 | - | 1,013,410.00 | 71 |
| Springdale Power Station (AE Units 1 & 2) | Allegheny | 55196 | 1 | 14,726.00 | - | - | - | 98,296.05 | 7 |
| Springdale Power Station (AE Units 1 & 2) | Allegheny | 55196 | 2 | 14,013.00 | - | - | - | 93,536.78 | 7 |
| Springdale Power Station (AE Units 3 & 4) | Allegheny | 55710 | 3 | 479,733.00 | - | - | - | 3,202,217.78 | 225 |
| Springdale Power Station (AE Units 3 & 4) | Allegheny | 55710 | 4 | 486,467.00 | - | - | - | 3,247,167.23 | 228 |
| Gans Power Station (AE Units 8 & 9) | Fayette | 55377 | 8 | 14,271.00 | - | - | - | 95,258.93 | 7 |
| Gans Power Station (AE Units 8 & 9) | Fayette | 55377 | 9 | 14,655.00 | - | - | - | 97,822.13 | 7 |
| Armstrong Energy Ltd Partnership, LLP | Armstrong | 55347 | 1 | 34,738.00 | - | - | - | 231,876.15 | 16 |
| Armstrong Energy Ltd Partnership, LLP | Armstrong | 55347 | 2 | 37,344.00 | - | - | - | 249,271.20 | 17 |
| Armstrong Energy Ltd Partnership, LLP | Armstrong | 55347 | 3 | 44,045.00 | - | - | - | 294,000.38 | 21 |
| Armstrong Energy Ltd Partnership, LLP | Armstrong | 55347 | 4 | 46,091.00 | - | - | - | 307,657.43 | 22 |
| Armstrong Power Station | Armstrong | 3178 | 1 | 225,696.01 | - | - | - | 1,782,998.48 | 125 |
| Armstrong Power Station | Armstrong | 3178 | 2 | 16,664.97 | - | - | - | 131,653.26 | 9 |
| Bethlehem Power Plant | Northampton | 55690 | 1 | 388,077.91 | - | - | - | 2,590,420.05 | 182 |
| Bethlehem Power Plant | Northampton | 55690 | 2 | 388,569.56 | - | - | - | 2,593,701.81 | 182 |
| Bethlehem Power Plant | Northampton | 55690 | 3 | 397,659.47 | - | - | - | 2,654,376.96 | 186 |
| Bethlehem Power Plant | Northampton | 55690 | 5 | 372,839.05 | - | - | - | 2,488,700.66 | 175 |
| Bethlehem Power Plant | Northampton | 55690 | 6 | 377,388.35 | - | - | - | 2,519,067.24 | 177 |
| Bethlehem Power Plant | Northampton | 55690 | 7 | 370,458.40 | - | - | - | 2,472,809.82 | 174 |
| Bruce Mansfield | Beaver | 6094 | 1 | 2,351,495.00 | - | - | - | 18,576,810.50 | 1,303 |
| Bruce Mansfield | Beaver | 6094 | 2 | 2,824,337.00 | - | - | - | 22,312,262.30 | 1,565 |

Table 2: Final 2018 CAIR NO_x Ozone Season Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final Calculated 2018 CAIR NO _x Ozone Season Allowance Allocation |
|-----------------------------|-----------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Bruce Mansfield | Beaver | 6094 | 3 | 2,915,815.00 | - | - | - | 23,034,938.50 | 1,616 |
| Brunner Island | York | 3140 | 1 | 665,918.00 | - | - | - | 5,260,752.20 | 369 |
| Brunner Island | York | 3140 | 2 | 926,247.00 | - | - | - | 7,317,351.30 | 513 |
| Brunner Island | York | 3140 | 3 | 1,554,863.00 | - | - | - | 12,283,417.70 | 862 |
| Brunot Island Power Station | Allegheny | 3096 | 2A | 2,801.42 | - | - | - | 18,699.48 | 1 |
| Brunot Island Power Station | Allegheny | 3096 | 2B | 5,336.08 | - | - | - | 35,618.33 | 2 |
| Brunot Island Power Station | Allegheny | 3096 | 3 | 4,797.50 | - | - | - | 32,023.31 | 2 |
| Cambria Cogen | Cambria | 10641 | 1 | - | - | 2,076,613.15 | - | 2,595,766.44 | 182 |
| Cambria Cogen | Cambria | 10641 | 2 | - | - | 2,145,905.75 | - | 2,682,382.19 | 188 |
| Chambersburg Units 12 & 13 | Franklin | 55654 | 12 | 18,566.00 | - | - | - | 123,928.05 | 9 |
| Chambersburg Units 12 & 13 | Franklin | 55654 | 13 | 18,164.00 | - | - | - | 121,244.70 | 9 |
| Cheswick | Allegheny | 8226 | 1 | 1,290,587.62 | - | - | - | 10,195,642.20 | 715 |
| Colver Power Project | Cambria | 10143 | AAB01 | 432,079.00 | - | - | - | 3,413,424.10 | 239 |
| Conemaugh | Indiana | 3118 | 1 | 2,682,685.00 | - | - | - | 21,193,211.50 | 1,487 |
| Conemaugh | Indiana | 3118 | 2 | 2,650,579.00 | - | - | - | 20,939,574.10 | 1,469 |
| Croydon Generating Station | Bucks | 8012 | 11 | 753.00 | - | - | - | 5,026.28 | - |
| Croydon Generating Station | Bucks | 8012 | 12 | 839.00 | - | - | - | 5,600.33 | - |
| Croydon Generating Station | Bucks | 8012 | 21 | 710.00 | - | - | - | 4,739.25 | - |
| Croydon Generating Station | Bucks | 8012 | 22 | 452.00 | - | - | - | 3,017.10 | - |
| Croydon Generating Station | Bucks | 8012 | 31 | 473.00 | - | - | - | 3,157.28 | - |
| Croydon Generating Station | Bucks | 8012 | 32 | 605.00 | - | - | - | 4,038.38 | - |
| Croydon Generating Station | Bucks | 8012 | 41 | 166.00 | - | - | - | 1,108.05 | - |
| Croydon Generating Station | Bucks | 8012 | 42 | 291.00 | - | - | - | 1,942.43 | - |
| Duke Energy Fayette, II LLC | Fayette | 55516 | CTG1 | 970,583.00 | - | - | - | 6,478,641.53 | 455 |
| Duke Energy Fayette, II LLC | Fayette | 55516 | CTG2 | 977,099.00 | - | - | - | 6,522,135.83 | 458 |

Table 2: Final 2018 CAIR NO_x Ozone Season Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final Calculated 2018 CAIR NO _x Ozone Season Allowance |
|-----------------------------------|--------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|---|
| Ebensburg Power Company | Cambria | 10603 | 31 | - | - | 1,968,898.00 | - | 2,461,122.50 | 173 |
| Eddystone Generating Station | Delaware | 3161 | 2 | - | - | - | - | - | - |
| Eddystone Generating Station | Delaware | 3161 | 3 | 33,599.00 | - | - | - | 224,273.33 | 16 |
| Eddystone Generating Station | Delaware | 3161 | 4 | 55,864.00 | - | - | - | 372,892.20 | 26 |
| Elrama | Washington | 3098 | 1 | - | - | - | - | - | - |
| Elrama | Washington | 3098 | 2 | 4,389.08 | - | - | - | 34,673.73 | 2 |
| Elrama | Washington | 3098 | 3 | 5,453.08 | - | - | - | 43,079.33 | 3 |
| Elrama | Washington | 3098 | 4 | 60,317.80 | - | - | - | 476,510.62 | 33 |
| FPL Energy Marcus Hook, LP | Delaware | 55801 | 1 | 476,418.32 | - | - | - | 3,180,092.29 | 223 |
| FPL Energy Marcus Hook, LP | Delaware | 55801 | 2 | 470,651.51 | - | - | - | 3,141,598.83 | 220 |
| FPL Energy Marcus Hook, LP | Delaware | 55801 | 3 | 452,115.74 | - | - | 13,999.90 | 1,560,570.90 | 109 |
| Fairless Energy, LLC | Bucks | 55298 | 1A | 967,823.60 | - | - | - | 6,460,222.53 | 453 |
| Fairless Energy, LLC | Bucks | 55298 | 1B | 967,854.40 | - | - | - | 6,460,428.12 | 453 |
| Fairless Energy, LLC | Bucks | 55298 | 2A | 928,929.24 | - | - | - | 6,200,602.68 | 435 |
| Fairless Energy, LLC | Bucks | 55298 | 2B | 955,116.76 | - | - | - | 6,375,404.37 | 447 |
| Fairless Hills Generating Station | Bucks | 7701 | PHBLR4 | 78,554.00 | - | - | - | 524,347.95 | 37 |
| Fairless Hills Generating Station | Bucks | 7701 | PHBLR5 | 21,478.00 | - | - | - | 143,365.65 | 10 |
| Gilberton Power Company | Schuylkill | 10113 | 31 | - | 732,646.41 | - | - | 883,983.68 | 62 |
| Gilberton Power Company | Schuylkill | 10113 | 32 | - | 741,103.56 | - | - | 894,187.76 | 63 |
| Grays Ferry Cogen Partnership | Philadelphia | 54785 | 2 | 351,275.00 | - | - | 1,507,202.00 | 3,082,904.08 | 216 |
| Grays Ferry Cogen Partnership | Philadelphia | 54785 | 25 | - | - | 502,054.00 | - | 627,567.50 | 44 |
| Handsome Lake Energy | Venango | 55233 | EU-1A | 8,669.00 | - | - | - | 57,865.58 | 4 |
| Handsome Lake Energy | Venango | 55233 | EU-1B | 8,669.00 | - | - | - | 57,865.58 | 4 |
| Handsome Lake Energy | Venango | 55233 | EU-2A | 8,272.00 | - | - | - | 55,215.60 | 4 |
| Handsome Lake Energy | Venango | 55233 | EU-2B | 8,243.00 | - | - | - | 55,022.03 | 4 |
| Handsome Lake Energy | Venango | 55233 | EU-3A | 7,711.00 | - | - | - | 51,470.93 | 4 |

Table 2: Final 2018 CAIR NO_x Ozone Season Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final Calculated 2018 CAIR NO _x Ozone Season Allowance Allocation |
|--------------------------------|-------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Handsome Lake Energy | Venango | 55233 | EU-3B | 7,769.00 | - | - | - | 51,858.08 | 4 |
| Handsome Lake Energy | Venango | 55233 | EU-4A | 9,673.00 | - | - | - | 64,567.28 | 5 |
| Handsome Lake Energy | Venango | 55233 | EU-4B | 9,716.00 | - | - | - | 64,854.30 | 5 |
| Handsome Lake Energy | Venango | 55233 | EU-5A | 8,653.00 | - | - | - | 57,758.78 | 4 |
| Handsome Lake Energy | Venango | 55233 | EU-5B | 8,618.00 | - | - | - | 57,525.15 | 4 |
| Hatfield's Ferry Power Station | Greene | 3179 | 1 | 1,571,433.47 | - | - | - | 12,414,324.41 | 871 |
| Hatfield's Ferry Power Station | Greene | 3179 | 2 | 1,492,213.32 | - | - | - | 11,788,485.23 | 827 |
| Hatfield's Ferry Power Station | Greene | 3179 | 3 | 1,545,240.15 | - | - | - | 12,207,397.19 | 857 |
| Hazleton Generation | Luzerne | 10870 | TURB2 | 444.58 | - | - | - | 2,967.57 | - |
| Hazleton Generation | Luzerne | 10870 | TURB3 | 438.45 | - | - | - | 2,926.65 | - |
| Hazleton Generation | Luzerne | 10870 | TURB4 | 420.76 | - | - | - | 2,808.57 | - |
| Hazleton Generation | Luzerne | 10870 | TURBIN | 941.21 | - | - | - | 6,282.58 | - |
| Homer City | Indiana | 3122 | 1 | 1,552,060.69 | - | - | - | 12,261,279.45 | 860 |
| Homer City | Indiana | 3122 | 2 | 1,487,105.04 | - | - | - | 11,748,129.82 | 824 |
| Homer City | Indiana | 3122 | 3 | 1,415,238.84 | - | - | - | 11,180,386.84 | 784 |
| Hunlock Creek Energy Center | Luzerne | 3176 | CT5 | 122,553.00 | - | - | - | 818,041.28 | 57 |
| Hunlock Creek Energy Center | Luzerne | 3176 | CT6 | 89,994.00 | - | - | - | 600,709.95 | 42 |
| Hunlock Unit 4 | Luzerne | 56397 | 4 | 2,793.00 | - | - | - | 18,643.28 | 1 |
| Hunterstown Combined Cycle | Adams | 55976 | CT101 | 689,091.13 | - | - | - | 4,599,683.29 | 323 |
| Hunterstown Combined Cycle | Adams | 55976 | CT201 | 585,372.57 | - | - | - | 3,907,361.90 | 274 |
| Hunterstown Combined Cycle | Adams | 55976 | CT301 | 721,363.30 | - | - | - | 4,815,100.03 | 338 |
| Keystone | Armstrong | 3136 | 1 | 2,685,579.71 | - | - | - | 21,216,079.71 | 1,489 |
| Keystone | Armstrong | 3136 | 2 | 2,352,215.94 | - | - | - | 18,582,505.93 | 1,304 |
| Liberty Electric Power Plant | Delaware | 55231 | 1 | 769,371.86 | - | - | - | 5,135,557.17 | 360 |
| Liberty Electric Power Plant | Delaware | 55231 | 2 | 776,852.14 | - | - | - | 5,185,488.03 | 364 |
| Lower Mount Bethel Energy | Northampton | 55667 | CT01 | 677,993.09 | - | - | - | 4,525,603.88 | 318 |
| Lower Mount Bethel Energy | Northampton | 55667 | CT02 | 885,742.41 | - | - | - | 5,912,330.59 | 415 |

Table 2: Final 2018 CAIR NO_x Ozone Season Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final Calculated 2018 CAIR NO _x Ozone Season Allowance Allocation |
|-------------------------------|----------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Martins Creek | Northampton | 3148 | 3 | 554,763.00 | - | - | - | 3,703,043.03 | 260 |
| Martins Creek | Northampton | 3148 | 4 | 646,551.00 | - | - | - | 4,315,727.93 | 303 |
| Mitchell Power Station | Washington | 3181 | 1 | 750.51 | - | - | - | 5,009.65 | - |
| Mitchell Power Station | Washington | 3181 | 2 | - | - | - | - | - | - |
| Mitchell Power Station | Washington | 3181 | 3 | 751.80 | - | - | - | 5,018.27 | - |
| Mitchell Power Station | Washington | 3181 | 33 | 721,506.97 | - | - | - | 5,699,905.06 | 400 |
| Montour | Montour | 3149 | 1 | 2,024,118.60 | - | - | - | 15,990,536.94 | 1,122 |
| Montour | Montour | 3149 | 2 | 1,993,619.00 | - | - | - | 15,749,590.10 | 1,105 |
| Mountain | Cumberland | 3111 | 31 | 1,294.00 | - | - | - | 8,637.45 | 1 |
| Mountain | Cumberland | 3111 | 32 | 1,581.00 | - | - | - | 10,553.18 | 1 |
| Mt. Carmel Cogeneration | Northumberland | 10343 | SG-101 | - | - | 542,815.00 | - | 1,579,756.25 | 111 |
| New Castle | Lawrence | 3138 | 3 | 86,713.93 | - | - | - | 685,040.05 | 48 |
| New Castle | Lawrence | 3138 | 4 | 96,785.71 | - | - | - | 764,607.11 | 54 |
| New Castle | Lawrence | 3138 | 5 | 118,349.81 | - | - | - | 934,963.50 | 66 |
| North East Cogeneration Plant | Erie | 54571 | 1 | - | - | - | - | - | - |
| North East Cogeneration Plant | Erie | 54571 | 2 | - | - | - | - | - | - |
| Northampton Generating Plant | Northampton | 50888 | NGC01 | 426,833.00 | - | - | - | 3,371,980.70 | 237 |
| Northeastern Power Company | Schuylkill | 50039 | 31 | 195,116.00 | - | - | - | 1,541,416.40 | 108 |
| Ontelaunee Energy Center | Berks | 55193 | CT1 | 797,786.00 | - | - | - | 5,325,221.55 | 374 |
| Ontelaunee Energy Center | Berks | 55193 | CT2 | 798,893.00 | - | - | - | 5,332,610.78 | 374 |
| PEI Power Corporation | Lackawanna | 50279 | 2 | 16,330.00 | - | - | - | 109,002.75 | 8 |
| PPL Ironwood, LLC | Lebanon | 55337 | 1 | 795,456.90 | - | - | - | 5,309,674.81 | 373 |
| PPL Ironwood, LLC | Lebanon | 55337 | 2 | 859,698.80 | - | - | - | 5,738,489.49 | 403 |
| Panther Creek Energy Facility | Carbon | 50776 | 1 | 164,791.00 | - | - | - | 1,301,848.90 | 91 |
| Panther Creek Energy Facility | Carbon | 50776 | 2 | 162,528.00 | - | - | - | 1,283,971.20 | 90 |
| Piney Creek Power Plant | Clarion | 54144 | 31 | 123,049.00 | - | - | - | 972,087.10 | 68 |
| Portland | Northampton | 3113 | 1 | 44,733.32 | - | - | - | 353,393.23 | 25 |
| Portland | Northampton | 3113 | 2 | 98,691.69 | - | - | - | 779,664.35 | 55 |

Table 2: Final 2018 CAIR NO_x Ozone Season Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final Calculated 2018 CAIR NO _x Ozone Season Allowance Allocation |
|---|--------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Portland | Northampton | 3113 | 5 | 1,150.99 | - | - | - | 7,682.86 | 1 |
| Richmond | Philadelphia | 3168 | 91 | 696.00 | - | - | - | 4,645.80 | - |
| Richmond | Philadelphia | 3168 | 92 | 632.00 | - | - | - | 4,218.60 | - |
| Schuylkill | Philadelphia | 3169 | 1 | 408.00 | - | - | - | 2,723.40 | - |
| Scrubgrass Generating Plant | Venango | 50974 | 1 | 174,850.55 | - | - | - | 1,381,319.35 | 97 |
| Scrubgrass Generating Plant | Venango | 50974 | 2 | 174,723.45 | - | - | - | 1,380,315.26 | 97 |
| Seward | Indiana | 3130 | 1 | 448,847.29 | - | - | - | 3,545,893.59 | 249 |
| Seward | Indiana | 3130 | 2 | 575,091.71 | - | - | - | 4,543,224.51 | 319 |
| Shawville | Clearfield | 3131 | 1 | 153,273.38 | - | - | - | 1,210,859.70 | 85 |
| Shawville | Clearfield | 3131 | 2 | 145,730.48 | - | - | - | 1,151,270.79 | 81 |
| Shawville | Clearfield | 3131 | 3 | 210,815.94 | - | - | - | 1,665,445.93 | 117 |
| Shawville | Clearfield | 3131 | 4 | 197,291.92 | - | - | - | 1,558,606.17 | 109 |
| St. Nicholas Cogeneration Project | Schuylkill | 54634 | 1 | 334,696.00 | - | - | - | 2,644,098.40 | 186 |
| Sunbury | Snyder | 3152 | 1A | - | - | - | - | - | - |
| Sunbury | Snyder | 3152 | 1B | - | - | - | - | - | - |
| Sunbury | Snyder | 3152 | 2A | 7,072.00 | - | - | - | 55,868.80 | 4 |
| Sunbury | Snyder | 3152 | 2B | - | - | - | - | - | - |
| Sunbury | Snyder | 3152 | 3 | 65,298.00 | - | - | - | 515,854.20 | 36 |
| Sunbury | Snyder | 3152 | 4 | 24,405.00 | - | - | - | 192,799.50 | 14 |
| Titus | Berks | 3115 | 1 | 37,571.72 | - | - | - | 296,816.59 | 21 |
| Titus | Berks | 3115 | 2 | 29,784.39 | - | - | - | 235,296.68 | 17 |
| Titus | Berks | 3115 | 3 | 36,641.85 | - | - | - | 289,470.62 | 20 |
| Tolna | York | 3116 | 31 | 493.00 | - | - | - | 3,290.78 | - |
| Tolna | York | 3116 | 32 | 519.00 | - | - | - | 3,464.33 | - |
| Veolia Energy Philadelphia - Schuylkill | Philadelphia | 50607 | 23 | - | - | 310.00 | - | 387.50 | - |
| Veolia Energy Philadelphia - Schuylkill | Philadelphia | 50607 | 24 | - | - | - | - | - | - |
| Veolia Energy Philadelphia - Schuylkill | Philadelphia | 50607 | 26 | - | - | 5,486.00 | - | 6,857.50 | - |
| WPS Westwood Generation, LLC | Schuylkill | 50611 | 31 | 97,248.00 | - | - | - | 768,259.20 | 54 |
| Warren | Warren | 3132 | 5 | 6,667.00 | - | - | - | 44,502.23 | 3 |

Table 2: Final 2018 CAIR NO_x Ozone Season Allowance Allocation

| FACILITY NAME | COUNTY | ORIS CODE | UNIT ID | GROSS LOAD (Megawatt Hours) | STEAM LOAD (Thousand Lbs. of Steam) | Useful Thermal Energy (mmBTU) | Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU) | 2012 Converted Heat Input mmBTU | Final Calculated 2018 CAIR NO _x Ozone Season Allowance Allocation |
|---------------------------|------------|-----------|---------|-----------------------------|-------------------------------------|-------------------------------|---|---------------------------------|--|
| Wheelabrator - Frackville | Schuylkill | 50879 | GEN1 | - | 1,324,187.98 | - | - | 1,597,715.56 | 112 |
| York Energy Center | York | 55524 | 1 | 500,190.00 | - | - | - | 3,338,768.25 | 234 |
| York Energy Center | York | 55524 | 2 | 500,328.00 | - | - | - | 3,339,689.40 | 234 |
| York Energy Center | York | 55524 | 3 | 498,622.00 | - | - | - | 3,328,301.85 | 234 |
| | | | | | | | | 500,395,343.59 | 35,109 |

Table 3: Final Vintage 2012 NO_x Allowance Redistribution to Certain Facilities

| FACILITY NAME | ORIS CODE | UNIT ID | COUNTY | 2nd Revised 2012 CAIR NO_x Allowance Allocation | Additional to 4-16-2011 Published Total |
|---------------------------------------|------------------|----------------|---------------|--|--|
| AES Beaver Valley LLC | 10676 | 32 | Beaver | 297 | 1 |
| AES Beaver Valley LLC | 10676 | 33 | Beaver | 319 | 1 |
| AES Beaver Valley LLC | 10676 | 34 | Beaver | 293 | 1 |
| AES Beaver Valley LLC | 10676 | 35 | Beaver | 154 | 1 |
| AES Ironwood | 55337 | 1 | Lebanon | 283 | 1 |
| AES Ironwood | 55337 | 2 | Lebanon | 258 | 2 |
| Allegheny Energy Hunlock Unit 4 | 56397 | 4 | Luzerne | 13 | 0 |
| Allegheny Energy Unit 1 and Unit 2 | 55196 | 1 | Allegheny | 14 | 0 |
| Allegheny Energy Unit 1 and Unit 2 | 55196 | 2 | Allegheny | 13 | 0 |
| Allegheny Energy Unit 8 and Unit 9 | 55377 | 8 | Fayette | 10 | 0 |
| Allegheny Energy Unit 8 and Unit 9 | 55377 | 9 | Fayette | 10 | 0 |
| Allegheny Energy Units 3, 4 & 5 | 55710 | 3 | Allegheny | 37 | 0 |
| Allegheny Energy Units 3, 4 & 5 | 55710 | 4 | Allegheny | 41 | 0 |
| Armstrong Energy Ltd Part | 55347 | 1 | Armstrong | 9 | 0 |
| Armstrong Energy Ltd Part | 55347 | 2 | Armstrong | 11 | 0 |
| Armstrong Energy Ltd Part | 55347 | 3 | Armstrong | 12 | 0 |
| Armstrong Energy Ltd Part | 55347 | 4 | Armstrong | 4 | 0 |
| Armstrong Power Station | 3178 | 1 | Armstrong | 650 | 4 |
| Armstrong Power Station | 3178 | 2 | Armstrong | 689 | 4 |
| Bethlehem Power Plant | 55690 | 1 | Northampton | 99 | 0 |
| Bethlehem Power Plant | 55690 | 2 | Northampton | 99 | 1 |
| Bethlehem Power Plant | 55690 | 3 | Northampton | 96 | 1 |
| Bethlehem Power Plant | 55690 | 5 | Northampton | 108 | 0 |
| Bethlehem Power Plant | 55690 | 6 | Northampton | 108 | 0 |
| Bethlehem Power Plant | 55690 | 7 | Northampton | 104 | 0 |
| Bruce Mansfield | 6094 | 1 | Beaver | 5091 | 27 |
| Bruce Mansfield | 6094 | 2 | Beaver | 3797 | 20 |
| Bruce Mansfield | 6094 | 3 | Beaver | 4996 | 27 |
| Brunner Island | 3140 | 1 | York | 1599 | 9 |
| Brunner Island | 3140 | 2 | York | 1995 | 10 |
| Brunner Island | 3140 | 3 | York | 3010 | 16 |
| Brunot Island Power Station | 3096 | 2A | Allegheny | 2 | 0 |
| Brunot Island Power Station | 3096 | 2B | Allegheny | 2 | 0 |

Table 3: Final Vintage 2012 NO_x Allowance Redistribution to Certain Facilities

| FACILITY NAME | ORIS CODE | UNIT ID | COUNTY | 2nd Revised 2012 CAIR NO_x Allowance Allocation | Additional to 4-16-2011 Published Total |
|------------------------------|------------------|----------------|---------------|--|--|
| Brunot Island Power Station | 3096 | 3 | Allegheny | 2 | 0 |
| Cambria Cogen | 10641 | 1 | Cambria | 368 | 1 |
| Cambria Cogen | 10641 | 2 | Cambria | 360 | 2 |
| Chambersburg Units 12 and 13 | 55654 | 12 | Franklin | 33 | 0 |
| Chambersburg Units 12 and 13 | 55654 | 13 | Franklin | 33 | 1 |
| Cheswick | 8226 | 1 | Allegheny | 2033 | 11 |
| Colver Power Project | 10143 | AAB01 | Cambria | 584 | 3 |
| Conemaugh | 3118 | 1 | Indiana | 5280 | 28 |
| Conemaugh | 3118 | 2 | Indiana | 5108 | 27 |
| Cromby | 3159 | 1 | Chester | 509 | 3 |
| Cromby | 3159 | 2 | Chester | 43 | 0 |
| Croydon Generating Station | 8012 | 11 | Bucks | 0 | 0 |
| Croydon Generating Station | 8012 | 12 | Bucks | 2 | 0 |
| Croydon Generating Station | 8012 | 21 | Bucks | 0 | 0 |
| Croydon Generating Station | 8012 | 22 | Bucks | 1 | 0 |
| Croydon Generating Station | 8012 | 31 | Bucks | 1 | 0 |
| Croydon Generating Station | 8012 | 32 | Bucks | 1 | 0 |
| Croydon Generating Station | 8012 | 41 | Bucks | 2 | 0 |
| Croydon Generating Station | 8012 | 42 | Bucks | 1 | 0 |
| Ebensburg Power Company | 10603 | 31 | Cambria | 513 | 3 |
| Eddystone Generating Station | 3161 | 1 | Delaware | 1064 | 6 |
| Eddystone Generating Station | 3161 | 2 | Delaware | 1174 | 7 |
| Eddystone Generating Station | 3161 | 3 | Delaware | 47 | 0 |
| Eddystone Generating Station | 3161 | 4 | Delaware | 42 | 0 |
| Elrama | 3098 | 1 | Washington | 308 | 2 |
| Elrama | 3098 | 2 | Washington | 303 | 2 |
| Elrama | 3098 | 3 | Washington | 316 | 2 |
| Elrama | 3098 | 4 | Washington | 718 | 4 |
| FPL Energy Marcus Hook, LP | 55801 | 1 | Delaware | 289 | 1 |
| FPL Energy Marcus Hook, LP | 55801 | 2 | Delaware | 292 | 1 |
| FPL Energy Marcus Hook, LP | 55801 | 3 | Delaware | 290 | 1 |

Table 3: Final Vintage 2012 NO_x Allowance Redistribution to Certain Facilities

| FACILITY NAME | ORIS CODE | UNIT ID | COUNTY | 2nd Revised 2012 CAIR NO_x Allowance Allocation | Additional to 4-16-2011 Published Total |
|--------------------------------------|------------------|----------------|---------------|--|--|
| Fairless Energy, LLC | 55298 | 1A | Bucks | 377 | 2 |
| Fairless Energy, LLC | 55298 | 1B | Bucks | 383 | 2 |
| Fairless Energy, LLC | 55298 | 2A | Bucks | 432 | 2 |
| Fairless Energy, LLC | 55298 | 2B | Bucks | 409 | 3 |
| Fairless Hills Generating Station | 7701 | PHBLR3 | Bucks | 0 | 0 |
| Fairless Hills Generating Station | 7701 | PHBLR4 | Bucks | 25 | 0 |
| Fairless Hills Generating Station | 7701 | PHBLR5 | Bucks | 106 | 0 |
| Fayette Energy Facility | 55516 | CTG1 | Fayette | 95 | 0 |
| Fayette Energy Facility | 55516 | CTG2 | Fayette | 93 | 0 |
| G F Weaton | 50130 | 34 | Beaver | 204 | 2 |
| G F Weaton | 50130 | 35 | Beaver | 211 | 1 |
| Gilberton Power Company | 10113 | 31 | Schuylkill | 353 | 2 |
| Gilberton Power Company | 10113 | 32 | Schuylkill | 349 | 2 |
| Grays Ferry Cogen Partnership | 54785 | 2 | Philadelphia | 73 | 1 |
| Grays Ferry Cogen Partnership | 54785 | 25 | Philadelphia | 294 | 2 |
| Handsome Lake Energy | 55233 | EU-1A | Venango | 6 | 0 |
| Handsome Lake Energy | 55233 | EU-1B | Venango | 6 | 0 |
| Handsome Lake Energy | 55233 | EU-2A | Venango | 5 | 0 |
| Handsome Lake Energy | 55233 | EU-2B | Venango | 5 | 0 |
| Handsome Lake Energy | 55233 | EU-3A | Venango | 6 | 0 |
| Handsome Lake Energy | 55233 | EU-3B | Venango | 6 | 0 |
| Handsome Lake Energy | 55233 | EU-4A | Venango | 5 | 0 |
| Handsome Lake Energy | 55233 | EU-4B | Venango | 5 | 0 |
| Handsome Lake Energy | 55233 | EU-5A | Venango | 5 | 0 |
| Handsome Lake Energy | 55233 | EU-5B | Venango | 5 | 0 |
| Hatfields Ferry Power Station | 3179 | 1 | Greene | 2804 | 15 |
| Hatfields Ferry Power Station | 3179 | 2 | Greene | 2235 | 12 |
| Hatfields Ferry Power Station | 3179 | 3 | Greene | 1674 | 9 |
| Homer City | 3122 | 1 | Indiana | 3258 | 17 |
| Homer City | 3122 | 2 | Indiana | 3052 | 16 |
| Homer City | 3122 | 3 | Indiana | 2662 | 15 |
| Hunlock Power Station | 3176 | 6 | Luzerne | 181 | 1 |
| Hunterstown Combined Cycle | 55976 | CT101 | Adams | 109 | 1 |
| Hunterstown Combined Cycle | 55976 | CT201 | Adams | 73 | 0 |
| Hunterstown Combined Cycle | 55976 | CT301 | Adams | 107 | 1 |
| Keystone | 3136 | 1 | Armstrong | 4253 | 23 |

Table 3: Final Vintage 2012 NO_x Allowance Redistribution to Certain Facilities

| FACILITY NAME | ORIS CODE | UNIT ID | COUNTY | 2nd Revised 2012 CAIR NO_x Allowance Allocation | Additional to 4-16-2011 Published Total |
|-------------------------------|------------------|----------------|----------------|--|--|
| Keystone | 3136 | 2 | Armstrong | 4980 | 26 |
| Liberty Electric Power Plant | 55231 | 1 | Delaware | 186 | 1 |
| Liberty Electric Power Plant | 55231 | 2 | Delaware | 194 | 1 |
| Lower Mount Bethel Energy | 55667 | CT01 | Northampton | 281 | 2 |
| Lower Mount Bethel Energy | 55667 | CT02 | Northampton | 284 | 1 |
| Martins Creek | 3148 | 1 | Northampton | 470 | 3 |
| Martins Creek | 3148 | 2 | Northampton | 326 | 2 |
| Martins Creek | 3148 | 3 | Northampton | 158 | 1 |
| Martins Creek | 3148 | 4 | Northampton | 86 | 1 |
| Martins Creek | 3148 | AUX4B | Northampton | 0 | 0 |
| Mitchell Power Station | 3181 | 1 | Washington | 2 | 0 |
| Mitchell Power Station | 3181 | 2 | Washington | 1 | 0 |
| Mitchell Power Station | 3181 | 3 | Washington | 2 | 0 |
| Mitchell Power Station | 3181 | 33 | Washington | 1212 | 6 |
| Montour | 3149 | 1 | Montour | 3841 | 21 |
| Montour | 3149 | 2 | Montour | 4010 | 22 |
| Mountain | 3111 | 31 | Cumberland | 4 | 0 |
| Mountain | 3111 | 32 | Cumberland | 2 | 0 |
| Mt. Carmel Cogeneration | 10343 | SG-101 | Northumberland | 202 | 1 |
| New Castle | 3138 | 3 | Lawrence | 228 | 2 |
| New Castle | 3138 | 4 | Lawrence | 252 | 1 |
| New Castle | 3138 | 5 | Lawrence | 356 | 2 |
| North East Cogeneration Plant | 54571 | 1 | Erie | 9 | 0 |
| North East Cogeneration Plant | 54571 | 2 | Erie | 8 | 0 |
| Northampton Generating Plant | 50888 | NGC01 | Northampton | 690 | 4 |
| Northeastern Power Company | 50039 | 31 | Schuylkill | 334 | 2 |
| Ontelaunee Energy Center | 55193 | CT1 | Berks | 400 | 2 |
| Ontelaunee Energy Center | 55193 | CT2 | Berks | 409 | 2 |
| Panther Creek Energy Facility | 50776 | 1 | Carbon | 273 | 2 |
| Panther Creek Energy Facility | 50776 | 2 | Carbon | 263 | 2 |
| Piney Creek Power Plant | 54144 | 31 | Clarion | 210 | 1 |
| Portland | 3113 | 1 | Northampton | 652 | 4 |
| Portland | 3113 | 2 | Northampton | 920 | 5 |
| Portland | 3113 | 5 | Northampton | 4 | 0 |
| Richmond | 3168 | 91 | Philadelphia | 2 | 0 |

Table 3: Final Vintage 2012 NO_x Allowance Redistribution to Certain Facilities

| FACILITY NAME | ORIS CODE | UNIT ID | COUNTY | 2nd Revised 2012 CAIR NO_x Allowance Allocation | Additional to 4-16-2011 Published Total |
|--|------------------|----------------|---------------|--|--|
| Richmond | 3168 | 92 | Philadelphia | 3 | 0 |
| Schuylkill | 3169 | 1 | Philadelphia | 18 | 0 |
| Scrubgrass Generating Plant | 50974 | 1 | Venango | 280 | 2 |
| Scrubgrass Generating Plant | 50974 | 2 | Venango | 274 | 1 |
| Seward | 3130 | 1 | Indiana | 1265 | 6 |
| Seward | 3130 | 2 | Indiana | 1294 | 7 |
| Shawville | 3131 | 1 | Clearfield | 493 | 3 |
| Shawville | 3131 | 2 | Clearfield | 551 | 3 |
| Shawville | 3131 | 3 | Clearfield | 761 | 4 |
| Shawville | 3131 | 4 | Clearfield | 778 | 4 |
| St. Nicholas Cogeneration Project | 54634 | 1 | Schuylkill | 741 | 3 |
| Sunbury | 3152 | 1A | Snyder | 150 | 1 |
| Sunbury | 3152 | 1B | Snyder | 147 | 1 |
| Sunbury | 3152 | 2A | Snyder | 137 | 1 |
| Sunbury | 3152 | 2B | Snyder | 156 | 1 |
| Sunbury | 3152 | 3 | Snyder | 289 | 2 |
| Sunbury | 3152 | 4 | Snyder | 317 | 2 |
| Titus | 3115 | 1 | Berks | 299 | 1 |
| Titus | 3115 | 2 | Berks | 257 | 1 |
| Titus | 3115 | 3 | Berks | 307 | 2 |
| Tolna | 3116 | 31 | York | 1 | 0 |
| Tolna | 3116 | 32 | York | 1 | 0 |
| Trigen Energy - Schuylkill | 50607 | 23 | Philadelphia | 47 | 0 |
| Trigen Energy - Schuylkill | 50607 | 24 | Philadelphia | 60 | 0 |
| Trigen Energy - Schuylkill | 50607 | 26 | Philadelphia | 56 | 1 |
| Trigen Energy Corporation-Edison St | 880006 | 1 | Philadelphia | 0 | 0 |
| Trigen Energy Corporation-Edison St | 880006 | 2 | Philadelphia | 0 | 0 |
| Trigen Energy Corporation-Edison St | 880006 | 3 | Philadelphia | 0 | 0 |
| Trigen Energy Corporation-Edison St | 880006 | 4 | Philadelphia | 0 | 0 |
| WPS Westwood Generation, LLC | 50611 | 31 | Schuylkill | 162 | 0 |
| Warren | 3132 | 5 | Warren | 0 | 0 |
| Wheelabrator - Frackville | 50879 | GEN1 | Schuylkill | 355 | 2 |
| Williams Generation Co (Hazleton) | 10870 | TURB2 | Luzerne | 4 | 0 |
| Williams Generation Co (Hazleton) | 10870 | TURB3 | Luzerne | 4 | 0 |

Table 3: Final Vintage 2012 NO_x Allowance Redistribution to Certain Facilities

| FACILITY NAME | ORIS CODE | UNIT ID | COUNTY | 2nd Revised 2012 CAIR NO_x Allowance Allocation | Additional to 4-16-2011 Published Total |
|--|------------------|----------------|---------------|--|--|
| Williams Generation Co (Hazleton) | 10870 | TURB4 | Luzerne | 4 | 0 |
| Williams Generation Co (Hazleton) | 10870 | TURBIN | Luzerne | 3 | 0 |
| Bear Creek Windfarm & Locust Ridge Windfarm | | RE | | 15 | 0 |
| | | | | 98286 | 525 |

[Pa.B. Doc. No. 14-1635. Filed for public inspection August 1, 2014, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Hanover Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hanover Hospital has requested an exception to the requirements of 28 Pa. Code § 138.15 (relating to high-risk cardiac catheterizations).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-1636. Filed for public inspection August 1, 2014, 9:00 a.m.]

Application of Surgery Center at Penn Medicine University City for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Surgery Center at Penn Medicine University City has requested an exception to the requirements of 28 Pa. Code § 569.35(7) (relating to general safety precautions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-1637. Filed for public inspection August 1, 2014, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Manorcare Health Services—Allentown
1265 South Cedar Crest Boulevard
Allentown, PA 18103
FAC ID # 381102

New Eastwood Healthcare and Rehabilitation Center
2125 Fairview Avenue
Easton, PA 18042
FAC ID # 050102

River Run Rehabilitation and Nursing Center
615 Wyoming Avenue
Kingston, PA 18704
FAC ID # 381402

Spirit of Mercy Skilled Nursing Center
746 Jefferson Avenue
Scranton, PA 18501
FAC ID # 650902

Village at Pennwood
909 West Street
Pittsburgh, PA 15221
FAC ID # 016002

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(d) and (e) (relating to prevention, control and surveillance of tuberculosis (TB)):

UPMC Magee—Women's Hospital Transitional Care Unit
300 Halket Street
Pittsburgh, PA 15213
FAC ID # 65030201

UPMC Transitional Care Unit
200 Lothrop Street
Pittsburgh, PA 15213
FAC ID # 136602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Blough Healthcare Center, LLC
316 East Market Street
Bethlehem, PA 18018
FAC ID # 022602

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-1638. Filed for public inspection August 1, 2014, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

**Fish and Boat Commission v. DEP and Sunbury
Generation, LP, Permittee; EHB Doc. No. 2014-
097-M**

The Fish and Boat Commission has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Sunbury Generation, LP for a facility in Monroe Township, Snyder County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 14-1639. Filed for public inspection August 1, 2014, 9:00 a.m.]

FISH AND BOAT COMMISSION

Mentored Youth Fishing Day Program; Panfish

Acting under the authority of 58 Pa. Code § 65.20 (relating to Mentored Youth Fishing Day Program), the Executive Director has designated September 1, 2014, as a Mentored Youth Fishing Day for panfish in "Panfish Enhancement Lakes" previously designated under 58 Pa. Code § 65.11 (relating to panfish enhancement special regulation). This designation under 58 Pa. Code § 65.20 will be effective upon publication of this notice in the *Pennsylvania Bulletin*.

To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and be accompanied by a youth (less than 16 years of age) who has obtained a mentored youth permit or a voluntary youth license from the Fish and Boat Commission (Commission). Youth anglers must obtain a mentored youth permit or a voluntary youth license from the Commission and be accompanied by an adult angler to participate.

There are 17 lakes that are currently managed under panfish enhancement special regulations, which normally have a minimum size of 7 inches for sunfish and 9 inches for crappie and yellow perch. On September 1, 2014, there will be no minimum size for panfish but the daily limits will remain in effect. Other Commonwealth inland regulations will apply. It is unlawful to fish in waters designated as part of the Mentored Youth Fishing Day Program (program) except in compliance with the requirements of 58 Pa. Code § 65.20 when participating in the program.

On September 1, 2014, the identified waters will be open to all anglers but only program participants may possess panfish of less than the normal minimum size limits. The "Panfish Enhancement Lakes" included in the Mentored Youth Fishing Day on September 1 are:

| <i>County</i> | <i>Water</i> |
|---------------|---|
| Berks | Blue Marsh Reservoir |
| Cambria | Beaverdam Run Reservoir |
| Cambria | Hinkston Run Reservoir |
| Cambria | Wilmore Dam |
| Centre | Foster Joseph Sayers Lake |
| Chester | Chambers Lake |
| Montour | Lake Chillisquaque |
| Monroe | Bradys Lake |
| Monroe | Gouldsboro Lake |
| Pike | Lower Lake (Lower Promised Land Lake) |
| Pike | Promised Land Lake (Upper Promised Land Lake) |
| Somerset | High Point Lake |
| Somerset | Quemahoning Reservoir |
| Washington | Cross Creek Lake |
| Westmoreland | Lower Twin Lake |
| Westmoreland | Northmoreland Lake |
| Westmoreland | Upper Twin Lake |

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 14-1640. Filed for public inspection August 1, 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, July 10, 2014, and announced the following:

Action Taken—Regulation Disapproved:

State Board of Medicine #16A-4937: Genetic Counselors (amends 49 Pa. Code Sections 16.11 and 16.13 and adds Sections 18.701 to 18.710)

Disapproval Order

Public Meeting Held
July 10, 2014

Commissioners Voting: John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*State Board of Medicine—
Genetic Counselors;
Order Issued July 22, 2014
Regulation No. 16A-4937 (#3034)*

On October 7, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Sections 16.11 and 16.13 and adds Sections 18.701 to 18.710. The proposed regula-

tion was published in the October 19, 2013 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 5, 2014.

This regulation implements Act 125 of 2011 (Act 125) which established licensure and regulation of genetic counselors. The regulation includes fees, provisions for three types of licensure, biennial registration, disciplinary actions, continuing education and professional liability insurance.

We find that this regulation does not meet the criterion of clarity. 71 P. S. § 745.5b(b)(3). As explained below, we find that there are two areas of the regulation that we believe should be clarified.

First, the titles in the regulation of “genetic counselor” and “graduate genetic counselor” are not sufficiently differentiated so that the public can understand which title represents a fully licensed practitioner. Under 63 P. S. § 422.13d(b), use of the title “genetic counselor” is specified as:

An individual who holds an active license as provided by this act may hold himself out to the public *by any title or description of services incorporating the term “genetic counselor”* or use any words or symbols indicating that the individual is a genetic counselor, except as otherwise provided by this act. [Emphasis added.]

Another category of licensure, a “provisional license,” is provided under 63 P. S. § 422.13d(g). This provision states the Board may issue a provisional license to practice genetic counseling to a person who meets all of the qualifications for licensure as a genetic counselor but has not yet passed the certification examination. We believe the statute provides the Board with flexibility to specify titles that distinguish between a fully licensed genetic counselor and a person practicing on a provisional license (e.g., who has not yet passed the certification examination).

The regulation defines the term “genetic counselor” in Section 18.702 and this term is used throughout the regulation, but the term “licensed genetic counselor” is used as well. Subsection 18.705(f) of the regulation specifies that a person holding a provisional genetic counselor license may use the title “graduate genetic counselor.” Our comments questioned whether the public, who would be receiving the counseling services, will clearly understand that the title “graduate genetic counselor” is a lesser qualification than “genetic counselor.” We asked the Board to review this title and consider whether another title would be clearer from the perspective of the public.

The Board responded that it does not believe the public will be confused by this title. We disagree and find that a clear distinction between titles is needed in the regulation so that the public can clearly understand there is a difference in the qualifications of the respective practitioners. Also, these titles should be used consistently throughout the regulation.

Our second concern is with the clarity of Section 18.708 (relating to Disciplinary action for applicants and licensed genetic counselors). Our comments asked the Board to amend Section 18.708 to directly relate disciplinary actions to unprofessional conduct and immoral conduct. The Board declined to make these amendments stating that it does not want to narrow disciplinary action to just these

provisions since the act authorizes the Board to discipline for violating the regulations and for immoral or unprofessional conduct.

Our specific concern is that the reader of Section 18.708 is not given clear direction on the actions that could result in disciplinary action by the Board. Subsection (a) references the statute at 63 P. S. §§ 422.22 and 422.41, but there are several other specific actions in regulation that could also result in discipline. The following Subsections (b) and (c) essentially define unprofessional conduct and immoral conduct for genetic counselors, but Subsection (a) does not directly state a licensee could be disciplined for not conforming to them. The Board's existing regulation already addresses unprofessional and immoral conduct at 49 Pa. Code § 16.61, which should be referenced in Section 18.708. Additionally, Section 18.708 should be amended to clarify that Subsections (b) and (c) are supplemental to Section 16.61 and in the event of inconsistencies with Section 16.61, Subsections (b) and (c) take precedence. Another provision that could result in discipline is the reporting requirements at 49 Pa. Code

§ 16.16. (relating to Reporting of disciplinary actions, criminal dispositions and other licenses, certificates or authorizations to practice). We believe Section 18.708 should incorporate all of these provisions so that licensees are given clear notice of the actions that could result in discipline.

We have determined this regulation is consistent with the statutory authority of the Board and the intention of the General Assembly. However, after considering all of the other criteria of the Regulatory Review Act discussed above, we find promulgation of this regulation is not in the public interest.

By Order of the Commission:

The regulation #16A-4937 (IRRC #3034) from the State Board of Medicine was disapproved on July 10, 2014.

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 14-1641. Filed for public inspection August 1, 2014, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

| <i>Reg. No.</i> | <i>Agency/Title</i> | <i>Close of the Public Comment Period</i> | <i>IRRC Comments Issued</i> |
|-----------------|---|---|-------------------------------------|
| #7-486 | Environmental Quality Board Administration of the Land Recycling Program 44 Pa.B. 2980 (May 17, 2014) | 06/17/14 | 07/17/14 |

Environmental Quality Board

Regulation #7-486 (IRRC #3057)

Administration of the Land Recycling Program

July 17, 2014

We submit for your consideration the following comments on the proposed rulemaking published in the May 17, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

1. Appendix A, Tables 1 and 3a.—Statutory authority; Determining whether the regulation is in the public interest; Protection of the public health, safety and welfare; Acceptable data.

Methyl Tertiary-Butyl Ether (MTBE)

Section 5.2 of the RRA (71 P. S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed regulation and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under § 745.5(a) in the Regulatory Analysis Form (RAF).

The Department of Environmental Protection (Department) regulations require the Department to review new scientific information that is used to calculate Medium-Specific Concentrations (MSC) used to demonstrate the statewide health standard, and propose appropriate changes at least every 36 months.

The Department's Cleanup Standards Scientific Advisory Board (CSSAB), created for the purpose of assisting the Department and EQB in developing the statewide health standards, reviewed and approved the proposed regulation, with one exception. In its recommendation to EQB, CSSAB wrote that it does not support the MSCs for MTBE in proposed Tables 1 and 3a "because those MSCs are not calculated using specific health-based criteria available from authorized sources as required in Act 2 and the regulations promulgated thereunder." CSSAB stated that the proposed MSCs for MTBE are "based on aesthetic considerations . . . thereby treating MTBE differently than other regulated substances in contravention of the mandate of Act 2 to establish health-based cleanup standards through the application of sound science."

The Storage Tank Advisory Committee (STAC), which is authorized by the Pennsylvania Tank Act to provide advice to the Department on regulations related to the Storage Tank and Spill Prevention Act, also reviewed and approved the regulation with the exception of the proposed MTBE value in Table 1, Appendix A. STAC wrote that it "did not support using DEP's interpretation of the

MTBE drinking water advisory for odor, versus a more quantitative calculation in conjunction with EPA's methodology."

We ask EQB to address the advisory committees' concerns related to the MSCs for MTBE in the Preamble and RAF of the final-form regulation. EQB should explain how the MTBE standards meet the criteria established in Act 2, and how the MTBE standards adequately protect the public health, safety and welfare. If the MSCs for MTBE are not calculated using health-based criteria as required by Act 2, then EQB should explain its statutory authority for its method of calculating the MTBE standards in the final-form regulation.

2. Appendix A, Table 4.—Economic or fiscal impacts; Protection of the public health, safety and welfare; Need for the regulation; Acceptable data.

Vanadium, Arsenic

A commentator raises concerns related to residential MSC for vanadium and arsenic. The commentator asserts that the decreased residential soil MSC for vanadium in Appendix A—Table 4 is overly restrictive and could result

in nearly every property in Pennsylvania exceeding the residential MSC and clean fill limits for vanadium. The commentator states that this same problem exists with other metals in Pennsylvania that have MSCs below regional background conditions, such as arsenic.

EQB states in response to RAF #18 that it believes there will be little, if any, adverse effects from this regulation. In response to RAF #19, EQB states that the regulation is not expected to increase costs. We ask EQB to explain the scientific data that EQB relied on for lowering the MSCs for vanadium and arsenic, and to explain how the new standards are necessary to protect the public health. If the new standards are expected to impact a greater number of people, EQB should also explain why it believes the new standards should have no adverse effects, nor increase costs for the regulated community.

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 14-1642. Filed for public inspection August 1, 2014, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from the web site at www.irrc.state.pa.us.

| <i>Final Reg. No.</i> | <i>Agency/Title</i> | <i>Received</i> | <i>Public Meeting</i> |
|---------------------------|--|-----------------|---------------------------|
| #18-431 | Department of Transportation Roadside Rest Area | 7/16/14 | 9/4/14 |

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 14-1643. Filed for public inspection August 1, 2014, 9:00 a.m.]

INSURANCE DEPARTMENT

Children's Health Insurance Program Advisory Council Meeting

The Insurance Department has scheduled a meeting of the Children's Health Insurance Program Advisory Council (Council) on Tuesday, October 14, 2014, at 10 a.m. at the Department of Education, Honors Suite, 1st Floor, 333 Market Street, Harrisburg, PA 17126. The Children's Health Care Act (40 P. S. §§ 991.2301—991.2362) charges the Council with the responsibilities of overseeing outreach activities and evaluating access and quality of service provided to children enrolled in the Children's Health Insurance Program. The public is invited to attend. Persons who need accommodations due to a disability who wish to attend the meeting should contact Pete Salvatore, Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120, (717) 787-4429, at least 24 hours in advance so that arrangements can be made.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-1644. Filed for public inspection August 1, 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 Patricia Watson; file no. 14-119-166728; Erie Insurance Company; Doc. No. P14-07-007; September 17, 2014, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or

photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-1645. Filed for public inspection August 1, 2014, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Allstate Property and Casualty Insurance; file no. 14-115-165132; Nathan Diehl; Doc. No. P14-07-008; September 10, 2014, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial

action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-1646. Filed for public inspection August 1, 2014, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with their company's termination of the insureds' homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Michael and Dawn McNalis; file no. 14-130-167374; Knightbrook Insurance Company; Doc. No. P14-07-006; September 3, 2014, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-1647. Filed for public inspection August 1, 2014, 9:00 a.m.]

OFFICE OF ADMINISTRATION

Coverage Amount of Group Life Insurance for Commonwealth Employees

The following schedules provide the coverage amount of group life insurance for employees of the Commonwealth as required by section 1503-A of The Fiscal Code (72 P. S. § 1503-A). The coverage amount is one times annual salary rounded to the nearest one thousand, up to the maximum stated in the schedule. There are three schedules because some groups of employees have a different maximum of coverage. The three schedules are as follows: 1) Class 1, which is most employees (including participating independent agencies); 2) Pennsylvania State Police Members as well as State System of Higher Education Faculty and Management; and 3) University Presidents of the State System of Higher Education.

KELLY POWELL LOGAN,
Secretary

Schedule of Life Insurance Class 1 employees

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|-------------------------------|---|--|---|
| less than \$2,500 | \$2,500 | \$1,625 | \$1,250 |
| \$2,500 & less than \$3,500 | \$3,000 | \$1,950 | \$1,500 |
| \$3,500 & less than \$4,500 | \$4,000 | \$2,600 | \$2,000 |
| \$4,500 & less than \$5,500 | \$5,000 | \$3,250 | \$2,500 |
| \$5,500 & less than \$6,500 | \$6,000 | \$3,900 | \$3,000 |
| \$6,500 & less than \$7,500 | \$7,000 | \$4,550 | \$3,500 |
| \$7,500 & less than \$8,500 | \$8,000 | \$5,200 | \$4,000 |
| \$8,500 & less than \$9,500 | \$9,000 | \$5,850 | \$4,500 |
| \$9,500 & less than \$10,500 | \$10,000 | \$6,500 | \$5,000 |
| \$10,500 & less than \$11,500 | \$11,000 | \$7,150 | \$5,500 |
| \$11,500 & less than \$12,500 | \$12,000 | \$7,800 | \$6,000 |
| \$12,500 & less than \$13,500 | \$13,000 | \$8,450 | \$6,500 |
| \$13,500 & less than \$14,500 | \$14,000 | \$9,100 | \$7,000 |
| \$14,500 & less than \$15,500 | \$15,000 | \$9,750 | \$7,500 |
| \$15,500 & less than \$16,500 | \$16,000 | \$10,400 | \$8,000 |
| \$16,500 & less than \$17,500 | \$17,000 | \$11,050 | \$8,500 |
| \$17,500 & less than \$18,500 | \$18,000 | \$11,700 | \$9,000 |
| \$18,500 & less than \$19,500 | \$19,000 | \$12,350 | \$9,500 |
| \$19,500 & less than \$20,500 | \$20,000 | \$13,000 | \$10,000 |
| \$20,500 & less than \$21,500 | \$21,000 | \$13,650 | \$10,500 |
| \$21,500 & less than \$22,500 | \$22,000 | \$14,300 | \$11,000 |
| \$22,500 & less than \$23,500 | \$23,000 | \$14,950 | \$11,500 |
| \$23,500 & less than \$24,500 | \$24,000 | \$15,600 | \$12,000 |
| \$24,500 & less than \$25,500 | \$25,000 | \$16,250 | \$12,500 |
| \$25,500 & less than \$26,500 | \$26,000 | \$16,900 | \$13,000 |
| \$26,500 & less than \$27,500 | \$27,000 | \$17,550 | \$13,500 |
| \$27,500 & less than \$28,500 | \$28,000 | \$18,200 | \$14,000 |
| \$28,500 & less than \$29,500 | \$29,000 | \$18,850 | \$14,500 |
| \$29,500 & less than \$30,500 | \$30,000 | \$19,500 | \$15,000 |
| \$30,500 & less than \$31,500 | \$31,000 | \$20,150 | \$15,500 |
| \$31,500 & less than \$32,500 | \$32,000 | \$20,800 | \$16,000 |
| \$32,500 & less than \$33,500 | \$33,000 | \$21,450 | \$16,500 |
| \$33,500 & less than \$34,500 | \$34,000 | \$22,100 | \$17,000 |
| \$34,500 & less than \$35,500 | \$35,000 | \$22,750 | \$17,500 |
| \$35,500 & less than \$36,500 | \$36,000 | \$23,400 | \$18,000 |
| \$36,500 & less than \$37,500 | \$37,000 | \$24,050 | \$18,500 |
| \$37,500 & less than \$38,500 | \$38,000 | \$24,700 | \$19,000 |

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|-------------------------------|---|--|---|
| \$38,500 & less than \$39,500 | \$39,000 | \$25,350 | \$19,500 |
| \$39,500 & over | \$40,000 | \$26,000 | \$20,000 |

**Schedule of Life Insurance PA State Police Enlisted Members and
PA State System of Higher Education Faculty and Management Staff**

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|-------------------------------|---|--|---|
| less than \$2,500 | \$2,500 | \$1,625 | \$1,250 |
| \$2,500 & less than \$3,500 | \$3,000 | \$1,950 | \$1,500 |
| \$3,500 & less than \$4,500 | \$4,000 | \$2,600 | \$2,000 |
| \$4,500 & less than \$5,500 | \$5,000 | \$3,250 | \$2,500 |
| \$5,500 & less than \$6,500 | \$6,000 | \$3,900 | \$3,000 |
| \$6,500 & less than \$7,500 | \$7,000 | \$4,550 | \$3,500 |
| \$7,500 & less than \$8,500 | \$8,000 | \$5,200 | \$4,000 |
| \$8,500 & less than \$9,500 | \$9,000 | \$5,850 | \$4,500 |
| \$9,500 & less than \$10,500 | \$10,000 | \$6,500 | \$5,000 |
| \$10,500 & less than \$11,500 | \$11,000 | \$7,150 | \$5,500 |
| \$11,500 & less than \$12,500 | \$12,000 | \$7,800 | \$6,000 |
| \$12,500 & less than \$13,500 | \$13,000 | \$8,450 | \$6,500 |
| \$13,500 & less than \$14,500 | \$14,000 | \$9,100 | \$7,000 |
| \$14,500 & less than \$15,500 | \$15,000 | \$9,750 | \$7,500 |
| \$15,500 & less than \$16,500 | \$16,000 | \$10,400 | \$8,000 |
| \$16,500 & less than \$17,500 | \$17,000 | \$11,050 | \$8,500 |
| \$17,500 & less than \$18,500 | \$18,000 | \$11,700 | \$9,000 |
| \$18,500 & less than \$19,500 | \$19,000 | \$12,350 | \$9,500 |
| \$19,500 & less than \$20,500 | \$20,000 | \$13,000 | \$10,000 |
| \$20,500 & less than \$21,500 | \$21,000 | \$13,650 | \$10,500 |
| \$21,500 & less than \$22,500 | \$22,000 | \$14,300 | \$11,000 |
| \$22,500 & less than \$23,500 | \$23,000 | \$14,950 | \$11,500 |
| \$23,500 & less than \$24,500 | \$24,000 | \$15,600 | \$12,000 |
| \$24,500 & less than \$25,500 | \$25,000 | \$16,250 | \$12,500 |
| \$25,500 & less than \$26,500 | \$26,000 | \$16,900 | \$13,000 |
| \$26,500 & less than \$27,500 | \$27,000 | \$17,550 | \$13,500 |
| \$27,500 & less than \$28,500 | \$28,000 | \$18,200 | \$14,000 |
| \$28,500 & less than \$29,500 | \$29,000 | \$18,850 | \$14,500 |
| \$29,500 & less than \$30,500 | \$30,000 | \$19,500 | \$15,000 |
| \$30,500 & less than \$31,500 | \$31,000 | \$20,150 | \$15,500 |
| \$31,500 & less than \$32,500 | \$32,000 | \$20,800 | \$16,000 |
| \$32,500 & less than \$33,500 | \$33,000 | \$21,450 | \$16,500 |
| \$33,500 & less than \$34,500 | \$34,000 | \$22,100 | \$17,000 |
| \$34,500 & less than \$35,500 | \$35,000 | \$22,750 | \$17,500 |
| \$35,500 & less than \$36,500 | \$36,000 | \$23,400 | \$18,000 |
| \$36,500 & less than \$37,500 | \$37,000 | \$24,050 | \$18,500 |
| \$37,500 & less than \$38,500 | \$38,000 | \$24,700 | \$19,000 |
| \$38,500 & less than \$39,500 | \$39,000 | \$25,350 | \$19,500 |
| \$39,500 & less than \$40,500 | \$40,000 | \$26,000 | \$20,000 |
| \$40,500 & less than \$41,500 | \$41,000 | \$26,650 | \$20,500 |
| \$41,500 & less than \$42,500 | \$42,000 | \$27,300 | \$21,000 |
| \$42,500 & less than \$43,500 | \$43,000 | \$27,950 | \$21,500 |

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|-------------------------------|---|--|---|
| \$43,500 & less than \$44,500 | \$44,000 | \$28,600 | \$22,000 |
| \$44,500 & less than \$45,500 | \$45,000 | \$29,250 | \$22,500 |
| \$45,500 & less than \$46,500 | \$46,000 | \$29,900 | \$23,000 |
| \$46,500 & less than \$47,500 | \$47,000 | \$30,550 | \$23,500 |
| \$47,500 & less than \$48,500 | \$48,000 | \$31,200 | \$24,000 |
| \$48,500 & less than \$49,500 | \$49,000 | \$31,850 | \$24,500 |
| \$49,500 and over | \$50,000 | \$32,500 | \$25,000 |

Schedule of Life Insurance PA State System of Higher Education University Presidents

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|-------------------------------|---|--|---|
| less than \$2,500 | \$2,500 | \$1,625 | \$1,250 |
| \$2,500 & less than \$3,500 | \$3,000 | \$1,950 | \$1,500 |
| \$3,500 & less than \$4,500 | \$4,000 | \$2,600 | \$2,000 |
| \$4,500 & less than \$5,500 | \$5,000 | \$3,250 | \$2,500 |
| \$5,500 & less than \$6,500 | \$6,000 | \$3,900 | \$3,000 |
| \$6,500 & less than \$7,500 | \$7,000 | \$4,550 | \$3,500 |
| \$7,500 & less than \$8,500 | \$8,000 | \$5,200 | \$4,000 |
| \$8,500 & less than \$9,500 | \$9,000 | \$5,850 | \$4,500 |
| \$9,500 & less than \$10,500 | \$10,000 | \$6,500 | \$5,000 |
| \$10,500 & less than \$11,500 | \$11,000 | \$7,150 | \$5,500 |
| \$11,500 & less than \$12,500 | \$12,000 | \$7,800 | \$6,000 |
| \$12,500 & less than \$13,500 | \$13,000 | \$8,450 | \$6,500 |
| \$13,500 & less than \$14,500 | \$14,000 | \$9,100 | \$7,000 |
| \$14,500 & less than \$15,500 | \$15,000 | \$9,750 | \$7,500 |
| \$15,500 & less than \$16,500 | \$16,000 | \$10,400 | \$8,000 |
| \$16,500 & less than \$17,500 | \$17,000 | \$11,050 | \$8,500 |
| \$17,500 & less than \$18,500 | \$18,000 | \$11,700 | \$9,000 |
| \$18,500 & less than \$19,500 | \$19,000 | \$12,350 | \$9,500 |
| \$19,500 & less than \$20,500 | \$20,000 | \$13,000 | \$10,000 |
| \$20,500 & less than \$21,500 | \$21,000 | \$13,650 | \$10,500 |
| \$21,500 & less than \$22,500 | \$22,000 | \$14,300 | \$11,000 |
| \$22,500 & less than \$23,500 | \$23,000 | \$14,950 | \$11,500 |
| \$23,500 & less than \$24,500 | \$24,000 | \$15,600 | \$12,000 |
| \$24,500 & less than \$25,500 | \$25,000 | \$16,250 | \$12,500 |
| \$25,500 & less than \$26,500 | \$26,000 | \$16,900 | \$13,000 |
| \$26,500 & less than \$27,500 | \$27,000 | \$17,550 | \$13,500 |
| \$27,500 & less than \$28,500 | \$28,000 | \$18,200 | \$14,000 |
| \$28,500 & less than \$29,500 | \$29,000 | \$18,850 | \$14,500 |
| \$29,500 & less than \$30,500 | \$30,000 | \$19,500 | \$15,000 |
| \$30,500 & less than \$31,500 | \$31,000 | \$20,150 | \$15,500 |
| \$31,500 & less than \$32,500 | \$32,000 | \$20,800 | \$16,000 |
| \$32,500 & less than \$33,500 | \$33,000 | \$21,450 | \$16,500 |
| \$33,500 & less than \$34,500 | \$34,000 | \$22,100 | \$17,000 |
| \$34,500 & less than \$35,500 | \$35,000 | \$22,750 | \$17,500 |
| \$35,500 & less than \$36,500 | \$36,000 | \$23,400 | \$18,000 |
| \$36,500 & less than \$37,500 | \$37,000 | \$24,050 | \$18,500 |
| \$37,500 & less than \$38,500 | \$38,000 | \$24,700 | \$19,000 |

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|-------------------------------|---|--|---|
| \$38,500 & less than \$39,500 | \$39,000 | \$25,350 | \$19,500 |
| \$39,500 & less than \$40,500 | \$40,000 | \$26,000 | \$20,000 |
| \$40,500 & less than \$41,500 | \$41,000 | \$26,650 | \$20,500 |
| \$41,500 & less than \$42,500 | \$42,000 | \$27,300 | \$21,000 |
| \$42,500 & less than \$43,500 | \$43,000 | \$27,950 | \$21,500 |
| \$43,500 & less than \$44,500 | \$44,000 | \$28,600 | \$22,000 |
| \$44,500 & less than \$45,500 | \$45,000 | \$29,250 | \$22,500 |
| \$45,500 & less than \$46,500 | \$46,000 | \$29,900 | \$23,000 |
| \$46,500 & less than \$47,500 | \$47,000 | \$30,550 | \$23,500 |
| \$47,500 & less than \$48,500 | \$48,000 | \$31,200 | \$24,000 |
| \$48,500 & less than \$49,500 | \$49,000 | \$31,850 | \$24,500 |
| \$49,500 & less than \$50,500 | \$50,000 | \$32,500 | \$25,000 |
| \$50,500 & less than \$51,500 | \$51,000 | \$33,150 | \$25,500 |
| \$51,500 & less than \$52,500 | \$52,000 | \$33,800 | \$26,000 |
| \$52,500 & less than \$53,500 | \$53,000 | \$34,450 | \$26,500 |
| \$53,500 & less than \$54,500 | \$54,000 | \$35,100 | \$27,000 |
| \$54,500 & less than \$55,500 | \$55,000 | \$35,750 | \$27,500 |
| \$55,500 & less than \$56,500 | \$56,000 | \$36,400 | \$28,000 |
| \$56,500 & less than \$57,500 | \$57,000 | \$37,050 | \$28,500 |
| \$57,500 & less than \$58,500 | \$58,000 | \$37,700 | \$29,000 |
| \$58,500 & less than \$59,500 | \$59,000 | \$38,350 | \$29,500 |
| \$59,500 & less than \$60,500 | \$60,000 | \$39,000 | \$30,000 |
| \$60,500 & less than \$61,500 | \$61,000 | \$39,650 | \$30,500 |
| \$61,500 & less than \$62,500 | \$62,000 | \$40,300 | \$31,000 |
| \$62,500 & less than \$63,500 | \$63,000 | \$40,950 | \$31,500 |
| \$63,500 & less than \$64,500 | \$64,000 | \$41,600 | \$32,000 |
| \$64,500 & less than \$65,500 | \$65,000 | \$42,250 | \$32,500 |
| \$65,500 & less than \$66,500 | \$66,000 | \$42,900 | \$33,000 |
| \$66,500 & less than \$67,500 | \$67,000 | \$43,550 | \$33,500 |
| \$67,500 & less than \$68,500 | \$68,000 | \$44,200 | \$34,000 |
| \$68,500 & less than \$69,500 | \$69,000 | \$44,850 | \$34,500 |
| \$69,500 & less than \$70,500 | \$70,000 | \$45,500 | \$35,000 |
| \$70,500 & less than \$71,500 | \$71,000 | \$46,150 | \$35,500 |
| \$71,500 & less than \$72,500 | \$72,000 | \$46,800 | \$36,000 |
| \$72,500 & less than \$73,500 | \$73,000 | \$47,450 | \$36,500 |
| \$73,500 & less than \$74,500 | \$74,000 | \$48,100 | \$37,000 |
| \$74,500 & less than \$75,500 | \$75,000 | \$48,750 | \$37,500 |
| \$75,500 & less than \$76,500 | \$76,000 | \$49,400 | \$38,000 |
| \$76,500 & less than \$77,500 | \$77,000 | \$50,050 | \$38,500 |
| \$77,500 & less than \$78,500 | \$78,000 | \$50,700 | \$39,000 |
| \$78,500 & less than \$79,500 | \$79,000 | \$51,350 | \$39,500 |
| \$79,500 & less than \$80,500 | \$80,000 | \$52,000 | \$40,000 |
| \$80,500 & less than \$81,500 | \$81,000 | \$52,650 | \$40,500 |
| \$81,500 & less than \$82,500 | \$82,000 | \$53,300 | \$41,000 |
| \$82,500 & less than \$83,500 | \$83,000 | \$53,950 | \$41,500 |
| \$83,500 & less than \$84,500 | \$84,000 | \$54,600 | \$42,000 |
| \$84,500 & less than \$85,500 | \$85,000 | \$55,250 | \$42,500 |

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|---------------------------------|---|--|---|
| \$85,500 & less than \$86,500 | \$86,000 | \$55,900 | \$43,000 |
| \$86,500 & less than \$87,500 | \$87,000 | \$56,550 | \$43,500 |
| \$87,500 & less than \$88,500 | \$88,000 | \$57,200 | \$44,000 |
| \$88,500 & less than \$89,500 | \$89,000 | \$57,850 | \$44,500 |
| \$89,500 & less than \$90,500 | \$90,000 | \$58,500 | \$45,000 |
| \$90,500 & less than \$91,500 | \$91,000 | \$59,150 | \$45,500 |
| \$91,500 & less than \$92,500 | \$92,000 | \$59,800 | \$46,000 |
| \$92,500 & less than \$93,500 | \$93,000 | \$60,450 | \$46,500 |
| \$93,500 & less than \$94,500 | \$94,000 | \$61,100 | \$47,000 |
| \$94,500 & less than \$95,500 | \$95,000 | \$61,750 | \$47,500 |
| \$95,500 & less than \$96,500 | \$96,000 | \$62,400 | \$48,000 |
| \$96,500 & less than \$97,500 | \$97,000 | \$63,050 | \$48,500 |
| \$97,500 & less than \$98,500 | \$98,000 | \$63,700 | \$49,000 |
| \$98,500 & less than \$99,500 | \$99,000 | \$64,350 | \$49,500 |
| \$99,500 & less than \$100,500 | \$100,000 | \$65,000 | \$50,000 |
| \$100,500 & less than \$101,500 | \$101,000 | \$65,650 | \$50,500 |
| \$101,500 & less than \$102,500 | \$102,000 | \$66,300 | \$51,000 |
| \$102,500 & less than \$103,500 | \$103,000 | \$66,950 | \$51,500 |
| \$103,500 & less than \$104,500 | \$104,000 | \$67,600 | \$52,000 |
| \$104,500 & less than \$105,500 | \$105,000 | \$68,250 | \$52,500 |
| \$105,500 & less than \$106,500 | \$106,000 | \$68,900 | \$53,000 |
| \$106,500 & less than \$107,500 | \$107,000 | \$69,550 | \$53,500 |
| \$107,500 & less than \$108,500 | \$108,000 | \$70,200 | \$54,000 |
| \$108,500 & less than \$109,500 | \$109,000 | \$70,850 | \$54,500 |
| \$109,500 & less than \$110,500 | \$110,000 | \$71,500 | \$55,000 |
| \$110,500 & less than \$111,500 | \$111,000 | \$72,150 | \$55,500 |
| \$111,500 & less than \$112,500 | \$112,000 | \$72,800 | \$56,000 |
| \$112,500 & less than \$113,500 | \$113,000 | \$73,450 | \$56,500 |
| \$113,500 & less than \$114,500 | \$114,000 | \$74,100 | \$57,000 |
| \$114,500 & less than \$115,500 | \$115,000 | \$74,750 | \$57,500 |
| \$115,500 & less than \$116,500 | \$116,000 | \$75,400 | \$58,000 |
| \$116,500 & less than \$117,500 | \$117,000 | \$76,050 | \$58,500 |
| \$117,500 & less than \$118,500 | \$118,000 | \$76,700 | \$59,000 |
| \$118,500 & less than \$119,500 | \$119,000 | \$77,350 | \$59,500 |
| \$119,500 & less than \$120,500 | \$120,000 | \$78,000 | \$60,000 |
| \$120,500 & less than \$121,500 | \$121,000 | \$78,650 | \$60,500 |
| \$121,500 & less than \$122,500 | \$122,000 | \$79,300 | \$61,000 |
| \$122,500 & less than \$123,500 | \$123,000 | \$79,950 | \$61,500 |
| \$123,500 & less than \$124,500 | \$124,000 | \$80,600 | \$62,000 |
| \$124,500 & less than \$125,500 | \$125,000 | \$81,250 | \$62,500 |
| \$125,500 & less than \$126,500 | \$126,000 | \$81,900 | \$63,000 |
| \$126,500 & less than \$127,500 | \$127,000 | \$82,550 | \$63,500 |
| \$127,500 & less than \$128,500 | \$128,000 | \$83,200 | \$64,000 |
| \$128,500 & less than \$129,500 | \$129,000 | \$83,850 | \$64,500 |
| \$129,500 & less than \$130,500 | \$130,000 | \$84,500 | \$65,000 |
| \$130,500 & less than \$131,500 | \$131,000 | \$85,150 | \$65,500 |
| \$131,500 & less than \$132,500 | \$132,000 | \$85,800 | \$66,000 |

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|---------------------------------|---|--|---|
| \$132,500 & less than \$133,500 | \$133,000 | \$86,450 | \$66,500 |
| \$133,500 & less than \$134,500 | \$134,000 | \$87,100 | \$67,000 |
| \$134,500 & less than \$135,500 | \$135,000 | \$87,750 | \$67,500 |
| \$135,500 & less than \$136,500 | \$136,000 | \$88,400 | \$68,000 |
| \$136,500 & less than \$137,500 | \$137,000 | \$89,050 | \$68,500 |
| \$137,500 & less than \$138,500 | \$138,000 | \$89,700 | \$69,000 |
| \$138,500 & less than \$139,500 | \$139,000 | \$90,350 | \$69,500 |
| \$139,500 & less than \$140,500 | \$140,000 | \$91,000 | \$70,000 |
| \$140,500 & less than \$141,500 | \$141,000 | \$91,650 | \$70,500 |
| \$141,500 & less than \$142,500 | \$142,000 | \$92,300 | \$71,000 |
| \$142,500 & less than \$143,500 | \$143,000 | \$92,950 | \$71,500 |
| \$143,500 & less than \$144,500 | \$144,000 | \$93,600 | \$72,000 |
| \$144,500 & less than \$145,500 | \$145,000 | \$94,250 | \$72,500 |
| \$145,500 & less than \$146,500 | \$146,000 | \$94,900 | \$73,000 |
| \$146,500 & less than \$147,500 | \$147,000 | \$95,550 | \$73,500 |
| \$147,500 & less than \$148,500 | \$148,000 | \$96,200 | \$74,000 |
| \$148,500 & less than \$149,500 | \$149,000 | \$96,850 | \$74,500 |
| \$149,500 & less than \$150,500 | \$150,000 | \$97,500 | \$75,000 |
| \$150,500 & less than \$151,500 | \$151,000 | \$98,150 | \$75,500 |
| \$151,500 & less than \$152,500 | \$152,000 | \$98,800 | \$76,000 |
| \$152,500 & less than \$153,500 | \$153,000 | \$99,450 | \$76,500 |
| \$153,500 & less than \$154,500 | \$154,000 | \$100,100 | \$77,000 |
| \$154,500 & less than \$155,500 | \$155,000 | \$100,750 | \$77,500 |
| \$155,500 & less than \$156,500 | \$156,000 | \$101,400 | \$78,000 |
| \$156,500 & less than \$157,500 | \$157,000 | \$102,050 | \$78,500 |
| \$157,500 & less than \$158,500 | \$158,000 | \$102,700 | \$79,000 |
| \$158,500 & less than \$159,500 | \$159,000 | \$103,350 | \$79,500 |
| \$159,500 & less than \$160,500 | \$160,000 | \$104,000 | \$80,000 |
| \$160,500 & less than \$161,500 | \$161,000 | \$104,650 | \$80,500 |
| \$161,500 & less than \$162,500 | \$162,000 | \$105,300 | \$81,000 |
| \$162,500 & less than \$163,500 | \$163,000 | \$105,950 | \$81,500 |
| \$163,500 & less than \$164,500 | \$164,000 | \$106,600 | \$82,000 |
| \$164,500 & less than \$165,500 | \$165,000 | \$107,250 | \$82,500 |
| \$165,500 & less than \$166,500 | \$166,000 | \$107,900 | \$83,000 |
| \$166,500 & less than \$167,500 | \$167,000 | \$108,550 | \$83,500 |
| \$167,500 & less than \$168,500 | \$168,000 | \$109,200 | \$84,000 |
| \$168,500 & less than \$169,500 | \$169,000 | \$109,850 | \$84,500 |
| \$169,500 & less than \$170,500 | \$170,000 | \$110,500 | \$85,000 |
| \$170,500 & less than \$171,500 | \$171,000 | \$111,150 | \$85,500 |
| \$171,500 & less than \$172,500 | \$172,000 | \$111,800 | \$86,000 |
| \$172,500 & less than \$173,500 | \$173,000 | \$112,450 | \$86,500 |
| \$173,500 & less than \$174,500 | \$174,000 | \$113,100 | \$87,000 |
| \$174,500 & less than \$175,500 | \$175,000 | \$113,750 | \$87,500 |
| \$175,500 & less than \$176,500 | \$176,000 | \$114,400 | \$88,000 |
| \$176,500 & less than \$177,500 | \$177,000 | \$115,050 | \$88,500 |
| \$177,500 & less than \$178,500 | \$178,000 | \$115,700 | \$89,000 |
| \$178,500 & less than \$179,500 | \$179,000 | \$116,350 | \$89,500 |

| <i>Annual Salary</i> | <i>Amount of Insurance Under Age 70</i> | <i>Amount of Insurance Age 70 Through 74</i> | <i>Amount of Insurance Age 75 and Older</i> |
|---------------------------------|---|--|---|
| \$179,500 & less than \$180,500 | \$180,000 | \$117,000 | \$90,000 |
| \$180,500 & less than \$181,500 | \$181,000 | \$117,650 | \$90,500 |
| \$181,500 & less than \$182,500 | \$182,000 | \$118,300 | \$91,000 |
| \$182,500 & less than \$183,500 | \$183,000 | \$118,950 | \$91,500 |
| \$183,500 & less than \$184,500 | \$184,000 | \$119,600 | \$92,000 |
| \$184,500 & less than \$185,500 | \$185,000 | \$120,250 | \$92,500 |
| \$185,500 & less than \$186,500 | \$186,000 | \$120,900 | \$93,000 |
| \$186,500 & less than \$187,500 | \$187,000 | \$121,550 | \$93,500 |
| \$187,500 & less than \$188,500 | \$188,000 | \$122,200 | \$94,000 |
| \$188,500 & less than \$189,500 | \$189,000 | \$122,850 | \$94,500 |
| \$189,500 & less than \$190,500 | \$190,000 | \$123,500 | \$95,000 |
| \$190,500 & less than \$191,500 | \$191,000 | \$124,150 | \$95,500 |
| \$191,500 & less than \$192,500 | \$192,000 | \$124,800 | \$96,000 |
| \$192,500 & less than \$193,500 | \$193,000 | \$125,450 | \$96,500 |
| \$193,500 & less than \$194,500 | \$194,000 | \$126,100 | \$97,000 |
| \$194,500 & less than \$195,500 | \$195,000 | \$126,750 | \$97,500 |
| \$195,500 & less than \$196,500 | \$196,000 | \$127,400 | \$98,000 |
| \$196,500 & less than \$197,500 | \$197,000 | \$128,050 | \$98,500 |
| \$197,500 & less than \$198,500 | \$198,000 | \$128,700 | \$99,000 |
| \$198,500 & less than \$199,500 | \$199,000 | \$129,350 | \$99,500 |
| \$199,500 & over | \$200,000 | \$130,000 | \$100,000 |

[Pa.B. Doc. No. 14-1648. Filed for public inspection August 1, 2014, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Eligible Telecommunications Carriers; Lifeline Service

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as eligible telecommunications carriers (ETC) for purposes of providing Lifeline service:

Boomerang Wireless, LLC; Doc. No. P-2014-2421056

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket number within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petition at the Commission web site www.puc.pa.gov or hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is David E. Screven, Assistant Counsel, Law Bureau (717) 787-5000.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-1649. Filed for public inspection August 1, 2014, 9:00 a.m.]

Local Exchange Carrier Services

A-2014-2433356. Block Line Systems, LLC. Application of Block Line Systems, LLC for approval to offer, render, furnish or supply competitive local exchange carrier services to the public in the service territory of The United Telephone Company of Pennsylvania, d/b/a CenturyLink.

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 August 18, 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, and at the applicant's business address.

Applicant: Block Line Systems, LLC

Through and By Counsel: Thomas T. Niesen, Esquire, Charles E. Thomas, III, Esquire, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 600, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-1650. Filed for public inspection August 1, 2014, 9:00 a.m.]

Pro Forma Change of Indirect Ownership

A-2014-2433349. Zayo Group, LLC. Application of Zayo Group, LLC for approval of a pro forma change of indirect ownership.

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 August 18, 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 and at the applicant's business address.

Applicants: Zayo Group, LLC

Through and By Counsel: Michael A. Gruin, Esquire, Stevens & Lee, Harrisburg Market Square, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-1651. Filed for public inspection August 1, 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 August 18, 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-2014-2409949. Pottstown Memorial Ambulance Company, LLC, t/a Pottstown Medical Transport (1600 East High Street, Pottstown, Montgomery County, PA 19464) in paratransit service, limited to persons requiring service to and from nursing facilities, hospitals, clinics, dialysis centers and medical appointments, between points in the area bound between PA Route 100, PA Route 73, PA Route 113 and the Schuylkill River.

A-2014-2421267. Colonial Liberty Cab Co, LLC, t/a Colonial Liberty Limo (1902 Johnson Road, Plymouth Meeting, PA 19462) 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, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-2014-2423972. (Corrected) Lifestar Response of Maryland, Inc. (3710 Commerce Drive, Suite 1006, Baltimore, MD 21227) in paratransit service, in the City and County of Philadelphia, and the County of Delaware, which is to be a transfer of all rights authorized under the certificate issued at A-6410147 to Medcross Ambulance, Inc., subject to the same limitations and conditions. *Attorney:* Brian Richmond, 21540 30th Drive SE, Suite 250, Bothell, WA 98021.

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 by transfer of rights as described under the application.

A-2014-2423938. (Corrected) 1-800-Pack-Rat, LLC (6400 Goldsboro Road, Suite 300, Bethesda, MD 20817) for the right to begin to transport, as a Class B carrier, household goods in use, between points in the City of Pittsburgh, Allegheny County and as a Class D carrier, household goods in use, from points in the City of Pittsburgh, Allegheny County, to points within 10 miles by the usually traveled highways of the City-County Building in the said city, and vice versa; which is to be a transfer of all the rights from A-00106620, F.2 issued to William T. Malloy, t/d/b/a Are You Moving (*Attorney:* David M. O'Boyle, Esquire, Wick, Streiff, Meyer, O'Boyle & Szeligo, PC, 1450 Two Chatham Center, 112 Washington Place, Pittsburgh, PA 15219).

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of household goods by transfer of rights as described under the application.

A-2014-2415247. Zody's Moving & Storage, Inc. (11737 Wharf Road, Waynesboro, Franklin County, PA 17268) for the amended right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the Borough of Waynesboro, Franklin County and within 15 miles by the usually traveled highways of the limits of the said borough, to points in Pennsylvania within 175 miles by the usually traveled highways of the limits of the said borough, and vice versa; and household goods in use, between points in the Borough of Waynesboro, Franklin County and within an airline distance of 3 statute miles of the limits of the said borough; which is to be a transfer of all the rights from A-00119984 issued to Pro Moving & Storage, Inc.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-1652. Filed for public inspection August 1, 2014, 9:00 a.m.]

Telecommunications

A-2014-2432370. Verizon Pennsylvania, LLC and Guidance Telecom, LLC. Joint petition of Verizon Pennsylvania, LLC and Guidance Telecom, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Guidance Telecom, LLC, by its counsel, filed on July 11, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Guidance Telecom, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov, and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-1653. Filed for public inspection August 1, 2014, 9:00 a.m.]

Telecommunications Services

A-2014-2433543 and A-2014-2433544. Charter Fiberlink—Pennsylvania, LLC. Application of Charter Fiberlink—Pennsylvania, LLC for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of Pymatuning Independent Telephone Company and Windstream Pennsylvania, Inc.

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 August 18, 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, and at the applicant's business address.

Applicant: Charter Fiberlink—Pennsylvania, LLC

Through and By Counsel: Deanne M. O'Dell, Esquire, Eckert Seamans Cherin & Mellott, LLC, 213 Market Street, 8th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-1654. Filed for public inspection August 1, 2014, 9:00 a.m.]

Telecommunications Services

A-2014-2433358, A-2014-2433359 and A-2014-2433361. Line Systems, Inc., Infinite Communication, LLC, Magellan Hill Technologies, LLC and Block Line Systems, LLC. Joint general rule application of Line Systems, Inc., Infinite Communication, LLC, Magellan Hill Technologies, LLC and Block Line Systems, LLC for approval of: 1) the transfer of substantially all of the telephone system assets and the Pennsylvania customer base of Line Systems, Inc., Infinite Communication, LLC and Magellan Hill Technologies, LLC to Block Line Systems, LLC; and 2) the abandonment by Line Systems, Inc., Infinite Communication, LLC and Magellan Hill Technologies, LLC of their telecommunications service authority in Pennsylvania.

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 August 18, 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, and at the applicant's business address.

Applicant: Line Systems, Inc., Infinite Communication, LLC, Magellan Hill Technologies, LLC, Block Line Systems, LLC

Through and By Counsel: Thomas T. Niesen, Esquire, Charles E. Thomas, III, Esquire, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 600, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-1655. Filed for public inspection August 1, 2014, 9:00 a.m.]

Wastewater Service

A-2014-2433202. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval to offer, render, furnish or supply wastewater service to the public in a portion of West Sadsbury Township, Chester 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 August 18, 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, 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. 14-1656. Filed for public inspection August 1, 2014, 9:00 a.m.]

Water Service

A-2014-2433207. 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 Franklin Township and Connoquenessing 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 August 18, 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, 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. 14-1657. Filed for public inspection August 1, 2014, 9:00 a.m.]

Water Service

A-2014-2433209. 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 Lancaster Township and Connoquenessing 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 August 18, 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, 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. 14-1658. Filed for public inspection August 1, 2014, 9:00 a.m.]

Water Service

A-2014-2433205. 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 Lancaster Township (Rt. 19 Warner Lane), 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 August 18, 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, 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. 14-1659. Filed for public inspection August 1, 2014, 9:00 a.m.]

STATE BOARD OF NURSING

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Terri O'Neal Smith, RN, Respondent; File No. 12-51-05175; Doc. No. 1479-51-12

On August 17, 2012, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Professional Nurse Law, Act of May 22, 1951, P. L. 317, ("Act"). This notice is being published pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing for service of process upon you by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P. O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P. O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 14-1660. Filed for public inspection August 1, 2014, 9:00 a.m.]

STATE SYSTEM OF HIGHER EDUCATION

Bloomsburg University of Pennsylvania; Study and Life Cycle Cost Analysis

A study and life cycle cost analysis will be performed within the next 90 days to determine if Bloomsburg University of Pennsylvania (University), located in Bloomsburg, should be exempted from the requirements of section 2420 of The Administrative Code of 1929 (71 P. S. § 650). The finding from this study may result in the conversion of the University coal-fired boiler heating system to a fuel other than coal.

For additional information, contact Eric Ness, Assistant Vice President, Facilities Management, Bloomsburg University of Pennsylvania, 400 East Second Street, Bloomsburg, PA (570) 389-4517, fax (570) 389-3070, eness@bloomu.edu.

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