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# PENNSYLVANIA BULLETIN

Volume 44

Number 32

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Pages 5315—5436

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Department of Community and Economic  
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Department of Environmental Protection

Department of General Services

Department of Health

Department of Public Welfare

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Environmental Hearing Board

Fish and Boat Commission

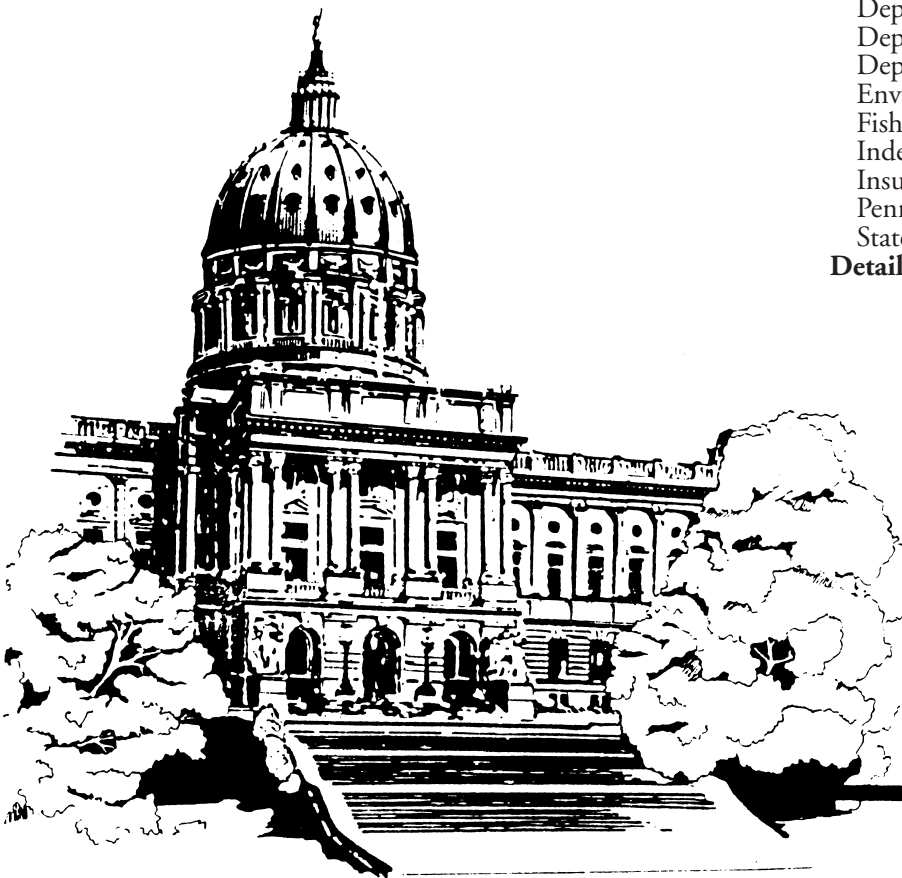
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Insurance Department

Pennsylvania Public Utility Commission

State Board of Nursing

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

**No. 477, August 2014**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CH. 5 ]

#### Proposed Amendments to Pa.R.A.P. 531

The Appellate Court Procedural Rules Committee proposes to recommend amendments to Pa.R.A.P. 531. This proposal is being submitted for public comments, suggestions, and concerns prior to submission to the Supreme Court.

Proposed new material is in bold face type and deleted material is bracketed and in bold face type.

All communications in reference to the proposed amendment should be sent no later than September 22, 2014 to:

Appellate Court Procedural Rules Committee  
 Pennsylvania Judicial Center  
 601 Commonwealth Ave., Suite 6200  
 P.O. Box 62635  
 Harrisburg, Pennsylvania 17106-2635  
 or Fax to  
 (717) 231-9551  
 or E-Mail to  
 appellaterules@pacourts.us

An Explanatory Comment follows the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court  
 Procedural Rules Committee*

HONORABLE RENÉE COHN JUBELIRER,  
*Chair*

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

##### ARTICLE I. PRELIMINARY PROVISIONS

##### CHAPTER 5. PERSONS WHO MAY TAKE OR PARTICIPATE IN APPEALS

##### AMICUS CURIAE

#### Rule 531. Participation by Amicus Curiae.

[ (a) *Briefs.*—Anyone interested in the questions involved in any matter pending in an appellate court, excluding Petitions for Allowance of Appeal, although not a party, may, without applying for leave to do so, file a brief amicus curiae in regard to those questions.

(1) Unless otherwise ordered by the court, any amicus curiae shall file and serve its brief in the manner and number required and within the time allowed by these rules with respect to the party whose position as to affirmance or reversal the amicus brief will support, or with respect to the appellant, if the amicus brief does not support the position of any party.

(2) In an appeal proceeding under Rules 2154(b), 2185(c) and 2187(b), any amicus curiae shall file and serve its brief within the time allowed by these rules for service of the advance text of the brief by the party whose position as to affirmance or reversal the amicus brief will support or, if the amicus brief does not support the position of any party, within the time allowed by these rules for service of the advance text by the appellant. Alternatively, the amicus curiae may, but is not required to, serve an advance text and then file and serve a definitive copy of its brief. If the amicus curiae chooses to serve an advance copy and then file and serve a definitive copy, its deadlines for each are the same as for the party whose position as to affirmance or reversal the amicus brief supports or, if the amicus brief does not support the position of any party, as for the appellant.

(b) *Oral argument.*—Oral argument may be presented by amicus curiae only as the appellate court may direct. Requests for leave to present oral argument shall be by application and will be granted only for extraordinary reasons.

*Official Note:* Where the amicus cannot comply with the requirements of this rule because of ignorance of the pendency of the question, relief may be sought under Rule 105(b). The last eight words of the rule are new. In *Piccirilli Bros. v. Lewis*, 282 Pa. 328, 336, 127 Atl. 832, 835 (1925) the court noted the applicability of this rule to public officers who are represented by official counsel with an adverse position.

The 2011 amendment to the rule clarified when those filing amicus curiae briefs should serve and file their briefs when the appellant has chosen or the parties have been directed to proceed under the rules related to large records (Rule 2154(b)), advance text (Rule 2187(b)) and definitive copies (Rule 2185(c)). Under those rules, the appellant may defer preparation of the reproduced record until after the briefs have been served. The parties serve on one another (but do not file) advance texts of their briefs within the times required by Rule 2187. At the time they file their advance texts, each party includes certified record designations for inclusion in the reproduced record. The appellant must then prepare and file the reproduced record within 21 days of service of the appellee's advance text (Rule 2186(a)(2)). Within 14 days of the filing of the reproduced record, each party that served a brief in advance text may file and serve definitive copies of their briefs. The definitive copy must include references to the pages of the reproduced record, but it may not otherwise include changes from the advance text other than correction of typographical errors. Those filing amicus curiae briefs may choose to serve an advance text and then file and serve definitive copies according to the procedure required of the parties or they may choose to file a definitive brief without citations to the reproduced record.]

(a) *General.*—An *amicus curiae* is a non-party interested in the questions involved in any matter pending in an appellate court.

(b) *Briefs.*

(1) Except with respect to a petition for allowance of appeal, an *amicus curiae* may file a brief with respect to any matter pending in an appellate court without seeking leave of court.

(2) An *amicus curiae* brief need only contain a table of contents, table of authorities, statement of interest, argument, and a conclusion. An *amicus curiae* brief must include a footnote in the statement of interest representing that no party to the appeal has paid in whole or in part for the preparation of the brief or identifying any party to the appeal that has paid in whole or in part for the preparation of the brief.

(3) An *amicus curiae* brief is limited to one half the length permitted by the rules for a party's brief.

(4) An *amicus curiae* brief must be filed and served at the same time as the brief of the party whose position as to affirmance or reversal the *amicus curiae* brief will support. If the *amicus curiae* brief will not support the position of any party, the *amicus curiae* brief must be filed when the appellant's opening brief is due. In an appeal proceeding under Pa.R.A.P. 2154(b), 2185(c) and 2187(b), any *amicus curiae* shall file and serve its brief within the time allowed by these rules for service of the advance text of the brief by the party whose position as to affirmance or reversal the *amicus curiae* brief will support or, if the *amicus curiae* brief does not support the position of any party, within the time allowed by these rules for service of the advance text by the appellant. Alternatively, the *amicus curiae* may, but is not required to, serve an advance text and then file and serve a definitive copy of its brief. If the *amicus curiae* chooses to serve an advance copy and then file and serve a definitive copy of its brief, its deadlines for each are the same as for the party whose position as to affirmance or reversal the *amicus curiae* brief supports or, if the *amicus curiae* brief does not support the position of any party, as for the appellant.

(5) *Amici curiae* must comply with Pa.R.A.P. 2171, 2172, 2173, and 2187 with regard to the preparation of the brief and the number of copies to be filed and served.

(c) *Oral argument.*—Oral argument may be presented by *amicus curiae* only as the appellate court may direct. Requests for leave to present oral argument shall be by application and will be granted only for extraordinary reasons.

**Official Note:** The Pennsylvania Supreme Court has held that “[a]n *amicus curiae* is not a party and cannot raise issues that have not been preserved by the parties.” *Commonwealth v. Cotto*, 753 A.2d 217, 224 n.6 (Pa. 2000). In addition, the Court shares the view of the United States Supreme Court that “[a]n *amicus curiae* brief that brings to the attention of the Court relevant matter not already brought to its attention by the parties may be of considerable help to the Court. An *amicus curiae* brief that does not serve this purpose burdens the Court, and its filing is not favored.” See U.S. Supreme Ct. R. 37.1.

The rule allows interested parties to file *amicus curiae* briefs in any appellate matter, except in relation to a petition for allowance of appeal, without seeking leave. Those seeking to file *amicus curiae* briefs in relation to a petition for allowance of appeal must seek leave of the Supreme Court.

The 2014 amendment to the rule set forth length limitations and content requirements for *amicus curiae* briefs. The amendment also established a requirement that all *amicus curiae* briefs include a footnote in the statement of interest disclosing whether any party to the appeal has paid in whole or in part for the preparation of the *amicus curiae* brief. The 2011 amendment to the rule clarified when those filing *amicus curiae* briefs should serve and file their briefs when the appellant has chosen or the parties have been directed to proceed under the rules related to large records (Pa.R.A.P. 2154(b)), advance text (Pa.R.A.P. 2187(b)) and definitive copies (Pa.R.A.P. 2185(c)). Under those rules, the appellant may defer preparation of the reproduced record until after the briefs have been served. The parties serve on one another (but do not file) advance texts of their briefs within the times required by Pa.R.A.P. 2187. At the time they file their advance texts, each party includes certified record designations for inclusion in the reproduced record. The appellant must then prepare and file the reproduced record within 21 days of service of the appellee's advance text (Pa.R.A.P. 2186(a)(2)). Within 14 days of the filing of the reproduced record, each party that served a brief in advance text may file and serve definitive copies of their briefs. The definitive copy must include references to the pages of the reproduced record, but it may not otherwise include changes from the advance text other than correction of typographical errors. Those filing *amicus curiae* briefs may choose to serve an advance text and then file and serve definitive copies according to the procedure required of the parties or they may choose to file a definitive brief without citations to the reproduced record.

#### Explanatory Comment

The Supreme Court recently adopted rules changing the method of measuring the length of briefs from page count to word count. Because Pa.R.A.P. 531, governing participation by *amicus curiae*, did not set forth the length of an *amicus curiae* brief but merely stated that such a brief should be filed and served “in the manner” of a party's brief, the Committee examined whether an *amicus curiae* brief should be the same length as, or be required to include all of the elements of, a party's brief.

The Committee concluded that there were certain requirements of a party's brief, such as the statement of facts or questions presented, that did not need to be included in an *amicus curiae* brief, and therefore, the *amicus curiae* brief did not need to be as long as a party's brief. The Committee also determined that there were requirements in the federal appellate rules governing *amicus curiae* briefs that would be beneficial for the state courts. This recommendation thus incorporates an express requirement that an *amicus curiae* set forth its statement of interest, including a representation either than no party paid for its brief in whole or in part or a disclosure of the party paying for the brief in whole or in part. The Committee believes that this statement will assist the appellate courts in understanding which *am-*



*icus curiae* briefs have been prepared by persons who are independently interested in the question before the court and those who are filing at the behest of a party.

[Pa.B. Doc. No. 14-1662. Filed for public inspection August 8, 2014, 9:00 a.m.]

# Title 25—LOCAL COURT RULES

## LAWRENCE COUNTY

### Register of Wills; O.C. No. 90087/14

#### Administrative Order

*And Now*, this 17th day of July, 2014, pursuant to Acts 113 and 126 of 2014, the fee bill of the Register of Wills of Lawrence County, Pennsylvania is amended as indicated on the fee bill following to the foregoing Petition.

The JCS/ATJ/CJEA fees will become effective as of August 8, 2014.

*It Is Further Ordered* that the Court shall:

(a) File seven (7) certified copies of this Administrative Order with the AOPC;

(b) File two (2) certified copies of this Administrative Order and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) File one (1) certified copy of this Administrative Order with the PA Supreme Court Orphans' Court Rules Committee;

(d) Forward one (1) copy of this Administrative Order to be published in the *Lawrence County Law Journal*;

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

(f) Keep continuously available for public inspection copies of this Administrative Order in the Lawrence County Register of Wills Office and the office of the Court Administrator.

*By the Court*

HONORABLE DOMINICK MOTTO,  
*President Judge*

#### Lawrence County Register of Wills Fee Schedule Effective August 8, 2014

*Note:* All Probate and first filings must be accompanied by a Death Certificate

#### PROBATE OF WILL (Without Letters)

Judicial Computer System/Access to Justice/ Criminal Justice Enhancement Account fee	\$ 35.50
Automation Fee	\$ 10.00
Last Will and Testament	\$ 40.00
<b>GRANTING LETTERS TESTAMENTARY and LETTERS OF ADMINISTRATION</b>	
Judicial Computer System/Access to Justice/ Criminal Justice Enhancement Account fee	\$ 35.50
Automation Fee	\$ 10.00
Will/Codicil	\$ 20.00

#### FOR ESTATE VALUES:

NOT EXCEEDING \$ 5,000.00	\$ 40.00
From \$ 5,001.00 to \$ 10,000.00	\$ 60.00
From \$ 10,001.00 to \$ 20,000.00	\$ 70.00
From \$ 20,001.00 to \$ 30,000.00	\$ 80.00
From \$ 30,001.00 to \$ 40,000.00	\$ 90.00
From \$ 40,001.00 to \$ 50,000.00	\$ 100.00
From \$ 50,001.00 to \$ 75,000.00	\$ 120.00
From \$ 75,001.00 to \$ 100,000.00	\$ 150.00
Each additional \$100,000.00 or fraction thereof	\$ 100.00
First \$1 million	\$1000.00
Each additional \$100,000.00 or fraction thereof	\$ 100.00

- Where the gross value of an estate has been underestimated on the Petition for Letters, a bill for Addition Probate Fees will be rendered for the balance due.

- Additional Probate Fees will be due and payable within thirty (30) days from the date of the billing statement. Any balances more than thirty (30) days in arrears will be charged interest at the rate of 1% per month.

- All fees must be paid in full before any finalization/estate settlement will be accepted for filing.

RENUNCIATIONS—per signature	\$ 5.00
SHORT CERTIFICATES—each	\$ 5.00
CODICIL	\$ 20.00
LETTERS (Administration DBN & DBN CTA)	
PETITIONS (ie. Petition to Compel Administration)	\$ 25.00
Citations—each	\$ 20.00
Certified Mail—each	\$ 10.00
ANCILLARY LETTERS (Follow regular estate fee schedule based on PA assets only.)	
AFFIDAVIT OF DEATH	\$ 10.00
AMENDMENT TO PROBATE	
Within 3 months from date of probate (Petition to the Register of Wills)	\$ 30.00
After 3 months from date of probate (Petition to Orphans' Court)	
APPEAL FROM REGISTER (Filed in Orphans' Court)	
AUTOMATION FEE	\$ 10.00
To be charged on all first filings requiring JCS/ATJ fee	
BOND	\$ 20.00
CAVEAT (filing and entering) + Bond	\$ 25.00
CERTIFICATION OF RECORD	
(w/cover sheet & gold seal)	\$ 10.00
+ per page certified	\$ 3.00
CERTIFICATION OF INHERITANCE TAX PAID	
Issuing Certificate to another county	\$ 20.00
Filing from another county	\$ 10.00
CITATIONS—each	\$ 20.00
Certified Mail—each	\$ 10.00
CLAIMS AGAINST ESTATE (filed in Orphans' Court)	
Copy filed with Register of Wills	\$ 10.00
COMMISSION TO ADMINISTER OATH	\$ 25.00
DISCLAIMER OF BENEFICIAL INTEREST (filed in Orphans' Court)	
ELECTION TO TAKE AGAINST WILL (filed in Orphans' Court)	
EXEMPLIFICATION—ISSUING & FILING	\$ 30.00
+ per page	\$ 3.00
FAMILY SETTLEMENT AGREEMENT	\$ 50.00

FINAL ACCOUNT (filed in Orphans' Court)			<i>Fee Schedule History</i>
INVENTORY	\$ 20.00	Act 57 of 1981	Register of Wills Fees set by General Assembly of PA
INHERITANCE TAX RETURN	\$ 20.00	Act 82 of 1990	Allows Register of Wills to establish fees with approval of President Judge—60 day window—thereafter increased only by Act of General Assembly
MISCELLANEOUS FILINGS	\$ 10.00		Approved by President Judge Glenn McCracken—September 1990
PRAECIPE OF APPEARANCE	\$ 10.00		
PRAECIPE OF WITHDRAWAL	\$ 10.00		
RECEIPT AND RELEASE	per legatee \$ 10.00	Act 69 of 1993	Amended to allow increase of Register of Wills fees as determined by Register of Wills and the President Judge
REGISTER'S HEARINGS (If Court Reporter is requested, it's at Attorney's expense.)	\$ 50.00		
Citations—each	\$ 20.00	Act 122 of 2002	Imposed by Supreme Court—Judicial Computer Program \$10.00
Certified Mail—each	\$ 10.00		
RESEARCH FEE		Act 49 of 2009	Imposed by Supreme Court—Judicial Computer System/Access to Justice/Criminal Justice Enhancement Account ~ additional \$13.50
Per name—per record searched	\$ 5.00		
+ per page copied	\$ .50		
Screen shots & docket entries—per page	\$ 1.00		
By mail—postage & handling	\$ 2.00	Jan. 2, 2010	Fee Schedule increase approved by President Judge Dominick Motto December 4, 2009
RETURNED CHECKS			
Re-processing fee	\$ 30.00	Act 113 of 2014	Imposed by Supreme Court—Judicial Computer System/Access to Justice/Criminal Justice Enhancement Account ~ additional \$2.00
+ original amount (Cashier's checks only)			
SMALL ESTATES AFFIDAVIT	\$ 25.00		
STIPULATION	\$ 25.00		
SUPOENA	\$ 10.00	Act 126 of 2014	Imposed by Supreme Court—Judicial Computer System/Access to Justice/Criminal Justice Enhancement Account ~ additional \$10.00
WAIVER	\$ 10.00		

*Note:* If a fee is not specifically listed, the Register of Wills shall make the same charge as that imposed for other services of a similar nature.

[Pa.B. Doc. No. 14-1663. Filed for public inspection August 8, 2014, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

### ENVIRONMENTAL HEARING BOARD

[ 25 PA. CODE CH. 1021 ]

#### Practice and Procedure

The Environmental Hearing Board (Board) amends Chapter 1021 (relating to practice and procedure) to read as set forth at Annex A. The final-form rulemaking amends the rules of practice and procedure before the Board by implementing improvements in practice and procedure.

The Board approved the final-form rulemaking at its meeting on December 17, 2013.

#### *Effective Date*

The final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*, with the exception of § 1021.51(f)(1)(v) (relating to commencement, form and content), providing for automatic service of an electronically filed notice of appeal on the Department, which will go into effect on September 8, 2014. Until § 1021.51(f)(1)(v) is effective, persons who choose to electronically file a notice of appeal shall follow the service requirements for a conventional filing in § 1021.51(f)(2)(vi).

#### *Contact Person*

For further information, contact Maryanne Wesdock, Senior Counsel, Environmental Hearing Board, Suite 310 Piatt Place, 301 Fifth Avenue, Pittsburgh, PA 15222, (412) 565-5245, mwesdock@pa.gov. If information concerning this final-form rulemaking is required in an alternative form, contact Vincent Gustitus, Secretary to the Board, (717) 787-1638, vgustitus@pa.gov. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

#### *Statutory Authority*

The final-form rulemaking is promulgated under the authority of section 5 of the Environmental Hearing Board Act (act) (35 P.S. § 7515), which empowers the Board to adopt regulations pertaining to practice and procedure before the Board.

#### *Comments and Revisions to the Proposed Rulemaking*

The proposed rulemaking was adopted by the Board at its meeting of November 8, 2012, and published at 43 Pa.B. 2591 (May 11, 2013) with a 30-day public comment period. Comments were submitted by the Independent Regulatory Review Commission (IRRC), Citizens for Pennsylvania's Future (PennFuture) and the Department of Environmental Protection (Department). The comments and the Board's responses were discussed at a public meeting/conference call of the Board's Rules Committee on July 25, 2013. In response to comments received during the official public comment period on the proposed rulemaking, a draft final rulemaking was prepared. A summary of the comments and Board's responses follows.

#### *§ 1021.32(a). Filing—Heading*

PennFuture noted that under the proposed amendments, subsections (a) and (e) would have the same heading of "conventional filing." PennFuture pointed out that contrary to its heading, subsection (a) is not limited

to conventional filing, but instead identifies documents that "shall be conventionally filed or facsimile filed." It recommended changing the heading of subsection (a) to "exceptions to electronic filing."

Upon reviewing subsection (a), the Rules Committee and the Board agreed with PennFuture's comment but felt it would be appropriate to give subsection (a) the heading "general filing requirements."

#### *§ 1021.32(a)—Documents that must be conventionally or facsimile filed*

The proposed amendments to § 1021.32(a) would have required that only two categories of documents be filed conventionally or by facsimile: complaints; and motions to be excused from the mandatory electronic filing requirement. During preparation of the final-form rulemaking it became apparent that two other categories of documents must be filed conventionally or by facsimile due to limitations in the Board's electronic filing system: entries of appearance filed by recipients of an action under § 1021.32(h) and (j) (relating to filing); and documents filed by persons who are not parties to the action at the time of the filing. Those two categories have been added to § 1021.32(a)(3) and (4).

#### *§§ 1021.32(c)(14) and (15) and 1021.51(f)(1)—Completion, acceptance and rejection of electronic filings*

Proposed § 1021.32(c)(14) provided that "[a]n electronic filing complete before midnight Eastern Time will be considered to be filed on that date so long as it is *accepted* by the Board." (Emphasis added.) This same language (with the addition of a comma after "date") also appeared in proposed § 1021.51(f)(1)(ii) governing the commencement of an appeal through the electronic filing of a notice of appeal. Proposed § 1021.32(c)(14) further went on to distinguish completion of a filing from acceptance or rejection of the filing by the Board, by stating, "[u]pon *completion* of the filing," the Board's filing system "will issue a transaction receipt including the date and time the document was received," but that "[i]f the Board *rejects* the submitted documents following review," the filer will be notified and may have to refile the rejected documents. (Emphasis added.)

PennFuture raised a concern that, given the jurisdictional nature of the 30-day deadline for commencement of an appeal before the Board, the application of proposed §§ 1021.32(c) and 1021.51(f)(1)(ii) would determine whether an appeal is dismissed for lack of jurisdiction and, therefore, the rules should specify the grounds on which the Board may reject the electronic filing of a notice of appeal or other document. IRRC also requested this information.

PennFuture's comment and IRRC's comment illustrate that there is much confusion over the use of "completion," "reject" and "accept" with regard to electronic filing. The "rejection" of an electronic filing does not act to deprive the Board of jurisdiction over the appeal. It merely acts as a notification to the appellant that additional material may be required by the Board for the Board to consider the appeal perfected. The Board's "rejection" of an electronic filing acts in the same manner as does a notice to perfect sent out upon receipt of a hard copy filing of a notice of appeal when additional information is required. The "rejection" of an electronically filed notice of appeal does not affect the appeal's timeliness; it merely requires the appellant to file an amended version of the notice of



appeal containing the missing information. A notice of appeal is considered filed upon completion of the transmission of the notice of appeal by means of the Board's electronic filing system.

Because the inclusion of "reject" and "accept" were confusing and did not accurately describe the action taken by the Board upon receipt of a notice of appeal with missing information, § 1021.32(c)(14) has been amended to delete these terms.

Additionally, § 1021.32(c)(15) has been amended to clarify that a party who experiences technical difficulty while filing a document electronically may seek relief under § 1021.53a (relating to nunc pro tunc appeals).

§ 1021.34(g). *Service by a party*

Under proposed § 1021.34(g) (relating to service by a party), if an electronic filing were not successfully transmitted, the party sending the filing would need to "immediately upon notification of the deficiency" serve the document by other listed methods. IRRC commented that the requirement of immediate notification lacked clarity. Therefore, this provision has been amended to clarify that a party has until 4:30 p.m. of the next business day to correct the deficiency and serve the document.

The Department suggested adding a provision to § 1021.34(g) to allow parties to effect service by e-mail when there is problem with the electronic service using the Board's electronic filing system. The Department felt that allowing service by e-mail, when the receiving party consents to service in that manner, will be more convenient for both the filer and the receiving party, particularly for those filers who may lack a facsimile machine. The Board agreed with the Department's suggestion and added language to § 1021.34(g) to allow service by e-mail when there is a problem with electronic service under the Board's electronic filing system.

§ 1021.51(f)(1)(iii)—*Notice of appeal, notice of filing*

IRRC noted that § 1021.51(f)(1)(iii) uses "notice of appeal" and "notice of filing" and questioned what the difference between the term was. Because there is no difference in the terms and because "notice of appeal" is the proper term to be used, this subparagraph has been amended to use "notice of appeal" instead of "notice of filing."

§ 1021.51(f)(1)(iv)—*Service on the Department*

PennFuture recommended that the rules authorize electronic service of notices of appeal on the Department's Office of Chief Counsel and program office, and suggested that automatic electronic service on the Department should be built into the Board's electronic filing system.

In response to PennFuture's comment, the Board's electronic filing system has been upgraded to allow automatic service of an electronically filed notice of appeal on the Department's Office of Chief Counsel and program office. In other words, an appellant who electronically files a notice of appeal will no longer have to serve a copy of the appeal on the Department. This amendment will go into effect on September 8, 2014.

Appellants who electronically file notices of appeal will still need to serve a copy of the appeal on a permittee, when applicable.

§ 1021.81. *Intervention*

Section 1021.81 (relating to intervention) deals with traditional means of intervention. A comment has been added to § 1021.81 to reference § 1021.51(j) which allows

persons who are "recipients of an action," as that term is defined in § 1021.51(h), to intervene by simply filing an entry of appearance.

§ 1021.103. *Subpoenas*

Section 1021.103(a) (relating to subpoenas) formerly provided that "requests for subpoenas and subpoenas shall be governed by Pa.R.C.P. 234.1—234.4 and 234.6—234.9." The only change to this section is the addition of citations to additional Rules of Civil Procedure governing subpoenas, specifically the rules governing the use of subpoenas in discovery in Pa.R.C.P. 4009.21—4009.27. As explained in the preamble to the proposed rulemaking, the amendments to § 1021.103 simply make clear that Pa.R.C.P. 4009.21—4009.27 also are incorporated into the Board's rules.

PennFuture commented that the proposed amendment would carry forward an unnecessary ambiguity that existed in § 1021.103. Although § 1021.103 refers exclusively to "subpoenas," the Rules of Civil Procedure that it incorporates, Pa.R.C.P. 234.1—234.4 and 234.6—234.9, are not limited to subpoenas. They also cover similar devices, the notice to attend and notice to produce.

PennFuture felt that the Board should take advantage of the pending rulemaking to eliminate this ambiguity and to do so in favor of authorizing the use of all of the mechanisms available under the Rules of Civil Procedure—subpoenas, notices to attend and notices to produce. PennFuture recommended changing the heading of the section to "subpoenas, notices to attend, notices to produce" and including a reference to all three in the rule.

The Rules Committee requested an opportunity to review this matter further and report back to the Board. The Board agreed to move forward with the amendment to § 1021.103 at this time and to add PennFuture's suggestion to the agenda for the next Rules Committee meeting. If recommended, PennFuture's suggested revision will be incorporated into a future rulemaking.

*Sunset Date*

A sunset date has not been established for these regulations. The effectiveness of the regulations will be evaluated on an ongoing basis by the Board and the Rules Committee.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 26, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 2591, to IRRC and the House and Senate Environmental Resources and Energy Committees for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on June 18, 2014, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 19, 2014, and approved the final-form rulemaking.

*Findings*

The Board finds that:

(1) Public notice of intention to adopt regulations 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.

(b) This final-form rulemaking is necessary and appropriate for administration of the act.

*Order*

The Board, under the authority of the act, orders that:

(1) The regulations of the Board, 25 Pa. Code Chapter 1021, are amended by adding §§ 1021.32a, 1021.36a and 1021.74a, deleting §§ 1021.171—1021.174 and amending §§ 1021.2, 1021.31, 1021.32, 1021.33—1021.36, 1021.37, 1021.39, 1021.51, 1021.81, 1021.103, 1021.122, 1021.181 and 1021.201 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(*Editor's Note:* The proposed amendments to §§ 1021.94 and 1021.94a published at 43 Pa.B. 2591 have been withdrawn by the Board.)

(2) The Chairperson of the Board shall submit this order and Annex A to the Office of Attorney General and Office of General Counsel as to legality and form as required by law.

(3) The Chairperson of the Board shall submit this order and Annex A to the House Environmental Resources and Energy Committee, the Senate Environmental Resources and Energy Committee and IRRC as required by law.

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

(5) This order takes effect upon publication in the *Pennsylvania Bulletin*, except for the amendment to § 1021.51(f)(1)(v), which takes effect on September 8, 2014.

THOMAS W. RENWAND,  
*Chairperson and Chief Judge*

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 4263 (July 5, 2014).)

**Fiscal Note:** Fiscal Note 106-10 remains valid for the final adoption of the subject regulations.

**Annex A****TITLE 25. ENVIRONMENTAL PROTECTION****PART IX. ENVIRONMENTAL HEARING BOARD****CHAPTER 1021. PRACTICE AND PROCEDURE****PRELIMINARY PROVISIONS****GENERAL****§ 1021.2. Definitions.**

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

*Act*—The Environmental Hearing Board Act (35 P. S. §§ 7511—7516).

*Action*—An order, decree, decision, determination or ruling by the Department affecting personal or property rights, privileges, immunities, duties, liabilities or obliga-

tions of a person including, but not limited to, a permit, license, approval or certification.

*Board*—The Environmental Hearing Board, consisting of its chairperson and four members, all of whom are administrative law judges appointed by the Governor to hear appeals from actions of the Department.

*Business day*—A day that is not a Saturday, Sunday or a legal holiday.

*Conventional filing*—Presenting documents to the Board by hand, mail or other personal delivery services, for purposes of filing.

*Department*—The Department of Environmental Protection or other boards, commissions or agencies whose decisions are appealable to the Board.

*Dispositive motion*—A motion that seeks to resolve the issues in an appeal without the need for hearing or further hearing. The term includes a motion to quash appeal, a motion to dismiss, a motion for summary judgment, and a motion for partial summary judgment, but not a motion in limine.

*Electronic filing*—The electronic transmission of documents to the Board through the electronic filing provider for purposes of filing.

*Electronic filing provider*—The entity providing electronic filing and electronic service of documents by means of the Internet in Board proceedings.

*Electronic service*—The electronic transmission of documents through the electronic filing provider to a party, attorney or representative under this chapter.

*Facsimile filing*—The transmission of documents to the Board, for purposes of filing, using a machine that can send and receive a facsimile transmission either as a stand-alone device or as part of a computer system.

*Facsimile transmission*—The transmission of a source document between locations by encoding the document into electronic signals, transmitting the signals over the telephone system and reconstructing the electronic signals to print a duplicate of the document at the receiving destination.

*Hearing examiner*—A person other than a Board member designated by the Board to preside at hearings or conferences.

*Intervenor*—A person who has been permitted to intervene by the Board, as provided by § 1021.81 (relating to intervention).

*Legal holiday*—A day designated as a holiday by the President or Congress of the United States or by the Commonwealth.

*Pa.R.A.P.*—Pennsylvania Rules of Appellate Procedure, 42 Pa.C.S.; 210 Pa. Code.

*Pa.R.C.P.*—Pennsylvania Rules of Civil Procedure, 42 Pa.C.S.; 231 Pa. Code.

*Party*—An appellant, appellee, plaintiff, defendant, permittee or intervenor.

*Permittee*—The recipient of a permit, license, approval or certification in a third-party appeal.

*Person*—An individual, partnership, association, corporation, political subdivision, municipal authority or other entity.

*Pleading*—A complaint filed under § 1021.71, § 1021.72 or § 1021.73 (relating to complaints filed by the Department; complaints filed by other persons; and

transferred matters) or answer filed under § 1021.74 (relating to answers to complaints). Documents filed in appeals, including the notice of appeal, are not pleadings.

*Registered user*—An individual who has submitted a registration statement to the Board and to whom the Board has issued a password authorizing electronic filing and electronic service.

*Registration statement*—A completed application to use the electronic filing provider for electronic filing and electronic service in Board proceedings.

*Supersedeas*—A suspension of the effect of an action of the Department pending proceedings before the Board.

*Third-party appeal*—The appeal of an action by a person who is not the recipient of the action.

(b) Subsection (a) supplements 1 Pa. Code § 31.3 (relating to definitions) except for “pleading” which supersedes the definition of “pleading” in 1 Pa. Code § 31.3.

**DOCUMENTARY FILINGS**

**FILING AND SERVICE OF DOCUMENTS**

**§ 1021.31. Signing.**

(a) Every document directed to the Board and every discovery request or response of a party represented by an attorney shall be signed by at least one attorney of record in the attorney’s individual name or, if a party is not represented by an attorney, shall be signed by the party. Each document must state the signer’s mailing address, e-mail address and telephone number.

(b) The signature to a document described in subsection (a) constitutes a certification that the person signing, or otherwise presenting it to the Board, has read it, that to the best of his knowledge or information and belief there is good ground to support it, and that it is submitted in good faith and not for any improper purpose such as to harass, cause unnecessary delay or needless increase in the cost of litigation. There is good ground to support the document if the signer or presenter has a reasonable belief that existing law supports the document or that there is a good faith argument for the extension, modification or reversal of existing law.

(c) The Board may impose an appropriate sanction in accordance with § 1021.161 (relating to sanctions) for a bad faith violation of subsection (b).

**§ 1021.32. Filing.**

(a) *General filing requirements.* The following documents shall be conventionally filed or facsimile filed:

(1) A complaint that is original process naming a defendant or defendants.

(2) A motion to be excused from the Board’s mandatory electronic filing requirement.

(3) An entry of appearance filed under § 1021.51(j) (relating to commencement, form and content).

(4) A document filed on behalf of a person who is not a party to the proceeding at the time of the filing.

(b) *Filing of notice of appeal.* An original notice of appeal may be filed electronically, conventionally or by facsimile.

(c) *Electronic filing.*

(1) Documents except those listed in subsections (a) and (b) shall be electronically filed unless the Board orders otherwise in a particular proceeding. Persons wishing to be excused from the mandatory filing requirements shall file a motion under § 1021.92 (relating to

procedural motions). The Board will excuse persons from the mandatory electronic filing requirement, with respect to all filings or with respect to specific filings, if the Board determines that the requirement would impose an unreasonable burden on the potential filer.

(2) Documents filed electronically may not also be filed by other means unless the Board orders otherwise or the document to be filed includes an original bond or check. When electronically filing documents including an original bond or check, a copy of the document, including a copy of the original bond or check, shall be electronically filed. The original, including the original bond or check, shall be deposited in the mail, addressed to the Board’s headquarters at the address provided in subsection (e)(1).

(3) Electronic filing can be performed only by registered users. Individuals who are not registered users can become registered users by submitting a registration statement to the Board and receiving a password authorizing electronic filing and service. The registration statement must be on a form prepared by the Board and include the user’s name and mailing address, e-mail address, attorney identification number (if the registered user is an attorney), a request for authorization to participate in electronic filing and electronic service, and consent to accept electronic service of documents permitted to be electronically filed.

(4) When registration is complete, a registered user may not withdraw from the electronic filing and electronic service system except with leave from the Board.

(5) Filers are responsible for providing an objective description of documents electronically filed. The description must include:

(i) The party filing or serving the document.

(ii) The title of the document (for example, Appellant ABC Corporation’s Motion for Summary Judgment, Appellant Smith’s Motion to Compel Permittee XYZ, Inc. to Produce Documents).

(6) When a document has been filed electronically, the official record is the electronic document filed with the Board and the filer is bound by the document as filed.

(7) The registered user’s log-in and password required to file documents using the electronic filing provider serve as the registered user’s signature on electronic documents filed with the Board. The log-in and password serve as a signature for purposes of § 1021.31 (relating to signing) and other purposes for which a signature is required in connection with proceedings before the Board.

(8) If an electronically filed document does not bear the actual signature of the registered user, the name of the registered user under whose log-in and password the document is submitted must be preceded by “s/” and typed in the space in the document’s signature block where the signature would otherwise appear (for example, “s/ Jane Doe”).

(9) No registered user or other person may knowingly permit or cause a registered user’s password to be used by anyone other than an authorized agent of the registered user.

(10) A document that is electronically filed and requires an original signature other than that of the registered user shall be maintained by counsel or, if the party is not represented, by the party itself, for 1 year after periods for appeals expire. Documents shall be maintained by the filer and produced at the request of the Board or other party within 14 days of the request.



(11) Each document filed electronically must indicate in the caption that it has been electronically filed.

(12) Documents may be electronically filed in WordPerfect format, Microsoft Word format, PDF format or other formats as the Board may permit. The electronic filing provider automatically converts uploaded documents not already in PDF format to PDF format. A document may exceed page limitation rules if the additional pages result solely from the electronic conversion by the electronic filing provider.

(13) To the extent practicable, electronically filed documents must be formatted in accordance with subsection (e)(4).

(14) An electronic filing completed before midnight Eastern Time will be considered to be filed on that date. Upon completion of the filing, the electronic filing provider will issue a transaction receipt that includes the date and time the document was received. The transaction receipt serves as proof of filing. Filers may be required to file amended versions of documents to meet the necessary filing requirements.

(15) Except in the case of notices of appeal, which are governed by § 1021.53a (relating to nunc pro tunc appeals), if electronic filing or service does not occur or is made untimely because of a technical issue, the party affected may seek appropriate relief from the Board.

(16) A registered user shall submit as exhibits or attachments only excerpts of the referenced documents that are directly germane to the matter under consideration by the Board. Excerpted information must be clearly and prominently identified as such. A registered user who files excerpts of documents as exhibits or attachments under this paragraph does so without prejudice to his right to timely file additional excerpts or the complete document and shall, upon request, provide responding parties with the complete document. A responding party may timely file the complete document or additional excerpts that it believes are directly germane.

(d) *Facsimile filing.*

(1) Documents permitted under subsections (a), (b) and (c)(1) and (2) to be filed by facsimile shall be transmitted to the Board's facsimile line at (717) 783-4738.

(2) The date of facsimile filing is the date the document is received by the Board.

(3) For documents more than ten pages long, the facsimile filed must consist of the certificate of service and the first five pages and last five pages of each document except exhibits. Exhibits shall be omitted from the filing transmitted to the Board's facsimile line.

(4) On the same day a document is transmitted to the Board's facsimile line, the original (including exhibits) shall be deposited in the mail, addressed to the Board's headquarters at the address provided in subsection (e)(1). When facsimile filing a document including an original bond or check, a copy of the bond or check must be included with the document transmitted by facsimile. The original bond or check must be included with the original of the document deposited in the mail.

(5) Documents must be formatted in accordance with subsection (e)(4).

(6) Except in the case of filing a notice of appeal, which is governed by § 1021.53a, if facsimile filing or service does not occur or is made untimely because of a technical issue, the party affected may seek appropriate relief from the Board.

(e) *Conventional filing.*

(1) Documents permitted to be conventionally filed with the Board under subsections (a), (b) and (c)(1) and (2) shall be filed at the Board's headquarters—2nd Floor, Rachel Carson State Office Building, 400 Market Street, Post Office Box 8457, Harrisburg, Pennsylvania 17105-8457.

(2) The date of conventional filing is the date the document is received by the Board.

(3) Only hard copies may be conventionally filed unless the filer has secured prior approval from the Board to conventionally file documents in other formats, such as CDs, DVDs or other digital storage media.

(4) With the exception of exhibits, documents filed with the Board must be typewritten on letter-size paper (approximately 8 to 8 1/2 inches by 10 1/2 to 11 inches) and pages after the first must be numbered. With the exception of exhibits, notices of appeal and complaints, documents filed must be double spaced, except that footnotes must be single spaced and quotations in excess of a few lines must be single spaced and indented. Photocopied documents will be accepted as typewritten, provided that all copies are legible.

(f) *Format of filing.* Failure to comply with subsection (c)(5) or (11), (d)(5) or (e)(4) will not result in dismissal of a filing, but the Board may request that the party resubmit the document in proper form.

§ 1021.32a. **Privacy issues.**

A person filing documents shall refrain from including, or shall redact when inclusion is necessary, the following personal identifiers from documents filed with the Board, including exhibits, unless filed under seal or otherwise ordered by the Board:

- (1) Social Security numbers.
- (2) Financial account numbers.
- (3) Dates of birth.
- (4) Names of minor children.

§ 1021.33. **Service by the Board.**

(a) Orders, notices and other documents entered or issued by the Board will be served upon the person designated in the notice of appearance or, if no notice of appearance has been entered, upon the person upon whom the notice of appeal or complaint was served.

(b) The Board will serve documents it enters or issues upon registered users participating in the proceeding through the electronic filing provider, subject to the provisions in this chapter. The Board will serve persons other than registered users by mail or in person.

(c) An order filed electronically without the original signature of an administrative law judge has the same force and effect as if the administrative law judge had affixed a signature to a paper copy of the order.

(d) Subsections (a)—(c) supersede 1 Pa. Code § 33.31 (relating to service by the agency).

§ 1021.34. **Service by a party.**

(a) Notices of appeal shall be served as provided in § 1021.51(h) (relating to commencement, form and content). Complaints filed by the Department will be served as provided in § 1021.71(b) (relating to complaints filed by the Department).

(b) Copies of each document filed with the Board shall be served upon every party to the proceeding on or before

the day that the document is filed with the Board. Service upon a party represented by an attorney in the matter before the Board shall be made by serving the attorney.

(c) Electronic service of documents to other registered users through the electronic filing provider shall be considered valid and effective service and have the same legal effect as serving an original paper document. Registered users who receive documents by electronic service shall access the documents using the electronic filing provider.

(d) Documents filed electronically shall be served by hand, mail, other personal delivery or facsimile upon parties not represented by registered users or, for parties representing themselves, upon parties who are not registered users.

(e) Subpoenas and documents that must be conventionally filed with the Board under § 1021.32(b) (relating to filing) shall be served by hand, mail or other personal delivery. Documents that are conventionally or facsimile filed with the Board under § 1021.32(a) shall be served by hand, mail, other personal delivery or facsimile.

(f) If a party does not receive electronic service in a matter involving a request for expedited disposition, service shall be made upon that party within 24 hours of filing the document with the Board. For purposes of this subsection, service means actual receipt by the party served.

(g) If a person filing electronically becomes aware that the notice of electronic filing was not successfully transmitted to a registered user, or that the notice transmitted to the registered user is defective, the filer shall serve the electronically filed document upon the registered user by hand, mail, other personal delivery or facsimile by 4:30 p.m. on the business day following notification of the deficiency. The filer may also effect service by e-mail, provided the registered user consents to service in that manner.

(h) The filing of a registration statement constitutes a certification that the registered user will accept electronic service of documents permitted to be electronically filed.

(i) Subsections (a)–(h) supersede 1 Pa. Code § 33.32 (relating to service by a participant).

**§ 1021.35. Date of service.**

(a) For electronic service, the date of service of a document is the date that the electronic filing provider transmits the notice of electronic filing. For other types of service, the date of service is the date the document served is mailed, delivered in person or transmitted to the party's facsimile line.

(b) For the sole purpose of computing the deadlines under this chapter for responding to documents:

(1) Documents served by electronic service shall be deemed served, for purposes of responding, when notice of the electronic filing is transmitted to registered users in the proceeding, provided the transmission is complete before 4:30 p.m. Eastern Time on a business day. Otherwise, documents served by electronic service shall be deemed served the next business day.

(2) Documents served by facsimile shall be deemed served, for purposes of responding, when transmission of the facsimile is complete, provided the transmission is complete before 4:30 p.m. Eastern Time on a business day. Otherwise, documents served by facsimile shall be deemed served the next business day.

(3) Documents served by mail shall be deemed served 3 days after the date of actual service.

(c) Subsections (a) and (b) supersede 1 Pa. Code § 33.34 (relating to date of service).

**§ 1021.36. Certificate of service.**

(a) Each document filed with the Board must include a certificate of service which certifies the date and manner of service and the name and mailing address of the person served, except as provided in subsection (b).

(b) For electronic service, it shall be sufficient for the certificate to state that the document was filed using the electronic filing provider and to identify the registered users in the proceedings.

(c) Subsections (a) and (b) supersede 1 Pa. Code § 33.35 (relating to proof of service).

**§ 1021.36a. E-mail addresses.**

A registered user shall maintain an active e-mail address to receive electronic notice and electronic service from the electronic filing provider. A registered user has a duty to promptly update his e-mail account information with the electronic filing provider when there is a change in e-mail address.

**§ 1021.37. Number of copies.**

(a) When a document is electronically filed, the filer shall electronically file one copy of the document.

(b) For conventional filings and hard copies mailed to the Board in association with a facsimile filing, one original shall be filed unless the Board orders otherwise.

(c) One copy of all documents submitted to the Board shall be served on the other parties to the proceeding.

**§ 1021.39. Docket.**

(a) The Board will maintain a docket of proceedings and a proceeding as initiated will be assigned an appropriate designation. The Board will maintain the docket on its web site available to all members of the public and will accept electronic filing of documents from registered users subject to the provisions in this chapter.

(b) The docket will register the date of all filings as well as the time of the filing if the filing is made electronically. When a document is filed electronically, the electronic filing provider will transmit a notice of the electronic filing to all registered users in the proceeding.

(c) The Board will maintain a complete official file on all proceedings consisting of electronic and hard copy filings. The official copy of an electronically filed document or Board order shall be that appearing on the Board's web site.

(d) The electronic docket will be available on the Board's web site and the hard copy portion of the official file shall be available for inspection and copying by the public during the office hours of the Board insofar as consistent with the proper discharge of the duties of the Board.

(e) Subsections (a)–(d) supersede 1 Pa. Code § 33.51 (relating to docket).

**FORMAL PROCEEDINGS  
APPEALS**

**§ 1021.51. Commencement, form and content.**

(a) An appeal from an action of the Department shall commence with the filing of a notice of appeal with the Board.

(b) The caption of a notice of appeal must be in the following form:

ENVIRONMENTAL HEARING BOARD  
2nd Floor, Rachel Carson State Office Building  
400 Market Street, Post Office Box 8457  
Harrisburg, Pennsylvania 17105-8457

JOHN DOE, Appellant  
234 Main Street, Smithtown,  
Jones County, Pennsylvania 15555  
(Telephone (123) 456-7890)

(c) The notice of appeal must set forth the name, mailing address, e-mail address and telephone number of the appellant. If the appellant is represented by an attorney, the notice of appeal shall be signed by at least one attorney of record in the attorney's individual name.

(d) If the appellant has received written notification of an action of the Department, a copy of the action must be attached to the notice of appeal.

(e) The notice of appeal must set forth in separate numbered paragraphs the specific objections to the action of the Department. The objections may be factual or legal.

(f) An original notice of appeal shall be filed electronically, conventionally or by facsimile.

(1) *Electronic filing.*

(i) If a bond or check is required to secure payment of a penalty, a copy of the bond or check must be included with the electronic filing. The notice of appeal and attachments, including the original bond or check, shall be deposited in the mail, addressed to the Board's headquarters at the address provided in paragraph (2)(i).

(ii) An electronic filing complete before midnight Eastern Time will be considered to be filed on that date.

(iii) To the extent practical, the notice of appeal must be formatted in accordance with paragraph (2)(v). Failure to comply with this requirement will not result in rejection or dismissal of the notice of appeal. The Board may request that the appellant file an amended version of the notice of appeal in proper form.

(iv) In a third-party appeal, the appellant shall, concurrent with or prior to the filing of a notice of appeal, serve by facsimile or overnight mail a copy on the recipient of the action. The service shall be made at the address in the document evidencing the action by the Department or at the chief place of business in this Commonwealth of the recipient.

(v) The Board, through the electronic filing provider, will provide prompt notice of, and access to, all notices of appeal electronically filed to the Office of Chief Counsel of the Department, at an e-mail address designated by the Office of Chief Counsel.

(2) *Conventional filing.*

(i) An original notice of appeal that is conventionally filed shall be filed at the Board's headquarters—2nd Floor, Rachel Carson State Office Building, 400 Market Street, Post Office Box 8457, Harrisburg, Pennsylvania 17105-8457.

(ii) The date of conventional filing is the date the original notice of appeal is received by the Board.

(iii) One copy of the notice of appeal and attachments shall be conventionally filed unless the Board orders otherwise.

(iv) Only hard copies of original notices of appeal shall be conventionally filed unless the filer has secured prior approval from the Board to conventionally file the original notice of appeal in another format, such as CDs, DVDs or other digital storage media.

(v) The notice of appeal must be typewritten on letter-size paper (approximately 8 to 8 1/2 inches by 10 1/2 to 11 inches) and pages after the first must be numbered. Photocopies will be accepted as typewritten, provided that the copies are legible. Failure to comply with these requirements will not result in rejection or dismissal of the notice of appeal. The Board may request that the appellant file an amended version of the notice of appeal in proper form.

(vi) The appellant shall, concurrent with or prior to the filing of a notice of appeal, serve a copy on each of the following in the same manner in which the notice of appeal is filed with the Board:

(A) The office of the Department issuing the Departmental action.

(B) The Office of Chief Counsel of the Department.

(C) In a third-party appeal, the recipient of the action. The service shall be made at the address in the document evidencing the action by the Department or at the chief place of business in this Commonwealth of the recipient.

(3) *Facsimile filing.*

(i) Original notices of appeal filed by facsimile shall be transmitted to the Board's facsimile line at (717) 783-4738. If a bond or check is required to secure payment of a penalty, a copy of the bond or check must be included with the facsimile filing. The notice of appeal and attachments, including the original bond or check, shall be deposited in the mail, addressed to the Board's headquarters at the address provided in paragraph (2)(i).

(ii) The date of facsimile filing is the date the original notice of appeal is received by the Board.

(iii) For original notices of appeal more than ten pages long, the facsimile filed must consist of the certificate of service and the first five pages and last five pages of each document except exhibits. Except for copies of checks and bonds required to secure payment of a penalty, exhibits shall be omitted from the filing transmitted to the Board's facsimile line.

(iv) On the same day an original notice of appeal is transmitted to the Board's facsimile line, the original, including exhibits, shall be deposited in the mail, addressed to the Board's headquarters at the address provided in paragraph (2)(i).

(v) The notice of appeal must be formatted in accordance with paragraph (2)(v). Failure to comply with this requirement will not result in rejection or dismissal of the notice of appeal. The Board may request that the appellant file an amended version of the notice of appeal in proper form.

(vi) The appellant shall, concurrent with or prior to the facsimile filing of a notice of appeal, serve a copy by facsimile on the individuals and entities listed in paragraph (2)(vi).



(g) When the appeal is from an assessment of a civil penalty for which the statute requires an appellant to prepay the penalty or post a bond, the appellant shall follow the procedures in § 1021.54a (relating to prepayment of penalties) in addition to the procedures in this section.

(h) For purposes of this section, “recipient of the action” includes the following:

(1) The recipient of a permit, license, approval, certification or order.

(2) Any affected municipality, its municipal authority and the proponent of the decision, when applicable, in appeals involving a decision under section 5 or 7 of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.5 and 750.7).

(3) A mining company, well operator, or owner or operator of a storage tank in appeals involving a claim of subsidence damage, water loss or contamination.

(4) Other interested parties as ordered by the Board.

(i) The service upon the recipient of a permit, license, approval, certification or order, as required under subsection (h)(1), shall subject the recipient to the jurisdiction of the Board, and the recipient shall be added as a party to the third-party appeal without the necessity of filing a petition for leave to intervene under § 1021.81 (relating to intervention). The recipient of a permit, license, approval, certification or order who is added to an appeal under this section shall still comply with §§ 1021.21 and 1021.22 (relating to representation; and notice of appearance).

(j) Other recipients of an action under subsection (h)(2), (3) or (4) may intervene as of course in the appeal by filing an entry of appearance within 30 days of service of the notice of appeal in accordance with §§ 1021.21 and 1021.22, without the necessity of filing a petition for leave to intervene under § 1021.81.

(k) The original notice of appeal must include a certificate of service which certifies the date and manner of service and the name and mailing address of the person served.

(l) Subsections (a)—(k) supersede 1 Pa. Code §§ 35.5—35.7 and 35.9—35.11 (relating to informal complaints; and formal complaints).

*Comment:* If a recipient of an action under subsection (h)(2), (3) or (4) elects not to intervene following service of notice of an appeal or notice by the Board that the recipient’s rights may be affected by an appeal, the recipient’s right to appeal from the Board’s adjudication in the matter may be adversely affected. This comment is added in response to the Commonwealth Court’s ruling in *Schneiderwind v. DEP*, 867 A.2d 724 (Pa. Cmwlth. 2005).

**SPECIAL ACTIONS**

**§ 1021.74a. Verification of pleadings.**

Pleadings authorized under §§ 1021.71—1021.74 shall be verified in accordance with Pa.R.C.P. 1024 (relating to verification).

**CONSOLIDATION, INTERVENTION AND SUBSTITUTION OF PARTIES**

**§ 1021.81. Intervention.**

\* \* \* \* \*

(g) Subsections (a)—(d) supersede 1 Pa. Code §§ 35.27—35.32 and 35.36 (relating to intervention; and answers to petitions to intervene).

*Comment:* A recipient of an action, as that term is defined in § 1021.51(h) (relating to commencement, form and content), may automatically intervene in an appeal by simply filing an entry of appearance under § 1021.51(j).

**PREHEARING PROCEDURES AND PREHEARING CONFERENCES**

**§ 1021.103. Subpoenas.**

(a) Except as otherwise provided in this chapter or by order of the Board, requests for subpoenas and subpoenas shall be governed by Pa.R.C.P. 234.1—234.4, 234.6—234.9 and 4009.21—4009.27. When the term “court” is used in Pa.R.C.P. “Board” is to be understood; when the terms “Prothonotary” or “clerk of court” are used in Pa.R.C.P. “Secretary to the Board” is to be understood.

(b) Proof of service of the subpoena need not be filed with the Board.

(c) Subsections (a) and (b) supersede 1 Pa. Code §§ 35.139 and 35.142 (relating to fees of witnesses; and subpoenas).

**EVIDENCE**

**§ 1021.122. Burden of proceeding and burden of proof.**

(a) In proceedings before the Board, the burden of proceeding and the burden of proof shall be the same as at common law in that the burden shall normally rest with the party asserting the affirmative of an issue. It shall generally be the burden of the party asserting the affirmative of the issue to establish it by a preponderance of the evidence. In cases where a party has the burden of proof to establish the party’s case by a preponderance of the evidence, the Board may nonetheless require the other party to assume the burden of proceeding with the evidence in whole or in part if that party is in possession of facts or should have knowledge of facts relevant to the issue.

(b) The Department has the burden of proof in the following cases:

- (1) When it assesses or files a complaint for a civil penalty.
- (2) When it files a complaint for any other purpose.
- (3) When it revokes or suspends a license, permit, approval or certification.
- (4) When it issues an order.

(c) A party appealing an action of the Department shall have the burden of proof in the following cases:

- (1) When the Department denies a license, permit, approval or certification.
- (2) When a party who is not the recipient of an action by the Department protests the action.
- (3) When a party to whom a permit approval or certification is issued protests one or more aspects of its issuance or modification.
- (4) When a party appeals or objects to a settlement of a matter between the Department and another private party.

**§§ 1021.171—1021.174. (Reserved).**



**ATTORNEY FEES AND COSTS AUTHORIZED BY  
STATUTE**

**§ 1021.181. Scope.**

This subchapter applies to requests for costs and attorney fees when authorized by statute. When a statute provides procedures inconsistent with these procedures, the statutory procedures will be followed.

**APPELLATE MATTERS**

**§ 1021.201. Composition of the certified record on appeal to Commonwealth Court.**

\* \* \* \* \*

(d) For electronic filings, a paper copy of the electronic filing will be submitted to the Commonwealth Court as part of the certified record in accordance with this rule, notwithstanding the provisions of § 1021.39(c) (relating to docket) that the official copy of an electronically filed document shall be that appearing on the Board's web site.

[Pa.B. Doc. No. 14-1664. Filed for public inspection August 8, 2014, 9:00 a.m.]

## Title 58—RECREATION

**FISH AND BOAT COMMISSION  
[ 58 PA. CODE CHS. 61 AND 69 ]  
Fishing; American Eel**

The Fish and Boat Commission (Commission) amends Chapters 61 and 69 (relating to seasons, sizes and creel limits; and fishing in Lake Erie and boundary lakes). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

*A. Effective Date*

The final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

*B. Contact Person*

For further information on the final-form rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at [www.fish.state.pa.us](http://www.fish.state.pa.us).

*C. Statutory Authority*

The amendments to §§ 61.1, 61.2, 61.4 and 69.12 are published under the statutory authority of section 2102(b) of the code (relating to rules and regulations).

*D. Purpose and Background*

The final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose and background of the amendments is described in more detail under the summary of changes.

*E. Summary of Changes*

In May 2012, the Atlantic States Marine Fisheries Commission (ASMFC) approved a coastwide stock assessment of American eel that concluded that the American

eel population is depleted in United States waters. The stock is at or near historically low levels due to a combination of historical overfishing, habitat loss, food web alterations, predation, turbine mortality, environmental changes, toxins and contaminants, and disease. An independent panel of scientists that reviewed the stock assessment urged the ASMFC Board to examine alternative reference points to provide more protection to the spawning stock biomass.

In response to these findings, the ASMFC Board tasked the ASMFC American Eel Technical Committee (Committee) with developing potential management actions which would reduce mortality on all life stages of American eel. A range of options was developed by the Committee and subsequent action was taken by the ASMFC Board to release certain management options for public comment. These comments were considered by the ASMFC Board when, on August 8, 2013, it approved Amendment III to the ASMFC American Eel Fisheries Management Plan. Among the requirements of this amendment is a reduction in recreational harvest of eels by way of a coastwide establishment of a creel limit of 25 fish and a size limit of 9 inches. Currently, the Commonwealth has a 50 fish creel limit for American eel coupled with an 8-inch size limit for recreational harvested eels and a 6-inch to 8-inch slot limit for eels harvested for bait.

ASMFC requested that its member states implement the regulatory changes by January 1, 2014. Because the Commission's adoption of this final-form rulemaking by January 1, 2014, was not possible, the Commission's Executive Director exercised his authority under § 65.25 (relating to temporary changes to fishing regulations) to make temporary modifications. The temporary modifications went into effect on January 1, 2014.

To address the coastwide regulation directed by ASMFC, the Commission amends §§ 61.1, 61.2, 61.4 and 69.12 to increase the size limit and decrease the daily limit for American eel in this Commonwealth. The Commission amends these sections to read as set forth in the proposed rulemaking published at 43 Pa.B. 7095 (December 7, 2013).

*F. Paperwork*

The final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

*G. Fiscal Impact*

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will not impose new costs on the private sector or the general public.

*H. Public Involvement*

Notice of proposed rulemaking was published at 43 Pa.B. 7095. The Commission did not receive public comments concerning the proposed rulemaking.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided and public comments were not received.

(3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for 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 Chapters 61 and 69, are amended by amending §§ 61.1, 61.2, 61.4 and 69.12 to read as set forth at 43 Pa.B. 7095.

(b) The Executive Director will submit this order and 43 Pa.B. 7095 to the Office of Attorney General for

approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 43 Pa.B. 7095 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-254 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 14-1665. Filed for public inspection August 8, 2014, 9:00 a.m.]

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# PROPOSED RULEMAKING

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Hearing on Proposed Changes to the Industrial- ized Housing Act

A public hearing has been scheduled on the proposed changes published at 44 Pa.B. 5026 (July 26, 2014) to the Industrialized Housing Act regulations in 12 Pa. Code Chapter 145 (relating to industrial housing and components). The proposed regulatory changes extend the Industrial Housing and Components Program (Program) to include commercial modular buildings and building components as well as some additional Program enhancements.

The hearing will be held on August 25, 2014, from 10 a.m. until 12 p.m. in Hearing Room 3, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120.

A copy of the proposed rulemaking will be provided to interested parties upon request by contacting Lisa Smink at (717) 720-7417 or [lsmink@pa.gov](mailto:lsmink@pa.gov).

Persons with a disability who wish to attend this hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lisa Smink to make arrangements.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 14-1666. Filed for public inspection August 8, 2014, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 29, 2014.

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

### BANKING INSTITUTIONS

#### Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-23-2014	Meridian Interim Bank Malvern Chester County	Filed
	The purpose of Meridian Interim Bank, Malvern, is to merge with Meridian Bank, Malvern, to facilitate the proposed reorganization of Meridian Bank into a bank holding company structure whereby Meridian Bank will become the wholly-owned subsidiary of Meridian Corporation, a new holding company in formation.	

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-31-2014	Marc D. Lewis, Melvin W. Lewis and the Lewis family	Effective
	Application for approval to acquire, in the aggregate, up to 18.2% of the common stock of Woodlands Financial Services Company, Williamsport.	

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-20-2013	Brentwood Bank Bethel Park Allegheny County	1290 Boyce Road Upper St. Clair Allegheny County (Limited Service Facility)	Opened
7-23-2014	Royal Bank America Narberth Montgomery County	20 Nassau Street Princeton Mercer County, NJ (Limited Service Facility)	Filed
7-23-2014	The Scottdale Bank & Trust Co. Scottdale Westmoreland County	632 West Main Street Mount Pleasant Westmoreland County	Approved

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-23-2014	Royal Bank America Narberth Montgomery County	<i>To:</i> 1651 Blackwood Clementon Road Blackwood Camden County, NJ	Approved
		<i>From:</i> 1990 New Brooklyn Road Sicklerville Gloucester County, NJ	

## CREDIT UNIONS

## Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-25-2014	TruMark Financial Credit Union Trevose Bucks County  Application for approval to merge Norsco Federal Credit Union, Norristown, with and into TruMark Financial Credit Union, Trevose.	Filed

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-1667. Filed for public inspection August 8, 2014, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0057363 (Sewage)	Penns Park Master Assn. ARCCA Wastewater Treatment Facility 2288 Second Street Pike Penns Park, PA 18943	Bucks County Wrightstown Township	Drainage Swale to Unnamed Tributary to Neshaminy Creek (2-F)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0024104 (Sewage)	Spring Township Municipal Authority Wastewater Treatment Plant 196 Ridge Road Beaver Springs, PA 17812	Snyder County Spring Township	Beaver Creek (6-A)	Y
PA0228672 (Sewage)	Muddy Run Regional Authority— Glen Hope WWTF PA Route 53 East Glen Hope, PA 16645	Clearfield County Glen Hope Borough	Clearfield Creek (8-C)	N
PA0208612 (Sewage)	Ridgebury Township STP Sanitary Sewer Pelton Place Gillette, PA 16925	Bradford County Ridgebury Township	Bentley Creek (4-B)	Y
PA0008575 (Industrial Waste)	Wire rope Works, Inc. 100 Maynard Street Williamsport, PA 17701	Lycoming County, City of Williamsport	West Branch Susquehanna River (10-B)	N
PAS214802 (Storm Water)	Beavertown Block Inc. 3612 Paxtonville Road Middleburg, PA 17842-0337	Snyder County Franklin Township	Unnamed Tributary of Middle Creek (6-A)	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?
PA0263621 (Sewage)	Field House Restaurant SFTF 911 North Pike Road Cabot, PA 16023	Butler County Jefferson Township	Unnamed Tributary to Thorn Creek (20-C)	Y
PA0036617 (Sewage)	Remark Estates MHP 26 Kirkland Drive Mercer, PA 16137	Mercer County Lackawannock Township	Unnamed Tributary to Little Neshannock Creek (20-A)	Y

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

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

**PA0243957**, Storm Water, SIC Code 3271, **Fizzano Bros Concrete Products**, 201 S Phoenixville Pike, Malvern, PA 19355-1996. Facility Name: Fizzano Bros Concrete Malvern Plant. This existing facility is located in East Whiteland Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Valley Creek and Valley Creek, is located in State Water Plan watershed 3-H and 3-F and is classified for Exceptional Value Waters, Migratory Fish, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.



The proposed effluent limits for Outfall 001 are based on stormwater events. Samples are to be taken on the western side of the property along the driveway gutter prior to the intersection with Phoenixville Pike.

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

The proposed effluent limits for Outfall 002 are based on stormwater events. Samples are to be taken at the rear of the property (eastern side) where the sheet flow is channelized prior to entering the railroad right-of-way.

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

The proposed effluent limits for Outfall 003 are based on stormwater events. Samples are to be taken from a discharge pipe in a wooden north central location on the property which collects stormwater from both the garage roof and storm drains.

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

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

The EPA Waiver is in effect.

**PA0025917**, Sewage, SIC Code 4952, **Chalfont New Britain Township Joint Sewer Authority Bucks County**, 1645 Upper State Road, Doylestown, PA 18901. Facility Name: Chalfont New Britain Township Joint Sewer Authority. This existing facility is located in Doylestown Township, **Bucks County**.

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

The receiving stream(s), Neshaminy Creek, is located in State Water Plan watershed 2-F and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for Aqua Pennsylvania located on Neshaminy Creek. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.625 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	463	694	XXX	12	18	24
Nov 1 - Apr 30	926	1,389	XXX	24	36	48
BOD <sub>5</sub>						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	1,157	1,736	XXX	30	45	60
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000 (*)
UV Transmittance (%)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX



<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Nitrate-Nitrite as N						
Jul 1 - Oct 31	347	XXX	XXX	9.0	XXX	18.0
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	77	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	231	XXX	XXX	6.0	XXX	12.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Apr 1 - Oct 31	39	XXX	XXX	1.0	XXX	2.0
Nov 1 - Mar 31	77	XXX	XXX	2.0	XXX	4.0
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Chronic Toxicity—	XXX	XXX	XXX	1.9	XXX	XXX
Ceriodaphnia Survival (TUc)				Daily Max		
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	1.9	XXX	XXX
Pimephales Survival (TUc)	XXX	XXX	XXX	Daily Max	XXX	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	Daily Max	1.9	XXX
				Daily Max	XXX	XXX

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

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

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Daily Maximum</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX

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

- No Stormwater to Sewers
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Small Stream Discharge
- Notification of Responsible Operator
- Fecal Coliform Limits
- Solids Management
- Whole Effluent Toxicity
- Stormwater Outfall Requirements

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

The EPA Waiver is not in effect.

**PA0011657**, IW, SIC Code 4911, **Exelon Generation Co. LLC**, 3901 North Delaware Avenue, Philadelphia, PA 19137. Facility Name: Schuylkill Generating Station. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed—3F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a wastewater flow of 71.173 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
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Total Residual Oxidants	XXX	XXX	XXX	XXX	XXX	0.2
Spectrus CT 1300*	XXX	XXX	XXX	XXX	XXX	0.05
PCBs						
(Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
(Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

\* Shall be sampled only during the use of the chemical additive. See Other Requirement—I.H.

Permittee shall submit a report justify the optimum usage of DT 1400 indicating the CT1300 level during usage of DT1400 as an attachment to the DMR.

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

- I.
  - A. Property Rights
  - B. Sludge Disposal
  - C. BAT/BCT
  - D. No PCBs Discharge
  - E. Temperature Requirements
  - F. TRO Requirements
  - G. TRO for Outfall 001
  - H. Spectrus CT 1300
- II. Chemical Additives
- III. PCB Minimization Requirements
- IV. EPA's 316b Requirements

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

The EPA Waiver is not in effect.

**PA0026701**, Sewage, SIC Code 4952, **Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067-6246. Facility Name: Morrisville Borough Bucks STP. This existing facility is located in Morrisville Borough, **Bucks County**.

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

The receiving stream(s), is located in State Water Plan watershed and is classified for 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 7.1 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
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Color (Pt-Co Units)	XXX	XXX	XXX	XXX	XXX	100
CBOD <sub>5</sub>						
Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	1,302	1,954	XXX	22	33	44
		Wkly Avg			Wkly Avg	
BOD <sub>5</sub>						
Influent	Report	XXX	XXX	Report	XXX	XXX

<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>	
CBOD <sub>20</sub>	1,916	XXX	XXX	XXX	XXX	XXX
CBOD <sub>20</sub> % Removal						
Percent Removal	XXX	XXX	88.5	XXX	XXX	XXX
			Min %			
			Removal			
Total Suspended Solids						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	1,775	2,665	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Total Dissolved Solids	XXX	59,214	XXX	XXX	1,000	XXX
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	2,070	XXX	XXX	35	XXX	70
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	Report
Total Copper	4.0	5.9	XXX	0.067	0.10	0.135
Total Zinc	35	52.7	XXX	0.594	0.89	1.18
1,4-Dioxane	XXX	XXX	XXX	Report	XXX	XXX
Total Phenolics	Report	Report	XXX	Report	Report	Report
PCBs						
(Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
(Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
Acute Toxicity—						
Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Acute Toxicity—						
Pimephales Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 7.1 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
			Inst Min			
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Color (Pt-Co Units)	XXX	XXX	XXX	XXX	XXX	100
CBOD <sub>5</sub>						
Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	1,302	1,954	XXX	22	33	44
		Wkly Avg			Wkly Avg	
BOD <sub>5</sub>						
Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>20</sub>	1,916	XXX	XXX	XXX	XXX	XXX
CBOD <sub>20</sub> % Removal						
Percent Removal	XXX	XXX	88.5	XXX	XXX	XXX
			Min %			
			Removal			
Total Suspended Solids						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	1,775	2,665	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Total Dissolved Solids	XXX	59,214	XXX	XXX	1,000	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	2,070	XXX	XXX	35	XXX	70
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	Report
Total Copper	4.0	5.9	XXX	0.067	0.10	0.135
Total Zinc	35	52.7	XXX	0.594	0.89	1.18
1,4-Dioxane	XXX	XXX	XXX	Report	XXX	XXX
Total Phenolics	Report	Report	XXX	Report	Report	Report
PCBs						
(Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
(Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
Acute Toxicity—						
Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Acute Toxicity—						
Pimephales Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX

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

- Designation of the responsible operator
- Remedial Measures
- No stormwater into sanitary sewers
- Change of ownership
- WET Testing
- PCBs—PMP requirements
- Pretreatment Program
- TRC minimization

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

The EPA Waiver is not in effect.

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

**PA0046353-A1**, Sewage, SIC Code 4952, **Waymart Area Authority**, 66 Railroad Lane, Waymart, PA 18472. Facility Name: Waymart Area Authority WWTP. This existing facility is located in Waymart Borough, **Wayne County**.

Description of Existing Activity: The application is for an NPDES permit amendment for an existing discharge of treated Sewage to increase the authorized discharge to 0.815 MGD (from 0.715 MGD) after a future upgrade to the Wastewater Treatment Plant.

The receiving stream(s), Van Auken Creek, is located in State Water Plan watershed 1-B and is classified for High Quality Waters—Trout Stocking and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 (Canaan Township)/Internal Monitor Point #101 (Waymart Borough) are based on a design flow of 0.715 MGD (Interim) and 0.815 MGD (Final).

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)						
(Interim)	Report	Report	XXX	XXX	XXX	XXX
(Final)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
(Interim)	60.0	89.0	XXX	10.0	15.0	20.0
(Final)	67.9	101.9	XXX	10.0	15.0	20.0
BOD <sub>5</sub>						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	XXX	XXX	XXX	Report	XXX	XXX
(Interim)	90.0	119.0	XXX	15.0	20.0	30.0
(Final)	96.5	135.9	XXX	14.2	20.0	28.4
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						
(Interim)	XXX	XXX	XXX	Report	XXX	Report
(Final)	XXX	XXX	XXX	8.7	XXX	17.4
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31 (Interim)	12.0	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30 (Interim)	36.0	XXX	XXX	6.0	XXX	12.0
May 1 - Oct 31 (Final)	11.5	XXX	XXX	1.7	XXX	3.5
Nov 1 - Apr 30 (Final)	35.3	XXX	XXX	5.2	XXX	10.5
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
(Interim)	12.0	XXX	XXX	2.0	XXX	4.0
(Final)	11.5	XXX	XXX	1.7	XXX	3.5
UV Dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

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

- Stormwater Prohibition; Necessary property rights; Proper management of residuals; emergency disinfection; required WQM Permit application; and Changes to Discharge/Stream.

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

The EPA Waiver is in effect.

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

**PA0083941**, SIC Code 4953, **Community Refuse Service Inc.**, 135 Vaughn Road, Shippensburg, PA 17257. Facility Name: Cumberland County Landfill. This existing facility is located in Hopewell Township, **Cumberland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.15 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	43	87	XXX	35	70	87
Total Suspended Solids	40	80	XXX	32	64	80
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

<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>	
Ammonia-Nitrogen						
May 1 - Oct 31	8.6	17	XXX	6.9	13.8	17
Nov 1 - Apr 30	17	35	XXX	14	28	35
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	2.5	5.0	XXX	2.0	4.0	5.0
Total Aluminum	Report	Report	XXX	Report	Report	XXX
Total Arsenic	Report	Report	XXX	0.10	0.20	0.25
Total Barium	Report	Report	XXX	0.30	0.60	0.75
Total Iron	Report	Report	XXX	Report	Report	XXX
Sulfate	Report	Report	XXX	Report	Report	XXX
Total Zinc	Report	Report	XXX	0.11	0.20	0.27
Phenol	Report	Report	XXX	0.015	0.026	0.038
a-Terpineol	Report	Report	XXX	0.016	0.033	0.040
Benzoic Acid	Report	Report	XXX	0.071	0.120	0.178
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX
Chlorodibromomethane	Report	Report	XXX	Report	Report	XXX
p-Cresol	Report	Report	XXX	0.014	0.025	0.035

The proposed effluent limits for Outfalls 002 through 018 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Barium	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Cyanide	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Mercury	XXX	XXX	XXX	XXX	Report	XXX
Total Selenium	XXX	XXX	XXX	XXX	Report	XXX
Total Silver	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements Applicable to Stormwater
- Landfill Leachate Discharge
- Imported Wastewater

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.

**PA0262197**, Storm Water, SIC Code: 5093, **Hollenbaugh's Trash and Recycling LLC**, 65 Industrial Park Road, Lewistown, PA 17044-9342. Facility Name: Hollenbaugh's Trash and Recycling LLC. This proposed facility is located in Granville Township, **Mifflin County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of Storm Water associated with Industrial Activities.

The receiving stream(s), Unnamed Tributary to Juniata River, is located in State Water Plan watershed 12-A and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 and 002 are as follows:

<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 Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX



Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Formaldehyde	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements applicable to stormwater outfalls

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

The EPA Waiver is in effect.

**PA0037141**, Industrial Waste, SIC Code 0921, **PA Fish & Boat Commission**, 1735 Shiloh Road, State College, PA 16801-8495. Facility Name: Huntsdale Fish Hatchery. This existing facility is located in Penn Township, **Cumberland County**.

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

The receiving stream(s), Yellow Breeches Creek and Unnamed Tributary to Yellow Breeches Creek, are located in State Water Plan watershed 7-E and is classified for High Quality Waters—Cold Water Fishes, and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on design flows of 13.824 MGD, 11.232 MGD and 12.384 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.5	XXX	XXX	XXX
CBOD <sub>5</sub>	Report	Report	XXX	Report	Report	7.5
Intake	Report	Report	XXX	Report	Report	XXX
Effluent Net						
Jan 1 - Apr 30	346	692	XXX	3.0	6.0	XXX
May 1 - Aug 31	281	562	XXX	3.0	6.0	XXX
Sep 1 - Dec 31	310	619	XXX	3.0	6.0	XXX
Total Suspended Solids						
Intake	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	Report	Report	XXX	Report	Report	8.7
Total Suspended Solids						
Effluent Net						
Jan 1 - Apr 30	403	807	XXX	3.5	7.0	XXX
May 1 - Aug 31	328	656	XXX	3.5	7.0	XXX
Sep 1 - Dec 31	361	723	XXX	3.5	7.0	XXX
Total Suspended Solids	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	Total Mo					
	XXX	65,348	XXX	XXX	XXX	XXX
		Total Annual				
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Intake	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen						
Intake	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net	XXX	XXX	XXX	XXX	20	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen						
Jan 1 - Apr 30	161	323	XXX	1.4	2.8	3.5
May 1 - Aug 31	131	262	XXX	1.4	2.8	3.5
Sep 1 - Dec 31	144	289	XXX	1.4	2.8	3.5
Total Kjeldahl Nitrogen						
Intake	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus						
Jan 1 - Apr 30	230	461	XXX	2.0	4.0	5.0
May 1 - Aug 31	187	374	XXX	2.0	4.0	5.0
Sep 1 - Dec 31	206	413	XXX	2.0	4.0	5.0



The proposed effluent limits for Outfall 002 are based on a design flow of 0.720 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)						
Apr 1 - Sep 30	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)						
Apr 1 - Sep 30	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen						
Apr 1 - Sep 30	XXX	XXX	7.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
Apr 1 - Sep 30	Report	Report	XXX	Report	Report	7.5
Intake						
Apr 1 - Sep 30	Report	Report	XXX	Report	Report	XXX
Effluent Net						
Apr 1 - Sep 30	18	36	XXX	3.0	6.0	XXX
Total Suspended Solids						
Effluent Net						
Apr 1 - Sep 30	21	42	XXX	3.5	7.0	XXX
Intake						
Apr 1 - Sep 30	Report	Report	XXX	Report	Report	XXX
Apr 1 - Sep 30	Report	Report	XXX	Report	Report	8.7
Apr 1 - Sep 30	XXX	Report	XXX	XXX	XXX	XXX
Apr 1 - Sep 30	Report	Total Annual	XXX	XXX	XXX	XXX
Total Mo						
Nitrate-Nitrite as N						
Intake	XXX	XXX	XXX	XXX	Report	XXX
Apr 1 - Sep 30	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Apr 1 - Sep 30	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen						
Intake	XXX	XXX	XXX	XXX	Report	XXX
Apr 1 - Sep 30	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Apr 1 - Sep 30	XXX	XXX	XXX	XXX	20	XXX
Ammonia-Nitrogen						
Apr 1 - Sep 30	3.6	7.2	XXX	0.6	1.2	1.5
Total Kjeldahl Nitrogen						
Intake	XXX	XXX	XXX	XXX	Report	XXX
Apr 1 - Sep 30	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net					Avg Qrtly	
Apr 1 - Sep 30	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus						
Apr 1 - Sep 30	12	24	XXX	2.0	4.0	5.0

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0003 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)						
Apr 1 - Sep 30	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)						
Apr 1 - Sep 30	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine						
(Interim)	XXX	XXX	XXX	Report	XXX	XXX
(Final)	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	20	XXX	40
Fecal Coliform						
(CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

- Best Management Practices (BMP) Plan
- Minimum Required BMPs
- Biological monitoring Requirements for PCBs
- Biomass Reporting

- Total Suspended Solids Annual Reporting
- Drug &n Chemical usage for Aquaculture Facilities
- Additional Definitions for Aquatic Animal Production

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.

**PA0080268**, Sewage, SIC Code 6515, **Kollas & Costopoulos**, 1104 Fernwood Avenue, Camp Hill, PA 17011. Facility Name: Regency Woods North MHP. This existing facility is located in Middlesex Township, **Cumberland 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 of Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.035 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
UV Intensity (mWsec/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
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	2.9	XXX	5.8
Nov 1 - Apr 30	XXX	XXX	XXX	8.7	XXX	17
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.

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

**PA0254151**, Industrial Waste, SIC Code 5171, **Coen Oil Company**, 1045 West Chestnut Street, Washington, PA 15301. Facility Name: Washington Distribution Facility. This existing facility is located in Washington City, **Washington County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of treated petroleum-product contaminated groundwater and a new storm water discharge.

The receiving stream(s), Catfish Creek, is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are for storm water discharges.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0288 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
Total BTEX	XXX	XXX	XXX	0.1	XXX	0.25
MTBE	XXX	XXX	XXX	Report	XXX	Report

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

- Requirements for storm water outfalls and petroleum marketing terminals.

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

The EPA Waiver is in effect.

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

**PA0272868**, Sewage, SIC Code 8800, **Nicole Neidrick**, 625 Dutch Hill Road, Warren, PA 16365. Facility Name: Nicole Neidrick SRSTP. This proposed facility is located in Conewango Township, **Warren County**.

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

The receiving stream, an Unnamed Tributary to the Jackson Run, is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

*Central Office: Bureau of Point and Non-Point Source Management, Planning and Permitting Program Manager, 400 Market Street, Harrisburg, PA 17105-8774, Telephone: 717.787.8184.*

**PA0270776**, Pesticides, SIC Code 0921, **PA Fish & Boat Commission**, 1735 Shiloh Road, State College, PA 16801.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge associated with the application of pesticides (including algaecide, herbicides and fish control chemicals) to control weeds and algae: to maximize fish production in all fish ponds of the state fish hatcheries; and to maintain aesthetic condition around these ponds and lakes associated with Pennsylvania Fish and Boat Commission for anglers, boaters, and all other recreational users statewide.

Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. Applicators are required to coordinate with the operators of such drinking water treatment plants prior to treatment to avoid any shortages. The discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-787-8184. You may submit written comments on the application and draft permit within 30 days to the address above. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

The EPA waiver is not in effect.

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

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

**WQM Permit No. 3876401, Amendment #1**, Sewerage, **Oliver's Upper Lawn Mobile Home Community**, Steven N. Oliver, 296 Long Road, Palmyra, PA 17078.

This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for the installation of a new 11,884 gallon concrete equalization tank to provide additional holding capacity for the existing wastewater treatment facility.

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

**WQM Permit No. 4914201**, Industrial Waste, **Cherokee Pharmaceuticals LLC**, Po Box 367, Riverside, PA 17868-0367.

This proposed facility is located in Riverside Borough, **Northumberland County**.

Description of Proposed Action/Activity: Installation of nutrient dosing skid, upgrades to biological treatment aeration system at Tank TA-184 & retrofitting Tank TA-182 for sludge digestion & dryer off-gas scrubbing.

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

**WQM Permit No. 4314401**, Sewage, **Darlene T. Kimmel**, 8638 North Fredrick Pike, Cross Junction, VA 22025.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. WQG02201401**, Sewage, **Conneaut Lake Joint Municipal Authority**, P. O. Box 277, 9888 Route 285 West, Conneaut Lake, PA 16316.

This proposed facility is located in Conneaut Lake Borough, **Crawford County**.

Description of Proposed Action/Activity: Installation and redirection of a new 4-inch diameter sanitary sewer force main from the pressure sewer on Route 285 to pump station S-5 on Aldina Drive.

**WQM Permit No. 4214401**, Sewage, **Donald Hull**, 58 Hamlin Street, Smethport, PA 16749.

This proposed facility is located in Keating Township, **McKean County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to repair a malfunctioning on-lot system.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 5114013	Dietz & Watson, Inc. 5701 Tacony Street Philadelphia, PA 19135	Philadelphia	City of Philadelphia	Delaware River WWF
PAI01 5114014	Department of Transportation Engineering District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406	Philadelphia	City of Philadelphia	Frankford Creek WWF—MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023914010	Dennis Benner, Esq. Premier Land Development, LP 4511 Falmer Drive Bethlehem, PA 18020	Lehigh	Upper Saucon Township	UNT to Saucon Creek (CWF, MF)

*Pike County Conservation District, 556 Route 402, Hawley PA 18428*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025214002	Dingmans Ferry DG, LLC 361 Summit Blvd. Suite 110 Birmingham, AL 35243	Pike	Delaware Township	Adams Creek (EV, MF) Dingmans 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030613014	Geigertown Area Joint Authority 1445 East Main Street Douglassville, PA 19518	Berks	Robeson and Union Townships	Hay Creek (CWF, MF; Existing Use HQ-CWF, MF) UNT's to Hay Creek (CWF, MF) Sixpenny Creek (HQ-CWF, MF) EV Wetlands

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056508002R	Maronda Homes Inc. 1383 State Route 30 Clinton, PA 15026	Westmoreland	North Huntingdon Township	UNT to Long Run (HQ-TSF) and Crawford Run (WWF)

## STATE CONSERVATION COMMISSION

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

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

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

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

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

## APPLICATIONS

### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
David Sweigart III 189 Ridge View Road Elizabethtown, PA 17022	Lancaster	465.2	1,015.25	Dairy/Swine	NA	R



<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>
Country View Family Farms, LLC Beaverton Sow Farm	Snyder	100	802.73	Swine	NA	Renewal

Office: 1301 Fulling Mill Road, Suite 3000, Middletown, PA 17057

Farm: 429 Beaverton Lane, Beavertown, PA 17813

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 2814505**, Public Water Supply.  
 Applicant **Bear Valley Franklin County Pennsylvania Joint Authority**  
 Municipality Peters Township

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County	<b>Franklin</b>
Responsible Official	Wayne Henry, Chairman 218 School House Road St. Thomas, PA 17752-0308
Type of Facility	Public Water Supply
Consulting Engineer	Christopher M. Echenrode, P.E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Application Received:	4/18/2014
Description of Action	Construction of five new water supply wells and 1.0 million gallon per day filter plant which will include, chemical oxidation, chemical coagulation, static mixing, flocculation, sedimentation, membrane filtration, UV light disinfection, sodium hypochlorite disinfection, 4-log inactivation of viruses, and distribution infrastructure.
<b>Permit No. 3114501</b> , Public Water Supply.	
Applicant	<b>Stone Valley Community Charter School</b>
Municipality	Jackson Township
County	<b>Huntingdon</b>
Responsible Official	Missy Shawyer, Business Manager Jackson Miller Community Building 13006 Greenwood Road Huntingdon, PA 16652
Type of Facility	Public Water Supply
Consulting Engineer	John C. Clabaugh, P.E. Stiffler, McGraw and Associates, Inc. 1731 N. Juniata Street Hollidaysburg, PA 16648
Application Received:	7/16/2014
Description of Action	GWR 4-log inactivation of viruses; installation of a new well pump, and replacement of the existing disinfection and orthophosphate feed systems.

**Permit No. 3814504 MA, Minor Amendmant**, Public Water Supply.

Applicant **Lebanon Valley Livestock Market**  
 Municipality Bethel Township  
 County **Lebanon**  
 Responsible Official Carol L. Brubaker, Owner  
 PO Box 38  
 Fredericksburg, PA 17026  
 Type of Facility Public Water Supply  
 Consulting Engineer Charles A. Kehew II, P.E.  
 James R. Holley & Associates,  
 Inc.  
 18 South George Street  
 York, PA 17401  
 Application Received: 7/11/2014  
 Description of Action Installation of nitrate removal  
 treatment.

Responsible Official William Castelli, Distribution  
 Facility Superintendent  
 Municipal Authority of  
 Westmoreland County  
 124 Park & Pool Road  
 New Stanton, PA 15672  
 Type of Facility Water system  
 Consulting Engineer Gibson-Thomas Engineering  
 Co., Inc.  
 1004 Ligonier Street  
 PO Box 853  
 Latrobe, PA 15650  
 Application Received Date July 8, 2014  
 Description of Action Replacement of the Ross Street,  
 West Point and Ice Plant  
 below-ground booster stations  
 with new above-ground booster  
 stations.

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

**Permit No. 6514506**, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
 124 Park & Pool Road  
 New Stanton, PA 15672  
 [Township or Borough] Salem Township, Washington  
 Township, and Hempfield  
 Townships  
 Responsible Official William Castelli, Distribution  
 Facility Superintendent  
 Municipal Authority of  
 Westmoreland County  
 124 Park & Pool Road  
 New Stanton, PA 15672  
 Type of Facility Water system  
 Consulting Engineer Gibson-Thomas Engineering  
 Co., Inc.  
 1004 Ligonier Street  
 PO Box 853  
 Latrobe, PA 15650  
 Application Received Date July 8, 2014  
 Description of Action Replacement of the Slickville,  
 Pleasantview and Wegley  
 below-ground booster stations  
 with new above-ground booster  
 stations.

**Permit No. 2614505**, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
 124 Park & Pool Road  
 New Stanton, PA 15672  
 [Township or Borough] Wall Borough and North  
 Versailles—  
**Allegheny County**  
 Hempfield Township—  
**Westmoreland County**

#### MINOR AMENDMENT

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

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

#### Application No. 0214536MA, Minor Amendment.

Applicant **Pennsylvania American Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 [Township or Borough] Hopewell and Canton Townships  
 Responsible Official David R. Kaufman, P.E.  
 Vice President-Engineering  
 Pennsylvania American Water  
 Company  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 Type of Facility Water system  
 Consulting Engineer  
 Application Received Date July 16, 2014  
 Description of Action Installation of approximately  
 25,000 feet of 12-inch diameter  
 waterline.

#### Application No. 5614502MA, Minor Amendment.

Applicant **Borough of Somerset**  
 PO Box 71  
 Somerset, PA 15501  
 [Township or Borough] Somerset Township  
 Responsible Official Benedict Vinzani, Borough  
 Manager  
 Borough of Somerset  
 PO Box 71  
 Somerset, PA 15501  
 Type of Facility Water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501

Application Received Date July 7, 2014

Description of Action Installation of approximately 1,250 feet of 12-inch diameter waterline along North Pleasant Avenue.

**Application No. 0214537MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert Christian, P.E., Director of Engineering and Construction  
Pittsburgh Water & Sewer Authority  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer

Application Received Date July 17, 2014

Description of Action Installation of approximately 15,000 feet of 8-inch and 12-inch diameter waterline and appurtenances.

**Application No. 0214538MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert Christian, P.E., Director of Engineering and Construction  
Pittsburgh Water & Sewer Authority  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer

Application Received Date July 17, 2014

Description of Action Installation of approximately 3,150 feet of 8-inch diameter waterline and appurtenances.

**Application No. 3014513MA, Minor Amendment.**

Applicant **Southwestern Pennsylvania Water Authority**  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

[Township or Borough] Franklin and Jefferson Townships

Responsible Official John Golding, Manager  
Southwestern Pennsylvania Water Authority  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
Suite 200  
267 Blue Run Road  
Cheswick, PA 15024

Application Received Date July 7, 2014

Description of Action Installation of approximately 3,730 feet of 8-inch diameter waterline and appurtenances.

#### WATER ALLOCATIONS

#### Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

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

**WA-59-682B**, Water Allocations. **Bloss Township Municipal Authority**, 57 Elm Street, P. O. Box 70, Arnot, PA 16911. Bloss Township, **Tioga County**. Application to request permit renewal. The original permit was issued in 1991, allowing for a 130,000 gpd withdrawal from South Spring. The requested allocation amount has been made to retain Bloss Township Municipal Authority's existing permitted withdrawal.

#### 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 con-

tamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Phil Walsh Residence**, 443 McCormick Road, Mechanicsburg, PA 17055, Upper Allen Township, **Cumberland County**. Cardno, 2 Gunpowder Road, Mechanicsburg, PA 17050, on behalf of Susquehanna Oil Company, 1105 Shaffer Road, Dillsburg, PA 17019, on behalf of Phil Walsh, 443 McCormick Road, Mechanicsburg, PA 17055 submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in *The Sentinel* on July 9, 2014.

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

**Pulaski Whiting**, 3242 Garner Road, Pulaski Township, **Lawrence County**. Hilcorp Energy Company, 1201 Louisiana Street, Suite 1400, Houston, TX 77022, on behalf of Hilcorp Energy Company, 1201 Louisiana Street, Suite 1400, Houston, TX 77022, submitted a Notice of Intent to Remediate. Truck contractors cleaned their trucks on location resulting in the soap from the truck wash impacting site soil and surface water. The selected method of remediation is unknown at this time. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in the *New Castle News* on July 3, 2014.

## HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Applications received, withdrawn, denied or returned under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

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

**PAD003047792. American Color and Chemical, LLC**, Mt Vernon Street, Lock Haven, PA 17745, Lock Haven, **Clinton County**. This application is for the 10-year renewal of the RCRA Part B post closure care permit for closed RCRA surface impoundments. Application received on July 14, 2014. Application deemed administratively complete on July 24, 2014.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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



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

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

### PLAN APPROVALS

**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*

**GP3-45-005: Bill Barry Excavating Inc.** (174 Quarry Lane, Cresco, PA 18326) on July 8, 2014 to construct and operate a portable crushing operation with water sprays at their Cresco quarry in Barrett Township, **Monroe County**.

**GP9-45-006: Bill Barry Excavating Inc.** (174 Quarry Lane, Cresco, PA 18326) on July 25, 2014 to install and operate two (2) Diesel I/C engines at the Cresco quarry Barrett Township, **Monroe 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*

**63-00958B: MarkWest Liberty Midstream & Resources, LLC** (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202) to install one (1) 150 mmscf/d glycol dehydrator, one (1) 2.5 mmbtu/hr boiler, one (1) flare, and four (4) 400 bbl condensate storage tanks at the Welling Compressor Station in Buffalo Township, **Washington County**. This is a minor facility Plan Approval application submittal.

**04-00725B: Advanced Biofuels, Inc.** (2 Dorrington Road, Carnegie, PA 15106) to restart a biodiesel manufacturing plant at the Kobuta Yard in Potter Township, **Beaver County**. This is a minor facility Plan Approval application submittal.

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

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

**10-335C: Penn United Technologies, Inc.** (P. O. Box 399, Saxonburg, PA 16056) for the addition of mixing capacity in their carbide slurry mixing room. Their existing facility is located in Jefferson Township, **Butler County**. VOC emissions associated with the project are estimated to be less than 9 tpy.

**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.**

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

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

**45-00005A: Sanofi Pasteur, Inc.** (Discovery Drive, Swiftwater, PA 18370) to incorporate the plan approval into the Title V Operating Permit for their facility in Pocono Township, **Monroe County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue Plan Approval No. 45-00005A, to Sanofi Pasteur Inc., Discovery Drive, Swiftwater, PA 18370 for their facility in Pocono Township, Monroe County. This plan approval will be incorporated into the Title V operating permit No. 45-00005 through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan approval No. 45-00005A is for the approval of Plantwide Applicability Limits (PAL) in accordance with the requirements of 25 Pa. Code § 127.218, Federally Enforceable Emission Cap (FEEC) and 40 CFR 51.21 for the criteria pollutants from the facility. Sanofi Pasteur submitted the application to renew the previously established plant wide applicability limits (PALs) for those regulated NSR pollutants that would otherwise cause a significant increase in emissions due to the project. The pollutants included are PM<sub>10</sub> (total filterable & condensable), SO<sub>x</sub>, CO, TSP (total suspended particulate matters, filterable only), H<sub>2</sub>SO<sub>4</sub>, and NO<sub>x</sub> as a precursor for ozone. In addition a federally enforceable emissions cap (FEEC) for NO<sub>x</sub> was established to avoid triggering a major modification under the nonattainment new source review (NNSR) regulations of 25 Pa. Code Chapter 127, Subchapter E. As long as the FEEC for volatile organic compounds (VOC) of 49.9 tpy is not exceeded, the facility is not a major VOC emitting facility subject to the NNSR requirements of Subchapter E. In addition to renewing these PALs under the extant PSD and NNSR regulations of 40 CFR 52.21 and 25 Pa. Code Chapter 127, Subchapter E, Sanofi Pasteur Inc. is requesting the establishment of PALs for PM<sub>2.5</sub> (total filterable and condensable) and greenhouse gases (GHG), which are now subject to the PSD and NNSR regulations. The company has applied to the Department to obtain PAL limits for the criteria pollutants for the following sources operating at the facility:

- 15-Generators (Various Buildings), BTU heat input varies
- B-20 Boiler 1 (No. 2 oil/Natural gas)
- B-20 Boiler 2 (No. 2 oil/Natural gas)
- B-20 Boiler 3 (No. 2 oil/Natural gas)
- B-49 Propane/natural gas Boiler
- B-58 Boiler 6 (No. 2 oil/Natural gas)
- B-58 Boiler 7 (No. 2 oil/Natural gas)
- B-58 Boiler 8 (No. 2 oil/Natural gas)



B-58 Boiler 9 (No. 2 oil/Natural gas)  
 B-58 Boiler 10 (No. 2 oil/Natural gas)  
 Bldg. 53 Ventilation System  
 B-37 Egg Dryer Thermal Oxidizer  
 Hydrogen Peroxide Sterilization F&P  
 Ozone Decomposer  
 B-46 weigh area dust collection  
 HEPA Filters, Hydrophobic Filters  
 Vaccine Production Area  
 B-59 Egg Dryer Thermal Oxidizer  
 B-59 Torit Dust Collector

B-37 Cooling tower  
 Meninge 2nd Generation Fume hood  
 B-55 Carbon Adsorption Odor Control System  
 B-60 Cooking burners  
 B-59 New Flu vaccine Production  
 Storage Tanks (VOC Sources)—Various Size-total 26

Pursuant to the requirements of 25 Pa. Code § 127.218 and 40 CFR 52.21(aa) the following Plantwide Applicability Limits (PAL) are established and renewed for emissions of pollutants from sources at the facility.

<i>Pollutants</i>	<i>Proposed PSD PAL, TPY (Feb. 18, 2014—Feb. 18, 2024)</i>	<i>Current PSD PAL, TPY (Feb. 18, 2004—Feb. 18, 2014)</i>
PM <sub>10</sub>	25.78	74.22
SO <sub>x</sub>	67.23	148.52
NO <sub>x</sub>	95.65	129.57
CO	74.8	112.46
TSP	23.43	81.31
H <sub>2</sub> SO <sub>4</sub>	9.47	16.86
PM <sub>2.5</sub>	18.88	-
CO <sub>2e</sub>	124,585	-

The facility is not subject to the Prevention of Significant Deterioration (PSD) requirements of 25 Pa. Code Chapter 127, Subchapter D so long as the permittee complies with the above emission limitations from the facility and conditions for the PAL specified in this Plan Approval. Any increase in the emissions above this PAL will subject the facility to the PSD requirements. The facility must comply with requirements listed in 25 Pa. Code § 127.218 and 40 CFR 52.21(aa).

This Plan Approval establishes a federally enforceable emissions cap (FEEC) for emissions of nitrogen oxides (NO<sub>x</sub>) from all sources at the facility in accordance with 25 Pa. Code § 127.448.

The total actual emissions from sources at the facility shall not exceed the FEEC of 81.2 tons per year (tpy) of NO<sub>x</sub> on a 12-month rolling sum. Any change that would result in an increase over the FEEC would be subject to the NSR requirements specified in 25 Pa. Code Chapter 127, Subchapter E.

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

The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements

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

Any person(s) wishing to provide DEP with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 45-00005A 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 Raymond Kempa, P.E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

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

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

**37-337A: Hickory Run Energy, LLC** (NE intersection of McClelland and Edinburg Road, New Castle, PA 16102) on July 22, 2014, to grant an extension of time to commence construction to Hickory Run Energy, LLC to construct a 900 MW natural gas-fired combined-cycle electric generation facility in North Beaver Township, **Lawrence County**.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) that the Department of Environmental Protection (DEP) intends to grant an extension of time to commence construction to Hickory Run Energy, LLC to construct a 900 MW natural gas-fired combined-cycle electric generation facility in North Beaver Township, Lawrence County. Plan approval 37-337A was issued on April 23, 2013. In accordance with Section B, Condition #006(c), if the construction, modification or installation is not commenced within 18 months of the issuance of this plan approval or if there is more than an 18-month lapse in construction, modification or installation, a new plan approval application that meets the requirements of 25 Pa. Code Chapter 127, Subchapter B (related to plan approval requirements), Subchapter D (related to prevention of significant deterioration of air quality), and Subchapter E (related to new source review) shall be submitted. The Department may extend the 18-month period upon a satisfactory showing that an extension is justified. The facility does not have to submit an updated

BACT as part of this first time permit extension request according to US EPA Memorandum "Guidance on Extension of Prevention of Significant Deterioration Permits under 40 CFR 52.21(r)(2)", dated January 31, 2014. The facility did submit information as part of the June 26, 2014, letter stating that a slower than anticipated recovery in the local PJM Interconnection electrical markets resulted in the facility being unable to finance the project and commence construction prior to October 23, 2014. The facility also submitted a new time table for construction which includes executing a construction contract within 6 months of the May 2015 forward capacity auction with construction commencing during the 1st quarter of 2016. The Department hereby approves an 18-month extension of commencement of construction to end on April 23, 2016.

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

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

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

**15-00114: Action Manufacturing Co.** (500 Bailey Crossroads, Atglen, PA 19310; Attn: Mr. Randy Aukamp) for the renewal of a Non-Title V Facility, State-Only, Natural Minor Operating Permit in West Fallowfield Township, **Chester County**. The initial operating permit was issued on April 1, 2009, and was effective May 1, 2009. Action Manufacturing Company produces ordinance detonators of various shapes and sizes, along with other miscellaneous components of the detonators. The primary sources of air emissions from the facility are Misc. Combustion Sources (Source ID 030), Six (6) Detonator Chambers (Source ID 100), and a Thermal Treatment Unit (Source ID 101). The boilers associated with Source ID 030 are all rated at less than 2.5 MMBtu/Hr and are therefore uncontrolled. Source ID 100 and 101 are each controlled by particulate filtration systems (Source ID C100 and C101). Potential emissions of SO<sub>x</sub> from the facility will be less than 4.0 TPY. CO emissions will be less than 3.0 TPY. Emissions of NO<sub>x</sub>, VOC, PM, and HAP will each be less than 2.0 TPY. The permit will contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**09-00114: Active Brass Foundry, Inc.** (330 Progress Drive, Telford, PA 18969), located in Hilltown Township, **Bucks County**, for a renewal of State Only (Natural Minor) Operating Permit No. 09-00114. 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), located in Milford Township, **Bucks County**, for the manufacturing of custom display cases that are used for commercial, architectural, and other professional applications. 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.

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

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

**40-00025: Sunoco Partners Marketing & Terminals, L.P.—Kingston Terminal** (1801 Market Street, 15/10 PC, Philadelphia, PA 19103-1699) for Petroleum Bulk Stations and Terminals operations in Edwardsville Borough, **Luzerne County**. The sources consist of a gasoline truck loading rack and internal floating and fixed roof tanks. The control devices consist of a Vapor Destruction Unit (VDU) and a Vapor Recovery Unit (VRU).

The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO); total suspended particulate (TSP) and VOC's. This is a renewal State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**39-00023: Allentown Terminals Corp.** (P. O. Box 262, Harrisburg, PA 17105-2621) for Petroleum Bulk Stations and Terminals operations in City of Allentown, **Lehigh County**. The sources consist of a gasoline truck loading rack and internal floating and fixed roof tanks. The control devices consist of a Vapor Destruction Unit (VDU) and a Vapor Recovery Unit (VRU).

The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO); total suspended particulate (TSP) and VOC's. This is a renewal State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**39-00022: Sunoco Partners Marketing & Terminals, L.P.—Fullerton Terminal** (4041 Market Street, Aston, PA 19014) for Petroleum Bulk Stations and Terminals operations in Whitehall Township, **Lehigh County**. The sources consist of a gasoline truck loading rack and internal floating and fixed roof tanks. The control devices consist of a Vapor Destruction Unit (VDU) and a Vapor Recovery Unit (VRU).

The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO); total suspended particulate (TSP) and VOC's. This is a renewal State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

*Southcentral Region: Air Quality Program, 909 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.*

**22-03084: Hoover-Boyer Funeral Home/Millersburg** (118 South Market Street, Millersburg, PA 17061) for their crematory unit at their facility in Millersburg Borough, **Dauphin County**.

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

The subject facility's cremation unit will be controlled by an internal secondary combustion chamber. The unit is subject to and shall comply with 25 Pa. Code § 123.21 for sulfur emission limits. The facility's actual emissions are expected to be around 1.0 tpy of PM, 1.4 tpy of CO, 0.4 tpy of NO<sub>x</sub> and 0.4 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the 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.

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, or requests for a public hearing.

**22-03085: Hoover-Boyer Funeral Home—Elizabethville** (103 West Main Street, Elizabethville, PA 17023) for their crematory unit at their facility in Elizabethville Borough, **Dauphin County**.

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

The subject facility's cremation unit will be controlled by an internal secondary combustion chamber. The unit is subject to and shall comply with 25 Pa. Code § 123.21 for sulfur emission limits. The facility's actual emissions are expected to be around 1.0 tpy of PM, 1.4 tpy of CO, 0.4 tpy of NO<sub>x</sub> and 0.4 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business

hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the 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.

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, or requests for a public hearing.

**07-03017: CCK, Inc.—T/A Juniata Packing/Tyrone PLT** (118 Poorman Street, Tyrone, PA 16686) for operation of a meat processing plant at their facility in Snyder Township, **Blair County**.

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

The potential emissions of the facility are 26 tons of CO per year, 5 tons of NO<sub>x</sub> per year, 0.7 ton of PM per year, 0.04 ton of SO<sub>x</sub> per year, 4 tons of VOC per year, and 0.2 ton of HAPs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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

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

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

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

**67-05104: Tate Access Floors, Inc.—Red Lion Plant** (52 Springvale Road, Red Lion, PA 17356) for operation of



their access flooring systems manufacturing facility in Windsor Township, **York County**.

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

The actual emissions are 10 tons per year of VOC, 2.6 tons per year of PM, 1.4 ton per year of single HAP, and 1.8 ton per year of Total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

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

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

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

**65-00044: Enterprise Terminal & Storage, LLC.** (1100 Louisiana Street, Houston, TX 77002-5227) for a Natural Minor Operating Permit for operation of a bulk propane terminal, known as the Greensburg Terminal, in Hempfield Township, **Westmoreland County**.

The facility contains air contamination sources consisting of two underground storage caverns of 3,675,000 gallons and 7,770,000 gallons each, the main Maintenance Flare 3, the Truck Rack Flare 2, four dehydrators, a 245 HP emergency backup natural gas fired generator, and a salt bath heater which supplies heat to two of the dehydrators. Facility emissions are 27.7 tons NO<sub>x</sub>, 11.7 tons of CO 3.6 tons of VOC, and 3.1 tons of PM<sub>10</sub> per year. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

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, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing 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.

All requests for a public hearing, and all 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 (State Only Operating Permit 65-00044) 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 Martin L. Hochhauser, P. E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Martin L. Hochhauser, P.E. at (412) 442-4057.

**63-00979: Liquidmetal Coatings, LLC** (50 Technology Drive, California, PA 15423) for manufacturing metal coating and allied services at their facility in California Borough, **Washington County**. This is an initial State-Only Operating Permit application submittal.

#### 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*

**54-00072A: JELD-WEN** (407 Harbor Isles Boulevard, PO Box 1540, Klamath Falls, OR 97601-0253) for their facility in Cass Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection

(DEP) has received and intends to issue a Plan Approval to JELD-WEN (407 Harbor Isles Blvd., PO Box 1540, Klamath Falls, OR 97601-0253) for their facility located in Cass Twp., Schuylkill County. This Plan Approval No. 54-00072A will be incorporated into a State Only Permit through an administrative amendment at a later date.

Plan Approval No. 54-00072A is for the construction and operation of a new layup line and glue roller to produce high quality interior doors paint spray booth with oven. Volatile Organic Compounds (VOCs) emissions from the new line will be less than 24.5 tons/year. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for visible emissions. The company will be subject to and comply with Department's BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 54-00072A 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, Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

**48-00095B: Ecopax, LLC** (3600 Glover Road, Easton, PA 18040) for their facility in Forks Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Ecopax, LLC (3600 Glover Road, Easton, PA 18040) for their facility in Forks Township, Northampton County. This Plan Approval No. 48-00095B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00095B is for the installation of one (1) 2,920 cubic feet reclaim polystyrene fluff silo, one (1) 6,300 CFM baghouse to replace one (1) existing dust collector used to control dust from the reclaim silo and trimming /grinding operations, one (1) 1,000 lbs/hr foam grinder, and installation of one (1) new 300 lbs/hr thermoforming line. Particulate Matter (PM) emissions from the plant will remain under their 100 TPY threshold limit, 12-month rolling sum. The company shall be sub-

ject to and comply with 25 Pa. Code § 123.13 for PM emissions. These limits will meet BAT requirements for this source. VOC emissions from the plant will remain under their 50 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and a VOC destruction/removal efficiency (DRE) of the RTO of greater than 98%. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00095B 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, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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



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

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

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

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

*Coal Applications Received*

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

**32051601 and NPDES No. PA0236012. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Crooked Creek Preparation Plant in Washington Township, **Indiana County** to add a preparation plant, stockpile and storage areas, and new NPDES Outfall #004. Surface Acres Proposed 12.6. Receiving Stream: Unnamed Tributary to Crooked Creek, classified for the following use: CWF. The application was considered administratively complete on July 23, 2014. Application received March 24, 2014.

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

**Permit No. 32000108 and NPDES No. PA0248801. River Hill Coal Co., Inc.**, P. O. Box 141, Kylertown, PA 16847, permit renewal for the continued reclamation of a bituminous surface mine in West Wheatfield Township, **Indiana County**, affecting 759.2 acres. Receiving streams: unnamed tributaries to/and Conemaugh River, Richards Run and Roaring Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 7, 2014.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 58030822. Paul A. Kelly**, (65 Public Avenue, Montrose, PA 18801), Stage I & II bond release of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres on property owned by John Vandermark. Application received: July 10, 2014.

**Permit No. 58040831. Paul A. Kelly**, (65 Public Avenue, Montrose, PA 18801), Stage I & II bond release of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres on property owned by John Clough. Application received: July 10, 2014.

**Permit No. 58050839. Paul A. Kelly**, (65 Public Avenue, Montrose, PA 18801), Stage I & II bond release of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 3.0 acres on property owned by Robert Kane. Application received: July 10, 2014.

**Permit No. 22880302T2 and NPDES Permit No. PA0594211. Pennsy Supply, Inc.**, (1001 Paxton Street, Harrisburg, PA 17105), transfer from Haines & Kibblehouse, Inc. and correction to add 10.02 acres and update the reclamation plan of an existing quarry operation in Lower Swatara Township, **Dauphin County** affecting 136.02 acres, receiving stream: Swatara Creek, classified for the following use: warm water fishes. Application received: July 14, 2014.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\* The parameter is applicable at all times.

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a

hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

*Coal NPDES Draft Permits*

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

**NPDES No. PA0262617 (Mining Permit No. 56080103), AMFIRE Mining Company, LLC**, One Energy Place, Latrobe, PA 15650 renewal of an NPDES permit for surface mining in Milford Township, **Somerset County**, affecting 105.5 acres. Receiving stream: unnamed tributaries to/and South Glades Creek, classified for the following use: warm water fishery. This receiving stream is included in the Casselman River TMDL. Application received: June 18, 2014.

The outfalls listed below discharge to unnamed tributary to South Glade Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002	N
004	N
006	N

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

<i>Outfalls: 002 (Treatment Pond)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.55	3.10	3.9
Manganese (mg/l)	1.05	2.10	2.6
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

<i>Outfalls: 004 and 006 (Treatment Ponds)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.51	3.02	3.8
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

<i>Outfalls: 001, 003, 005 &amp; 007 (Sediment Ponds, dry weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

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

<i>Outfalls: 001, 003, 005, and 007 (Sediment Ponds, ≤10/24 Precip.)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)			7.0
Total Settleable Solids (mg/l)			0.5 mg/l

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

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

**NPDES No. PA PA0252336 (Mining permit no. 65120103), Coal Loaders, Inc.**, 210 East Main Street, PO Box 556, Ligonier, PA 15658, new NPDES permit for a bituminous surface mine in Fairfield and Ligonier Townships, **Westmoreland County**, affecting 90.8 acres. Receiving streams: unnamed tributaries to Hannas Run, classified for the following use: CWF and unnamed tributaries to Hypocrite Creek, classified for the following use(s): TSE. These receiving streams are included in the Kiskiminetas-Conemaugh TMDL. Application received: October 10, 2013.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The treated wastewater outfall(s) listed below discharge to unnamed tributaries to Hannas Run and unnamed Tributaries to Hypocrite Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
005, 006, 007, 008	Y	MDT

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.7
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	50	50	50
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to unnamed tributaries to Hannas Run and unnamed tributaries to Hypocrite Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
001, 002, 003, 004, 009	Y	SW

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	50	50	50
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

**NPDES Permit No. PA0225193 on Surface Mining Permit No. 40990201. Hazleton Shaft Corp.,** (PO Box 435, Hazleton, PA 18201), new NPDES Permit for an anthracite surface mine operation in Hazle Township and City of Hazleton, **Luzerne County**, affecting 95.6 acres. Receiving stream: Hazle Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: December 4, 2011. Non-discharge BMP's are to be implemented on this Permit.

### **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**

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

**E13-178. Carbon County Commissioners,** P. O. Box 129, Jim Thorpe, PA 18229-0129, in Jim Thorpe Borough, **Carbon County**, U.S. Army Corps of Engineers, Philadelphia District.



To construct and maintain a 12-foot wide, 240-foot span pre-fabricated steel truss pedestrian bridge across the Lehigh River (TSF, MF) with a 21-foot underclearance, concrete wingwalls, and ripraparmor along the eastern abutment. The purpose the project is to connect two segments of the "Delaware & Lehigh Heritage Trail." The project is located approximately 0.4 mile south of the intersection of Route 209 and Route 903 (Lehigh, PA Quadrangle, Latitude: 40°51'41"; Longitude: -75°44'14").

*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.

**F67-914: Paradise Township**, 82 Beaver Creek Rd. in Paradise Township, **York County**, ACOE Baltimore.

To remove structures from the floodplain at the locations listed. The projects propose to temporarily affect approximately .26 acre of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	715 N. Creek Road East Berlin, PA 17316	Conewago Creek		Abbottstown	39° 57' 6.8"	-76° 57' 10.4"

**E21-440, PA Department of Transportation Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103, in Hopewell Township, **Cumberland County**, U.S. Army Corps of Engineers, Baltimore District

To remove the existing structures and

1) to construct and maintain a two-span spread box beam structure with a total clear span of 123.64 feet, an out-to-out width of 31.375 feet, and an under clearance of 6.2 feet across Yellow Breeches Creek (HQ-CWF; MF) and a twin cell box culvert with an out to out distance of 34.28 feet, height of 7.0 feet depressed one foot, and two clear spans of 12.0 feet each with a two foot pier across a mill race to the Yellow Breeches (HQ-CWF; MF) at roadway segment 0020 (Latitude: 40° 8' 50.72"; Longitude: -77° 02' 50.48"), temporarily impacting 0.25 acre of wetlands and permanently impact 0.045 acre of wetlands; and

2) to construct and maintain a box culvert with an out to out distance of 34.85 feet, height of 4.0 feet depressed one foot, and a span of 14.0 across an unnamed tributary to the Yellow Breeches (HQ-CWF; MF) at roadway segment 0040 (Latitude: 40° 9' 9.70"; Longitude: -77° 02' 53.46"), temporarily impacting 0.01 acre of wetlands and permanently impact 0.002 acre of wetlands; all for the purpose of improving transportation safety and roadway standards. The project will involve the use of stream diversions, cofferdams, and temporary causeways in separate phases within Yellow Breeches Creek, the mill race and the unnamed tributary, all of which will be removed upon project completion. The project is located along SR 1007 (Locust Point Road) (Mechanicsburg, PA Quadrangle) in Monroe Township, Cumberland County. The amount of permanent wetland impact is considered a de minimus impact of 0.047 acre and wetland replacement is not required.

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

**E49-331. Weis Markets, Inc.**, 1000 South Second St., Sunbury, PA 17801. Milton Distribution Center Expansion, in Milton Borough and West Chillisquaque Township, **Northumberland County**, ACOE Baltimore District (Northumberland, PA Quadrangle N: 40° 59' 7.22"; W: -76° 50' 57.00").

Weis Markets is proposing to expand the Milton Distribution Center, including but not limited to an enlargement of the refrigerated dairy, deli, produce and freezer warehouse areas; relocation and construction of access roads, construction of a paved truck receiving/staging/parking area, construction of stormwater management facilities, installation of a 3,000 kW diesel powered emergency generator and creation of mitigation areas.

The project as proposed will require fill to be placed and maintained in wetlands totaling 38,918 square feet (0.89 acre) within the West Branch Susquehanna River watershed (Warm Water and Migratory Fishery). There are no direct impacts to streams proposed.

<i>Resource</i>	<i>Impact (square feet)</i>	<i>Encroachment Activity</i>	<i>Latitude (North)</i>	<i>Longitude (West)</i>
EV PEM Wetland #1	10,113	Truck receiving/ parking area	40° 59' 7.4"	-76° 50' 57.0"
PEM/PSS Wetland #3	6,602	Building, road, stormwater outfall	40° 59' 10.1"	-76° 51' 10.6"
PEM Wetland #4	2,320	Building	40° 59' 9.6"	-76° 51' 8.6"



<i>Resource</i>	<i>Impact (square feet)</i>	<i>Encroachment Activity</i>	<i>Latitude (North)</i>	<i>Longitude (West)</i>
PEM Wetland #5	785	Building	40° 59' 8.3"	-76° 51' 7.5"
PEM Wetland #8	12,361	Building	40° 59' 5.5"	-76° 51' 2.4"
PEM/PFO Wetland #9	6,737	Building, road	40° 59' 4.1"	-76° 51' 7.0"

Wetland #1 is Exceptional Value (EV) because it was determined to be potentially suitable habitat for the Pennsylvania-endangered Eastern Spadefoot (*Scaphiopus holbrookii*).

The applicant proposes to mitigate both the wetland and spadefoot habitat impacts onsite. As proposed, 65,340 square feet (1.50 acre) of fallow farmland will be converted to wetlands and 25,250 square feet (0.58 acre) will be converted to spadefoot habitat.

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

**E10-488, Browns Hill Road Associates, LLC**, 10431 Perry Highway, Suite 100, Wexford, PA 15090. Blackhawk Planned Residential Development, in Middlesex Township, **Butler County**, ACOE Pittsburgh District (Valencia, PA Quadrangle N: 40°, 41', 29.8"; W: -79°, 54', 15.2").

The Applicant proposes to construct and maintain two culvert crossings and two stream enclosure crossings of unnamed tributaries to Glade Run (WWF) totaling approximately 448 linear feet; to construct and maintain utility line crossings of unnamed tributaries to Glade Run; to temporarily impact approximately 4,089 square feet of wetlands within the watershed of Glade Run all for the construction of a new housing development and associated infrastructure at a point approximately 1,500 feet northeast of the Browns Hill Road and Leslie Road intersection. The Applicant proposes to mitigate for the wetland impacts by constructing approximately 4240 square feet of on-site replacement wetlands.

**E61-297, PA DOT District 1-0**, 255 Elm St., Oil City, PA 16301. SR 0062 Section B08 Washington's Crossing Scour Protection Project, in the City of Franklin, **Venango County**, ACOE Pittsburgh District (Franklin, PA Quadrangle N: 41°, 23', 40.7"; W: -79°, 49', 24.2").

To install and maintain scour protection on pier 2 & 3 of the existing structure that carries SR 0062 over French Creek (WWF) in the City of Franklin, Venango County. The Project is located approximately 1,000 feet upstream from the mouth of French Creek. The project also proposes stream diversions for construction. A total of 77 linear feet of permanent impact and 209 linear feet of temporary impact to French Creek is proposed as part of the project.

## 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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0008150—IW	Mount Holly Springs Specialty Paper, Inc. 1 Mountain Street Mount Holly Springs, PA 17065	Cumberland County / Mount Holly Borough	Mountain Creek / 7-E	Y
PA0080187—IW	Dauphin Meadows, Inc. 425 Perinton Parkway Fairport, NY 14450	Dauphin County / Washington Township	Wiconisco Creek / 6-C	Y
PA0008427—IW	NRG Energy Center Harrisburg LLC 900 Walnut Street Harrisburg, PA 17101	Dauphin County / Harrisburg City	Paxton Creek / 7-C	Y
PA0247073—SEW	Hopewell Township— Sunnyside STP 2759 Raystown Road Hopewell, PA 16650	Bedford County / Hopewell Township	Raystown Branch Juniata River / 11-D	Y
PA0247081—SEW	Hopewell Township— Tatesville STP 2759 Raystown Road Hopewell, PA 16650	Bedford County / Hopewell Township	Pipers Run / 11-D	Y
PA0246948—CAFO	Eckman Farm Brian D. Eckman 357 Black Barren Road Peach Bottom, PA 17563-9798	Lancaster County / Fulton Township	UNT Conowingo Creek / 7-K	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAR804834 (Storm Water)	United Parcel Service Distr. Facility 3300 Wahoo Drive Williamsport, PA 17701	Lycoming County Williamsport City	Daugherty Run and Unnamed Tributary of West Branch Susquehanna River (10-A)	Y
PAR804832 (Industrial Storm Water)	United Parcel Service Pkg Distr Facility 2731 Carolean Industrial Drive State College, PA 16801	Centre County State College Borough	Unnamed Tributary of Spring Creek (9-C)	Y
PA0100099 (Sewage)	Harmony School 5239 Ridge Road Westover, PA 16692	Clearfield County Burnside Township	UNT to Beaver Run (8-B)	Y
PA0209660 (Sewage)	Winburne Wastewater Treatment Plant 239 Terrace Street Winburne, PA 16879	Clearfield County Cooper Township	Moshannon Creek (8-D)	Y
PA0228699 (Sewage)	Finch SFTF 81 Crooked Run Road Box 180 Emporium, PA 15834	Cameron County Portage Township	Cowley Run (8-A)	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114545 (IW)	Troy's Suds Depot Rt 14 S Troy, PA 16947	Bradford County Troy Township	South Branch Sugar Creek (4-C)	Y
PA0209597 (Sewage)	Stony Fork Stoney Fork Wwtp Wellsboro, PA 16901	Tioga County Delmar Township	East Branch Stony Fork (9-A)	Y
PA0032441 (Sewage)	Black Moshannon State Park 132 Treatment Plant Road Philipsburg, PA 16866	Centre County Rush Township	Black Moshannon Creek (8-D)	Y
<i>Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745</i>				
<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0111279	Hooversville Borough Municipal Authority Water Street Hooversville, PA 15936	Somerset County Quemahoning Township	Unnamed Tributary to Stonycreek River (18-E)	Y
PA0216291	Carmichaels Municipal Water Authority Browns Ferry Road Carmichaels, PA 15320	Greene County Cumberland Township	Unnamed Tributary to Monongahela River (19-B)	Y
PA0000434 (Industrial Waste)	Manor Township WTP Quay Street Ford City, PA 16226	Armstrong County Manor Township	Allegheny River (17-E)	Y

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

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

**NPDES Permit No. PA0057789**, Sewage, **BPG Office VI River Park II, L.P.**, 322 A Street, Wilmington, DE 19801.

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

Description of Proposed Action/Activity: Approval for the amendment of an NPDES permit to discharge treated sewage from a facility known as River Park STP to Schuylkill River via Manor Creek in Watershed 3-F.

**NPDES Permit No. PA0026531**, Sewage, **Downingtown Area Region Authority**, 6 West Lancaster Avenue, Downingtown, PA 19335.

This proposed facility is located in East Caln Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the amendment of an NPDES permit to discharge treated sewage from a facility known as Downingtown Area Region Authority STP to East Branch Brandywine Creek in Watershed 3-H.

**NPDES Permit No. PA0036200**, Sewage, **Radley Run Mews Sewer Association**, P.O. Box 84, Pocopson, PA 19366-0084.

This proposed facility is located in Birmingham Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Radley Run mews STP to Plum Run in Watershed 3-H.

**NPDES Permit No. PA0052663**, Sewage, **Knight's Bridge Corporation**, 112 Chesley Drive, Suite 200, Media, PA 19063.

This proposed facility is located in Chadds Ford Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Knight's Bridge STP to Unnamed Tributary to Harvey Run in Watershed 3-H.

**NPDES Permit No. PA0053074**, Sewage, **The Piper Group, Inc.**, 103 Randts Mill Road, P.O. Box 320, Pipersville, PA 18947-9361.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Valley Green Corporate Center STP to Sandy Run in Watershed 3-F.

**NPDES Permit No. PA0058564**, Sewage, **Girl Scouts Of Freedom Valley**, P.O. Box 814, 100 Juliette Low Way, Valley Forge, PA 19482.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Camp Tohikanee STP to Tohickon Creek in Watershed 2-D.

**NPDES Permit No. PA0038296**, Industrial Stormwater, **Sunoco Partners Marketing & Terminals, L.P.**, 4041 Market Street, Aston, PA 19014.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge from a facility known as Willow Grove Marketing Terminal to Unnamed Tributary to Pennypack Creek in Watershed 3-J.

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

**NPDES Permit No. PA0065561**, Storm Water, SIC Code 2899, 3494, **Acme Cryogenics Inc.**, 2801 Mitchell Avenue, Allentown, PA 18103.

This proposed facility is located in Allentown City, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit for an existing discharge of Storm Water.

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

**NPDES Permit No. PA0248088, Amendment #1**, Sewage, **Paul Zielinski, Pennsylvania American Water Company (Cashtown-McKnightsville STP)**, 800 West Hersheypark Drive, Hershey, PA 17033.

This proposed facility is located in Franklin Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Marsh Creek in Watershed 13-D.

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

**NPDES Permit No. PA0008451**, Industrial Waste, SIC Code 4911, **Sunbury Generation LP**, PO Box 517, Shamokin Dam, PA 17876-0517.

This existing facility is located in Monroe Township, **Snyder County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater.

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

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

**WQM Permit No. 4606404**, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3402.

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

Description of Action/Activity: Permit transferred from Little Washington Wastewater Co. to Aqua PA Wastewater Inc.

**WQM Permit No. WQG02091410**, Sewage, **Chalfont New Britain Township Joint Sewer Authority**, 1645 Upper State Road, Doylestown, PA 18901.

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

Description of Action/Activity: Construction and operation of a proposed pump station.

**WQM Permit No. 1501403**, Sewage, Renewal, **West Vincent Township**, 729 St. Matthews Road, Chester Springs, PA 19425.

This proposed facility is located in West Vincent Township, **Chester County**.

Description of Action/Activity: Renewal of continued operation of a pumping station, an aerated treatment pond, a storage pond, chlorination and a sprayfield.

**WQM Permit No. WQG02461415**, Sewage, **Limerick Township**, 646 W. Ridge Pike, Limerick, PA 19468.

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

Description of Action/Activity: Construction and operation of a low pressure sewer system.

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

**WQM Permit No. 1314402**, Sewage, SIC Code 4952, **The Woods Campground, Inc.**, 845 Vaughn Acres Lane, Lehighton, PA 18235.

This proposed facility is located in Towamensing Township, **Carbon County**.

Description of Proposed Action/Activity: Issuance of a WQM permit for the construction of a private sewage collection system, a pump station and on-lot sewage disposal systems.

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

**WQM Permit No. 2208407, Amendment #1**, Sewerage, **Mr. Gene Lank**, Swatara Township Authority, 599 Eisenhower Boulevard, Harrisburg, PA 17111.

This proposed facility is located in Swatara Township, **Dauphin County**.

Description of Proposed Action/Activity: Permit approval for adjustments in the wastewater treatment plant's influent characteristics and the addition of maximum monthly design capacity of 8.9 MGD.



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

**WQM Permit No. 02141403**, Sewerage, SIC Code 4952, **Pine Hall Development Co. Inc.**, 1653 Circleville Road, State College, PA 16803.

This proposed facility is located in Ferguson Township, **Centre County**.

Description of Proposed Action/Activity: Sewer extension for Pine Hall Traditional Town Development in Ferguson Township, Centre County. The 8" sewer main extension will be able to serve 270 EDUs at an average design flow of 47,293 gallons per day. The sewer extension will convey sewage to the existing University Area Joint Authority (UAJA) wastewater treatment plant.

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

**WQM Permit No. WQG01431401**, Sewerage, **Clyde Roberts**, 1289 Mercer Grove City Road, Mercer, PA 16137.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to repair a malfunctioning on-lot system.

**WQM Permit No. 3796401**, Sewerage, Amendment No. 3, **New Castle Sanitation Authority**, 110 East Washington Street, New Castle, PA 16101.

This existing facility is located in New Castle City, **Lawrence County**.

Description of Proposed Action/Activity: Amendment to install 1.0 million gallon flow equalization storage tank, pump station, associated pipelines, and appurtenant components.

**WQM Permit No. 3777403**, Sewerage, Amendment No. 1, **Wampum Borough**, P.O. Box 65, Wampum, PA 16157-0065.

This existing facility is located in Wampum Borough, **Lawrence County**.

Description of Proposed Action/Activity: Amendment to replace the influent chamber comminutor with a JWC auger monster screen and grinder.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1514011	PPL Electric Utilities Corporation 2 North Ninth Street Allentown, PA 18101	Chester	Honey Brook Township	Conestoga River WWF East Branch Brandywine Creek HQ—TSF West Branch Brandywine Creek HQ—TSF Unnamed Tributary to West Branch Brandywine Creek HQ—TSF
PAI01 1514012	Mr. Benjamin Kauffman 1113 Park Road Honey Brook, PA 19344	Chester	West Caln Township	Tributary to Pequea Creek HQ—CWF
PAI01 4613013	Upper Merion Township 175 West Valley Forge Road King of Prussia, PA 19406	Montgomery	Upper Merion Township	Unnamed Tributary to Schuylkill River WWF—MF
PAI01 2313007	City of Philadelphia Division of Aviation Terminal D-E Philadelphia International Airport Philadelphia, PA 19153	Philadelphia	City of Philadelphia	Mingo Creek to Schuylkill River (Tributary to Delaware River) WWF—MF

*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*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041403017(3) Phase 46	Penn State University Physical Plant Bld University Park PA 16802	Centre	State College Borough	Thompson Run HQ—CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056514004	North Huntingdon Township Municipal Authority 11265 Center Highway North Huntingdon, PA 15642	Westmoreland	North Huntingdon Township	Long 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 &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Philadelphia Philadelphia County	PAG0201 511404	Toner Development Corporation 915 Standish Avenue Huntingdon Valley, PA 19006	Pennypack Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511407	City of Philadelphia Department of Public Property 1515 Arch Street, 11th Floor Philadelphia, PA 19102	Byberry Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

##### *Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Salem Township Luzerne County	PAG02004014009	Leggett & Platt, Inc. Michael Mitchell 515 Salem Boulevard Berwick, PA 18603	Susquehanna River (WWF, MF)	Luzerne Conservation District 570-674-7991

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bethlehem Township Northampton County	PAG02004810009R(1)	Santino Calantoni Nancy Run Estates Family Limited Partnership 6065 William Penn Hwy. Easton, PA 18042	Nancy Run (CWF, MF)  Northampton County Conservation District 610-746-1971
West Brunswick Township Schuylkill County	PAG02005410013	International Custom Built Homes c/o Joseph Iudicello 6500 Chapmans Road Allentown, PA 18106	Pine Creek (CWF, MF)  Schuylkill County Conservation District 570-622-3742
Nicholson Township Wyoming County	PAG02006614002	Oxbow Creek Energy, LLC 6051 Wallace Road Suite 100 Wexford, PA 15090	Horton Creek (CWF, MF)  Wyoming County Conservation District 570-836-2589

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Germany Township Adams County	PAG02000114011 Issued	Lynn Snyder 5158 Lehman Road Spring Grove, PA 17362	UNT to Piney Creek/WWF  Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636
North Middleton Township Cumberland County	PAG02002114021 Issued	Carlisle School District 623 West Penn Street Carlisle, PA 17013	Conodoguinet Creek/ CWF  Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
East Pennsboro Township Cumberland County	PAG02002114017 Issued	Chelsea Estates 603 Linden Avenue Marysville, PA 17053	UNT to Susquehanna River/WWF, MF  Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Monroe Township Cumberland County	PAG02002110001R Issued	DSG Development Corp. P.O. Box 42 Hershey, PA 17033-0042	Trindle Spring Run/ CWF,MF  Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Shippensburg Township Cumberland County	PAG02002105026R Issued	Tod Shedlosky 6346 North Powderhorn Road Mechanicsburg, PA 17050	Burd Run Tributary to Middle Spring Creek/CWF  Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240. 7812
Chambersburg Borough Franklin County	PAG02002812006(1) R Issued	Norland Avenue/ Walker Road Phil Wolgemuth 100 South Second St Chambersburg, PA 17201	Conococheague Creek/TSF  Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Lower Heidelberg Township Berks County	PAG02000614031 Issued	Western Berks Water Authority 91 Water Road Sinking Spring, PA 19608	Tulpehocken Creek/ CWF  Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
West Hanover Township Dauphin County	PAG020022130321 Issued	Russell & Russell Development 6740 Allentown Boulevard Harrisburg, PA 17112	Beaver Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Lower Swatara Township Dauphin County	PAG02002214019 Issued	Capital Valley, LP 950 Smile Way York, PA 17404	Swatara Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Derry Township Dauphin County	PAG02002214033 Issued	PA State Police—HEMC 187 East Hershey Park Drive Hershey, PA 17033	Swatara Creek/ WWF, MF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Harrisburg City & Swatara Township Dauphin County	PAG02002214035 Issued	Lancaster County SWMA 1299 Harrisburg Pike PO Box 4425 Lancaster, PA 17604	Spring Creek/ CWF, MF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
West Earl Township Lancaster County	PAG02003609042R Issued	Keystone Custom Homes 214 A Willow Valley Lakes Drive Willow Street, PA 17584	UNT to Groff Creek/ WWF, MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121
East Lampeter Township Lancaster County	PAG02003613077 Issued	Amos S. Beilerl 2825 Lincoln Highway East Ronks, PA 17572	Mill Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121
Lititz Borough Lancaster County	PAG02003614051 Issued	Oakfront Limited Partnership 508 Front Street Lititz, PA 17543	Lititz Run/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 Ext. 121
Pavia Township Bedford County	PAG02000512006(1) Issued	Chuck Daus 288 Ickes Heights Road Imler, PA 16655	Bobs Creek/ CWF, MF	Bedford County Conservation District 702 West Pitt Street, Suite 4 Bedford, PA 15522 814.623.8099
Fairview Township York County	PAG02006703101R Issued	Eastern Development & Planning Inc. 7300 Derry Street Harrisburg, PA 17111	Fishing Creek / TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Springettsbury Township York County	PAG02006709040R Issued	Patton-Shelley Joint Venture 10 Venture Way, Suite A Sykesville, MD 21784	Kreutz Creek / WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Manchester Township York County	PAG02006714005 Issued	Lutheran Social Services Mike Stoner 1050 Pennsylvania Avenue York, PA 17404	UNT to Codorus Creek / WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manchester Township York County	PAG02006713010-1 Issued	Manchester Mall Associates, LLC Anthony T. Ruggeri 4645 N. Central Expressway Suite 200 Dallas, TX 75205	UNT to Willis Run / WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Chanceford Township York County	PAG02006714043 Issued	Cynthia R. Jamison 10558 Pickel Road Felton, PA 17322	UNT to Otter Creek / CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Lower Windsor Township York County	PAG02006714051 Issued	PNL Penn Properties, LP 2100 Ross Avenue, Suite 2900 Dallas, TX 75201	UNT to Cabin Creek / WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Beaver Borough Beaver County	PAG02000414010	Ingras Family, LLC. 278 East End Ave. Beaver, PA 15009	Ohio River (WWF-N)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Summit Township Somerset County	PAG02005614006	Meyersdale Medical Center 200 Hospital Drive Meyersdale, PA 15552	Casselman River (WWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Cecil Township Washington County	PAG02006305025R1	JND Properties 3625 Washington Pike Bridgeville, PA 15017	UNT to Millers Run (WWF)	Washington County CD 2800 North Main St Suite 105 Washington, PA 15301 (724) 705-7098
Peters Township Washington County	PAG02006312033R	Greg Norton 3663 Washington Road McMurray, PA 15317	UNT to 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*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Cranberry Township Butler County	PAG02001014008	Sampson-Morris Group c/o Mr. David W. Sarver IV 2500 Eldo Road Monroeville PA 15146	Unt Brush Creek WWF	Butler County Conservation District 724-284-5270

## NOTICES

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*General Permit Type—PAG-03**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Derry Township Westmoreland County	PAG036115	Kennametal Inc. 3154 Ligonier Street Latrobe, PA 15650	Unnamed Tributary to Loyalhanna Creek (18-C) / CWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Indiana Borough, Indiana County	PAR236136	Specialty Tires Of America, Inc.	UNT to Whites Run (18-D) / WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
East Huntingdon Township Westmoreland County	PAR606212	Marsh Auto Inc. 258 Ruffsedale Road Ruffsedale, PA 15679	Unnamed Tributary of Buffalo Run (19-D) / WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
East Franklin Township Armstrong County	PAR326105	Glacial Sand & Gravel Co. P.O. Box 1022 Kittanning, PA 16201	Limestone Run (WWF) and the Allegheny River (WWF)	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Braddock Borough Allegheny County	PAR806127	Mon Valley Terminals, Ltd One Third Street Braddock, PA 15104	Monongahela River (19-A) / WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Green Tree Borough Allegheny County	PAG036111	Centennial Energy LLC 3773 Cherry Creek N. Drive Suite 1000 Denver, CO 80209	Whiskey Run—20-F WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Hatfield Township Montgomery County	PAR800084	First Student Inc. 3435 Trewigtown Road Colmar, PA 18915	Unnamed Tributary to West Branch Neshaminy Creek and West Branch Neshaminy Creek—2F	Southeast Region Clean Water Program 484.250.5970
Tinicum Township Bucks County	PAG030011	Ted Covington Sales 3701 Farm School Road P.O. Box 250 Ottsville, PA 18942	Tohickon Creek—2D	Southeast Region Clean Water Program 484.250.5970
Allentown City and Bethlehem City Lehigh County	PAR802245	Norfolk Southern Railway Company 1200 Peachtree Street, N.E., Box 13 Atlanta, GA 30309	Lehigh River—02C	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Hanover Township Lehigh County	PAR702205	Crafco Inc. (Crafco-Allentown) 1680 East Race Street Allentown PA 18103	Unnamed Tributary to Catasauqua Creek—2-C	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Blair County / Logan Township	PAR803615	Norfolk Southern Railway Company / Altoona Rose Yard 1200 Peachtree Street NE Box 13 Atlanta, GA 30309	Little Juniata River / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County / York City	PAR113549	Dentsply International Prosthetics Division 570 W College Avenue York, PA 17405	Codorus Creek / WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County / Logan Township	PAR803614	Norfolk Southern Corporation / Juniata Locomotive Shop 1200 Peachtree Street NE Box 13 Atlanta, GA 30309		DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Liberty Township Tioga County	PAR224826	Wheeland Lumber Co. Inc. 3558 Williamson Trail Liberty, PA 16930	Unnamed Tributary of Blockhouse Creek—9-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Limestone Township Lycoming County (Industrial Stormwater)	PAR704811	Charles Construction Co. 838 East Central Avenue Jersey Shore, PA 17740	Unnamed Tributary to Antes Creek— 10-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Sugarcreek Borough Venango County	PAR608330	Eakin Auto LLC 230 Patchel Run Road, Franklin, PA 16323	Patchel Run 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Sugarcreek Borough Venango County	PAR608344	Eakin Auto LLC 230 Patchel Run Road, Franklin, PA 16323	Sugar Creek 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Hanover Township Montgomery County	PAG040194	Long George S 3064 Wild Run Road Pennsburg, PA 18073	Unnamed Tributary to West Branch Perkiomen Creek—3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Findley Township Mercer County	PAG041165	Clyde Roberts 1289 Mercer Grove City Road, Mercer, PA 16137	Unnamed Tributary to the Pine Run 20-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-10*

*Facility Location:  
Municipality &  
County*

*Permit No.*  
PAG106181

*Applicant Name &  
Address*  
Texas Eastern Trans LP  
5400 Westheimer Court  
Houston, TX 77056

*Receiving  
Water / Use*  
North Fork Dunkard  
Fork (20-E) / TSF

*Contact Office &  
Phone No.*  
DEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000

Jefferson Township  
Butler County      PAG108328

Mountain Gathering LLC  
810 Houston Street  
Fort Worth, TX  
76102-6298

Unnamed Tributary  
to the Thorn Creek

DEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

*General Permit Type—PAG-12*

*Facility Location:  
Municipality &  
County*

*Permit No.*  
PAG123772

*Applicant Name &  
Address*  
Shady Brae Farms, Inc.  
Theodore Esbenschade  
29 Engle Road  
Marietta, PA 17547

*Receiving  
Water / Use*  
Lancaster Junction  
Chickies Creek  
(WWF) and Marietta  
UNT Susquehanna  
River (WWF) / 7-G

*Contact Office &  
Phone No.*  
DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

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

*General Permit Type—PAG-13*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133561	Newberry Township 1915 Old Trail Road Etters, PA 17319	York	Newberry Township	Bennett Run, Conewago Creek, Fishing Creek, Susquehanna River and UNT Fishing Creek	Y
PAG133533	Mountville Borough 21 East Main Street PO Box 447 Mountville, PA 17554	Lancaster	Mountville Borough	Strickler Run and West Branch Little Conestoga Creek	Y
PAG133683	Jackson Township 60 North Ramona Road Myerstown, PA 17067	Lebanon	Jackson Township	Owl Creek, Tulpehocken Creek, UNT Owl Creek & UNT Tulpehocken Creek	Y

**STATE CONSERVATION COMMISSION**

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

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.



Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Willie Weiler Weiler Farms #2 436 Lawn Road Palmyra, PA 17079	Lebanon	0	1047.11	Swine & Poultry	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 2314507**, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> Aqua PA—Main System 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Tinicum
County	<b>Delaware</b>
Type of Facility	PWS

Consulting Engineer	Aqua Pennsylvania, Inc. Aqua PA—Main System 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Construct Issued	July 23, 2014
<b>Permit No. 1514516</b> , Public Water Supply.	
Applicant	<b>Stony Run Mobile Home Park</b> 3700 Schuylkill Road Spring City, PA 19475
Borough	Borough of Spring City
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Safe Drinking Water Quality Management, Inc. 1513 North Line Street Lansdale, PA 19446
Permit to Construct Issued	July 14, 2014
<b>Permit No. 4614513</b> , Public Water Supply.	
Applicant	<b>Aqua Pennsylvania, Inc.</b> Aqua PA—Main System 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Springfield
County	<b>Montgomery</b>
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. Aqua PA—Main System 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Construct Issued	July 23, 2014
<b>Operations Permit #1514506</b> issued to: <b>North Coventry Water Authority</b> P.O. Box 394 Pottstown, PA 19464, [(PWSID)] North Coventry Township, <b>Chester County</b> on July 14, 2014 for Replacement of Booster Pumps at the River Road Booster Pump Station.	
<i>Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915</i>	
<b>Permit No. 1307502</b> , Public Water Supply.	
Applicant	<b>Broad Mountain Spring Water</b> 174 Dulcey Rd. Weatherly, Pa 18255
[Borough or Township]	Packer Township

County **Carbon**  
 Type of Facility Finished Water Bulk Hauling  
 Consulting Engineer  
 K. Justice, PE  
 AEON Geoscience, Inc. & KMJ,  
 Inc.  
 2120 Bellemeade Ave., Suite 14-2  
 Havertown, Pa 19083  
 Permit to Construct July 22, 2014  
 Issued

**Permit No. 3390024, Operations Permit** Public Wa-  
 ter Supply.

Applicant **City of Allentown**  
 641 S. 10th St., 3rd Floor  
 Allentown, Pa 18103  
 [Borough or Township] City of Allentown  
 County **Lehigh**  
 Type of Facility PWS  
 Consulting Engineer Mr. Philip DePoe, PE  
 Lehigh County Authority  
 1053 Spruce St.  
 P.O. Box 3348  
 Allentown, Pa 18106  
 Permit to Operate 7/22/2014  
 Issued

*Southcentral Region: Safe Drinking Water Program  
 Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Operation Permit No. 3614502 MA** issued to:  
**Manheim Borough Authority** (PWS ID No. 7360078),  
 Rapho Township, **Lancaster County** on 7/28/2014 for  
 facilities approved under Construction Permit No.  
 3614502 MA.

**Transferred Comprehensive Operation Permit No.  
 7220049** issued to: **Capital Region Water** (PWS ID No.  
 7220049), Lower Swatara Township, **Dauphin County**  
 on 7/18/2014. Action is for a Change in Name for the  
 operation of facilities previously issued to The Harrisburg  
 Authority.

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

**Permit No. 0214533**, Public Water Supply.  
 Applicant **Pennsylvania American  
 Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 [Borough or Township] North Strabane Township  
 County **Washington**  
 Type of Facility Weavertown Pointe booster  
 station  
 Consulting Engineer Lennon, Smith, Souleret  
 Engineering, Inc.  
 849 4th Avenue  
 Coraopolis, PA 15108  
 Permit to Construct July 22, 2014  
 Issued

## 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.**

*Southcentral Region: Safe Drinking Water Program  
 Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**WA 06-1036, Water Allocations. Muhlenberg Town-  
 ship Authority** (PWS ID No. 3060038), **Berks County**.  
 The applicant is granted the right to purchase up to  
 265,000 gallons per day, based on a peak month 30-day  
 average, from the Reading Area Water Authority (RAWA)  
 in the City of Reading through two existing active  
 interconnections. The applicant is also granted the right  
 to purchase up to an additional 2.016 million gallons per  
 day from RAWA on an emergency basis through four  
 existing emergency interconnections. Permittee Contact:  
 Jeffrey A. Calpino, Administrative Manager, Muhlenberg  
 Township Authority, 2840 Kutztown Road, Reading, PA  
 19605-2655. Consulting Engineer: Christina Crawford  
 MBA, P.E. Spotts, Stevens & McCoy, Inc., 1047 North  
 Park Road, PO Box 6307, Reading, PA 19610-0307.  
 Permit Issued: 7/22/2014.

**WA 06-127A, Water Allocations. Reading Area Wa-  
 ter Authority** (PWS ID No. 3060059), **Berks County**.  
 Modification Order in recognition of the agreement with  
 Muhlenberg Township Authority to purchase up to  
 265,000 gpd of finished water from the Reading Area  
 Water Authority. Permittee Contact: Dean A. Miller, Ex-  
 ecutive Director, Reading Area Water Authority, 815  
 Washington Street, Reading City Hall, Reading, PA  
 19601. Permit Issued: 7/22/2014.

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

**WA56-1006, Water Allocations. Municipal Author-  
 ity of the Borough of Boswell**, 300 Stonycreek Street,  
 Boswell, PA 15531, **Somerset County**. The right to  
 purchase 10,000 gallons of water per day, as a peak  
 month, 30-day average, from the Somerset County Gen-  
 eral Authority.

## SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania  
 Sewage Facilities Act (35 P. S. § 750.5)**

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

### Plan Location:

Borough or Township	Borough or Township Address	County
Neshannock Township	3131 Mercer Road, New Castle PA 16105	Lawrence

*Plan Description:* The approved update revision pro-  
 vides for pressure sewers and grinder pumps to serve 76  
 residences in the areas of Highland Park and Blews  
 Acres, with ultimate treatment at the New Castle Sanita-  
 tion Authority Wastewater Treatment Plant. This project  
 will allow for correction of malfunctioning on-lot septic  
 systems. The update revision was prepared in response to  
 a July 15, 2011 Consent Order and Agreement made  
 between the Department, the New Castle Sanitation  
 Authority and the tributary municipalities. Neshannock  
 Township is a tributary municipality. The Department's  
 review of the sewage facilities update revision has not

identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*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>
Frankstown Township	2122 Frankstown Rd. Hollidaysburg PA 16648	Blair County

*Plan Description:* Approval of a revision to the official plan of Frankstown Township, Blair County. The project is known as Smeltzer Property SFTF. The plan provides for construction of a Small Flow Treatment Facility to replace a malfunctioning on-lot sewage system on 1.0 acre. The proposed sewage flows are 400 gallons per day with a discharge to Old Town Run. The property is located on Shaw Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code No. is B3-07911-185-3S and the APS Id is 847248. Any permits must be obtained in the name of the property owner.

## HAZARDOUS SITES CLEANUP ACT OF OCTOBER 18, 1988

### Notice of Proposed Interim Response Tri-State Petroleum Recovery, Inc., Kennedy Township, Allegheny County

The Pennsylvania Department of Environmental Protection ("DEP"), under the authority of the Hazardous Sites Cleanup Act, 35 P.S. Section 6020.101 et. Seq. ("HSCA"), is proposing an interim response at the Tri-State Petroleum Recovery, Inc. site ("Site"). This response is being proposed pursuant to Sections 501(a) and 505(b) of the HSCA, 35 P.S. Sections 6020.501(a) 6020.505(b).

The Site is located at 102 Creek Road, Kennedy Township, Allegheny County. The Site operated as a used oil/waste oil transfer station beginning in the 1980s under the name City Waste Oil Company and continuing in 1988 under the name Tri-State Petroleum Recovery, Inc. Stanley Cieslak, Jr. is the owner/operator of the Tri-State facility. The facility no longer operates.

The Department has determined that VOCs, SVOCs, PAHs, PCBs, and metals are in the soil and groundwater at the Site. These are hazardous substances as defined by the Hazardous Sites Cleanup Act and they have been released at the Site at a concentration that exceeds the statewide health standards under the Land Recycling and Environmental Remediation Standards Act, the Act of May 19, 1995, P.L. 2. Based on these findings the Department has determined that a response is appropriate.

The Department considered the following three alternatives to address the threats at the Site: 1) no action; 2) place a fence around contaminated soil areas, removal and disposal of waste; and 3) cap contaminated soil areas, removal and disposal of waste. Alternative 3 was chosen because it complies with the applicable or relevant and appropriate requirements.

This notice is being provided under Section 506(b) of the Hazardous Sites Cleanup Act. The Administrative Record which contains information forming the basis and documenting the selection of this response action is available for public review and comment at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 and is available for review between 9 a.m. and 4 p.m.

The Administrative Record will be open for comment until November 7, 2014. Persons may submit written comments into the record, during this time only, by sending them or delivering them to Edward Litwin, Project Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

In addition, persons may present oral comments for inclusion in the Administrative Record at a public hearing scheduled for September 25, 2014 at 6:30 p.m. at the Kennedy Township Municipal Building, 340 Forest Grove Road, Coraopolis, PA 15108. Persons wishing to present comments must register with John Poister at the Department's Southwest Regional Office, in writing at: 400 Waterfront Drive, Pittsburgh, PA 15222 or by telephone at (412) 442- 4203 before noon, September 25, 2014.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding, should contact John Poister at (412) 442-4203 or through the Pennsylvania AT&T Relay Service at (800) 654-5954 (TDD) to discuss how the Department may accommodate their needs.

### Settlement Under the Comprehensive Environmental Response, Compensation and Liability Act and the Hazardous Sites Cleanup act

#### Dutch Maid Cleaners, Doylestown Borough, Bucks County

The Pennsylvania Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101—6020.1305, and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C.A. §§ 9601—9675, has entered into a Consent Order and Agreement (Agreement) with Myung Ho Kim and Yuliana Kim Grant (as Trustee of the Sung Soon Kim Revocable Living Trust), 200 Castle Drive, North Wales, PA 19454 and with Soojeong Kwon, and Cathy Kwon, 1800 Howe Lane, Maple Glen, PA 19002 (collectively the "Owners and/or Operators"), for the payment of response costs related to activities undertaken and to be undertaken by the Department in conjunction with the Dutch Maid Cleaners HSCA Site ("the Site").

The Site includes, but is not limited to, the property located at 191 South Clinton Street, Doylestown Borough, Bucks County ("the Property"). The Department is currently conducting an environmental investigation and assessment of the Site. The Property is currently owned by the Trustee and, prior to that, was owned by Mr. Kim, who purchased it in 1983. When purchased by Mr. Kim, the Property included a dry cleaning business and dry cleaning operations have been ongoing at the Property since that time. Operators of the dry cleaning business located at that address since the purchase of the property by Mr. Kim include Mr. Kim and Mr. and Mrs. Kwon. Dry cleaning fluid, also known as Tetrachloroethene or PCE, has been used at the Property.



Pursuant to the terms of the Agreement, the Owners and/or Operators shall pay the total amount of \$85,000 to the Pennsylvania Hazardous Sites Cleanup Fund. Mr. Kim and the Trustee will make 23 monthly payments of \$2,590 for a total of \$59,570; with the Kwons making a single payment of \$25,430. The Owners and/or Operators shall not contribute to, or otherwise exacerbate, by act or failure to perform any legal duty, any contamination at the Site.

This notice is provided under Section 1113 of the HSCA, 35 P.S. §§ 6020.1113. The Agreement may be examined from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office, 2 East Main Street, Norristown, Pennsylvania, 19401 by contacting either Mr. Colin Wade (484) 250-5722 or Mr. William H. Blasberg at (484) 250-5865. Mr. Wade and Mr. Blasberg may also be contacted electronically at rapatel@pa.gov and wblasberg@pa.gov, respectively. A public comment period on the Agreement will extend for a period of 60 days from the date of publication of this notice. Interested persons may submit written comments regarding the Agreement within 60 days from the date of publication of this notice to the Department by submitting them to Mr. Colin Wade at the previously listed address.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

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Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative

form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**IAC Carlisle LLC / Former Masland Carpets, 50 Spring Drive, Carlisle, PA 17013, Carlisle Borough, Cumberland County.** BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of International Automotive Components North America, Inc., 5300 Auto Club Drive, Plymouth, MI 48170 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 Inorganics. 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.

**RH Crawford, Inc., Diesel Fuel Release, 6475 York Road, Spring Grove, PA 17362, Heidelberg Township, York County.** Environmental Products and Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, PA 1711, on behalf of RH Crawford, Inc., 341 Moulstown Road, Hanover, PA 17331, and Phillip A. and Lora A. Stambaugh, 6475 York Road, Spring Grove, PA 17362, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released in a vehicle accident. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Kreiser Fuel Service / Anna Brown Residence, 1042 Horseshoe Pike, Lebanon, PA 17042, South Annville Township, Lebanon County.** Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Kreiser Fuel Service, Inc., 122 Race Horse Drive, Jonestown, PA 17038 and Anna Brown, 1042 Horseshoe Pike, Lebanon, PA 17042, submitted a Final Report concerning remediation of groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

**Rochester and Pittsburgh (R&P) Coal 572 Acre #9,** intersection of Routes 217 and 286, Homer City, Center Township, Indiana County. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of XTO Energy Inc., 395 Airport Road, Indiana, PA 15701 has submitted a Final Report to demonstrate attainment of residential Statewide Health and Site Specific Standards concerning site soils contaminated with aluminum, antimony, arsenic, barium, beryllium boron, cadmium chromium, cobalt, copper, iron lead, manganese, mercury, nickel, selenium, silver, thallium, vanadium, zinc and chloride. Notice of the Final Report was published in the *Indiana Gazette* on July 16, 2014.



## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Former Lehr's Exxon**, 101 Arsenal Road, York, PA, Manchester Township, **York County**. Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Carole Lehr, c/o Attor-

ney Bob Kane, 474 West Market Street, York, PA 17401, submitted a Final Report concerning site soils contaminated with unleaded and leaded gasoline and diesel fuel. The Final Report demonstrated attainment of the Site Specific Standard, and was approved by the Department on July 22, 2014.

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

**Plesniak Impoundment (Rex Energy)**, 136 Stone Church Road, Lancaster Township, **Butler County**. Environmental Remediation & Recovery, Inc. 4250 Route 6N, Edinboro, PA 16412, on behalf of R. E. Gas Development, 366 Walker Drive, State College, PA 16801, submitted a Final Report concerning the remediation of site soil contaminated with Arsenic, Aluminum, Cadmium, Chromium, Iron, Lead, Manganese, Selenium, Silver, Mercury, Benzene, Toluene, Ethylbenzene, and Xylenes. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 23, 2014.

**Shilling Well Pad (Rex Energy)**, 489 Watters Station Road, Forward Township, **Butler County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of R. E. Gas Development, 366 Walker Drive, State College, PA 16801, submitted a Final Report concerning the remediation of site soil contaminated with Arsenic, Aluminum, Cadmium, Chromium, Iron, Lead, Manganese, Selenium, Silver, Mercury, Benzene, Toluene, Ethylbenzene, and Xylenes. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 28, 2014.

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

**Three Crossings Redevelopment Project** (27th and Railroad Street), City of Pittsburgh, **Allegheny County**. Langan Engineering and Environmental Services, Inc., 601 Technology Drive, Suite 200, Canonsburg, PA 15317 on behalf of Three Crossings, LP, One Oxford Center, Suite 4500, Pittsburgh, PA 15219 submitted a Baseline Environmental Report (BER) concerning site soils and groundwater contaminated with volatile and semi-volatile organic compounds (VOCs & SVOCs) and metals. The Baseline Report was approved by the Department on July 23, 2014. In order to obtain cleanup liability protection, the person undertaking the reuse of a Special Industrial Area shall enter into an agreement with the Department, based on the approved Baseline Environmental Report which outlines cleanup liability of the property.

**Guardian Industries Corp.**, 1000 Glasshouse Road, Jefferson Hills Borough, **Allegheny County**. ARCADIS, 310 Seven Fields Blvd., Suite 210, Seven Fields, PA 16046 on behalf of Guardian Industries Corp., 1000 Glasshouse Road, Jefferson Hill, PA 15025 submitted a Remedial Investigation Report concerning the remediation of site soils and groundwater contaminated with aluminum, arsenic, cobalt, iron, manganese, selenium, lead, 1,2-dichloroethane, benzene, and 2-methylnaphthalene and separate phase liquid hydrocarbons. The Remedial Investigation Report was approved by the Department on July 25, 2014.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP14-09-0138: Jeffrey A. Naugle Funeral Cremation Service** (135 West Pumping Station Road, Quakertown, PA 18951) on July 22, 2014, was authorized to operate a human crematory unit in Richland 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*

**GP4-48-002: Airlite Plastics Co., Inc.** (2860 Bath Pike, Nazareth, PA 18064) on July 22, 2014, to operate a Burn Off Oven at their site in Upper Nazareth Township, **Northampton County**.

**GP3-48-002: Techo-Bloc Corp.** (852 Pennsylvania Avenue, Pen Argyl, PA 18072) on July 22, 2014 for a Portable Crushing Operation with watersprays at the site located in Pen Argyl Borough, **Northampton County**.

**GP9-48-003: Techo-Bloc Corp.** (852 Pennsylvania Avenue, Pen Argyl, PA 18072) on July 22, 2014, for a Diesel JD engine at the site in Pen Argyl Borough, **Northampton County**.

*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.*

**GP1-67-03158: York Container Co.,** (138 Mt. Zion Road, York, PA 17402-0008) on July 23, 2014, for two (2) existing 37 MMBtu/hr boilers, fired with natural gas and #2 oil, under GP1, at their Springettsbury Township, **York County** facility. The general permit authorization was renewed.

*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*

**GP1-65-00921B: Smithfield Farmland Corporation** (2200 Rivers Edge Drive, Arnold, PA 15068) on July 24, 2014, to allow the continued operation of a small natural gas-fired boiler rated at 16.33 MMBtu/hr at its Arnold Plant located in Arnold City, **Westmoreland County**. The facility was previously operated by Farmland Foods, Inc.

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

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

**GP5-10-370E: MarkWest Liberty Bluestone—Trilith Compressor Station** (314 East Lancaster Road, Harmony, PA 16037) on July 16, 2014, to operate two (2)

natural gas fired compressor engines (Caterpillar G3612LE TA) (BAQ-GPA/GP5) in Lancaster Township, **Butler County**.

**GP5-33-177C: Seneca Resources—Brookville South Station** (Pump Station Rd., Brookville, PA 15825) on July 16, 2014, for 2 (two) lean burning 4 stroke natural gas engines, 1 (one) Natco Natural Gas Dehydrator, and 2 (two) 8,820 gallon produced storage tanks to be installed at the Brookville South Plant (BAQ-GPA/GP-5) located in Knox Township, **Jefferson County**.

**GP14-37-343A: Samuel Teolis Funeral Home & Circle Cremation Services** (309 Spring Avenue, Ellwood City, PA 16117) on July 22, 2014, for 1 (one) US Cremation Equipment human crematory model Classic (BAQ-GPA/GP-14) located in Ellwood City Borough, **Lawrence County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

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

**46-0287: Wallquest, Inc.** (741 First Avenue, King of Prussia, PA 19406) on July 22, 2014, to operate an existing 6-color rotogravure press and three (3) existing proof presses at an existing commercial wallpaper production facility, which is located in Upper Merion Township, **Montgomery County**. The potential to emit volatile organic compounds (“VOCs”) from the facility exceeds 25 tons/yr, the major facility threshold for the Philadelphia Consolidated Metropolitan Statistical Area. However, Wallquest, Inc., has elected to restrict the VOC emissions from the facility to less than 25 tons/yr, categorizing the facility as Synthetic Minor. Wallquest, Inc., has also elected to restrict hazardous air pollutant (“HAP”) emissions from the facility to less than 10 tons/yr for any individual HAP and less than 25 tons/yr for total HAPs. As a result, the rotogravure and proof presses are not subject to the provisions of 40 C.F.R. Part 63, Subpart KK, except for those specified in 40 C.F.R. § 63.829(d). Since vinyl is the substrate for the majority of the wallpaper printed at the facility, the rotogravure and proof presses are subject to the provisions of 40 C.F.R. Part 60, Subpart FFF. To demonstrate compliance with these provisions, the inks used in the rotogravure and proof presses are required to meet a weighted average VOC content restriction of less than 1.0 kg VOC/kg ink, averaged on a monthly basis, amongst other requirements.

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

**23-0222: William Lombardo Funeral Home, Inc.** (33 West Baltimore Avenue, Clifton Heights, PA 19018) on July 24, 2014, for installation of a Matthews Animal Cremation Unit rated at 100 lb/hr, at an existing funeral home in Clifton Heights Borough, **Delaware County**. This facility is a non-Title V facility. The cremation unit will be equipped with an afterburner and an opacity monitor. Emissions of PM shall remain below 0.08 grain per dry standard cubic feet, corrected to 7 percent O<sub>2</sub>. Emissions of SO<sub>x</sub> shall remain below 500 ppmv. The Plan



Approval will contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

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

**66-00011A: Florey Knob Energy LLC** (6051 Wallace Road Ext Ste 100, Wexford PA 15090-7386) on July 23, 2014, to install and operate five (5) Jenbacher IC engines with OxCat/SCR at a site in Washington Township, **Wyoming County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton 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.*

**06-05002K: Lehigh Cement Co., LLC—Evansville Cement Plant and Quarry** (537 Evansville Road, Fleetwood, Pennsylvania 19522-8541) on July 22, 2014, to establish an ammonia slip limit on the facility's cement kiln's SNCR systems at their facility in Maidencreek Township, **Berks County**.

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

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

**10-285C: Waste Management Disposal Services of Pennsylvania, Inc.—Northwest Sanitary Landfill** (1436 West Sunbury Road, West Sunbury, PA 16061) on July 15, 2014, for increased usage of odor neutralizer at their facility in Clay Township, **Butler County**. This is a Title V facility.

**25-053F: Urick Foundry Company—division of Ridge Tool Manufacturing Co.** (1501 Cherry Street, Erie, PA 16502) on July 17, 2014, to install new foundry equipment capable of producing larger castings. This project will include the installation of two (2) 80-ton sand silos, two (2) bin vents, a mold making system, a new pouring/cooling/shakeout system, new sand blasting equipment, new grinding equipment and four (4) new baghouses. This facility is located in the City of Erie, **Erie County**.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**46-0024F: McNeil Consumer Healthcare** (7050 Camp Hill Road, Fort Washington, PA 19034) on July 21, 2014, for the operation of a new tablet coating pan (Source ID 109) in Whitemarsh Township, **Montgomery County**.

**09-0030A: Brightsmith, LLC.** (120 Enterprise Avenue, Morrisville, PA 19067) On July 21, 2014, for the operation of a prime oven oxidizer in Falls Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton 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.*

**06-03065A: Tube City IMS, LLC** (1155 Business Center Drive, Horsham, PA 19044) on July 22, 2014, to install a Rotary Tumbler controlled by a baghouse, at the steel slag processing operations on the Hartman Tract of Carpenter Technology in Muhlenberg Township, **Berks County**. The plan approval was extended.

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

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

**30-00195: Equitrans, LP** (625 Liberty Avenue, Suite 1700, EQT Plaza, Pittsburgh, PA 15222) on June 28, 2014, for a plan approval extension with expiration date of December 28, 2014, to authorize continued temporary operation of air contamination sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**. The plan approval has been extended.

**30-00195: Equitrans, LP** (625 Liberty Avenue, Suite 1700, EQT Plaza, Pittsburgh, PA 15222) on June 28, 2014, for a plan approval minor modification to change the responsible official associated with the Jefferson Compressor Station located in Jefferson Township, **Greene County**. The plan approval has been extended.

**30-00195: Equitrans, LP** (625 Liberty Avenue, Suite 1700, EQT Plaza, Pittsburgh, PA 15222) on June 28, 2014, for a plan approval minor modification to change the plan approval contact person associated with the Jefferson Compressor Station in Jefferson Township, **Greene County**. The Plan Approval has been extended.

**30-00194A: EQT Gathering, LLC** (625 Liberty Avenue, Suite 1700, EQT Plaza, Pittsburgh, PA 15222) on July 14, 2014, for plan approval extension with expiration date of January 14, 2015, to authorize continued temporary operation of air contamination sources and controls at the Callisto Compressor Station located in Morris Township, **Greene County**. The Plan Approval has been extended.

**30-00194A: EQT Gathering, LLC** (625 Liberty Avenue, Suite 1700, EQT Plaza, Pittsburgh, PA 15222) Plan Approval Minor Modification effective July 14, 2014, to change the responsible official associated with the Callisto Compressor Station located in Morris Township, **Greene County**. The Plan Approval has been extended.

**30-00194A: EQT Gathering, LLC** (625 Liberty Avenue, Suite 1700, EQT Plaza, Pittsburgh, PA 15222) Plan Approval Minor Modification effective July 14, 2014, to change plan approval contact person associated with the Callisto Compressor Station located in Morris Township, **Greene County**. The Plan Approval has been extended.

**04-00227B: IPSCO Koppel Tubulars LLC** (PO Box 410, Ambridge, PA 15003) on July 10, 2014, to extend period of temporary operation of the Rotary Hearth Furnace at the Ambridge Plant located in Harmony Township, **Beaver County** and modify the Responsible Official. The new expiration date is January 24, 2014. The Plan Approval has been extended.

**65-00986A: Tiger Door, Inc.** (P.O. Box 70, Greensburg, PA 15601-2148) Plan Approval Extension effective on July 14, 2014, with an expiration date of January 14, 2015, to extend the period of temporary operation of sources and controls at the Tiger Door Manufacturing Plant located in Hempfield Township, **Westmoreland County**. The Plan Approval has been extended.

**63-00958A: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe St., Tower 1, Suite 1600, Denver, CO 80202-2137) on July 29, 2014, for a Plan Approval Extension effective August 9, 2014 with expiration of February 9, 2015, for continued temporary operation of additional and existing sources at the MarkWest Welling Compressor Station located in Buffalo Township, **Washington County**. The Plan Approval has been extended.

**63-00958A: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe St., Tower 1, Suite 1600, Denver, CO 80202-2137) on July 29, 2014, for a Plan Approval Minor Modification effective August 9, 2014 for removal of two sources/control devices and associated plan approval conditions from the plan approval for the MarkWest Welling Compressor Station located in Buffalo Township, **Washington County**. The Plan Approval has been extended.

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#### **Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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*Southcentral Region: Air Quality Program, 909 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.*

**36-05019: Anvil International, Inc.** (1411 Lancaster Avenue, Columbia, PA 17512-1939) on July 21, 2014, for their iron foundry in Columbia Borough, **Lancaster County**. The Title V permit was renewed.

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

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

**25-00783: Haysite Reinforced Plastics LLC** (5599 Perry Highway, Erie, PA 16509-3562) on July 24, 2014, issued an administrative amendment to the Title V Operating Permit to incorporate the change of ownership and Tax ID into the permit for the facility located in Millcreek Township, **Erie County**.

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#### **Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**46-00276: Quad County Crematory, LLC** (222 Washington Street, East Greenville, PA 18401) on July 22, 2014, for a State Only (Natural Minor) Operating Permit for its facility located in East Greenville Borough, **Montgomery County**. The permit incorporates the requirements of Plan Approval No. 46-0276 for the operation and

maintenance of a human crematory unit. Based on a maximum operating schedule of 3,744 hours per year, the expected emission rates of carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM), sulfur oxides (SO<sub>x</sub>), and volatile organic compounds (VOCs) from the human crematory unit/facility are each less than 1.5 tons per year.

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

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

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

**13-00014: Silberline Manufacturing Co., Inc.** (130 Lincoln Drive, P.O. Box B, Tamaqua, PA 18252) on July 24, 2014, operate aluminum pigment manufacturing and boilers operation in Lansford Borough, **Carbon County**. This is a State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**45-00030: United Envelope, LLC** (P.O. Box 37, Mount Pocono, PA 18344-0037) on July 23, 2014, to operate a stationary manufacturing facility located in Coolbaugh Township, **Monroe County**. The sources consist of printing and folding lines and parts washing. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**40-00124: Letica Corp.** (20 Commerce Road, Pittston, PA 18640) on July 22, 2014, to operate a paper cup manufacturing facility in Pittston Township, **Luzerne County**. The sources consist of twenty-five (25) cup forming machines, four (4) flexographic printing presses, twenty-five (25) printers, and two (2) extruders. This is a new State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**40-00115: Shamokin Filler Co., Inc.** (1550 Crestwood Road, Mountaintop, PA 18707-2132) on July 21, 2014, to operate a coal processing plant in Wright Township, **Luzerne County**. This plant dries and processes carbon products used for filtration and injection into steel making operation. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of State-only Natural Minor operating permit.

**39-00051: Jaindl Farms, LLC** (3150 Coffeetown Road, Orefield, PA 18069-2511) on July 22, 2014, to operate a turkey production facility in North Whitehall Township, **Lehigh County**. The sources consist of two (2) boilers that are fired on natural gas and fuel oil. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.



*Southcentral Region: Air Quality Program, 909 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.*

**36-03019: Flury Foundry, Co.** (1160 Elizabeth Avenue, Lancaster, PA 17601-4364) on July 21, 2014, for their brass and bronze foundry in Manheim Township, **Lancaster County**. The State-only permit was renewed.

**22-05033: Hempt Bros., Inc.** (2015 Creek Road, Camp Hill, PA 17011-7418) on July 22, 2014, for their stone crushing, batch asphalt and concrete plant at the Steelton Quarry, Steelton Borough, **Dauphin County**. The State-only permit was renewed.

**34-03003: Empire Kosher Poultry, Inc.** (247 Empire Drive, Mifflintown, PA 17059-7746) on July 22, 2014, for their poultry processing facility in Walker Township, **Juniata County**. The State-only permit was renewed.

**67-03162: Church & Dwight Co., Inc.** (5197 Commerce Drive, York, PA 17408-9511) on July 24, 2014, for their cat litter and liquid laundry detergent manufacturing facility in Jackson Township, **York County**.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**43-00361: Butler Petroleum Corp.—Elliot Oil Division** (408 Erie Street, Grove City, PA 16127) on July 24, 2014, to issue a Synthetic Minor Operating Permit for this petroleum products distribution facility in the Grove City, **Mercer County**. In order to remain classified as a “Bulk Gasoline Plant” and not a “Bulk Gasoline Terminal” this facility has elected to limit gasoline throughput to no more than 20,000 gallons per day.

This operating permit issuance incorporates a GP-2 (General Plan Approval and General Operating Permit, BAQ-GPA/GP-2) for two 12,000 gallon gasoline storage tanks, Subpart BBBBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, and the applicable requirements from 25 Pa. Code Subsections 129.57, 129.60, 129.61, and 129.62.

The primary sources of emissions from this facility are the gasoline storage and transferring equipment. If gasoline throughput at this facility were at the maximum rate of 20,000 gallons per day, the VOC emissions from this facility would be 24.8 tons per year. Actual throughputs

and VOC emissions are expected to be well below these estimates. Emissions of all other criteria pollutants are well below major source thresholds.

**62-00093: Torpedo Specialty Wire, Inc.** (7065 RT 27 Pittsfield, PA 16340-9802) on July 24, 2014, issued a renewal of the State Only Operating Permit for the wire plating facility in Pittsfield Township, **Warren County**. The facility is a Natural Minor. The primary sources at the facility include eight nickel plating lines and a VOC parts cleaning station. The facility is subject to the Area Source MACT for Plating and Polishing Operations in 40 CFR 63 Subpart WWWW.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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*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.*

**36-05001: Armstrong World Industries, Inc.** (1507 River Road, Marietta, PA 17547-9403) on July 22, 2014, for their ceiling tile manufacturing facility in East Donegal Township, **Lancaster County**. The Title V permit was administratively amended to incorporate the requirements of Plan Approval Nos. 36-05001I and 36-05001J.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**25-00090: Zurn Industries, LLC—Cast Metals Division** (1301 Raspberry St., Erie, PA 16502) for its facility located in the City of Erie, **Erie County**. The de minimis increases are a result of the addition of ductile iron processing operations. The Department has started a list of de minimis increases as prescribed in 25 Pa. Code § 127.449(i).

Since the June 26, 2013 Synthetic Minor Operating Permit issuance date, Zurn Industries has notified the Department of the following de minimis emission increases:

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
4/14/2014	Ductile Iron Processing	0.05	0	0	0	0
Total Reported Increases		0.05	0	0	0	0

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### Coal Permits Issued

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

**Permit No. 56080105 and NPDES No. PA0262633. Hoffman Mining, Inc.**, 118 Runway Road, P.O. Box 130, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Ogle and Paint Townships, **Somerset County**, affecting 290.8 acres. Receiving streams: Clear Shade Creek & unnamed to/and Shade Creek classified for the following uses: high quality cold water fishery and cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 26, 2014. Permit Issued: July 16, 2014.

**Permit No. 56663069 and NPDES No. PA 0120944. Rosebud Mining Company**, 1117 Shaw Mines Road, Meyersdale, PA 15552, revision of an existing bituminous surface and auger mine to obtain coverage for coal processing under air quality general permit, GP-12, in Summit Township, **Somerset County**, affecting 3,040.0 acres. Receiving streams: unnamed tributary to/and Caselman River and unnamed tributary to/and Elk Lick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 25, 2014. Permit issued: July 20, 2014.

**Permit No. 32130104 and NPDES No. PA0269310. Bedrock Mines LP**, 111 Freeport Road, Pittsburgh, PA 15215, commencement, operation and restoration of a bituminous surface mine in Washington Township, **Indiana County**, affecting 35.1 acres. Receiving streams: Sugarcamp Run to South Branch Plum Creek to Plum Creek to Crooked Creek to Allegheny River classified for the following uses: cold water fisheries, trout stocked fisheries and warm water fisheries. The first downstream potable water supply intake from the point of discharge is at Freeport PA. Application received: December 19, 2013. Permit issued: July 21, 2014.

The permit includes a stream encroachment to conduct surface mining activities including coal removal within the carrier area of Sugarcamp Run beginning where it passes under SR 0954 and extending northward (upstream) approximately 2,890 aerial feet (4,010 stream feet).

**Permit No. 32813031 and NPDES No. PA0125547. Indiana Investments**, 4460 McCreight Road, Shelocta, PA 15774, permit renewal for reclamation only of a bituminous surface and auger mine in Center Township, **Indiana County** affecting 97.0 acres. Receiving streams: unnamed tributary to/and Tearing Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2013. Permit issued: July 22, 2014.

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

**17803045. River Hill Coal Co., Inc.** (P.O. Box 141, 48 Memorial Road, Kylertown, PA 16847). Permit renewal for reclamation only to an existing bituminous surface mine located in Karthaus Township, **Clearfield County** affecting 150.8 acres. Receiving streams: Unnamed Tributary of Upper Three Runs, Upper Three Runs, Unnamed Tributary of Saltlick Run, and Saltlick Run. Application received: May 30, 2014. Permit issued: July 21, 2014.

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

**Permit No. 49060101R. Last Time Coal Company**, (119 Greenwood Street, Trevorton, PA 17881), renewal of an existing anthracite surface mine operation in Zerbe Township, **Northumberland County** affecting 242.1 acres, receiving stream: Zerbe Creek. Application received: April 10, 2012. Permit issued: July 25, 2014.

**Permit No. 49060101GP104. Last Time Coal Company**, (119 Greenwood Street, Trevorton, PA 17881), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49060101 in Zerbe Township, **Northumberland County**, receiving stream: Zerbe Creek. Application received: April 10, 2012. Permit issued: July 25, 2014.

**Permit No. 54030103R2. Jett Contracting Company**, (231 Winfield Drive, Brockton, PA 17925), renewal of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 116.0 acres, receiving stream: Morgans Run to Schuylkill River. Application received: October 15, 2013. Renewal issued: July 25, 2014.

**Permit No. 54030103GP104. Jett Contracting Company**, (231 Winfield Drive, Brockton, PA 17925), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54030103 in Blythe Township, **Schuylkill County**, receiving stream: Morgans Run to Schuylkill River. Application received: October 15, 2013. Permit issued: July 25, 2014.

### Noncoal Permits Issued

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

**08110301 and NPDES No. PA0257532. Bishop Brothers Construction Company, Inc.** (P. O. Box 289, Ulster, PA 18850). Transfer of an existing large industrial minerals mine from Always Ready Excavating located in Wyalusing Township, **Bradford County** affecting 16.9 acres. Receiving streams: Unnamed Tributary to Wyalusing Creek to Wyalusing Creek classified for the following use(s): Warm Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 9, 2014. Permit issued: July 22, 2014.

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

**Permit No. 54990301C2. Keystone Quarry, Inc.**, (249 Dunham Drive, Dunmore, PA 18512), correction to an existing quarry operation to include mineral processing and coal extraction in Foster Township, **Schuylkill County** affecting 137.5 acres, receiving stream: Swatara Creek. Application received: April 26, 2012. Correction issued: July 22, 2014.

**Permit No. 54990301GP104. Keystone Quarry, Inc.**, (249 Dunham Drive, Dunmore, PA 18512), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54990301 in Foster Township, **Schuylkill County**, receiving stream: Swatara Creek. Application received: April 26, 2012. Permit issued: July 22, 2014.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

##### *Blasting Permits Issued*

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

**57144107. M & J Explosives LLC** (P.O. Box 1248, Carlisle, PA 17013). Blasting for well pad and road located in Fox Township, **Sullivan County** with an expiration date of July 21, 2015. Permit issued: July 23, 2014.

**41144002. Discovery Acquisition Services, Inc.** (4141 Katy Hockley Road, Katy, TX 77493). Blasting on the Loyalsock 3D Seismic exploration project located in Montoursville Borough, Loyalsock, Fairfield, Upper Fairfield, Eldred, Plunketts Creek, and Gamble Townships, **Lycoming County** with an expiration date of December 31, 2014. Permit issued July 23, 2014.

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

**Permit No. 06144112. Douglas Explosives, Inc.**, (PO Box 77, Philipsburg, PA 16866), construction blasting for Berks Park Warehouse Lot 3 in Bethel Township, **Berks County** with an expiration date of July 1, 2015. Permit issued: July 22, 2014.

**Permit No. 64144105. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Wallenpaupack Lake Estates in Paupack and Salem Townships, **Wayne County** with an expiration date of July 31, 2015. Permit issued: July 22, 2014.

**Permit No. 64144106. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Northeast Reliability Project in Paupack, Sterling and Dreher Townships, **Wayne County** with an expiration date of July 31, 2016. Permit issued: July 22, 2014.

**Permit No. 48144105. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Chrin Commerce Center in Palmer, Upper Nazareth and Lower Nazareth Townships, **Northampton County** with an expiration date of July 23, 2015. Permit issued: July 23, 2014.

**Permit No. 36144133. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Marcus Hoover manure pit in East Earl Township, **Lancaster County** with an expiration date of August 30, 2014. Permit issued: July 24, 2014.

**Permit No. 15144109. Schlouch, Inc.**, (P.O. Box 69, Blandon, PA 19510), construction blasting for Spring Oak in Charlestown Township, **Chester County** with an expiration date of July 18, 2015. Permit issued: July 25, 2014.

**Permit No. 36144134. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Reserve at Union School in East Donegal Township, **Lancaster County** with an expiration date of July 23, 2015. Permit issued: July 25, 2014.

**Permit No. 36144135. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Bishop Woods in West Donegal Township, **Lancaster County** with an expiration date of July 23, 2015. Permit issued: July 25, 2014.

**Permit No. 58144149. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Johnson Pipeline Project in Bridgewater Township, **Susquehanna County** with an expiration date of July 18, 2015. Permit issued: July 25, 2014.

**Permit No. 58144150. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Stellitano Gas Pad in Gibson Township, **Susquehanna County** with an expiration date of July 21, 2015. Permit issued: July 25, 2014.

**Permit No. 58144151. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Strauss Gas Pad in Harford Township, **Susquehanna County** with an expiration date of July 25, 2015. Permit issued: July 25, 2014.

**Permit No. 58144152. M & J Explosives, Inc.**, (P.O. Box 608, Carlisle, PA 17013), construction blasting for Phelps B Well Pad in Lathrop Township, **Susquehanna County** with an expiration date of July 21, 2015. Permit issued: July 25, 2014.

**Permit No. 5144153. M & J Explosives, Inc.**, (P.O. Box 608, Carlisle, PA 17013), construction blasting for Rodgers Transfer Pad in Lenox Township, **Susquehanna County** with an expiration date of July 21, 2015. Permit issued: July 25, 2014.

**Permit No. 48144001. Explo-Craft, Inc.**, (PO Box 1332, West Chester, PA 19380), construction blasting for Nazareth Borough swimming pool in Nazareth Borough and Upper Nazareth Township, **Northampton County** with an expiration date of July 1, 2015. Permit issued: July 28, 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.

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**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.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E35-450. The Countryside Conservancy**, P. O. Box 55, LaPlume, PA 18440. Glenburn Township, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 6-foot wide, 180-foot long elevated boardwalk across a UNT to Ackerly Creek (CWF, MF) and a deminimus area of adjacent PEM wetlands equal to 0.02 acre. The boardwalk is supported by piles spaced approximately 10-foot on center with an underclearance of 30-inches at the stream. The boardwalk will also temporarily impact approximately 0.02 acre of PEM wetlands. The boardwalk is associated with the Northern Electric Trolley Trail. The project is located on

the east side of State Route 0411 approximately 0.70 mile from the intersection of US Route 0011 (Dalton, PA Quadrangle Latitude: 41°31'46"; Longitude: -75°44'4"). Subbasin: 4F

**E40-752. Albert and Catherine Brown**, 3110 Lakeside Drive, Harveys Lake, PA 18612. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 683 sq. ft. boat dock impacting 64 sq. ft. of EV riparian wetlands and 619 sq. ft. of Harveys Lake (HQ-CWF). The project is located at Pole 280 along Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41°21'52"; Longitude: -76°3'16"). Subbasin: 5B.

**E35-448. Ken Powell**, 1305 Justus Boulevard, Clarks Summit, PA 18411. Glenburn Township, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To fill 1.54 acres of isolated wetlands and to construct and maintain a 36-inch diameter sewer line crossing of approximately 100 feet of wetlands. The activities are associated with the Highlands at Archbald Residential Subdivision, Phase 1. The permittee is required to provide 2.7 acres of replacement wetlands.

The project is located at the intersection of Eynon Jermyn Road and Columbus Drive (Carbondale, PA Quadrangle Latitude: 41°30'24.9"; Longitude: -75°33'25.2") in Archbald Borough, Lackawanna County. Subbasin: 5A.

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

**E36-926: PA Department of Transportation, Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699 in Ephrata Borough, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District

To 1) remove the existing structure and to construct and maintain a three-span composite pre-stressed concrete PA bulb-tee beam bridge skewed 75°, having a total clear span of 177.98', a width varying from 55.54' to 57.5', and an underclearance of 10.4' to 17.8', across Cocalico Creek (WWF, MF); and 2) construct and maintain four stormwater outfall structures with associated headwalls and riprap aprons along Cocalico Creek (WWF, MF), all for the purpose of improving transportation safety and roadway standards, temporarily impacting 0.05 acre (2,010 square feet) of Palustrine Emergent/Palustrine Scrub-Shrub wetlands and permanently impacting 65 square feet of PEM/PSS wetlands. Construction will include a two-phase temporary cofferdam and causeway. The project is located approximately one mile south of the SR 0272/US 322 interchange in Ephrata Borough, Lancaster County (Latitude: 40° 10' 31", Longitude: -76° 11' 47"). Permanent wetland impacts are considered deminimus and wetland replacement is not required. The permit was issued on July 23, 2014.

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

**E59-521. McDonald's USA, LLC**, 801 Lakeview Drive, Suite 302, Blue Bell, PA 19422-1961. McDonald's Restaurant in Wellsboro Borough, **Tioga County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle Lat: 41° 45' 3.69"; Long: -77° 17' 48.6").



To reconstruct and maintain a new structure in Wellsboro Borough—Tioga County, which is located within the floodway/floodplain of Morris Creek. The scope is to demolish an existing 5,357 SF restaurant and construct a new 4,318 SF restaurant.

The proposed modifications will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Morris Creek is classified with a designated use of Cold Water Fishery (CWF).

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

**E63-587-A1. HBC Foundry, LLC.** 11111 West 95th Street, Overland, KS 66214; South Strabane Township, Washington County; ACOE Pittsburgh District.

Has been given consent to renew permit number E63-587 which authorized the placement and maintenance of fill in 0.935 acre of wetlands, the placement and maintenance of fill in three (3) unnamed tributaries (UNTs 1, 2 and 3) to Chartiers Creek (WWF), each having a drainage area less than 100 acres, for a total impact of 2,375'; the operation and maintenance of a geosynthetic reinforced embankment wall within portions of the floodway of tributary No. 2 (a.k.a. UNT 4) to Chartiers Creek (WWF); and the construction and maintenance of various outfalls in South Strabane Township, Washington County.

This authorization also amends permit number E63-587 with the following:

1. operate and maintain an existing 180 lf long, 8" diameter perforated plastic stream enclosure/underdrain in an unnamed tributary (UNT 1) to Chartiers Creek (WWF) and associated fill;

2. remove an existing 150 lf stream enclosure of another unnamed tributary (UNT 2) to Chartiers Creek (WWF) and to construct and maintain, in its place, an approximately 760' long, stream enclosure, consisting of a 48" diameter reinforced concrete pipe, and associated fill and outfall structure, plus 30' of riprap;

3. remove an approximately 300 lf stream enclosure from a downstream reach of UNT 2, and to reconstruct approximately 385' of this watercourse;

4. construct and maintain a utility line crossing of the reconstructed portion of UNT-2;

5. extend an existing 20 lf pipe in another unnamed tributary (UNT 3) to Chartiers Creek (WWF) by an additional 255 lf (8" diameter perforated plastic underdrain), and to operate and maintain the combined 275 lf stream enclosure;

6. operate and maintain fill in approximately 0.10 acre of wetlands;

7. place and maintain fill in an additional 0.25 acre of wetland (PEM/PSS); and

8. operate and maintain sloped fill in portions of the floodway of tributary No. 2 (a.k.a. UNT 4) to Chartiers Creek (WWF), in place of a previously installed geosynthetic reinforced embankment wall that was recently removed;

for the purpose of constructing the Old Mill (formerly The Foundry at South Strabane), a multiple structure, retail and service development complex, and to re-grade and stabilize existing stockpiles of soil material. To date, approximately 650' of watercourse and approximately 0.11 acre of wetland have been impacted. To compensate for the impacts that have occurred to date, plus the impacts that are proposed with this amendment, the applicant will construct approximately 1191 lf of on-site stream mitigation and approximately 1310 lf of off-site stream mitigation, will restore approximately 300 ft<sup>2</sup> of Wetland 6, and will construct approximately 0.56 acre of replacement wetland, adjacent to existing wetlands along UNT-2 and UNT-3. After the restoration components of the mitigation plans are completed, this amendment will reduce the projects overall permanent impacts/net losses to watercourses from 2375 lf down to 1230 lf, and to wetlands from 0.935 acre down to 0.35 acre. Located (N: 12.11 inches; W: 13.31 inches, Latitude: 40° 11' 30"; Longitude: -80° 13' 13") in South Strabane Township, Washington County.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701*

ESCP 2 # ESG 00 035 14 0002

Applicant Name Transcontinental Gas Pipeline Co, LLC

Contact Person Karen Olsen

Address 2800 Post Oak Blvd, Fl 17

City, State, Zip Houston, TX 77056

County Clinton & Potter

Township(s) Leidy Township, Wharton Township

Receiving Stream(s) and Classification(s) Lock Branch

(EV); Kettle Creek (EV), Indian Camp Run (EV),

Daugherty Run (EV) & Calhoun Branch (EV)

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012514001	Range Resources Appalachia, LLC. 3000 Town Center Blvd Canonsburg, PA 15317	Washington County	Donegal Township	UNTs to Dutch Fork Lake, UNTs to Dutch Fork, UNTs to Buck Run, and Buck Run (HQ-WWF)

*Southwest Region: Oil & Gas Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745.*

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG13-125-0079	Range Resources—Appalachia LLC 3000 Town Center Blvd. Canonsburg, PA 15317	Washington	Cross Creek Township	UNT to Cross Creek/Raccoon Creek Watershed (HQ)
ESX14-051-0009	Chevron Appalachia LLC 800 Mountain View Drive Smithfield, PA 15478	Fayette	Luzerne Township	UNT to Wallace Run /Middle Monongahela River Watershed (WWF)
ESX13-059-0061	Energy Corporation of America 101 Heritage Run Road Suite 1 Indiana, PA 15701	Greene	Whiteley Township	UNTs to Frosty Run, Frosty Run, UNT to Dutch Run (TSF)
ESX12-125-0012	MarkWest Liberty Midstream & Resources LLC 4600 J Barry Court Suite 500 Canonsburg, PA 15317	Washington	Mount Pleasant Township	Cherry Run (WWF), UNTs to Cherry Run (WWF), UNTs to Robinson (WWF) and UNTs to Raccoon Creek (WWF)
ESG13-007-0007	Utica Gas Services, LLC 7235 Whipple Ave NW North Canton, OH 44720	Beaver	South Beaver and Chippewa Townships	UNT North Fork Little Beaver Creek (HQ-CWF), Brush Run (HQ-CWF), UNT North Branch Brady Run (TSF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-2 #ESX14-019-0035—Vadnal Gas Pipeline  
Applicant Mountain Gathering, LLC  
Contact Dewey Chalos  
Address 810 Houston Street  
City Fort Worth State TX Zip Code 76102  
County Butler Township(s) Jefferson(s)  
Receiving Stream(s) and Classification(s) UNT Thorn Creek / Connoquenessing Creek—CWF, Beaver River

ESCGP-2 #ESX14-019-0036 Beilstein Gas Pipeline  
Applicant Mountain Gathering, LLC  
Contact Dewey Chalos  
Address 810 Houston Street  
City Fort Worth State TX Zip Code 76102  
County Butler Township(s) Jefferson(s)  
Receiving Stream(s) and Classification(s) UNT Thorn Creek / Connoquenessing Creek—CWF, Thorn Creek, Connoquenessing Creek, Beaver River

ESCGP-2 #ESX14-085-0008—Delaware Vanderstappen Well Pad  
Applicant Hilcorp Energy Company  
Contact Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400  
City Houston State TX Zip Code 77002  
County Mercer Township(s) Delaware(s)  
Receiving Stream(s) and Classification(s) UNT to Shenango River-WWF

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESG29-113-14-0007  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 IST Center  
City, State, Zip Horseheads, NY 14845  
County Sullivan County  
Township(s) Cherry Township  
Receiving Stream(s) and Classification(s) 4 UNTs to Mill Creek, Mill Creek (All EV);  
Secondary: Little Loyalsock Creek

ESCGP-2 # ESX29-015-14-0042  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford County  
Township(s) Asylum Township  
Receiving Stream(s) and Classification(s) UNT Durrell Creek (WWF/MF);  
Secondary: Susquehanna River (WWF/MF)

ESCGP-2 # ESX29-131-14-0013  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 IST Center  
City, State, Zip Horseheads, NY 14845  
County Wyoming County  
Township(s) Meshoppen Township  
Receiving Stream(s) and Classification(s) Meshoppen Creek, Susquehanna Creek (Both CWF);  
Secondary: Susquehanna River, Chesapeake Bay

ESCGP-2 # ESX29-115-14-0064  
 Applicant Name Southwestern Energy Production Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna County  
 Township(s) Oakland Township  
 Receiving Stream(s) and Classification(s) Lewis Creek (CWF/MF), Bedbug Brook (CWF/MF)

ESCGP-2 # ESX29-131-14-0011  
 Applicant Name Chief Oil & Gas, LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Wyoming County  
 Township(s) Nicholson Township  
 Receiving Stream(s) and Classification(s) Field Brook (CWF/MF);  
 Secondary: Tunkhannock Creek

ESCGP-2 # ESG29-015-14-0002 (02)  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Randy DeLaune  
 Address 100 IST Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Windham and Wilmot Townships  
 Receiving Stream(s) and Classification(s) Sugar Run Creek, 6 UNTs to Sugar Run, Rock Cabin Run, 2 UNTs to Rock Cabin Run, Panther Lick Creek, 10 UNTs to Panther Lick Creek, 6 UNTs to Foster Branch Sugar Run, Sugar Run (CWF-Wild Trout), Rock Cabin Run, Panther Lick Creek (CWF), Foster Branch Sugar Run (CWF-Wild Trout);  
 Secondary: Susquehanna River

ESCGP-2 # ESX29-015-14-0034  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Bradford Township  
 Township(s) Terry Township  
 Receiving Stream(s) and Classification(s) UNT to Sugar Run (CWF/MF);  
 Secondary: Sugar Run (CWF/MF)

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

ESCGP-2 No.: ESX13-125-0065  
 Applicant Name: Rice Drilling B LLC  
 Contact Person Mr Joe Mallow  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township: North Bethlehem  
 Receiving Stream (s) And Classifications: Three (3) UNT to Daniels Run / Tenmile Creek; Other Trout Stocking (TSF)

ESCGP-2 No.: ESX13-125-0039  
 Applicant Name: MarkWest Liberty Midstream & Resources LLC  
 Contact Person: Mr Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Independence  
 Receiving Stream(s) and Classifications: UNTs to Cross Creek, UNTs to Coal Hollow, and Cross Creek; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESG14-125-0034  
 Applicant Name: MarkWest Liberty Midstream &

Resources LLC  
 Contact Person: Mr Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Buffalo, East Finley  
 Receiving Stream(s) and Classifications: UNTs to Buffalo Creek, Buffalo Creek, UNTs to Sawhill Run; HQ

ESCGP-2 No.: ESG14-059-0019  
 Applicant Name: Vantage Energy Appalachia II LLC  
 Contact Person: Mr John J Moran  
 Address: 116 Inverness Drive East Suite 107  
 City: Englewood State: CO Zip Code: 80112  
 County: Greene Township(s): Washington  
 Receiving Stream(s) and Classifications: 5 UNTs to Wisecarver Run, Wisecarver Run, 2 UNTs to Ruff Creek/Lower Monongahela; HQ; Other WWF

ESCGP-2 No.: ESG14-125-0020  
 Applicant Name: MarkWest Liberty Midstream & Resources LLC  
 Contact Person: Mr Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 COUNTY Washington Township(s): Donegal  
 Receiving Stream(s) and Classifications: UNTs to Dutch Fork, UNTs to Bonar Creek; HQ

ESCGP-2 No.: ESX14-059-0041  
 Applicant Name: EQT Production Company  
 Contact Person: Mr Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Greene Township(s): Morgan  
 Receiving Stream(s) and Classifications: UNT to South Fork—Tenmile Creek; Other WWF

ESCGP-2 No.: ESG14-125-0006  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Ms Laura Rusmisl  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code 15317  
 County: Washington Township(s): Donegal  
 Receiving Stream(s) and Classifications: UNTs to Dutch Fork/Wheeling-Buffalo Creeks Watershed; HQ

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## SPECIAL NOTICES

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### **Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101**

*Southcentral Region: Waste Management Program Manager, 909 Elmerton Avenue Harrisburg, PA 17110-8200.*

The Department of Environmental Protection (Department) approved the Blair County Municipal Waste Management Non-Substantial Plan Revision ("Revision") on July 29, 2014. Key features of the revision include updated municipal solid waste calculations, updating population information, the change over or recycling responsibilities from Blair County to the Intermunicipal Relations Committee, and a change over to a nonflow controlled plan. The Revision is a public document and may be viewed at the Southcentral Regional Office, at the address noted above. Questions concerning the approval of the Revision should be directed to Larry Holley, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382, or to John Lundsted, Regional Planning and Recycling Coordinator, Waste Management Program, at the Southcentral Regional Office at (717) 705-4927.



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 the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (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 any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

[Pa.B. Doc. No. 14-1668. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Rescission of Technical Guidance*

**DEP ID:** 363-4000-004. **Title:** Standards and Guidelines for Identifying, Tracking and Resolving Violations for Operators of Municipal Separate Storm Sewer Systems (MS4s). **Description:** This document describes guidelines for resolving violations associated with MS4s that are no longer applicable. As a result of the Department's

reorganization, a new bureau is responsible for MS4 permitting and compliance and new procedures are being developed. The existence of this document may create confusion on the proper guidelines Department staff are to follow to identify, track and resolve violations.

**Contact:** Questions should be directed to Paul Curry at (717) 772-4009 or [pcurry@pa.gov](mailto:pcurry@pa.gov).

**Effective Date:** August 9, 2014

**DEP ID:** 392-0300-003. **Title:** Guidance on MS4 Ordinance Provisions (in relation to National Pollutant Discharge Elimination System (NPDES) Stormwater Discharges Permitting Requirements from MS4s). **Description:** This document describes ordinances for municipalities which may conflict with new Department guidelines for MS4s. The MS4 NPDES General Permit (PAG-13) was reissued in 2013. New model ordinances and checklists, contained in document numbers 3800-PM-BPNPSM0100k and 3800-PM-BPNPSM0100l, were developed and apply to the new PAG-13 General Permit and individual MS4 NPDES permits. These documents were written to apply to the 2013 MS4 permits and are incorporated into the permit package as appendices. The new documents replace 392-0300-003.

**Contact:** Questions should be directed to Paul Curry at (717) 772-4009 or [pcurry@pa.gov](mailto:pcurry@pa.gov).

**Effective Date:** August 9, 2014

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1669. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Bid Opportunity

**OSM 17(6486)101.1, Abandoned Mine Reclamation Project, Bethlehem School, Boggs Township, Clearfield County.** The principal items of work and approximate quantities include mobilization and demobilization; site preparation and restoration; connection to existing system; 8" PVC pipe including fittings 23,000 linear feet; 8" gate valve and valve box 48 each; 2A stone 6,105 cubic yards; valve markers 62 each; 3/4" service 62 each; 3/4" copper pipe 1,000 linear feet; curb stop and curb box 62 each; water meter pit assembly 62 each; highway crossings 270 linear feet; concrete encasement 500 linear feet; concrete anchors 6 each; 2" automatic air release valve 6 each; 2" blow-off valve 10 each; repaving 1,200 square yards; traffic control, preparation and implementation of Erosion and Sediment Pollution Control Plan. This bid issues on August 8, 2014, and bids will be opened on September 9, 2014, at 2 p.m. Bid documents cost \$15 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or [joelmiller@state.pa.us](mailto:joelmiller@state.pa.us) for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1670. Filed for public inspection August 8, 2014, 9:00 a.m.]



### Bid Opportunity

**OSM 03(4906)101.1, Abandoned Mine Reclamation Project, Mudlick, Redbank Township, Armstrong County.** The principal items of work and approximate quantities include mobilization and demobilization; gas line relocation; subsurface drains with cleanouts 1,800 linear feet; grading 1.194 million cubic yards; channel excavation 770 cubic yards; rock lining 581 square yards; rock filter dam 60 tons; tree planting 31,085 trees; and seeding 86 acres. This bid issues on August 8, 2014, and bids will be opened on September 9, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1671. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Federal Consistency under the Coastal Zone Management Act

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that the Department of Transportation (DOT) District 6-0 is proposing the SR 0095 Section BR0 project. The purpose of the SR 0095 Section BR0 project is to improve traffic movement along the I-95 mainline and establish access between the Betsy Ross Bridge and local streets. The project involves ramp reconstruction within the Betsy Ross Interchange area, including the construction of temporary roadway tie-ins to Aramingo Avenue. The proposed ramp reconfiguration for the project includes new ramp structures, structure replacement and structure rehabilitation over and along Frankford Creek. The project also involves the removal of the Thompson Street Bridge over Frankford Creek and the relocation of an existing Philadelphia Water Department (PWD) operated culvert which crosses the mainline and outlets to Frankford Creek. In addition, the project includes the construction of stormwater basins within the Betsy Ross Interchange area and new stormwater discharge culvert outfalls to Frankford Creek as a result of the relocated PWD culvert and roadway drainage design. Overall, three PWD operated outfall structures will be replaced as a result of the project and eight drainage outfalls are proposed along the banks to Frankford Creek to accommodate stormwater discharge. For the proposed culvert outfalls associated with the project, minor temporary and permanent stream impacts are anticipated.

DOT is requesting Federal authorization from the United States Army Corps of Engineers under section 404 of the Clean Water Act (33 U.S.C.A. § 1344) (CENAP-OPR-2013-00021-75). This project is subject to Department review for Federal consistency because it is a Federal

license and permit activity and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with National Oceanic and Atmospheric Administration (NOAA) regulations in 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), DOT District 6-0 has determined that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

The Department will consider all comments received by August 25, 2014, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail must include the originator's name and address. Written comments should be submitted to Matt Walderon, Federal Consistency Coordinator, Interstate Waters Office, 400 Market Street, P. O. Box 8465, Harrisburg, PA 17101-8465, (717) 772-2196, RA-Fed\_Consistency@pa.gov.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1672. Filed for public inspection August 8, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Retail Space to the Commonwealth Lackawanna County

Proposals are invited to provide the Department of General Services with 2,500 to 3,500 usable square feet of retail space for the Liquor Control Board in Moosic, Lackawanna County. For more information on SFP No. 94642, which is due on August 15, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-1673. Filed for public inspection August 8, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital, has requested exceptions to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1674. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Application of Blair Endoscopy Center, LLC, d/b/a Allegheny Regional Endoscopy for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Blair Endoscopy Center, LLC, d/b/a Allegheny Regional Endoscopy has requested an exception to the requirements of subparagraph (ii) of the definition of "classification levels" in 28 Pa. Code § 551.3 (relating to definitions), regarding Class B facilities and PS III patients.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1675. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Application of CH Hospital of Allentown, LLC, d/b/a Surgical Specialty Center at Coordinated Health for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that CH Hospital of Allentown, LLC, d/b/a Surgical Specialty Center at Coordinated Health, has requested an exception to the requirements of 28 Pa. Code § 103.31 (relating to the chief executive officer).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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. 14-1676. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Application of Coordinated Health Orthopedic Hospital, LLC for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Coordinated Health Orthopedic Hospital, LLC, has requested an exception to the requirements of 28 Pa. Code § 103.31 (relating to the chief executive officer).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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. 14-1677. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of East Stroudsburg Ambulatory Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that East Stroudsburg Ambulatory Surgery Center has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1678. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of Einstein Medical Center Montgomery for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Einstein Medical Center Montgomery has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 2.2-2.12.3.1(1)(b) and 2.2-2.12.3.3(1)(b) (relating to newborn nurseries; and continuing care nurseries).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1679. Filed for public inspection August 8, 2014, 9:00 a.m.]

### 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 § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 2.2-2.2.2.5(a) and (b) and 2.2-2.2.2.7(a)—(c) (relating to hand-washing stations; and bathing facilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1680. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of LifeCare Hospitals of Pittsburgh—Alle-Kiski Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospitals of Pittsburgh—Alle-Kiski Campus has requested exceptions to the requirements of 28 Pa. Code §§ 103.1, 103.3, 103.31, 107.1, 107.11, 107.26(b)(1), (3)—(5) and (7), and 109.2.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and



Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1681. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Application of LifeCare Hospitals of Pittsburgh— Main for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospitals of Pittsburgh—Main has requested exceptions to the requirements of 28 Pa. Code §§ 103.1, 103.3, 103.31, 107.1, 107.11, 107.26(b)(1), (3)—(5) and (7), and 109.2.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1682. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Application of LifeCare Hospitals of Pittsburgh— Suburban Campus for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospitals of Pittsburgh—Suburban

Campus has requested exceptions to the requirements of 28 Pa. Code §§ 103.1, 103.3, 103.31, 107.1, 107.11, 107.26(b)(1), (3)—(5) and (7), and 109.2.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1683. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Application of Lower Bucks Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice Lower Bucks Hospital, has requested exceptions to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1684. Filed for public inspection August 8, 2014, 9:00 a.m.]



### Application of Penn Highland DuBois for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn Highland DuBois, has requested exceptions to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1685. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of Penn Highlands DuBois—Penn Highlands Family/Internal Medicine (St. Mary's) for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn Highlands DuBois—Penn Highlands Family/Internal Medicine, 1095 Million Dollar Highway, St. Mary's, has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 3.1-3.2.2(1) and 3.2-3.2.2(2) (relating to area; and clearances).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1686. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of Penn Highlands DuBois—Penn Highlands Pain Management/Anesthesiology (St. Mary's) for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn Highlands DuBois—Penn Highlands Pain Management/Anesthesiology, 761 Johnsonburg Road, Suite 120, St. Mary's, has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 3.1-3.2.4.2(1), 3.1-3.6.10, 3.1-3.8.1, 3.2-6.3, 3.1-3.6.6 and 3.1-7.2.2.3(1).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1687. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of Reading Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards

contained in this publication: 3.12-3.2.2.2(2) and 3.12-3.2.2.1(2)(a) (relating to space requirements; and area).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1688. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of Saint Vincent Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Saint Vincent Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 2.1-2.6.6.2(1), 2.2-3.12.6.12, 6.7.1, 2.2-3.12.8.1(1), 2.2-3.12.8.1(2) and 2.2-3.12.2.8(1).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1689. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of UPMC Altoona for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Altoona has requested an exception to the requirements of 28 Pa. Code § 103.31 (relating to the chief executive officer).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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. 14-1690. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of UPMC Bedford for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Bedford has requested an exception to the requirements of 28 Pa. Code § 103.31 (relating to the chief executive officer).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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. 14-1691. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of Wilkes Barre General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Wilkes Barre General Hospital has requested an exception to the requirements of 28 Pa. Code § 101.31(7) (relating to hospital requirements).

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. 14-1692. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 117.30(1) (relating to emergency paramedic services).

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. 14-1693. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

The Wesley Village  
209 Roberts Road  
Pittston, PA 18640  
FAC ID # 750702

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(n) (relating to function of building) and 28 Pa. Code § 205.67(j) and (k):

Artman Lutheran Home  
250 North Bethlehem Pike  
Ambler, PA 19002  
FAC ID # 011102

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) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1694. Filed for public inspection August 8, 2014, 9:00 a.m.]



# DEPARTMENT OF PUBLIC WELFARE

## Disproportionate Share Hospital Payments

The Department of Public Welfare (Department) is providing final notice of its funding allocations for several classes of disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals. Further, the Department is providing final notice of its change to the payment methodology for Trauma DSH payments and payments to certain Academic Medical Centers.

### Background

The Department is allocating funding for certain classes of DSH payments to qualifying acute care general hospitals for Fiscal Year (FY) 2013-2014. Specifically, these classes of payments include DSH payments to Critical Access and Qualifying Rural Hospitals, DSH payments for Obstetrical and Neonatal Health Care services, Trauma DSH payments, DSH payments to certain Burn Centers, DSH payments to hospitals providing a high volume of services to MA and low-income populations, DSH payments to certain Academic Medical Centers and DSH payments to certain MA acute care general hospitals which participate in an academic medical program. Additionally, the Department is eliminating funding for DSH payments to hospitals that provide a high volume of MA acute care and psychiatric services and incur significant uncompensated care costs.

The Department is increasing the funding allocations from FY 2012-2013 funding levels for DSH payments to Critical Access and Qualifying Rural Hospitals, DSH payments for Obstetrical and Neonatal Health Care Services, and DSH payments to certain Academic Medical Centers for FY 2013-2014. The intent notice at 44 Pa.B. 134 (January 4, 2014) provided incorrect total and Federal funding allocations for the DSH payments to Critical Access and Qualifying Rural Hospitals and DSH payments for Obstetrical and Neonatal Health Care Services. The State Plan and this final notice provide the correct amounts for these FY 2013-2014 payments.

Since publication of the intent notice, the Department allocated additional State funds for the DSH payments to hospitals providing Enhanced Access to Multiple Types of Medical Care in Economically Distressed Areas. The Department published a separate intent notice and will publish a final notice addressing the total State and Federal funds allocated for this DSH payment for FY 2013-2014.

For FY 2013-2014, the Department's funding allocations remain at the same levels as for FY 2012-2013 for Trauma DSH payments, DSH payments to certain Burn Centers, DSH payments to hospitals providing a high volume of services to MA and low-income populations and DSH payments to certain MA acute care general hospitals that participate in an academic medical program. For FY 2013-2014, the Department is not providing funding for DSH payments to qualifying hospitals that provide a high volume of MA acute care and psychiatric services and incur significant uncompensated costs.

Except for payments to certain Academic Medical Centers and Trauma DSH payments, the Department is not making any changes to the payment methodology or qualifying criteria for these DSH payments. The Depart-

ment's approved State Plan provides FY 2013-2014 funding for the continuing DSH payment programs described in this notice as follows.

### *DSH Payments to Critical Access Hospitals and Qualifying Rural Hospitals*

For FY 2013-2014, the Department is allocating \$14.579 million (\$6.776 million in State general funds and \$7.803 million in Federal funds) for DSH payments to Critical Access and Qualifying Rural Hospitals. The Department is not changing its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

### *DSH Payments to Qualifying Acute Care General Hospitals for Obstetrical and Neonatal Health Care Services*

For FY 2013-2014, the Department is allocating \$14.374 million (\$6.681 million in State general funds and \$7.693 million in Federal funds) for DSH payments to Qualifying Acute Care General Hospitals for Obstetrical and Neonatal Health Care Services. The Department is not changing its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

### *Trauma DSH Payments*

For FY 2013-2014, the Department is allocating \$18.623 million (\$8.656 million in State general funds and \$9.967 million in Federal funds) for Trauma DSH payments.

Further, the Department changed its approved State Plan provisions addressing payment distribution. Specifically, the Department is using funds unspent from payments to qualifying hospitals accredited or seeking accreditation as Level 3 trauma centers to make payments to qualifying hospitals accredited as Level 1 and Level 2 trauma centers as follows: 50% of unspent Level 3 funds are distributed equally among qualified Level 1 and 2 trauma centers; 50% of unspent Level 3 funds shall be distributed on the basis of each qualified Level 1 and Level 2 trauma center's percentage of medical assistance and uninsured Pennsylvania Trauma Outcomes Study (PTOS) trauma visits and patient days compared to the Pennsylvania Statewide total number of MA and uninsured PTOS trauma visits and patient days for Level 1 and Level 2 trauma centers. This change makes the Department's State Plan consistent with 62 P.S. § 805-H(c)(5).

Except as described, the Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

### *DSH Payments to Qualified Acute Care General Hospital Burn Centers*

For FY 2013-2014, the Department is allocating \$8.137 million (\$3.782 million in State general funds and \$4.355 million in Federal funds) for DSH payments to Qualified Burn Centers. The Department is not otherwise changing its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

### *DSH Payments to Qualifying Acute Care General Hospitals that Provide a High Volume of Services to MA Eligible and Low-Income Populations*

For FY 2013-2014, the Department is allocating \$1.704 million (\$0.792 million in State general funds and \$0.912 million in Federal funds) for DSH payments to qualified hospitals providing a high volume of services to MA and low-income populations. The Department is not otherwise



changing its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*Payments to Certain Academic Medical Centers*

For FY 2013-2014, the Department is allocating \$24.378 million (\$11.331 million in State general funds and \$13.047 million in Federal funds) for payments to Academic Medical Centers.

The Department changed its approved State Plan provisions addressing payment distribution to adjust the funding allocation for each category of qualifying hospitals:

- 47.191453% of available funding is allocated to a large hospital, defined as having at least 750 set up and staffed beds based on the hospital's FY 2002-2003 Medical Assistance Cost Report.
- 26.4042735% of available funding is allocated to each of the other qualifying hospitals.
- Further, to ensure that payments do not exceed available funds, the Department is adjusting payments to each hospital in accordance with the approved State Plan.

Except as described, the Department is not otherwise changing its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*DSH Payments for Certain MA Acute Care General Hospitals which Participate in an Academic Medical Program*

For FY 2013-2014, the Department is allocating \$4.303 million (\$2.000 million in State general funds and \$2.303 million in Federal funds) for DSH payments to certain MA acute care general hospitals which participate in an academic medical program. The Department is not otherwise changing its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these DSH payments at 44 Pa.B. 134. The Department received no public comments during the 30-day comment period, and will implement the changes as described in its notice of intent with the exception of the change previously described.

*Fiscal Impact*

The FY 2013-2014 fiscal impact, as a result of these payments, is \$86.098 million (\$40.018 million in State funds and \$46.080 million in Federal funds).

BEVERLY D. MACKERETH,  
Secretary

**Fiscal Note:** 14-NOT-893. (1) General Fund;

(7) MA—Critical Access Hospitals; (2) Implementing Year 2013-14 is \$6,776,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$4,076,000; 2011-12 Program—\$3,218,000; 2010-11 Program—\$4,677,000;

(7) MA—Obstetric and Neonatal Services; (2) Implementing Year 2013-14 is \$6,681,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$3,681,000; 2011-12 Program—\$3,313,000; 2010-11 Program—\$4,815,000;

(7) Trauma Centers; (2) Implementing Year 2013-14 is \$8,656,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$8,656,000; 2011-12 Program—\$7,790,000; 2010-11 Program—\$11,322,000;

(7) Hospital Based Burn Centers; (2) Implementing Year 2013-14 is \$3,782,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$3,782,000; 2011-12 Program—\$3,404,000; 2010-11 Program—\$4,946,000;

(7) MA—Academic Medical Centers; (2) Implementing Year 2013-14 is \$13,331,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$12,618,000; 2011-12 Program—\$12,618,000; 2010-11 Program—\$18,871,000;

(7) MA—Inpatient; (2) Implementing Year 2013-14 is \$792,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000; 2010-11 Program—\$243,809,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-1695. Filed for public inspection August 8, 2014, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Money Craze Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Money Craze.

2. *Price:* The price of a Pennsylvania Money Craze instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Money Craze instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Money Bag (MNYBAG) symbol and a Craze (CRAZE) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1<sup>.00</sup> (ONE DOL), \$2<sup>.00</sup> (TWO DOL), \$4<sup>.00</sup> (FOR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$25<sup>.00</sup> (TWY FIV), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$500 and \$5,000. The player can win up to 5 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Money Craze instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$5,000 (FIV

(THO) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$500 (FIV HUN) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with a Craze (CRAZE) symbol in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all five of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$50<sup>00</sup> (FIFTY) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets with a Craze (CRAZE) symbol in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in all five of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$25<sup>00</sup> (TWY FIV) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$25.

(h) Holders of tickets with a Craze (CRAZE) symbol in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in all five of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with a Craze (CRAZE) symbol in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in three of the "PRIZE" areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in one of the "PRIZE" areas, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets with a Craze (CRAZE) symbol in the play area and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in all five of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets with a Craze (CRAZE) symbol in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in all five of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets with a Craze (CRAZE) symbol in the play area and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in all five of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$4<sup>00</sup> (FOR DOL) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of \$1<sup>00</sup> (ONE DOL) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets with a Money Bag (MNYBAG) symbol in the play area and a prize symbol of FREE (TICKET) in the "PRIZE" area to the right of that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Money Craze instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A "Money Bag" (MNYBAG) Symbol, Win Prize Shown To The Right Of That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
FREE	FREE \$1 TICKET	10	1,200,000
\$1	\$1	75	160,000
\$1 x 2	\$2	37.5	320,000
\$2	\$2	37.5	320,000
\$1 x 4	\$4	200	60,000
\$2 x 2	\$4	300	40,000
(\$1 x 2) + \$2	\$4	200	60,000
\$4	\$4	300	40,000
CRAZE w/ (\$1 x 5)	\$5	100	120,000
(\$1 x 3) + \$2	\$5	300	40,000
\$5	\$5	300	40,000
CRAZE w/ (\$2 x 5)	\$10	200	60,000

Reveal A "Money Bag" (MNYBAG)  
Symbol, Win Prize Shown To The  
Right Of That Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 12,000,000 Tickets
(\$4 × 2) + \$2	\$10	428.57	28,000
\$10	\$10	1,000	12,000
CRAZE w/ (\$4 × 5)	\$20	750	16,000
CRAZE w/ ((\$2 × 3) + \$10 + \$4)	\$20	1,000	12,000
\$5 × 4	\$20	1,500	8,000
\$20	\$20	3,000	4,000
CRAZE w/ (\$5 × 5)	\$25	2,400	5,000
(\$5 × 3) + \$10	\$25	2,400	5,000
(\$10 × 2) + \$5	\$25	2,400	5,000
\$25	\$25	2,400	5,000
CRAZE w/ (\$10 × 5)	\$50	2,400	5,000
\$25 × 2	\$50	6,000	2,000
(\$10 × 2) + (\$5 × 2) + \$20	\$50	6,000	2,000
\$50	\$50	12,000	1,000
CRAZE w/ (\$20 × 5)	\$100	12,000	1,000
\$25 × 4	\$100	48,000	250
(\$20 × 2) + (\$5 × 2) + \$50	\$100	12,000	1,000
\$100	\$100	48,000	250
\$100 × 5	\$500	80,000	150
\$500	\$500	80,000	150
\$5,000	\$5,000	400,000	30

Reveal a "Craze" (CRAZE) symbol, win all 5 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Money Craze instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Money Craze, prize money from winning Pennsylvania Money Craze instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Money Craze instant lottery game, the right of a ticket holder to claim the prize represented by

the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Money Craze or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1696. Filed for public inspection August 8, 2014, 9:00 a.m.]

## Pennsylvania \$1,000,000 Instant Jackpot Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000,000 Instant Jackpot.

2. *Price:* The price of a Pennsylvania \$1,000,000 Instant Jackpot instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania \$1,000,000 Instant Jackpot instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a



“YOUR NUMBERS” area, and one bonus play area featuring a “FAST \$50” area, a “FAST \$100” area and a “FAST \$500” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), \$ (DLAR) symbol, Cherry (CHRY) symbol and a JACKPOT (JKPT) symbol. The play symbols and their captions located in the “FAST \$50” area are: 1 (TRY AGAIN) symbol, 3 (TRY AGAIN) symbol, 5 (NO BONUS) symbol, 9 (NO BONUS) symbol and a 7 (WIN50) symbol. The play symbols and their captions located in the “FAST \$100” area are: Gold Bar (TRY AGAIN) symbol, Bell (TRY AGAIN) symbol, Chest (NO BONUS) symbol, Safe (NO BONUS) symbol and a Star (WIN100) symbol. The play symbols and their captions located in the “FAST \$500” area are: Horseshoe (TRY AGAIN) symbol, Crown (TRY AGAIN) symbol, Coins (NO BONUS) symbol, Necklace (NO BONUS) symbol and a Diamond (WIN500) symbol. The play area and bonus play area are played separately. The “Fast \$50” area, “Fast \$100” area, and “Fast \$500” area within the bonus play area are played separately.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO), \$25,000 (TWYFIVTHO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$500, \$1,000, \$5,000, \$25,000, \$100,000 and \$1,000,000. The \$1,000,000 top prize is a lump sum cash payment. The prize that can be won in the “FAST \$50” area is \$50. The prize that can be won in the “FAST \$100” area is \$100. The prize that can be won in the “FAST \$500” area is \$500. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania \$1,000,000 Instant Jackpot instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1MILL (ONE MIL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a JACKPOT (JKPT) symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol, and a prize symbol of \$5,000 (FIV THO) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLAR) symbol, and a prize symbol of \$25,000 (TWYFIVTHO) appears under that \$ (DLAR) symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLAR) symbol, and a prize symbol of \$5,000 (FIV THO) appears under that \$ (DLAR) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol, and a prize symbol of \$500 (FIV HUN) appears in five of the “prize” areas, a prize symbol of \$200 (TWO HUN) appears in ten of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$5,000.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLAR) symbol, and a prize symbol of \$1,000 (ONE THO) appears under that \$ (DLAR) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.



(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$ (DLAR) symbol, and a prize symbol of \$500 (FIV HUN) appears under that \$ (DLAR) symbol, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets with a Diamond (WIN500) symbol in the "FAST \$500" area, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cherry (CHRY) symbol, and a prize symbol of \$40.00 (FORTY) appears in 10 of the "prize" areas and a prize symbol of \$10.00 (TEN DOL) appears in 10 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cherry (CHRY) symbol, and a prize symbol of \$25.00 (TWY FIV) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$ (DLAR) symbol, and a prize symbol of \$200 (TWO HUN) appears under that \$ (DLAR) symbol, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cherry (CHRY) symbol, and a prize symbol of \$10.00 (TEN DOL) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets with a Star (WIN100) symbol in the "FAST \$100" area, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.00 (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets with a 7 (WIN50) symbol in the "FAST \$50" area, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.00 (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$ (DLAR) symbol, and a prize symbol of \$40.00 (FORTY) appears under that \$ (DLAR) symbol, on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.00 (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$ (DLAR) symbol, and a prize symbol of \$25.00 (TWY FIV) appears under that \$ (DLAR) symbol, on a single ticket, shall be entitled to a prize of \$25.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.00 (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$ (DLAR) symbol, and a prize symbol of \$20.00 (TWENTY) appears under that \$ (DLAR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.00 (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

	<i>Win:</i>
\$20 w/ \$	\$20
\$20	\$20
\$25 w/ \$	\$25
\$25	\$25
\$10 x 4	\$40
\$20 x 2	\$40
\$40 w/ \$	\$40
\$40	\$40

*Approximate Odds Are 1 In:*

20	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
20	270,000
30	270,000
30	180,000
60	180,000
60	90,000
60	90,000
60	90,000
60	90,000

When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 5,400,000 Tickets	
\$10 × 5	\$50	150	36,000
\$25 × 2	\$50	300	18,000
(\$20 × 2) + \$10	\$50	300	18,000
\$50 w/ FAST \$50	\$50	75	72,000
\$50	\$50	150	36,000
\$20 × 5	\$100	300	18,000
\$25 × 4	\$100	300	18,000
(\$50 w/ FAST \$50) + \$50	\$100	150	36,000
\$100 w/ FAST \$100	\$100	150	36,000
\$100	\$100	150	36,000
CHERRY w/ (\$10 × 20)	\$200	1,000	5,400
\$40 × 5	\$200	1,000	5,400
\$100 × 2	\$200	1,000	5,400
(\$100 w/ FAST \$100) + (\$50 w/ FAST \$50) + \$50	\$200	750	7,200
\$200 w/ \$	\$200	750	7,200
\$200	\$200	800	6,750
CHERRY w/ (\$25 × 20)	\$500	4,800	1,125
CHERRY w/ (\$40 × 10) + (\$10 × 10)	\$500	4,800	1,125
\$50 × 10	\$500	8,000	675
\$100 × 5	\$500	8,000	675
(\$50 × 5) + (\$25 × 10)	\$500	8,000	675
(\$100 w/ FAST \$100) + (\$200 × 2)	\$500	4,000	1,350
\$500 w/ FAST \$500	\$500	4,000	1,350
\$500 w/ \$	\$500	4,000	1,350
\$500	\$500	8,000	675
CHERRY w/ (\$50 × 20)	\$1,000	12,000	450
\$100 × 10	\$1,000	15,000	360
\$200 × 5	\$1,000	15,000	360
\$500 × 2	\$1,000	20,000	270
(\$100 × 6) + (\$40 × 10)	\$1,000	12,000	450
(\$500 w/ FAST \$500 ) + \$500	\$1,000	12,000	450
(\$500 w/ FAST \$500 ) + (\$100 w/ FAST \$100) + (\$50 w/ FAST \$50) + (\$100 × 3) + \$50	\$1,000	12,000	450
\$1,000 w/ \$	\$1,000	12,000	450
\$1,000	\$1,000	15,000	360
CHERRY w/ (\$500 × 5) + (\$200 × 10) + (\$100 × 5)	\$5,000	120,000	45
\$500 × 10	\$5,000	120,000	45
\$1,000 × 5	\$5,000	120,000	45
\$5,000 w/ \$	\$5,000	120,000	45
\$5,000	\$5,000	120,000	45
\$25,000 w/ \$	\$25,000	1,080,000	5
\$25,000	\$25,000	540,000	10
CHERRY w/ (\$5,000 × 20)	\$100,000	1,080,000	5
\$100,000	\$100,000	1,080,000	5
\$1,000,000 w/ JACKPOT	\$1,000,000	1,800,000	3
\$1,000,000	\$1,000,000	2,700,000	2

Reveal a "\$" (DLAR) symbol, win prize shown under that symbol automatically.  
Reveal a "CHERRY" (CHRY) symbol, win all 20 prizes shown.  
Reveal a "JACKPOT" (JKPT) symbol, win \$1,000,000 instantly!  
Fast \$50: Reveal a "7" (WIN50) symbol, win \$50 instantly.  
Fast \$100: Reveal a "STAR" (WIN100) symbol, win \$100 instantly.  
Fast \$500: Reveal a "DIAMOND" (WIN500) symbol, win \$500 instantly.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania \$1,000,000 Instant Jackpot instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum

payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$1,000,000 Instant Jackpot, prize money from winning Pennsylvania \$1,000,000 Instant Jackpot instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$1,000,000 Instant Jackpot instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$1,000,000 Instant Jackpot or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1697. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Pennsylvania Pinball Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Pinball.

2. *Price:* The price of a Pennsylvania Pinball instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Pinball instant game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV),

13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Bolt (BOLT) symbol and a HIGH SCORE (WIN25K) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$25.<sup>00</sup> (TWY FIV), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$25,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,600,000 tickets will be printed for the Pennsylvania Pinball instant game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HIGH SCORE (WIN25K) symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bolt (BOLT) symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Bolt (BOLT) symbol, on a single ticket, shall be entitled to a prize of \$100.



(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.00 (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bolt (BOLT) symbol and a prize symbol of \$50.00 (FIFTY) appears in the “prize” area under that Bolt (BOLT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$25.00 (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bolt (BOLT) symbol and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under that Bolt (BOLT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bolt (BOLT) symbol and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under that Bolt (BOLT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bolt (BOLT) symbol and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under that Bolt (BOLT) symbol, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.00 (FOR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bolt (BOLT) symbol and a prize symbol of \$4.00 (FOR DOL) appears in the “prize” area under that Bolt (BOLT) symbol, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bolt (BOLT) symbol and a prize symbol of \$2.00 (TWO DOL) appears in the “prize” area under that Bolt (BOLT) symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets</i>
\$2 w/ BOLT	\$2	15	440,000
\$2	\$2	21.43	308,000
\$2 × 2	\$4	150	44,000
\$4 w/ BOLT	\$4	37.5	176,000
\$4	\$4	75	88,000
\$5 w/ BOLT	\$5	50	132,000
\$5	\$5	75	88,000
\$2 × 5	\$10	250	26,400
\$5 × 2	\$10	750	8,800
(\$2 w/ BOLT) × 5	\$10	300	22,000
\$10	\$10	750	8,800
\$2 × 10	\$20	1,500	4,400
\$5 × 4	\$20	300	22,000
(\$10 w/ BOLT) × 2	\$20	250	26,400
\$20	\$20	1,500	4,400
(\$5 × 3) + \$10	\$25	685.71	9,625
\$20 + \$5	\$25	685.71	9,625
(\$5 w/ BOLT) × 5	\$25	800	8,250
\$25	\$25	960	6,875
\$5 × 10	\$50	4,000	1,650
\$10 × 5	\$50	1,200	5,500
(\$5 w/ BOLT) × 5) + (\$5 × 5)	\$50	3,000	2,200



When Any Of Your Numbers  
Match Either Winning Number,  
Win Prize Shown Under The  
Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,600,000 Tickets
\$50	\$50	4,000	1,650
\$10 × 10	\$100	6,000	1,100
\$25 × 4	\$100	3,000	2,200
(\$20 w/ BOLT) × 5	\$100	3,000	2,200
\$100	\$100	4,800	1,375
\$25 × 10	\$250	30,000	220
(\$100 × 2) + \$50	\$250	12,000	550
(\$50 w/ BOLT) × 5	\$250	12,000	550
\$250	\$250	30,000	220
\$50 × 10	\$500	120,000	55
\$250 × 2	\$500	60,000	110
(\$100 w/ BOLT) × 5	\$500	60,000	110
\$500	\$500	120,000	55
\$1,000	\$1,000	60,000	110
\$25,000 w/ HIGH SCORE	\$25,000	1,320,000	5
\$25,000	\$25,000	1,320,000	5

Reveal a "BOLT" (BOLT) symbol, win prize shown under it automatically.  
Reveal a "HIGH SCORE" (WIN25K) symbol, win \$25,000 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Pinball instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Pinball, prize money from winning Pennsylvania Pinball instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Pinball instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Pinball or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1698. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Pennsylvania Win It All Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Win It All.

2. *Price:* The price of a Pennsylvania Win It All instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Win It All instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "WIN IT ALL NUMBER" area. The play symbols and their captions located in the "WINNING NUMBERS" area and the "WIN IT ALL NUMBER" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30

(THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY) and Trophy (TROPHY) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$5,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Win It All instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WIN IT ALL NUMBER" play symbol, and a prize symbol of \$100 (ONE HUN) appears in eight of the "Prize" areas, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WIN IT ALL NUMBER" play symbol, and a prize symbol of \$100

(ONE HUN) appears in two of the "Prize" areas, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$200 (TWO HUN) appears under the Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WIN IT ALL NUMBER" play symbol, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in two of the "Prize" areas, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WIN IT ALL NUMBER" play symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the "Prize" areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the "Prize" areas, and a prize symbol of \$5.00 (FIV DOL) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears under the Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$40.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears under the Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$25.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY)

symbol, and a prize symbol of \$10<sup>00</sup>(TEN DOL) appears under the Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
\$5 w/ TROPHY	\$5	20	540,000
\$5	\$5	30	360,000
\$5 × 2	\$10	40	270,000
\$10 w/ TROPHY	\$10	60	180,000
\$10	\$10	30	360,000
\$5 × 4	\$20	150	72,000
\$10 × 2	\$20	150	72,000
\$20 w/ TROPHY	\$20	75	144,000
\$20	\$20	150	72,000
\$5 × 5	\$25	300	36,000
(\$10 × 2) + \$5	\$25	300	36,000
\$20 + \$5	\$25	300	36,000
\$25 w/ TROPHY	\$25	300	36,000
\$25	\$25	300	36,000
\$5 × 8	\$40	300	36,000
\$20 × 2	\$40	300	36,000
\$40 w/ TROPHY	\$40	150	72,000
\$40	\$40	300	36,000
WIN IT ALL MATCH w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	1,043	10,350
WIN IT ALL MATCH w/ ((\$25 × 2) + (\$5 × 10))	\$100	1,043	10,350
\$20 × 5	\$100	2,000	5,400
\$25 × 4	\$100	2,000	5,400
(\$50 w/ TROPHY) × 2	\$100	1,043	10,350
\$100	\$100	2,000	5,400
WIN IT ALL MATCH w/ ((\$100 × 2) + (\$20 × 10))	\$400	60,000	180
\$40 × 10	\$400	120,000	90
\$100 × 4	\$400	120,000	90
(\$200 w/ TROPHY) × 2	\$400	60,000	180
\$400	\$400	120,000	90
WIN IT ALL MATCH w/ ((\$100 × 8) + (\$50 × 4))	\$1,000	120,000	90
\$500 × 2	\$1,000	120,000	90
\$1,000	\$1,000	120,000	90
(\$400 × 10) + \$1,000	\$5,000	180,000	60
\$5,000	\$5,000	360,000	30
\$100,000	\$100,000	1,080,000	10

Reveal a "TROPHY" (TROPHY) symbol, win prize shown under it automatically.

When any of YOUR NUMBERS match the WIN IT ALL NUMBER, win all 12 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Win It All instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket



that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania Win It All, prize money from winning Pennsylvania Win It All instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Win It All instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Win It All or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1699. Filed for public inspection August 8, 2014, 9:00 a.m.]

## Pennsylvania Winning Combination '14 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name*: The name of the game is Pennsylvania Winning Combination '14.

2. *Price*: The price of a Pennsylvania Winning Combination '14 instant lottery game ticket is \$3.

3. *Play Symbols*: Each Pennsylvania Winning Combination '14 instant lottery game ticket will contain one play area featuring "VAULT 1," "VAULT 2," "VAULT 3," "VAULT 4," "VAULT 5," "VAULT 6" and a "COMBINATION NUMBERS" area. Each "VAULT" will contain five

play symbols and is played separately. The play symbols located in the "VAULT" and the "COMBINATION NUMBERS" areas are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59 and 60.

4. *Prize Symbols*: The prize symbols and their captions located in "PRIZE" area of the "VAULTS" are: \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$30,000 (TRY THO).

5. *Prizes*: The prizes that can be won in this game are: \$3, \$5, \$10, \$20, \$25, \$50, \$100, \$150, \$300, \$1,000, \$5,000 and \$30,000. The player can win up to 6 times on each ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 10,200,000 tickets will be printed for the Pennsylvania Winning Combination '14 instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$30,000 (TRY THO) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$30,000.

(b) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$5,000 (FIV THO) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any five of the "COMBINATION NUMBERS" play symbols matches the same exact five play symbols in a "VAULT," and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$900.

(e) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$300.

(f) Holders of tickets upon which any five of the "COMBINATION NUMBERS" play symbols matches the same exact five play symbols in a "VAULT," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$300.

(g) Holders of tickets upon which any four of the "COMBINATION NUMBERS" play symbols matches the same exact four play symbols in a "VAULT," and a prize symbol of \$150 (ONEHUNFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$300.



(h) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$150 (ONEHUNFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$150.

(i) Holders of tickets upon which any five of the "COMBINATION NUMBERS" play symbols matches the same exact five play symbols in a "VAULT," and a prize symbol of \$50.00 (FIFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$150.

(j) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$50.00 (FIFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any four of the "COMBINATION NUMBERS" play symbols matches the same exact four play symbols in a "VAULT," and a prize symbol of \$25.00 (TWY FIV) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any five of the "COMBINATION NUMBERS" play symbols matches the same exact five play symbols in a "VAULT," and a prize symbol of \$10.00 (TEN DOL) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$30.

(n) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$25.00 (TWY FIV) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the

same exact three play symbols in a "VAULT," and a prize symbol of \$20.00 (TWENTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any four of the "COMBINATION NUMBERS" play symbols matches the same exact four play symbols in a "VAULT," and a prize symbol of \$10.00 (TEN DOL) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any five of the "COMBINATION NUMBERS" play symbols matches the same exact five play symbols in a "VAULT," and a prize symbol of \$5.00 (FIV DOL) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$15.

(r) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$10.00 (TEN DOL) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any four of the "COMBINATION NUMBERS" play symbols matches the same exact four play symbols in a "VAULT," and a prize symbol of \$5.00 (FIV DOL) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$5.00 (FIV DOL) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which any three of the "COMBINATION NUMBERS" play symbols matches the same exact three play symbols in a "VAULT," and a prize symbol of \$3.00 (THR DOL) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$3.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*Scratch The Combination Numbers. Then Scratch The Corresponding Numbers When They Appear In Vaults 1—6. When You Match Any Combination Numbers To 3 Numbers In The Same Vault, Win Prize Shown Under That Vault. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,200,000 Tickets</i>
\$3	9.09	1,122,000
\$5	13.7	744,600
\$5 w/ MATCH 4	58.82	173,400
\$10	58.82	173,400
\$5 × 4	500	20,400
(\$3 × 5) + \$5	250	40,800
\$10 w/ MATCH 4	500	20,400
\$20	500	20,400
\$5 × 5	1,000	10,200
(\$10 × 2) + \$5	500	20,400
(\$5 w/ MATCH 5) + \$10	1,000	10,200

*Scratch The Combination Numbers. Then Scratch The Corresponding Numbers When They Appear In Vaults 1—6. When You Match Any Combination Numbers To 3 Numbers In The Same Vault, Win Prize Shown Under That Vault. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,200,000 Tickets</i>
\$25	1,000	10,200
(\$20 × 2) + \$10	1,091	9,350
(\$10 w/ MATCH 5) + \$20	800	12,750
\$25 w/ MATCH 4	960	10,625
\$50	1,200	8,500
\$20 × 5	4,000	2,550
\$25 × 4	4,000	2,550
(\$25 × 2) + \$50	3,429	2,975
\$100	3,429	2,975
\$25 × 6	8,000	1,275
\$50 × 3	12,000	850
\$100 + \$50	8,000	1,275
\$50 w/ MATCH 5	4,800	2,125
\$150	12,000	850
\$50 × 6	15,000	680
(\$100 × 2) + (\$25 × 4)	40,000	255
\$150 w/ MATCH 4	40,000	255
\$100 w/ MATCH 5	40,000	255
\$300	40,000	255
(\$300 w/ MATCH 5) + \$100	24,000	425
(\$300 × 2) + (\$100 × 4)	30,000	340
\$1,000	30,000	340
\$5,000	120,000	85
\$30,000	1,020,000	10

When you match 4 numbers in the same vault, win double the prize shown under that vault.  
 When you match all 5 numbers in the same vault, win triple the prize shown under that vault.  
 Each vault is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Winning Combination '14 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter

a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Winning Combination '14, prize money from winning Pennsylvania Winning Combination '14 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Winning Combination '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Winning Combination '14 or through normal communications methods.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-1700. Filed for public inspection August 8, 2014, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Exclusive Use Fishing Areas Designation and Removal

The Executive Director of the Fish and Boat Commission, acting under the authority of 58 Pa. Code § 65.21 (relating to waters limited to specific purposes—exclusive use fishing areas), designates Ross Run, Forest County, from the Ross Run Road Bridge downstream 0.5 mile to the mouth as being for the exclusive use of children. This designation will go into effect on January 1, 2015.

The Executive Director also removes the designation of Pymatuning Pond, Crawford County, as being for the exclusive use of children and special populations. The removal will go into effect upon publication in the *Pennsylvania Bulletin*.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 14-1701. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Special Regulation Designations

The Fish and Boat Commission (Commission) designated or redesignated the following streams, stream sections and lakes as waters subject to 58 Pa. Code Chapter 65 (relating to special fishing regulations), effective January 1, 2015:

*58 Pa. Code § 65.6. Delayed Harvest Artificial Lures Only Areas*

The Commission extended the Delayed Harvest Artificial Lures Only Area regulated and managed under 58 Pa. Code § 65.6 on Pine Creek, Lycoming County, from the current downstream limit located 164 yards upstream of the confluence of Naval Run downstream 1.6 miles to Bonnell Run. The revised limits are from the confluence of Slate Run downstream to the confluence of Bonnell Run, a distance of 2.8 miles.

*58 Pa. Code § 65.19. Approved Trout Waters Open to Year-Round Fishing*

The Commission added the following waters to its list of Approved Trout Waters Open to Year-Round Fishing regulated and managed under 58 Pa. Code § 65.19:

County	Water
Carbon and Luzerne	Francis E. Walter Reservoir
Luzerne	Lehigh River from the outflow downriver 9.7 miles to Sandy Run, a distance of 9.7 miles

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 14-1702. Filed for public inspection August 8, 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 24, 2014, and announced the following:

#### *Action Taken—Regulations Approved:*

Pennsylvania Public Utility Commission #57-277: Meter Location (amends 52 Pa. Code § 59.18)

Philadelphia Parking Authority #126-8: Taxicab Safety Cameras (amends 52 Pa. Code Sections 1017.5 and 1019.8, and adds Sections 1017.71 to 1017.77)

Philadelphia Parking Authority #126-4: Taxicab and Limousine Amendments (amends 52 Pa. Code Part II, Chapters 1011, 1015, 1017, 1021, 1027, 1051, 1053, 1057, 1059)

### Approval Order

Public Meeting Held  
July 24, 2014

*Commissioners Voting:* John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson, dissenting; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission—  
Meter Location;  
Regulation No. 57-277 (#2950)*

On May 31, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code § 59.18. The proposed regulation was published in the June 16, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 13, 2014.

The rulemaking amends existing regulations to provide a general rule that meters and regulators shall be located outside and aboveground, while allowing for meters to be located inside a building under certain circumstances and in certain locations. The regulation also requires the utility to provide written notice of a relocation to a customer.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 501) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

**Approval Order**

Public Meeting Held  
July 24, 2014

Commissioners Voting: John F. Mizner, Esq., Chairperson;  
George D. Bedwick, Vice Chairperson; W. Russell Faber;  
Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Philadelphia Parking Authority—  
Taxicab Safety Cameras;  
Regulation No. 126-8 (#3048)*

On February 25, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Philadelphia Parking Authority (PPA). This rulemaking amends 52 Pa. Code Sections 1017.5 and 1019.8, and adds Sections 1017.71 to 1017.77. The proposed regulation was published in the March 8, 2014 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 16, 2014.

This regulation establishes the new requirement for all taxicabs to have safety cameras.

We have determined this regulation is consistent with the statutory authority of the PPA (53 Pa.C.S.A. § 5722) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

**Approval Order**

Public Meeting Held  
July 24, 2014

Commissioners Voting: John F. Mizner, Esq., Chairperson;  
George D. Bedwick, Vice Chairperson; W. Russell Faber;  
Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Philadelphia Parking Authority—  
Taxicab and Limousine Amendments;  
Regulation No. 126-4 (#2993)*

On March 15, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Philadelphia Parking Authority (PPA). This rulemaking amends 52 Pa. Code Part II, Chapters 1011, 1015, 1017, 1021, 1027, 1051, 1053, 1057, 1059. The proposed regulation was published in the March 30, 2013 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 8, 2014.

The final-form regulation amends PPA regulations to conform to recent statutory changes. The regulation also amends voluntary suspension requirements; amends driver qualifications and reporting requirements; limits the service of partial-rights taxicab carriers; deletes outdated references; requires taxicab drivers to give customers receipts for service; amends the rights transfer process; and corrects typographical errors.

We have determined this regulation is consistent with the statutory authority of the PPA (53 Pa.C.S. §§ 5701 et seq., §§ 5711(c)(2.1), 5714(d)(2), 5722 and 5742; 53 Pa.C.S. §§ 5505(d)(17), (d)(23), (d)(24)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,  
Vice Chairperson

[Pa.B. Doc. No. 14-1703. Filed for public inspection August 8, 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>
#7-485	Environmental Quality Board Additional RACT Requirements for Major Sources of NO <sub>x</sub> and VOCs 44 Pa.B. 2392 (April 19, 2014)	06/30/14	07/30/14



**Environmental Quality Board  
Regulation #7-485 (IRRC #3052)**

**Additional RACT Requirements for Major Sources  
of NO<sub>x</sub> and VOCs  
July 30, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the April 19, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

**1. Revision to the State Implementation Plan—Feasibility; Protection of the public health, safety and welfare; Acceptable data; Reasonableness; Implementation procedures; Economic impact; Clarity.**

*Environmental Protection Agency*

In the Preamble to the proposed regulation, the EQB explains:

The proposed rulemaking will be submitted to the United States Environmental Protection Agency (EPA) upon final-form publication for approval as a revision to the Commonwealth's State Implementation Plan (SIP).

The Preamble also explains that:

Section 110 of the CAA [Clean Air Act] (42 U.S.C.A. § 7410) gives states primary responsibility for achieving the NAAQS [National Ambient Air Quality Standards]. The principal mechanism at the state level for complying with the CAA is the SIP. A SIP includes the regulatory programs, actions and commitments a state will carry out to implement its responsibilities under the CAA. Once approved by the EPA, a SIP is legally enforceable under both Federal and state law.

In a comment letter dated June 27, 2014, EPA raised the following concerns with the proposed regulation:

- **Emission Limits for Certain Coal-fired Units:** EPA advises the EQB to revise allowable oxides of nitrogen (NO<sub>x</sub>) emission limits for coal-fired boilers currently equipped with advanced controls, such as selective catalytic reduction, selective non-catalytic reduction/ammonia injection, for those facilities or units which past actual emissions data show lower limits are certainly technically feasible.

- **Other Emission Limits:** EPA advises the EQB to reevaluate the proposed presumptive Reasonably Available Control Technology (RACT) emission limits against NO<sub>x</sub> emission limits currently in effect in other States as required by EPA's guidance on RACT for the 1997 and 2008 ozone NAAQS.

- **Cost-Effectiveness:** EPA advises the EQB to reevaluate the proposed RACT limits by revising upward the cost effectiveness range to characterize RACT economic reasonableness and not to use a rigid "benchmark" to reject consideration of controls.

- **Averaging Plans:** EPA advises the EQB to amend the averaging provisions of proposed Section 129.98 to ensure that averaging plans, including units inside designated nonattainment areas, achieve at least RACT level reductions—excess reductions from outside any designated nonattainment area boundaries cannot be used to offset

emissions above allowable RACT emissions inside any designated nonattainment area boundary.

- **Title V Related:** For better translation of rule requirements into Title V permits issued to sources subject to this rule, EPA advises the EQB to include affirmative provisions in the rule itself to: (1) mandate that sources not using continuous emissions monitoring systems (CEMS) monitor compliance with periodic stack tests and parametric monitoring; (2) specify that a permit issued pursuant to proposed section 129.98(i) ensure the listing of "each air contamination source" at a Title V facility includes all NO<sub>x</sub> emitting sources at that facility; (3) require records be retained for at least 5 years; and (4) incorporate in Section 129.98 to: (a) identify what changes will mandate a change to the RACT averaging permit; (b) include actual start-up and shut-down emissions in compliance demonstrations; and (c) use the term "operating permit" and "operating permit modification" consistently.

- EPA recommends other minor editorial changes for clarity.

The extensive EPA comments provide a detailed explanation of their concerns with the proposed regulation, including supporting data. The EPA comments include strong warnings that the proposed regulation is not acceptable to them. The comments state that the EQB's proposed limits are "too lax," that lower emission limits are technologically feasible, and that the EQB needs to re-examine the proposed limits.

Based on EPA's comments, it does not appear that the proposed regulation will be viable as a SIP revision. We recommend that the EQB meet with the EPA to gain a thorough understanding of their concerns and how to successfully address them. In the final-form regulation submittal, the EQB should explain how the revised regulation addresses each issue raised in the EPA comments and constitutes a viable SIP revision.

*Other States Affected by Pennsylvania's SIP Revisions*

Comments were submitted by the respective environmental departments of the neighboring states of Delaware, Maryland and New Jersey, as well as by Connecticut. They all state they are affected by Pennsylvania's emissions. These comments are consistent in their positions that Pennsylvania's regulation:

- Should require sources to run their already installed controls;
- Should adopt more stringent emission rates as other states have already done;
- Should amend the deficient averaging mechanism; and
- Should amend emission limits for municipal waste combustors because they are not RACT.

These comments also note that the Ozone Transport Commission suspects that many electric generating units in Pennsylvania are equipped with air pollution control equipment but do not appear to operate it during the ozone season. The EQB should explain how the final regulation will ensure that Pennsylvania is adequately addressing emissions under its jurisdiction so that we are properly meeting our pollution control responsibilities to other states.

*Discrepancy Regarding Other States' Regulations*

In Regulatory Analysis Form (RAF) Question 12, the EQB states that the proposed regulations are "similar to regulations already adopted by Wisconsin and New York and approved by the EPA." However, Delaware (Delaware

comments, page 3) and Connecticut (Connecticut comments, page 2) both commented that New York has in place significantly more stringent emissions limits than Pennsylvania. The EQB should either support or amend its response to RAF Question 12.

#### *Scope of and costs imposed by the regulation*

Several commentators stated that the estimated number of sources affected by the regulation is significantly understated in the RAF. Commentators also believe the compliance costs are understated in the RAF. For example, some commentators believe the regulation would affect an entire class of turbines that cannot be retrofitted and the owners would have to apply for alternatives. The EQB should review these numbers and in the final regulation submittal provide support for the number of sources affected and compliance cost estimates included in the RAF.

### **2. Section 121.1. Definitions.—Clarity; Need.**

#### *CEMS—Continuous Emissions Monitoring System*

The word “permanent” was added to this definition so that the CEMS would “provide a permanent record of emissions.” Commentators question the relationship of the word “permanent” to record retention which is five years. We question the need for the addition of the word “permanent” in this definition and recommend deleting it.

#### *Stationary internal combustion engine*

The proposed regulation deletes the limitation of this definition to Section 129.203. Therefore, under the opening language of Section 121.1, the definition would apply to all of Article 3. Commentators believe the amendment would improperly expand the scope of the definition. Why is this amendment necessary and appropriate?

#### *Additional definitions*

Various commentators asked that the regulation include additional definitions. The requested definitions include:

- Capacity factor;
- Combustion source;
- Combustion turbine;
- Noncommercial gaseous fuel; and
- Refinery gas.

The EQB should either add these definitions or explain why they are not needed.

### **3. Section 129.96. Applicability.—Need; Economic impact; Clarity.**

#### *Exemptions*

Several commentators believe that since they are subject to more stringent requirements under other programs (such as Maximum Achievable Control Technology, National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards) they should be exempt from the RACT requirements. Commentators also note that some facilities have previously undergone RACT review and currently have permitted requirements and/or emissions limits. They questioned why such facilities would have to undergo the RACT process again. While there are some exemptions in the regulation, we do not believe the regulation is sufficiently clear on what sources they apply to. We recommend that the EQB consider whether additional exemptions are needed to accommodate facilities that are already subject to more stringent requirements or have already completed a RACT process.

#### *Sources meeting a previously established standard*

Subsections (a) and (b) list circumstances when the additional RACT standards are not applicable “. . . and for which a requirement or emission limitation, or both, has not been established in §§ 129.51—129.52c. . .” However, there are other exemptions within the body of the regulation, such as Subsection 129.97(i) which allows a prior RACT permit to remain effective “. . . to the extent the RACT permit contains more stringent requirements or emission limitations, or both.” We found similar exceptions in Subsections (j), 129.99(g) and (k), and 129.100(a). We recommend that the regulation include in Section 129.96 a full list of exceptions by reference so that the reader can readily determine whether the additional RACT requirements apply to their source.

### **4. Section 129.97. Presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule.—Protection of the public health, safety and welfare; Need; Reasonableness; Economic impact; Acceptable data; Implementation procedure.**

#### *Consistency with federal requirements*

Several commentators cited examples within Section 129.97 where provisions are either redundant with federal regulations or potentially in conflict with them. The commentators’ citations include 40 CFR 63 Subparts ZZZZ, DDDDD and JJJJJJ. We recommend that the EQB review the requirements in the final regulation in conjunction with the federal requirements to resolve any redundancy and conflicts.

#### *NO<sub>x</sub> limits and VOC limits*

This section specifies limits for both NO<sub>x</sub> and volatile organic compounds (VOC). Some commentators questioned on what basis, either economic or technical, these limits constitute RACT. Commentators also questioned whether the controls needed to meet the limits are cost effective. We recommend that the final regulation submittal provide detailed support for the limits specified in the final regulation, an explanation of how they meet RACT standards and how the controls needed to comply are cost effective.

#### *Clarity regarding sources and requirements*

Several parties commented that it is unclear which requirements apply to their sources or commented that the provisions are ambiguous. We agree that the requirements set forth in this section are complicated. It is advantageous to both the Department of Environmental Protection (DEP) and the regulated community for the regulation to, as clearly as possible, describe sources and their requirements. We note the following relating to clarity:

- Subsection (a) states that sources listed in subsections (b)—(h) “located at a major NO<sub>x</sub> emitting facility or major VOC emitting facility, or both, subject to § 129.96 shall comply. . .” This phrase or portions of it are unnecessarily repeated in most of the following subsections (b)—(h).

- Does Subsection (b) provide alternative compliance options or does it apply simultaneously with Subsections (c) to (h)?

- Under Paragraph (b)(1), it is not clear how an adjustment under Subparagraph (i) relating to “fuel burning equipment, including the burners” is a different requirement than Subparagraphs (ii) relating to the “flame pattern” and (iii) relating to the “air to fuel ratio.”

- As written, Subparagraph (b)(1)(i) could be satisfied by just an inspection. Is that the intent?
- As written, Subparagraphs (b)(1)(ii) and (iii) would require an adjustment in all circumstances. What if an adjustment is not needed?
- Paragraph (c)(3) should use the defined term “stationary internal combustion engine.”
- Does Subsection (d) apply in addition to the requirements in the other subsections?
- Why doesn’t subsection (d) also include NO<sub>x</sub> sources?
- Under Subsection (d), the phrase “other combustion source” is vague.
- Does Subsection (g) apply to the source or the facility?
- Several subsections reference “a source in this subsection.” It would be clearer to state “a source described in this subsection.”

We recommend that the EQB review and amend this section so that it clearly sets forth which sources the provision applies to and what the specific requirements are.

#### *Subsection (b)*

A commentator believes the requirement in Paragraph (1) for an annual tune-up is too frequent because under other requirements boilers only need to be tuned up every five years. The EQB should explain why an annual tune-up is needed and reasonable.

A commentator states that the EPA document (EPA-340/1-83-023) referenced in Paragraph (2) does not address modern boilers and control systems. Is this document outdated?

#### *Manufacturer’s specifications and good engineering practices*

Subsection (c) requires operation “in accordance with the manufacturer’s specifications *and* good engineering practices.” Emphasis added. Commentators stated that some older sources have outdated manufacturer’s specifications and therefore the source is operated using good engineering practices. Therefore, they cannot simultaneously meet both manufacturer’s specifications and good engineering practices. The EQB should review this provision and explain how all sources can meet both manufacturer’s specifications and good engineering practices.

#### *Lower limits*

The paragraphs under Subsection (c) require compliance, for example, for “(1) A boiler or other combustion source with an individual rated gross heat input less than 20 million Btu/hour.” There is no lower limit specified, implying all sources less than 20 million Btu/hour must comply. In other provisions, such as Paragraph (g)(1) a lower limit is specified. We recommend that the EQB add lower limits to Subsection (c) or explain why they are not needed.

#### *Good engineering practices*

The phrase “good engineering practices” is used in both Subsections (c) and (d). A commentator states this phrase is not defined and therefore not readily implemented. We agree that the regulation should define what constitutes “good engineering practices.”

#### *Timeline for compliance*

Several commentators representing different industries stated the timelines for compliance specified in Subsec-

tions (a) and (k) will be difficult to meet if there is a delay in approval of their RACT plans. They request that the regulation provide longer timeframes or an opportunity to request an extension of these timeframes. In addition, why do the timeframes begin with the date of publication of the final regulation, rather than the date DEP approves an individual plan? The EQB should explain why the timeframes in the regulation are reasonable or provide a request for extension provision in the regulation.

#### *Fuel sources*

While Subsection (g) addresses a multitude of fuels, some commentators believe further direction is needed for units that use dual fuels, use different fuels at different times, or use landfill gas rather than natural gas. We ask the EQB to review the list of fuels and add more categories of fuels where appropriate and also provide further direction on what category a dual fuel fired source falls into.

#### *Measurement of clinker production*

Subsection (h) provides limits for clinker production. Operators of cement kilns commented that it is complicated for them to calculate a 30-day average because daily clinker production is not directly measured. The EQB should explain how the cement kiln industry can readily comply with the 30-day rolling average for clinker production.

#### *Startup and shutdown of sources*

Several commentators asked that the startup and shutdown of their sources be excluded from the 30-day rolling average. They state this has been the past practice. Cement kiln operations commented that they do not produce clinker during startup and shutdown. Should startup and shutdown periods be excluded from the 30-day rolling average?

#### **5. Section 129.98. Facility-wide or system-wide NO<sub>x</sub> emissions averaging RACT operating permit modification general requirements.—Protection of the public health, safety and welfare; Need; Reasonableness.**

##### *System averaging*

A commentator observes that, as written, this section relies on predictive averaging over several sources. The commentator’s concern is that if an owner has to close down a low emission source, mathematically the system-wide average would increase, possibly to the level of noncompliance. The commentator observes that even though the total system-wide emissions would drop by the amount of the low emission source, the math results in an increased average. The EQB should explain how the regulation reasonably accommodates this circumstance or consider an amendment that would accommodate an unforeseen shutdown of a source.

##### *90% factor*

Subsections (d) and (e) specify that on a facility-wide or system-wide calculation the emissions must not be greater than 90% of the sum of emissions calculated on a source-specific basis. Some commentators described this as a 10% penalty for averaging. The EQB should explain why the 90% factor is needed and reasonable.

#### **6. Section 129.100. Compliance demonstration and record-keeping requirements.—Economic impact; Reasonableness.**

##### *Compliance demonstration*

A commentator is concerned with the compliance demonstration required by Paragraph (a)(2). The commenta-



tor did a recent stack test to comply with its existing permit conditions that cost about \$25,000. While we recognize Subsection (c) provides a waiver process, we agree that Paragraph (a)(2) does not directly recognize testing already done to meet existing Title V operating permit test conditions. We recommend that the regulation allow compliance demonstration by submitting test results required by an existing permit, as long as that testing meets other requirements in the regulation.

Commentators also stated that Subsection (a) does not address a source only subject to work practice standards.

We recommend adding language describing the record-keeping requirements for this circumstance.

*Permanently bound log book*

Subsection (g) requires an operator to record adjustments “in a permanently bound log book or other method approved by the Department. . . .” A commentator stated it uses computer records. We recommend updating this requirement to include computerized records.

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 14-1704. Filed for public inspection August 8, 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](http://www.irrc.state.pa.us).

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
#7-480	Environmental Quality Board Regulated Medical and Chemotherapeutic Waste	7/25/14	9/4/14

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 14-1705. Filed for public inspection August 8, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of Amar Petro, Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2008-0120(F); Doc. No. UT14-07-009

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant provisions of law.

A prehearing telephone conference shall be held on September 11, 2014, at 9:30 a.m. A hearing will occur on September 25, 2014, at 9:30 a.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before August 27, 2014. Answers to petitions to intervene, if any, shall be filed on or before September 9, 2014.

On or before August 27, 2014, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party’s case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with

a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party’s expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Experts will be permitted to testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph

Persons with a disability who wish to attend the previously-referenced 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. 14-1706. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by 470 Manor Operating, LLC

470 Manor Operating, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at St. Martha Villa for Independent and Retirement Living in Downingtown, PA. The initial filing was received on July 23, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).



Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Secretary*

[Pa.B. Doc. No. 14-1707. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by GEC Narvon Management, LLC**

GEC Narvon Management, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Woodland Heights Retirement Community in Narvon, PA. The initial filing was received on July 30, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Secretary*

[Pa.B. Doc. No. 14-1708. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by 701 Lansdale Operating, LLC**

701 Lansdale Operating, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at St. Mary Villa for Independent and Retirement Living in Lansdale, PA. The initial filing was received on July 23, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from

the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Secretary*

[Pa.B. Doc. No. 14-1709. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Pennsylvania 2013 Private Passenger Automobile Data Call (Act 6 Data Call)**

Each year, the Insurance Department (Department) conducts routine “Data Calls” to companies licensed to write motor vehicle insurance in this Commonwealth. Data Calls are used to monitor the auto insurance marketplace and to collect data for statutory reports. On July 24, 2014, the Department sent notification of the Act 6 Data Call to be completed by companies who are licensed to write private passenger automobile insurance in this Commonwealth. The 2013 Data Call letter, instructions and data formats are available on the Department’s web site at [www.insurance.pa.gov](http://www.insurance.pa.gov).

Companies with Pennsylvania private passenger automobile direct written premium in 2013 are required to complete Parts 1 and 2. Data for more than one insurance company may not be combined into a single submission. This information is to be submitted to the Department no later than October 15, 2014.

Insurance companies with no Pennsylvania private passenger automobile direct written premium in 2013 are required to submit only Part 2. This is to be submitted to the Department no later than October 15, 2014.

Consistent with previous Data Calls, the Department will consider the data submitted as proprietary and handle the data accordingly. See the instructions for additional information regarding the completion of the individual parts.

Submissions and inquiries should be directed to James Di Santo, Insurance Department, Insurance Product Regulation and Administration, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2118, jadisanto@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1710. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insurer 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 Philadelphia, 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 Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Erie Insurance Exchange; file no. 14-130-160865; Francis J. Hutchinson; Doc. No. P14-04-012; September 18, 2014, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. 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 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. 14-1711. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insureds have 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 insureds' automobile insurance policies. The hearings 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 hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, 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 Monica S. Shelley; file no. 14-130-167224; GEICO General Insurance Company; Doc. No. P14-07-012; September 9, 2014, 10 a.m.

The following hearings will be held in Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of James M. McMaster; file no. 14-115-163556; Integon National Insurance Company; Doc. No. P14-05-012; September 18, 2014, 9 a.m.

Appeal of Joshua Echevarria; file no. 14-115-161233; Titan Indemnity Company; Doc. No. P14-05-001; September 18, 2014, 10 a.m.

Appeal of Dawanna E. Kennedy; file no. 14-115-157739; Garrison Property and Casualty Insurance Company; Doc. No. P14-04-010; September 18, 2014, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. 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 a 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. 14-1712. Filed for public inspection August 8, 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 companies' termination of the insureds' homeowners policies. The hearings 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 hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Joseph Crownover; file no. 14-188-167059; Scottsdale Insurance Company; Doc. No. P14-07-011; September 23, 2014, 10 a.m.

Appeal of Deborah-Ann Sappah; file no. 14-130-167680; Phoenix Insurance Company; Doc. No. P14-07-014; September 24, 2014, 1 p.m.

The following hearing will be held in Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of James M. Toolan; file no. 14-130-159213; Property and Casualty Insurance Company of Hartford; Doc. No. P14-05-002; September 18, 2014, 2:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. 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. 14-1713. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **United Security Assurance Company of Pennsylvania; Rate Increase Filing for Forms F-701, F-733, F-734, F-771, F-775 and F-778**

United Security Assurance Company of Pennsylvania is requesting approval to increase the premium 35% on 690 policyholders with form F-701, F-733, F-734, F-771, F-775 and F-778. These forms were originally issued by Capital Blue Cross.

Unless formal administrative action is taken prior to October 23, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1714. Filed for public inspection August 8, 2014, 9:00 a.m.]

## **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Ernest Communications, Inc.**

Public Meeting held  
July 24, 2014

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

*In re: Ernest Communications, Inc.;*  
*A-310749; A-310749F0002*

### **Tentative Order**

*By the Commission:*

Ernest Communications, Inc. (Ernest or the Company), whose utility code is 310749, is a telecommunications interexchange reseller and a competitive local exchange carrier certificated at A-310749 and A-310749F0002, respectively, on August 26, 1999.

On June 10, 2013, Birch Communications, Inc. (Birch) and Ernest filed a joint application pursuant to Chapter 11 of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1101—1103 and 52 Pa. Code § 63.324, the Commission's Abbreviated Procedures for Review and Approval of Transfer of Control for Telecommunications Public Utilities, seeking approval of the transfer all of Ernest's Pennsylvania customers and assets to Birch. This application was docketed at A-2013-2368628, and the transaction was approved by Secretarial Letter dated January 15, 2014. The transaction was thereafter consummated on January 16, 2014, with the expectation that Ernest was to file an application for abandonment of service.

However, Commission staff has subsequently learned that Ernest is no longer in business and staff has not been able to contact anyone from the Company to determine if an abandonment application will ever be filed. A former outside consultant for Ernest has also advised staff that the Company is out of business. Ernest currently has no NXX Codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regula-



tions and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on the above facts, we tentatively conclude that it is appropriate to revoke Ernest's certificate of public convenience without the necessity of a formal complaint as being in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Ernest seeks relief from this Tentative Order; *Therefore*,

*It is Ordered That:*

1. Revocation of Ernest Communications, Inc.'s certificates of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation & Enforcement, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final, and without further action by the Commission, the certificates of public convenience held by Ernest Communications, Inc. at A-310749 and A-310749F0002 shall be canceled, and Ernest Communications, Inc.'s name stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administrative Services.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1715. Filed for public inspection August 8, 2014, 9:00 a.m.]

### **Public Utility Commission Bonding/Security Requirements for Electric Generation Suppliers; Acceptable Security Instruments**

Public Meeting held  
July 24, 2014

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

*Public Utility Commission Bonding/Security Requirements for Electric Generation Suppliers; Acceptable Security Instruments; M-2013-2393141*

#### **Final Order**

*By the Commission:*

On December 5, 2013, the Public Utility Commission (Commission) issued a Tentative Order at this Docket that proposed adjusting the bonding requirements for electric generation suppliers (EGSs) and expanding the forms of acceptable security instruments. In that Tentative Order, the Commission sought formal comments on 1) whether the current level of security required for EGS operations after the first year of service is excessive, burdensome, and a potential barrier to market entry; 2) whether the Commission should expand the forms of acceptable security instruments; and 3) whether these

changes could be implemented prior to or without a change to our current regulations at Section 54.40 in Title 52 of the *Pennsylvania Code*. See 52 Pa. Code § 54.40.

Comments were filed by the Retail Energy Supply Association (RESA), First Energy Solutions Corp. (FES), Starion Energy PA, Inc. (Starion), Plymouth Rock Energy (Plymouth), North American Power and Gas, LLC (NAPG), Duquesne Light Energy, LLC (DLE), and the Office of Consumer Advocate (OCA).

Through this Final Order, the Commission announces new policies to (1) accept a request by an EGS to reduce its level of security after the first year of operation to 5% of an EGS's most recent 12 months of revenue or \$250,000, whichever is higher, and (2) expand the forms of allowable security instruments consistent with this Final Order. It shall be the policy of the Commission to approve requests shown to be consistent with the Public Utility Code and the Commission's bonding/security regulations. See 66 Pa.C.S. § 2809, 52 Pa. Code § 54.40. At this time, the Commission is planning to initiate a rulemaking within approximately nine months of the entry date of this Final Order, using that period of time to determine if any adjustments must be made before codifying these policy changes in the Commission's regulations.

#### *Background*

During the Investigation of Pennsylvania's Retail Electric Market, Docket No. I-2011-2237952, the Commission directed the formation of a risk assessment working group (Working Group) comprised of Electric Distribution Companies (EDCs), EGSs, and other interested parties to work with the Commission's Office of Competitive Markets Oversight (OCMO) to examine current security requirements and security instruments that EGSs are required to post in order to operate in Pennsylvania's retail electric market. The Working Group, comprised of OCMO, EDCs, EGSs, and representatives of the RESA, formed on April 15, 2013.

On May 22, 2013, OCMO Staff requested the Working Group to provide informal comments discussing potential modifications to those requirements, including:

- A reduction of the EGS security to be maintained after the first year of licensure from 10% of annual gross receipts to 5% of annual gross receipts;
- Expansion of the acceptable financial credit instruments to include parental guarantees and segregated cash accounts specific to Pennsylvania customers and callable only by the Commission.

OCMO Staff also requested informal comments on whether or not a mix of security instruments could cover the Commission's EGS bonding requirements. OCMO Staff advised the Working Group that, given the limited resources the Commission has to both police collateral and execute on an instrument in the event of default, a blanket provision for customized security instruments for individual EGSs would not be considered.

Informal comments were submitted by the following parties: Washington Gas Energy Services, Inc. (WGES); Integrys Energy Services (IES); FES; Strategic Communications, LLC on behalf of Agway Energy Services (AES); Liberty Power, Corp. (Liberty Power); Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company (collectively, FirstEnergy); Constellation NewEnergy, Inc. (Constellation); and RESA.



Upon review of those informal comments submitted to OCMO Staff, the Commission issued the December 5, 2013 Tentative Order, wherein the Commission invited formal comments on 1) whether the current level of security required for EGS operations after the first year of service is excessive, burdensome, and/or a potential barrier to market entry; 2) whether the Commission should expand the forms of acceptable security instruments; and 3) whether these changes could be implemented prior to or without a change to our current regulations at Section 54.40 in Title 52 of the *Pennsylvania Code*. See 52 Pa. Code § 54.40. Upon consideration of those formal comments to the December 5, 2013 Tentative Order, we issue this Final Order.

#### Discussion

The Commission's current authority to establish EGS bonding/financial security requirements (FSRs) is set forth in Section 2809 of the Public Utility Code (Code), 66 Pa.C.S. § 2809. Section 2809(c) provides, in pertinent part:

In order to ensure the safety and reliability of the generation of electricity in this Commonwealth, no energy supplier license shall be issued or remain in force unless the holder . . . [f]urnishes a *bond or other security approved by the commission in form and amount* to ensure the financial responsibility of the electric generation supplier and the supply of electricity at retail in accordance with contracts, agreements or arrangements.

66 Pa.C.S. § 2809(c) (emphasis added). Importantly, as illustrated above, the General Assembly granted the Commission discretion to determine the "form and amount" of the bond or other security.

The Commission's regulations at 52 Pa. Code § 54.40 provide specific details regarding the amount and form of bonds or other security for EGSs. The initial security level currently required from each EGS license applicant that intends to take title to electricity is \$250,000. 52 Pa. Code § 54.40(c). Historically, this requirement usually has been met by Letters of Credit (LOC) or Surety Bonds. After the first year of EGS operation, the security level for each EGS is reviewed annually and modified primarily based on the EGS's reported annual gross receipts. 52 Pa. Code § 4.40(d). Currently, the security level that must be maintained by the EGS for those subsequent years is 10% of the EGS's reported annual gross receipts or \$250,000, whichever is higher. 52 Pa. Code § 54.40(d). Importantly, our regulations also allow an EGS to seek an alternative level of security commensurate with the nature and scope of the EGS's operations.<sup>1</sup> See id.

The purpose of the security level is to ensure payment of the Gross Receipts Tax (GRT)<sup>2</sup> and to ensure the supply of electricity at the retail level in accordance with contracts, agreements, or arrangements. 52 Pa. Code § 54.40(f)(2). As to the prioritization of claims for payment under the security, the Commonwealth of Pennsylvania has top priority, followed by the EDCs for the reimbursement of GRT,<sup>3</sup> and private individuals. 52 Pa. Code § 54.40(f)(3). The Commonwealth's primary in-

<sup>1</sup> Under our regulations, the Commission has routinely approved a reduced bonding level in the amount of \$10,000 for brokers/marketers, who do not take title to electricity, do not pay gross receipts taxes, and do not make payments on behalf of clients.

<sup>2</sup> Section 2809(c) of the Public Utility Code requires the EGS licensee to certify to the Commission that the EGS will pay in full the taxes owed to the Commonwealth or face revocation of its license. 66 Pa.C.S. § 2809(c)(ii)-(iv).

<sup>3</sup> If an EGS fails to pay its GRT, the EDC in that EGS's territory must "remit the unpaid tax, as a tax on the use of electricity in [the] Commonwealth, to the Department of Revenue and may collect or seek reimbursement of the tax so paid." 66 Pa.C.S. § 2809(c)(2).

terest concerns the demand of any missed GRT payments by the EGS. The Commonwealth also has an interest in receiving an EGS's alternative compliance payments (ACPs)<sup>4</sup> under the Alternative Energy Portfolio Standards Act of 2004. 73 P. S. § 1648.3(f). Alternative compliance payments are paid into a special fund of the Pennsylvania Sustainable Energy Board for sole use in projects that will increase the amount of electric energy generated from alternative energy resources. 73 P. S. § 1648.3(g).

#### Comments to the December 5, 2013 Tentative Order

##### Level of Bonding/Financial Security Protection

The commenters overwhelmingly support Commission efforts to reduce the bonding and financial security requirements, contending that, after the first year of EGS operation, a security requirement of 10% of an EGS's annual gross receipts is overly excessive and burdensome. See NAPG Comments at 1-2; DLE Comments at 1-2; Plymouth Comments at 3; Starion Comments at 2; FES Comments at 2-3; RESA Comments at 3-11. NAPG further states that more reasonable security requirements would create a more attractive retail market for all EGSs in Pennsylvania, yielding new suppliers with innovative and competitive products. Comments at 2. Starion submits that these higher requirements substantially inhibit an EGS's ability to grow and expand into other markets. Comments at 2; see also RESA Comments at 1 (contending that the 10% bonding requirement creates a potential barrier to entry).

FES asserts that the 10% bonding requirement "far exceeds the potential credit risk the obligation is intended to cover [the GRT], and is much larger than bonding requirements of public utility commissions in other states." Comments at 2; see also RESA Comments at 9-11. Through a hypothetical illustration, RESA demonstrates that a 5% reduction in security amount is more than sufficient to cover GRT liability for the current year. Comments at 6-7. In comparing FSR requirements in Pennsylvania to other restructured states, RESA demonstrates that, even with the 5% reduction in security amount, FSRs in Pennsylvania would still be more stringent than FSRs in Illinois, Connecticut, New Jersey, Maryland, Delaware, and Michigan. Id. at 3, 10-11.

Starion, FES, and DLE fully support the Commission's proposal to reduce the security requirement from 10% to 5% of an EGS's annual gross receipts after the EGS's first year of operation. NAPG asks the Commission to establish a set amount for on-going financial security requirements instead of using a percentage of an EGS's annual gross receipts, contending that the percentage method unfairly punishes an EGS as that EGS grows in Pennsylvania. Comments at 1-2. RESA similarly states that "reliance on a percentage of receipts . . . is not an ideal approach." Comments at 3. RESA contends that since FSRs are a cost of doing business, FSRs in the form of a percentage of gross receipts artificially drive up prices for consumer products. Id. at 4.

Plymouth recommends a cap on the amount of security required, but fails to specify what that cap should be. Comments at 3. RESA supports the Commission's reduction from 10% to 5% of gross receipts after the first year of operation, but also asks the Commission to consider implementing a \$1 million cap on the security amount. Comments at 3. RESA contends that imposing no cap on the financial security requirement will only serve to perpetuate the over-securitization that currently exists. Id.

<sup>4</sup> ACPs are imposed on EGSs that fail to comply with the AEPS Act's alternative energy portfolio standards requirements. 73 P. S. § 1648.3(f).

Commenters further suggest that high FSRs negatively impact consumers. See RESA Comments at 1, 4-6; NAPG Comments at 2. RESA contends that “well-designed security requirements result in lower costs for EGSs and potentially better prices for consumers while still ensuring reasonable security is available for identifiable risks.” RESA Comments at 1, 4-5 (demonstrating how Pennsylvania’s higher FSRs result in higher prices for consumers in contrast to the lower FSRs yielding lower prices for consumers in New Jersey).

Only the OCA expressed hesitation regarding a reduction in the bonding/security requirement, emphasizing that the Commission’s December 5, 2013 Tentative Order did not account for risks other than the GRT. The OCA contends that any reduction in the EGS bonding requirement should account for potential risks to consumers, including scenarios where customers are owed refunds or rebates or compensation arising from a contract violation by a defaulting EGS. OCA Comments at 3-4.

#### *The Nature and Forms of Acceptable Security Instruments*

Commenters are also overwhelmingly supportive of the Commission’s proposal to expand the nature and form of acceptable FSRs beyond letters of credit and surety bonds. DLE and RESA fully support the use of the three forms of FSRs proposed in the December 5, 2013 Tentative Order: 1) parental guarantees, wherein the parent maintains an investment-grade long-term bond rating from two of four specified rating agencies: Standard & Poors, Moody’s Investors’ Services, Fitch IBCA, and Duff and Phelps Credit Rating Company; 2) segregated cash accounts, held by federally insured financial institutions, specific to Pennsylvania customers and callable only by the Commission; and 3) a mix of bonds, LOCs, parental guarantees, and/or segregated cash accounts that in combination meet 5% of annual gross receipts of the EGS. See DLE Comments at 2, RESA Comments at 12.

Starion supports the use of surety bonds, letters of credit, guarantees, or cash. Comments at 2. FES supports the use of parental guarantees (issued by an investment-grade parent) and segregated cash accounts. Comments at 4. Plymouth suggests investment-grade guarantees, such as a long-term agreement between a wholesale supplier and an EGS. Comments at 3.

NAPG suggests expanding guarantees to the use of corporate and not just parental guarantees. Comments at 2. RESA also requests that parental guarantees should be extended to encompass other corporate relationships, such as guarantees from affiliates or subsidiaries. RESA Comments at 12. RESA contends that these corporate guarantees would “promote the public interest by providing more secure and greater protection for the Commonwealth.” Id. at 13. Additionally, limiting financial guarantees to parent companies would create an uneven playing field by furnishing a competitive advantage to EGSs with large corporate parents over privately-held EGSs or EGSs without a parent-subsidiary corporate structure. Id. at 14.

The OCA states that the Commission’s proposed expansion of allowable security instruments appears reasonable, but emphasizes that the Commission should make sure that it can still call on all security forms as needed and in a timely fashion. Comments at 5. The OCA suggests that the Commission examine regulations from the State of Maine for use of language that provides ready access to funds. See id. (citing 65-407-305 Me. Code R. § 3(e) (2006)).

#### *The Commission’s Process to Implement the Proposed Changes*

Only RESA, the OCA, DLE, and FES comment on whether a rulemaking is necessary to amend the Commission’s regulations in order to adjust bonding/security requirements and acceptable security forms, all agreeing that the Commission could immediately implement its proposals under the current regulation. FES Comments at 4, RESA Comments at 15-16, OCA Comments at 5, DLE Comments at 3. RESA believes that current regulations contemplate modifications of the security amount by allowing a licensee to seek approval from the Commission of an alternative level of security commensurate with the nature and scope of the EGS’s operations. RESA Comments at 15-16 (citing 52 Pa. Code § 54.40(c)—(d)). RESA maintains that the Commission has flexibility under the current regulations and Commission precedent to waive the current regulations, pending a final rulemaking. Comments at 17. However, the OCA emphasizes that any waiver of current regulations must be limited in scope and time and be immediately followed by a rulemaking. Comments at 5. DLE, the OCA, and FES believe that the Commission must soon implement a rulemaking to permanently effectuate these changes since Commission regulations clearly state that the “security level will be 10% of the licensee’s reported gross profits.” See 52 Pa. Code § 54.40(d); see DLE Comments at 2-3, OCA Comments at 5-6, FES Comments at 4-5.

As to the issue of expanding the form of acceptable security instruments, FES notes that the Public Utility Code grants the Commission the discretion to determine the forms of security instruments that can be used to satisfy the bonding requirement. FES Comments at 4.

RESA also asks the Commission to “adopt a timely and administratively efficient process for modifying each EGS’s financial security requirements” consistent with the Commission’s final determination in this proceeding. Comments at 18. RESA recommends that the Commission not require an EGS to file a new or amended application with the Commission, but allow the EGS to work with staff outside of a formal filing to demonstrate proof that the EGS has complied with the Commission’s FSRs. Id. at 19, fn. 40. Under this approach, the Commission would receive updated documentation and information regarding an EGS’s form and amount of security without the need for the Commission to engage in a more burdensome and time-consuming approval process through the issuance of an Order or Secretarial Letter. Id. at 18-19.

#### *Disposition*

##### *Amount of Bonding/Financial Security Requirement*

Based upon our review of OCMO’s informal proposal, the informal comments submitted thereto, and the formal comments submitted to our December 5, 2013 Tentative Order, we will maintain our current requirement for an initial security amount of \$250,000 for the first year of an EGS’s operation for an EGS that intends to take title to electricity. See 52 Pa. Code § 54.40(c). Upon review, we also find that requiring an EGS to post a bond or security in the amount of 10% of reported gross receipts after the first year of EGS operation may be excessive in relation to the risk intended to be secured, unnecessarily burdening EGSs, and presenting a potential barrier to entry into Pennsylvania’s retail electric market. See NAPG Comments at 1-2; DLE Comments at 1-2; Plymouth Comments at 3; Starion Comments at 2; FES Comments at 2-3; RESA Comments at 3-11. We find persuasive comments suggesting that Pennsylvania’s higher FSRs may



negatively impact consumers by resulting in products higher in price than they otherwise would be without this requirement. RESA Comments at 1, 4-6; see also NAPG Comments at 2.

We also find persuasive RESA's comments that provide empirical evidence comparing the FSR requirements in Pennsylvania to other restructured states to demonstrate that Pennsylvania's adjusted FSRs as a result of this Order will still be more stringent than FSRs in those restructured states. Comments at 9-11. RESA also provided a hypothetical example to demonstrate that the 5% reduction in security amount is more than sufficient to cover GRT liability for the current year. *Id.* at 6-7. Similarly, FES asserted that the 10% bonding requirement "far exceeds the potential credit risk the obligation is intended to cover [the GRT], and is much larger than bonding requirements of public utility commissions in other states." Comments at 2.

Therefore, we find that, after the first year of EGS operation, a security level of 5% of an EGS's most recent 12 months of revenue or \$250,000, whichever is higher, is adequate to meet the intended risks in most circumstances. Therefore, we announce our new policy that the bond or security for an EGS after the first year of operation should be in the amount of 5% of the EGS's most recent 12 months of revenue<sup>5</sup> or \$250,000, whichever is higher, as we find that this bonding/security amount is commensurate with the nature and scope of a typical EGS's operations. See 52 Pa. Code § 54.40(d). Accordingly, it shall be the policy of the Commission to accept a request by an EGS to reduce its level of security after the first year of operation, consistent with this Final Order, the Public Utility Code, and our regulations.

#### *The Commission's Process for Allowing the Reduction in Bonding/Security*

Regarding the issue of whether a rulemaking is necessary to implement these changes, we appreciate the comments submitted by RESA, the OCA, DLE, and FES, all of whom agreed that the Commission could immediately implement these changes under the current regulation. See FES Comments at 4, RESA Comments at 15-16, OCA Comments at 5, DLE Comments at 3. However, DLE, the OCA, and FES believe that the Commission must soon implement a rulemaking to permanently effectuate these changes since current Commission regulations provide for a 10% security requirement. See DLE Comments at 2-3, OCA Comments at 5-6, FES Comments at 4-5. RESA also asked the Commission to "adopt a timely and administratively efficient process for modifying each EGS's financial security requirements" consistent with the Commission's final determination in this proceeding. See Comments at 18.

As to our authority to implement these changes, we recognize that authorized regulations of an agency have the force of law and bind not only the regulated community, but the agency as well. See *Herdelin v. Greenberg*, 328 A.2d 552, 554-5 (Pa. Cmwlth. 1974). Accordingly, we are not issuing a blanket waiver of our regulations to substitute 5% for 10% into the regulatory language that states the "security level will be 10% of the licensee's reported gross receipts." See 52 Pa. Code § 54.40(d).

<sup>5</sup> Previously, as a matter of internal practice, we used an EGS's reported gross receipts from the last annual reporting of those revenues and not necessarily the most recent 12 months of revenues to determine the bonding requirement for subsequent years of EGS operation. Since using the most recent 12 months of revenue is more accurate and more likely to protect against risk, especially in light of our new policy through this Order that lowers bonding/security requirements, we will ask each EGS to provide us with its most recent 12 months of revenue as an EGS requests to lower its bonding/security.

Rather, we issue this Final Order pursuant to our discretionary authority under the Public Utility Code to approve a form and amount as determined by the Commission and our current regulations that allow an EGS to seek an alternative level of bonding/security commensurate with its nature and scope of operations and for us to accept that alternative level. See 66 Pa.C.S. § 2809(c); 52 Pa. Code § 54.40(d). Thus, upon the effective date of this Final Order, we will accept a bond/security sought by an EGS for subsequent years of operation at a level of 5% of the EGS's most recent 12 months of revenue or \$250,000, whichever is higher, so long as the revised bond/security still meets the other criteria that we already require under our regulations. See 52 Pa. Code § 54.40(f) (providing criteria that must be stated in writing in the bond). Due to this reduction in the amount of bonding/security required, we emphasize the importance of ongoing EGS compliance with our reporting requirements at 52 Pa. Code § 54.39 (requiring an EGS to submit quarterly gross receipts and an annual report to the Commission).

As to our process for implementing these changes, RESA recommends that the Commission not require an EGS to file a new or amended application with the Commission, but allow the EGS to work with Commission staff outside of a formal filing to demonstrate proof that the EGS has complied with the Commission's financial security requirements. See Comments at 19, *fn.* 40. We agree with RESA that this should be a timely and administratively efficient process, as requiring an EGS to submit a formal petition followed by a Commission order could be needlessly burdensome and time-consuming for both parties. However, just like an EGS formally files a Certificate of Continuation to renew an annual bond with the Commission, an EGS must formally file a petition to amend its Application to revise or reduce its bond/security with the Secretary's Bureau so that the most updated and approved bond/security is documented on the record at the EGS's Application docket number. We invite EGSs seeking a reduction in security from 10% to 5% to work informally with Commission staff during the filing process to obtain guidance from staff as to the appropriate information<sup>6</sup> that staff will require in processing these requests.

To expedite the process for approving these petitions, the Commission is delegating its authority to review uncontested petitions to the Bureau of Technical Utility Services through issuance of a Secretarial Letter approving or denying the reduction in the bonding request. See 66 Pa.C.S. § 305(c) (providing the Commission the power to delegate more routine and ministerial work to Commission staff). For any denial, the Bureau of Technical Utility Services will state how the request is not consistent with the Public Utility Code and the Commission's bonding/security regulations. See 52 Pa. Code §§ 54.31—54.43. An EGS may appeal the determination of the Bureau of Technical Utility Services to the Commission in accordance with 52 Pa. Code § 5.44 (relating to petitions for appeal from actions of the staff). Contested petitions will be transferred to the Office of Administrative Law Judge and ruled upon by the Commission following notice and an opportunity for a hearing as necessary. See 66 Pa. C.S. § 703; see also 52 Pa. Code § 54.36.

Consistent with other amendments to an EGS's license, we will require a \$350 fee<sup>7</sup> for a request by a Commission-licensed electric generation supplier to re-

<sup>6</sup> In processing these requests to revise an EGS's security amount or form, the Commission's Bureau of Technical Utility Services will require an EGS to submit certain information, which is discussed on pages 15-16 of this Order.

<sup>7</sup> Presently, the Commission charges a \$350 fee for Initial Licensure Applications and for license amendments. Since the Commission will incur more work in processing a

duce its level of bonding following the first year of operation from 10% to 5% of the electric generation supplier's last 12 months of revenue. We impose this \$350 fee pursuant to our authority under the Public Utility Code and our regulations to require information we deem appropriate to accompany an EGS license application or an amendment thereto. See 66 Pa.C.S. § 2809(b); 52 Pa. Code § 54.32(c) (requiring an application fee for an EGS license application); 52 Pa. Code § 1.43 (requiring a \$350 fee for each filing of an amendment to a certificate, permit, or license).

#### *The Nature and Forms of Acceptable Security Instruments*

Furthermore, based upon our review of the comments to the December 5, 2013 Tentative Order, we find it reasonable to expand the forms of security instruments that should be accepted by the Commission in an EGS's initial licensure application and for subsequent years of EGS operation. Specifically, aside from surety bonds and letters of credit, we will also accept the following forms of security:

- Parental or corporate guarantee, in a form acceptable to the Commission, where the parent or corporate relation maintains an investment-grade long-term bond rating from at least two of the four following rating agencies:

Standard & Poors	BBB- or higher
Moody's Investors' Services	Baa3 or higher
Fitch IBCA	BBB- or higher
Duff and Phelps Credit Rating Company	BBB- or higher

- Segregated cash accounts, held by federally insured financial institutions, specific to Pennsylvania customers and callable only by the Commission.

- A mix of security instruments through the use of bonds, LOCs, parental/corporate guarantees, and/or segregated cash accounts as set forth above sufficient meet the required security amount.

As indicated above, we agree with the comments of NAPG and RESA that parental guarantees should be extended to encompass other corporate relationships, such as guarantees from affiliates or subsidiaries. However, we emphasize that the corporate parent, relation, affiliate, or subsidiary used by the EGS for the security requirement must maintain an investment-grade<sup>8</sup> long-term bond rating from at least two of the four aforementioned rating agencies with ratings at least as high as stated above. All available additional ratings of an EGS's guarantor from any of the above-listed agencies must also be investment-grade. An EGS must inform the Commission when the EGS's guarantor's rating from any of the above-listed agencies falls below investment grade. Furthermore, all forms of securities must comply with the requirements of 52 Pa. Code § 54.40(f).

As to the mix of security instruments, we will accept any mix of security instruments as described in this Final Order that is sufficient to cover the required security amount, either for an EGS's initial licensure application for the first year of operation or for subsequent years of EGS operation.

The Public Utility Code and our regulations provide us with the discretionary authority to expand the forms of security instruments to forms acceptable to the Commis-

sion. See 66 Pa.C.S. § 2809(c); 52 Pa. Code § 54.40(d). Accordingly, we will begin accepting the aforementioned forms of security instruments upon the effective date of this Final Order.

#### *The Commission's Process for Accepting Requests to Change EGS's Form of Security*

To expedite the process for approving petitions to change the EGS's form of security instrument, the Commission is also delegating its authority to review uncontested petitions to the Bureau of Technical Utility Services through issuance of a Secretarial Letter approving or denying the EGS's request to change its form of security. See 66 Pa.C.S. § 305(c) (providing the Commission the power to delegate more routine and ministerial work to Commission staff). If a request is denied, the Bureau of Technical Utility Services will state how the request is not consistent with the Public Utility Code and the Commission's bonding/security regulations. See 52 Pa. Code §§ 54.31—54.43. An EGS may appeal the determination of the Bureau of Technical Utility Services to the Commission in accordance with 52 Pa. Code § 5.44. Contested petitions will be transferred to the Office of Administrative Law Judge and ruled upon by the Commission following notice and an opportunity for a hearing as necessary. See 66 Pa. C.S. § 703; see also 52 Pa. Code § 54.36.

Unlike an EGS's request to lower its bonding/security amount from 10% to 5% of the most recent 12 months of revenues, we will not impose a separate \$350 fee to process an EGS's request to change its form of security.

#### *Bureau of Technical Utility Services Staff Review of EGS Requests*

Commission staff will still apply careful scrutiny in reviewing an EGS's request to reduce the level of bonding/security from 10% to 5% of the most recent 12 months of revenue or an EGS's request to change its form of security. At a minimum, Commission staff will require each EGS seeking this change to:

- 1) Provide its gross revenues for the sale of electricity to retail customers in Pennsylvania for the most recent 12 months;
- 2) Provide the amount of gross receipts taxes that the EGS has prepaid towards its estimated revenues for the current calendar year;
- 3) Submit documentation, if the EGS is proposing to utilize a parental or corporate guarantee, that demonstrates that the guarantor meets the required long-term bond rating from two of the approved rating agencies;
- 4) Provide available AEPS compliance data from the most recent 12 months; and
- 5) Provide copies of all Department of Revenue documents that support the EGS's request.

Depending on the nature of the EGS's request, Commission staff may seek more information from the EGS, such as demonstration that the EGS has paid Pennsylvania GRT for the previous calendar year(s). We note that submission of this information alone will not result in automatic approval, as the bond/security instrument(s) must still comply with the Public Utility Code and Commission regulations. See 66 Pa.C.S. § 2809, 52 Pa. Code § 54.40.

Within approximately nine months of the entry date of this Order we plan to initiate a rulemaking to effectuate and codify these policy changes in our regulations. In that rulemaking, we will invite comments from stakeholders

<sup>8</sup>request to reduce a bonding level, which, if approved, results in a change to an EGS's Application, the Commission finds it reasonable to charge a \$350 fee for this request.

<sup>9</sup>We define investment-grade with reference to those above listed ratings of the four listed rating agencies: BBB- or higher for Standard & Poors, Baa3 or higher for Moody's Investors' Services, BBB- or higher for Fitch IBCA, and BBB- or higher for Duff and Phelps Credit Rating Company.



and the regulated community concerning any potential revisions to Section 54.40 of our regulations to ensure that the amount of the bonds and securities we approve is proportionate to the risk the security obligation is intended to cover and accounts for all identifiable risks to the Commonwealth and the consumers of Pennsylvania. See OCA Comments at 5.

#### Conclusion

Based upon the foregoing discussion, we finalize the proposals of the December 5, 2013 Tentative Order consistent with this Final Order. Accordingly, it shall be the policy of the Commission to accept a request by an EGS to reduce its level of bonding/security after the first year of operation to 5% of the EGS's most recent 12 months of revenue or \$250,000, whichever is higher. It shall also be the policy of the Commission to expand the forms of allowable security instruments, consistent with this Final Order. We delegate our authority to the Bureau of Technical Utility Services to approve uncontested petitions regarding an EGS's request to reduce its bonding/security amount from 10% to 5% of the EGS's most recent 12 months of revenue or an EGS's request to change its form of security when it is found that the revised security/bond complies with the Public Utility Code and the Commission's regulations. Contested petitions will be transferred to the Office of Administrative Law Judge. See 66 Pa. C.S. § 703; see also 52 Pa. Code § 54.36. Within approximately nine months, we plan to initiate a rulemaking consistent with this Final Order regarding revisions to the Commission's bonding and security regulations for electric generation suppliers in Section 54.40 of Title 52 of the *Pennsylvania Code*; *Therefore*,

#### *It is Ordered That:*

1. This Final Order shall be served on all Electric Distribution Companies, all licensed Electric Generation Suppliers, the Bureau of Investigation & Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, the Pennsylvania Department of Revenue, the Retail Energy Supply Association, the Energy Association of Pennsylvania, and the parties that filed comments to the December 5, 2013 Tentative Order.

2. The Secretary shall deposit a copy of this Final Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. A copy of this Final Order shall be posted on the Commission's website at the Office of Competitive Market Oversight's web page.

4. The Office of Competitive Market Oversight shall electronically serve a copy of this Final Order on all persons on the contact list for the Committee Handling Activities for Retail Growth in Electricity.

5. The Commission delegates its authority to approve uncontested petitions to revise or reduce the level of bonding/security or change the form of security for an electric generation supplier to the Bureau of Technical Utility Services consistent with this Final Order.

6. A \$350 fee shall be required for a request by a Commission-licensed electric generation supplier to reduce its level of bonding following the first year of operation from 10% to 5% of the electric generation supplier's last 12 months of revenue.

7. The contact information for this Final Order is the Bureau of Technical Utility Services, Energy Section, (717)-783-5242.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1716. Filed for public inspection August 8, 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 25, 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-2014-2428079. MSKP, LLC** (220 Atlantic Avenue, Sinking Spring, Berks County, PA 19608) persons in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2428261. John Joseph Oneill, t/a South Side Taxi** (3500 Brownsville Road, Apt. 201, Pittsburgh, PA 15227) for the right, to transport by motor vehicle, persons, upon call or demand, in Allegheny County.

**A-2014-2428648. IWILLDRIVEU.COM, LLC** (155 Jennifer Lane, Bala Cynwyd, PA 19004) to transport as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Bucks, Chester, Delaware and Montgomery to points in Pennsylvania, and return.

**A-2014-2434592. Visit Vans, LLC** (905 Harrison Street, Allentown, PA 18103)—a limited liability company of this Commonwealth—persons in group and party service, in vehicles seating 11 to 15 including the driver, from points in the Counties of Lehigh and Northampton, to points in Pennsylvania and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

#### **Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.***

**A-2014-2404482. Kris Eckerl, t/a Michaels Moving and Storage** (126 Snowshoe Drive, Dingmans Ferry, PA 18328) for the right to transport, as a common

carrier, by motor vehicle, household goods in use, between points in Pike County.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1717. Filed for public inspection August 8, 2014, 9:00 a.m.]

### Water Service

**A-2014-2434532. The York Water Company.** Application of The York Water Company for approval to begin to offer, render, furnish or supply water service to the public in a portion of Cumberland Township, Adams 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 25, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* The York Water Company

*Through and By Counsel:* Michael W. Hassell, Esquire, Devin T. Ryan, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1718. Filed for public inspection August 8, 2014, 9:00 a.m.]

## STATE BOARD OF NURSING

**Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Richard Clayton, RN, Respondent; File No. 13-51-10738; Doc. No. 1700-51-13**

On November 18, 2013, 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 Nursing Law, Act of May 22, 1951, P.L. 317, ("Act"). 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 provided 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. 14-1719. Filed for public inspection August 8, 2014, 9:00 a.m.]







