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# PENNSYLVANIA BULLETIN

Volume 45  
Saturday, August 29, 2015 • Harrisburg, PA  
Number 35  
Pages 5373—5484

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The Courts  
Department of Banking and Securities  
Department of Environmental Protection  
Department of Health  
Department of Human Services  
Department of Revenue  
Health Care Cost Containment Council  
Independent Regulatory Review Commission  
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State Police

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

**No. 489, August 2015**

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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 2015.

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# THE GOVERNOR

## GOVERNOR'S OFFICE

### Proclamation of Disaster Emergency

August 24, 2015

*Whereas*, on June 23, 2015, a continuing weather pattern of high winds, severe thunderstorms, heavy rains and tornadoes and widespread flooding began to affect the Commonwealth; and

*Whereas*, this weather pattern continued until June 30, 2015, and caused severe adverse effects to multiple political subdivisions in the Commonwealth; and,

*Whereas*, these impacts were both immediate and long term, and require a comprehensive partnership between the Commonwealth and its political subdivisions for effective recovery; and,

*Now Therefore*, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. Section § 7101 et seq.) I do hereby proclaim the existence of a disaster emergency throughout the Commonwealth of Pennsylvania.

*Further*, All Commonwealth agencies purchasing supplies or services or construction in response to this emergency are authorized to utilize the emergency procurement procedures set forth in Section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. Section 516. This proclamation shall serve as the written determination of the basis for the emergency under Section 516; and,

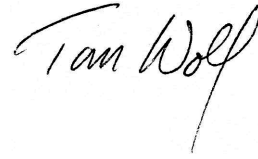
*Further*, I do hereby direct that the emergency response, recovery, and mitigation aspects of the Commonwealth and all applicable county, municipal, and other emergency response plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and

*Further*, I hereby suspend the provisions of any other regulatory statute prescribing the procedures for conduct of Commonwealth business, or the orders, rules or regulations of any Commonwealth agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency event. All Commonwealth agencies may implement their emergency assignments without regard to procedures required by other laws, except mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of public funds; and

*Further*, I hereby direct the Pennsylvania Emergency Management Agency to continue to coordinate the response, recovery, and mitigation activities of state departments and agencies through the State Emergency Operations Plan to deal with the exigencies of this disaster emergency.

*Still Further*, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency event to act as necessary to meet the current exigencies as legally authorized under this proclamation, including the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

*Given* under my hand and the Seal of the Governor, at the City of Harrisburg, this twenty-fourth day of August in the year of our Lord two thousand fifteen, and of the Commonwealth the two hundred and fortieth.

A handwritten signature in black ink that reads "Tom Wolf". The signature is written in a cursive style with a large, sweeping initial "T".

*Governor*

[Pa.B. Doc. No. 15-1571. Filed for public inspection August 28, 2015, 9:00 a.m.]

\_\_\_\_\_

# THE COURTS

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### PART I. GENERAL

[ 231 PA. CODE CHS. 200 AND 1000 ]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 1 ]

## Title 237—JUVENILE RULES

### PART I. RULES

[ 237 PA. CODE CHS. 1 AND 11 ]

### Proposed Amendment of Pa.R.Crim.P. 105, Pa.Rs.J.C.P. 121 and 1121 and Pa.R.C.P. No. 239 with Rescission of Pa.R.C.P. No. 239.8

The proposed amendment of Pa.R.Crim.P. 105, Pa.Rs.J.C.P. 121 & 1121, and Pa.R.C.P. No. 239, together with rescission of Pa.R.C.P. No. 239.8, governing local rule adoption processes is being published for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committees for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committees invite all interested persons to submit comments, suggestions, or objections in writing to:

Daniel A. Durst, Chief Counsel  
 Rules Committees  
 Supreme Court of Pennsylvania  
 Pennsylvania Judicial Center  
 PO Box 62635  
 Harrisburg, PA 17106-2635  
 FAX: 717.231.9536  
 rulescommittees@pacourts.us

All communications in reference to the proposal should be received by October 1, 2015. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committees will acknowledge receipt of all submissions.

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

#### PART A. Business of the Courts

#### Rule 105. Local Rules.

\* \* \* \* \*

(F) Contemporaneously with publishing the local rule in the *Pennsylvania Bulletin*, the adopting court shall:

(1) file one certified copy of the local rule with the Administrative Office of Pennsylvania Courts; and

(2) publish a copy of the local rule on the [ **Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>** ] website of the court or county in which the court has jurisdiction.

\* \* \* \* \*

#### Comment

\* \* \* \* \*

Paragraph (G) requires that a separate consolidated set of local rules be maintained in the prothonotary's or clerk's office.

[ **The Administrative Office of Pennsylvania Courts maintains a web site containing the texts of local rules at: <http://www.pacourts.us/T/SpecialCourts/LocalRules.htm>.**

**The Administrative Office of Pennsylvania Courts also maintains a web site containing all local criminal rules adopted or amended after February 1, 2009 at: <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.** ]

**The Administrative Office of Pennsylvania Courts maintains a web page linking to the websites of the courts of common pleas. That web page is located at <http://www.pacourts.us/courts/courts-of-common-pleas/individual-county-courts>. In addition to requiring all new local rules be published on the local court's website, this rule contemplates that a complete and up-to-date set of local rules will be maintained on the local court's website.**

Although under paragraph (E)(3) a local rule shall not be effective until at least 30 days after the date of publication in the *Pennsylvania Bulletin*, when a situation arises that requires immediate action, the local court may act by specific orders governing particular cases in the interim before an applicable local rule becomes effective.

The purpose of paragraph (I) is to (1) require that all documents presented for filing are accepted by the clerk of courts, also see Rule 576(A)(3), and (2) prevent the dismissal of cases, or the grant or denial of requested relief, because a party has failed to comply with a local rule. In addition, paragraph (I) requires that the party be alerted to the local rule, and be given a reasonable amount of time to comply with the local rule.

After the court has alerted the party to the local rule pursuant to paragraph (I), the court may impose a sanction for subsequent noncompliance either on counsel or the defendant if proceeding *pro se*, but may not dismiss the case, or grant or deny relief because of non-compliance.

**Official Note:** Rule 6 adopted January 28, 1983, effective July 1, 1983; amended May 19, 1987, effective July 1, 1987; renumbered Rule 105 and amended March 1, 2000, effective April 1, 2001; amended October 24, 2000, effective January 1, 2001; Comment revised June 8, 2001, effective immediately; amended October 15, 2004, effective January 1, 2005; amended September 9, 2005, effective

tive February 1, 2006; amended January 25, 2008, effective February 1, 2009; amended January 30, 2009, effective February 1, 2009; amended May 7, 2014, effective immediately; **amended** , **2015, effective** , **2015.**

*Committee Explanatory Reports:*

\* \* \* \* \*

Final Report explaining the May 7, 2014 amendments concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).

**Report explaining the proposed amendments concerning publication of local rules to a local court or county website published for comment at 45 Pa.B. 5393 (August 29, 2015).**

**TITLE 237. JUVENILE RULES**

**PART I. RULES**

**Subpart A. DELINQUENCY MATTERS**

**CHAPTER 1. GENERAL PROVISIONS**

**PART A. BUSINESS OF COURTS**

**Rule 121. Local Rules.**

A. *Definition of Local Rule.* For the purpose of this rule, the term, "local rule" shall include every rule, administrative order, regulation, directive, policy, custom, usage, form, or order of general application, however labeled or promulgated, which is adopted or enforced by [ **a court of common pleas** ] **any Court of Common Pleas** to govern juvenile delinquency practice and procedure.

B. *Vacated Local Rules and Repromulgation.*

1) All local rules [ **promulgated before October 1, 2005** ] **not adopted in accordance with this rule** were vacated at the time of the adoption **or modification** of these Rules.

2) All **new** local rules not published [ **on the Unified Judicial System (UJS) Portal by June 1, 2010** ] **by the time requirements of paragraph (F)(1)(a) and (b)** shall be vacated.

3) Each judicial district may promulgate new local rules that do not conflict with the Rules of Juvenile Court Procedure after submission under paragraph (D).

C. *Corresponding [ numbers ] Numbers.* Local rules shall be given numbers that are keyed to the number of the Rules of Juvenile Court Procedure to which the local rules correspond.

D. *Submission to Committee.*

1) All proposed local delinquency rules and proposed amendments to local delinquency rules shall be submitted in writing to the Juvenile Court Procedural Rules Committee for the Committee to review.

2) The adopting court shall not proceed with the proposed local rule or amendment until the adopting court receives written notification from the Committee that the proposed local rule or amendment is not inconsistent with any general rule of the Supreme Court.

E. *Vacating and Suspending Local Rules.* Local rules shall not be inconsistent with any rule of the Supreme Court or any Act of Assembly.

1) The Juvenile Court Procedural Rules Committee may, at any time, recommend that the Supreme Court suspend, vacate, or require amendment [ **of** ] **to** a local rule.

2) The Juvenile Court Procedural Rules Committee may suspend that **inconsistent** local rule pending action by the Court on that recommendation.

F. *Publication of Local Rules.* All local rules shall be published on [ **the UJS Portal maintained by the Administrative Office of Pennsylvania Courts** ] **its court's or county's official website** and in the *Pennsylvania Bulletin* to [ **be** ] **become** effective and enforceable.

1) The adopting court shall publish every local rule on [ **the UJS Portal** ] **its court's or county's official website.**

a) *Current Rules.* All current local rules promulgated before [ **March 1, 2010,** ] (insert adoption date, 2015) shall be published on [ **the UJS Portal by June 1, 2010 to be** ] **its court's or county's official website by (insert quarterly effective date, 2016) to become** effective and enforceable.

b) *New Rules.* All new local rules that have been submitted to the Committee pursuant to paragraph (D)(1) shall be published on [ **the UJS Portal** ] **its court's or county's official website** no later than ninety days after receiving written notification from the Committee under paragraph (D)(2).

c) *Vacating Rules.* If local rules are not published by these time requirements, they shall be vacated pursuant to paragraph (B)(2).

2) The adopting court shall not publish the local rule **on its court's or county's website and** in the *Pennsylvania Bulletin* until it has received [ **the statement** ] **written notification** from the Committee that the proposed local rule is not inconsistent with any general rule of the Supreme Court.

3) The adopting court shall submit the following items to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*:

a) two certified copies of the local rule;

b) a copy of the local rule on a computer diskette, CD-ROM, or electronic copy that complies with the requirements of 1 Pa. Code § 13.11(b)—(f); and

c) a copy of the written notification, received from the Juvenile Court Procedural Rules Committee, providing that the local rule is not inconsistent with the Pennsylvania Rules of Juvenile Court Procedure.

4) The effective date of the local rule shall not be less than 30 days after the date of publication of the rule on [ **the UJS Portal** ] **its court's or county's official website** and in the *Pennsylvania Bulletin*.

G. *Filing [ with ] With AOPC.* Contemporaneously with publishing the local rule **on the court's or county's official website and** in the *Pennsylvania Bulletin*, the adopting court shall[ ]:

1) ] file one certified copy of the local rule with the Administrative Office of Pennsylvania Courts[ ; and ].

[ 2) **publish a copy of the local rule on the UJS Portal at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.** ]

#### H. *Public Inspection.*

1) The local rules shall be kept continuously available for public inspection and copying in the office of the clerk of courts **and on its court's or county's official website.**

2) Upon request and payment of reasonable costs of reproduction and mailing, the clerk shall furnish to any person a copy of any local rule.

#### I. *Mandatory Acceptance of Filing.*

1) No pleading or other legal paper shall be refused for filing by the clerk of courts based on a requirement of a local rule.

2) No case shall be dismissed nor request for relief granted or denied because of the failure to comply with a local rule.

3) In any case of noncompliance with a local rule, the court shall alert the party to the specific provision at issue and provide [ a ] reasonable time for the party to comply with the local rule.

#### Comment

The purpose of this rule is to further the policy of the Supreme Court to implement the unified judicial system under the Constitution of 1968, to facilitate the statewide practice of law under this Court's general rules, and to promote the further policy that a general rule of juvenile court procedure normally preempts the subject covered. It is intended that local rules should not repeat general rules or statutory provisions verbatim or substantially verbatim nor should local rules make it difficult for attorneys to practice law in several counties.

The caption or other words used as a label or designation is not to determine whether something is or establishes a local rule; if the definition in paragraph (A) of this rule is satisfied, the matter is a local rule regardless of what it may be called. The provisions of this rule also are intended to apply to any amendments to a "local rule." Nothing in this rule is intended to apply to case-specific orders.

Paragraph [ (B)(1) ] (B) vacated all current local rules [ on October 1, 2005, the original effective date of this rule. Paragraph (B)(2) vacated all local rules not published on the UJS Portal by June 1, 2010 ] not previously compliant with this rule. [ The ] To become effective and enforceable, local rules are to be repromulgated to comply with this rule. This includes rekeying pursuant to paragraph (C) and meeting the appropriate publication and filing requirements under paragraphs (F) and (G). *See Infra History of Local Rules Vacated and Publication Requirements.*

To simplify the use of local rules, local juvenile delinquency procedural rules are required to be given numbers that are keyed to the number of the general juvenile delinquency procedural rules to which the local rules correspond pursuant to paragraph (C). This requirement is not intended to apply to local rules that govern the general business of the court and [ which ] that do not correspond to a general juvenile delinquency procedural rule.

Paragraph (D), added in 2008, requires that, before publishing the local rule or proceeding with any of the other requirements in paragraphs (F) and (G), the adopting court must submit all proposed local delinquency rules or rule amendments to the Juvenile Court Procedural Rules Committee for review.

The 2008 amendments [ emphasize ] emphasized that the adopting authority is to comply with all the provisions of this rule before any local rule, or any amendment to local rules, will [ be ] become effective and enforceable.

Paragraph (F) requires the local rule to be published on [ the UJS Portal ] its court's or county's official website and in the *Pennsylvania Bulletin* to [ be effective ] become effective and enforceable.

[ Pursuant to the 2010 amendments under paragraph (F)(1), all current local rules are to be published on the UJS Portal by June 1, 2010 to be effective and enforceable. If they are not published by this time, they are vacated and may be repromulgated if the procedures of this Rule are followed. All new local rules promulgated after March 1, 2010 are to be published on the UJS Portal no later than ninety days after receiving written notification from the Committee that the proposed rule or amendment is not inconsistent with any general rule of the Supreme Court of Pennsylvania. ]

Pursuant to 1 Pa. Code § 13.11(b)—(f), any documents that are submitted for publication must be accompanied by a diskette or CD-ROM formatted in MS-DOS, ASCII, Microsoft Word, or WordPerfect or in lieu of a diskette or CD-ROM, an electronic copy may be submitted to Legislative Reference Bureau at pabsupreme@palrb.us. The diskette, CD-ROM, or email cover sheet must be labeled with the court's name and address and the local rule's computer file name. In addition, a copy of the written notification, received from the Juvenile Court Procedural Rules Committee, that states the local rule is not inconsistent with the Rules of Juvenile Court Procedure is to be submitted.

Pursuant to paragraph (F)(3), an electronic copy is a document sent via email to the *Pennsylvania Bulletin*.

Although under paragraph (F)(4) a local rule is not to [ be ] become effective until at least thirty days after the date of publication on its court's or county's official website and in the *Pennsylvania Bulletin*, when a situation arises that requires immediate action, the local court may act by specific orders governing particular cases in the interim before an applicable local rule becomes effective.

[ The Administrative Office of Pennsylvania Courts maintains a web-page containing the text of local rules. That web-page is located at: <http://www.pacourts.us/T/SpecialCourts/LocalRules.htm>. ]

Paragraph (H) requires that a separate consolidated set of local rules be maintained in the clerk's office.

The purpose of paragraph (I) is to: 1) require that all documents presented for filing are accepted by the clerk of court, *also see* Rule 345(A)(2); and 2) prevent the dismissal of cases, or the granting or denial of requested relief, because a party has failed to comply with a local rule. In addition, paragraph (I) requires that the party be alerted to the local rule, and be given [ a reasonable amount of ] reasonable time to comply with the local rule.

After the court has alerted the party to the local rule pursuant to paragraph (I), the court may impose a

sanction for subsequent noncompliance either on the attorney or the juvenile if proceeding *pro se*, but may not dismiss the case, or grant or deny relief because of non-compliance.

#### **History of Local Rules Vacated and Publication Requirements**

Pursuant to paragraph (B) on October 1, 2005, the original effective date of this rule, all local juvenile rules were vacated to ensure uniformity of practice across this Commonwealth. After that date, some judicial districts repromulgated their local rules pursuant to paragraph (B)(2). Then, on January 11, 2010, all local rules not published on the UJS Portal by June 1, 2010 were vacated. All local rules published after January 11, 2010 were also vacated if they were not published on the UJS Portal within ninety days of receiving written notification from the Committee at the expiration of the ninety-day period. Next, on (insert adoption date), the publication of local rules on the UJS Portal was discontinued and local rules had to be published on its court's or county's official website. All local rules not published on its court's or county's official website by (insert quarterly effective date, 2016) were vacated. Prospectively, all local rules not published on its court's or county's official website within ninety days of receiving written notification in accordance with paragraph (D)(2) will be vacated. See also paragraph (F).

**Official Note:** Rule 121 adopted April 1, 2005, effective October 1, 2005. Amended December 12, 2008, effective immediately. Amended January 11, 2010, effective March 1, 2010.

\* \* \* \* \*

### **Subpart B. DEPENDENCY MATTERS**

#### **CHAPTER 11. GENERAL PROVISIONS**

##### **PART A. BUSINESS OF COURTS**

#### **Rule 1121. Local Rules.**

A. *Definition of Local Rule.* For the purpose of this rule, the term, "local rule" shall include every rule, administrative order, regulation, directive, policy, custom, usage, form, or order of general application, however labeled or promulgated, which is adopted or enforced by [ a court of common pleas ] any Court of Common Pleas to govern juvenile dependency practice and procedure.

#### *B. Vacated Local Rules and Repromulgation.*

1) All local rules [ promulgated before February 1, 2007 ] not adopted in accordance with this rule were vacated at the time of the adoption or modification of these Rules.

2) All new local rules not published [ on the Unified Judicial System (UJS) Portal by June 1, 2010 ] by the time requirements of paragraph (F)(1)(a) and (b) shall be vacated.

3) Each judicial district may promulgate new local rules that do not conflict with the Rules of Juvenile Court Procedure after submission under paragraph (D).

C. *Corresponding [ numbers ] Numbers.* Local rules shall be given numbers that are keyed to the number of the Rules of Juvenile Court Procedure to which the local rules correspond.

#### *D. Submission to Committee.*

1) All proposed local dependency rules and proposed amendments to local dependency rules shall be submitted in writing to the Juvenile Court Procedural Rules Committee for the Committee to review.

2) The adopting court shall not proceed with the proposed local rule or amendment until the adopting court receives written notification from the Committee that the proposed local rule or amendment is not inconsistent with any general rule of the Supreme Court.

E. *Vacating and Suspending Local Rules.* Local rules shall not be inconsistent with any rule of the Supreme Court or any Act of Assembly.

1) The Juvenile Court Procedural Rules Committee may, at any time, recommend that the Supreme Court suspend, vacate, or require amendment [ of ] to a local rule.

2) The Juvenile Court Procedural Rules Committee may suspend that inconsistent local rule pending action by the Court on that recommendation.

F. *Publication of Local Rules.* All local rules shall be published on [ the UJS Portal maintained by the Administrative Office of Pennsylvania Courts ] its court's or county's official website and in the *Pennsylvania Bulletin* to [ be ] become effective and enforceable.

1) The adopting court shall publish every local rule on [ the UJS Portal ] its court's or county's official website.

a) [ *Prior* ] *Current Rules.* All current local rules promulgated before [ March 1, 2010 ] (insert adoption date, 2015) shall be published on [ the UJS Portal by June 1, 2010 to be ] its court's or county's official website by (insert quarterly effective date, 2016) to become effective and enforceable.

b) *New Rules.* All new local rules that have been submitted to the Committee pursuant to paragraph (D)(1) shall be published on [ the UJS Portal ] its court's or county's official website no later than ninety days after receiving written notification from the Committee under paragraph (D)(2).

c) *Vacating Rules.* If local rules are not published by these time requirements, they shall be vacated pursuant to paragraph (B)(2).

2) The adopting court shall not publish the local rule on its court's or county's website and in the *Pennsylvania Bulletin* until it has received [ the statement ] written notification from the Committee that the proposed local rule is not inconsistent with any general rule of the Supreme Court.

3) The adopting court shall submit the following items to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*:

a) two certified copies of the local rule;

b) a copy of the local rule on a computer diskette, CD-ROM, or electronic copy that complies with the requirements of 1 Pa. Code § 13.11(b)—(f); and

c) a copy of the written notification, received from the Juvenile Court Procedural Rules Committee, providing that the local rule is not inconsistent with the Pennsylvania Rules of Juvenile Court Procedure.



4) The effective date of the local rule shall not be less than 30 days after the date of publication of the rule on **[ the UJS Portal ] its court's or county's official website** and in the *Pennsylvania Bulletin*.

G. *Filing [ with ] With AOPC*. Contemporaneously with publishing the local rule **on the court's or county's official website and** in the *Pennsylvania Bulletin*, the adopting court shall [ :

1) ] file one certified copy of the local rule with the Administrative Office of Pennsylvania Courts[ ; and ].

**[ 2) publish a copy of the local rule on the UJS Portal at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>. ]**

H. *Public Inspection*.

1) The local rules shall be kept continuously available for public inspection and copying in the office of the clerk of courts **and on its court's or county's official website**.

2) Upon request and payment of reasonable costs of reproduction and mailing, the clerk shall furnish to any person a copy of any local rule.

I. *Mandatory Acceptance of Filing*.

1) No pleading or other legal paper shall be refused for filing by the clerk of courts based on a requirement of a local rule.

2) No case shall be dismissed nor request for relief granted or denied because of the failure to comply with a local rule.

3) In any case of noncompliance with a local rule, the court shall alert the party to the specific provision at issue and provide **[ a ]** reasonable time for the party to comply with the local rule.

#### Comment

The purpose of this rule is to further the policy of the Supreme Court to implement the unified judicial system under the Constitution of 1968, to facilitate the statewide practice of law under this Court's general rules, and to promote the further policy that a general rule of juvenile court procedure normally preempts the subject covered. It is intended that local rules should not repeat general rules or statutory provisions verbatim or substantially verbatim nor should local rules make it difficult for attorneys to practice law in several counties.

The caption or other words used as a label or designation is not to determine whether something is or establishes a local rule; if the definition in paragraph (A) of this rule is satisfied, the matter is a local rule regardless of what it may be called. The provisions of this rule also are intended to apply to any amendments to a "local rule." Nothing in this rule is intended to apply to case-specific orders.

Paragraph **[ (B)(1) ] (B)** vacated all current local rules **[ on February 1, 2007, the original effective date of this rule. Paragraph (B)(2) vacated all local rules not published on the UJS Portal by June 1, 2010 ] not previously compliant with this rule. [ The ] To become effective and enforceable**, local rules are to be repromulgated to comply with this rule. This includes rekeying pursuant to paragraph (C) and meeting the appropriate **publication and filing** requirements under paragraphs (F) and (G). *See Infra History of Local Rules Vacated an Publication Requirements*.

To simplify the use of local rules, local juvenile dependency procedural rules are required to be given numbers that are keyed to the number of the general juvenile dependency procedural rules to which the local rules correspond pursuant to paragraph (C). This requirement is not intended to apply to local rules that govern the general business of the court and **[ which ] that** do not correspond to a general juvenile dependency procedural rule.

Paragraph (D), added in 2008, requires that, before publishing the local rule or proceeding with any of the other requirements in paragraphs (F) and (G), the adopting court must submit all proposed local dependency rules or rule amendments to the Juvenile Court Procedural Rules Committee for review.

The 2008 amendments **[ emphasize ] emphasized** that the adopting authority is to comply with all the provisions of this rule before any local rule, or any amendment to local rules, will **[ be ] become** effective and enforceable.

Paragraph (F) requires the local rule to be published on **[ the UJS Portal ] its court's or county's official website** and in the *Pennsylvania Bulletin* to **[ be effective ] become effective and enforceable**.

**[ Pursuant to the 2010 amendments under paragraph (F)(1), all current local rules are to be published on the UJS Portal by June 1, 2010 to be effective and enforceable. If they are not published by this time, they are vacated and may be repromulgated if the procedures of this Rule are followed. All new local rules promulgated after March 1, 2010 are to be published on the UJS Portal no later than ninety days after receiving written notification from the Committee that the proposed rule or amendment is not inconsistent with any general rule of the Supreme Court of Pennsylvania. ]**

Pursuant to 1 Pa. Code § 13.11(b)—(f), any documents that are submitted for publication must be accompanied by a diskette or CD-ROM formatted in MS-DOS, ASCII, Microsoft Word, or WordPerfect or in lieu of a diskette or CD-ROM, an electronic copy may be submitted to Legislative Reference Bureau at pabsupreme@palrb.us. The diskette, CD-ROM, or email cover sheet must be labeled with the court's name and address and the local rule's computer file name. In addition, a copy of the written notification, received from the Juvenile Court Procedural Rules Committee, that **states** the local rule is not inconsistent with the Rules of Juvenile Court Procedure is to be submitted.

Pursuant to paragraph (F)(3), an electronic copy is a document sent via email to the *Pennsylvania Bulletin*.

Although under paragraph (F)(4) a local rule is not to **[ be ] become** effective until at least thirty days after the date of publication **on its court's or county's official website and** in the *Pennsylvania Bulletin*, when a situation arises that requires immediate action, the local court may act by specific orders governing particular cases in the interim before an applicable local rule becomes effective.

**[ The Administrative Office of Pennsylvania Courts maintains a web-page containing the text of**

**local rules. That web-page is located at: <http://www.pacourts.us/T/SpecialCourts/LocalRules.htm>. ]**

Paragraph (H) requires that a separate consolidated set of local rules be maintained in the clerk’s office.

The purpose of paragraph (I) is to: 1) require that all documents presented for filing are accepted by the clerk of court, *also see* Rule 1345(A)(2); and 2) prevent the dismissal of cases, or the granting or denial of requested relief, because a party has failed to comply with a local rule. In addition, paragraph (I) requires that the party be alerted to the local rule, and be given [ **a reasonable amount of** ] reasonable time to comply with the local rule.

After the court has alerted the party to the local rule pursuant to paragraph (I), the court may impose a sanction for subsequent noncompliance either on the attorney or the party if unrepresented, but may not dismiss the case, or grant or deny relief because of non-compliance.

***History of Local Rules Vacated and Publication Requirements***

Pursuant to paragraph (B) on February 1, 2007, the original effective date of this rule, all local juvenile rules were vacated to ensure uniformity of practice across this Commonwealth. After that date, some judicial districts re promulgated their local rules pursuant to paragraph (B)(2). Then, on January 11, 2010, the Supreme Court issued an order vacating all local rules not published on the UJS Portal by June 1, 2010. All local rules published after January 11, 2010 were also vacated if they were not published on the UJS Portal within ninety days of receiving written notification from the Committee at the expiration of the ninety-day period. Next, on (insert adoption date), the publication of local rules on the UJS Portal was discontinued and local rules had to be published on its court’s or county’s official website. All local rules not published on its court’s or county’s official website by (insert quarterly effective date, 2016) were vacated. Prospectively, all local rules not published on its court’s or county’s official website within ninety days of receiving written notification in accordance with paragraph (D)(2) will be vacated. *See also* paragraph (F).

**Official Note:** Rule 1121 adopted August, 21, 2006, effective February 1, 2007. Amended December 12, 2008, effective immediately. Amended January 11, 2010, effective March 1, 2010.

\* \* \* \* \*

**TITLE 231. RULES OF CIVIL PROCEDURE**

**PART I. GENERAL**

**CHAPTER 200. BUSINESS OF COURTS**

**Rule 205.2. Filing Legal Papers with the Prothonotary.**

No pleading or other legal paper that complies with the Pennsylvania Rules of Civil Procedure shall be refused for filing by the prothonotary based on a requirement of a local rule of civil procedure or judicial administration, including local Rules 205.2(a) and 205.2(b).

**Official Note:** Rule 239.1(a) authorizes each court of common pleas to impose requirements governing the physical characteristics of pleadings and other legal papers. Rule 239.1(a) requires each court which has imposed

requirements to promulgate a local rule, numbered Local Rule 205.2(a), listing the requirements.

Similarly, Rule 239.1(b) also authorizes each court to require pleadings and other legal papers to be accompanied by a cover sheet. Rule 239.1(b) requires each court which has imposed the requirement to promulgate a local rule, numbered Local Rule 205.2(b), stating the requirement and setting forth the form of the cover sheet.

**[ Any local rule which has been promulgated must be published on the Pennsylvania Judiciary’s Web Application Portal (<http://ujportal.pacourts.us>). ]**

**Rule 205.5. Cover Sheet.**

\* \* \* \* \*

(e) The Court Administrator of Pennsylvania, in conjunction with the Civil Procedural Rules Committee, shall design and publish the cover sheet. The latest version of the form shall be published on the web site of the Administrative Office of Pennsylvania Courts at [www.pacourts.us](http://www.pacourts.us).

**Official Note:** Cover sheets developed by a judicial district may be used in addition to the cover sheet required by this rule. See Rule 239.1, which requires a court that uses local cover sheets to promulgate a local rule, numbered Local Rule 205.2(b), setting forth the form of cover sheet[ , and Rule 239.8 for the requirements for adopting Local Rule 205.2(b) ].

**Rule 206.1. Petition. Definition. Content. Form.**

(a) As used in this chapter, “petition” means

(1) an application to strike and/or open a default judgment or a judgment of non pros, and

(2) any other application which is designated by local rule, numbered Local Rule 206.1(a), to be governed by Rule 206.1 et seq.

**Official Note:** A petition for relief from a judgment by confession is governed by Rule 2959.

Motions are governed by Rule 208.1 et seq.

Rule 206.1(a)(2) authorizes each court of common pleas to designate applications which are to proceed in the manner of a petition under Rule 206.1 et seq. Rule 239.2(a) requires each court which has made that designation to promulgate a local rule, numbered Local Rule 206.1(a), listing the applications to be determined pursuant to Rule 206.1 et seq. **[ Any local rule which has been promulgated must be published on the Pennsylvania Judiciary’s Web Application Portal (<http://ujportal.pacourts.us>). ]**

\* \* \* \* \*

**Rule 206.4. Rule to Show Cause. Alternative Procedures. Exception.**

(a)(1) Except as provided by subparagraph (2), a petition shall proceed upon a rule to show cause, the issuance of which shall be discretionary with the court as provided by Rule 206.5 unless the court by local rule adopts the procedure of Rule 206.6 providing for issuance as of course.

**Official Note:** See Rule 440 requiring service of the petition upon every other party to the action.

(2) A judgment shall be stricken without the issuance of a rule to show cause when there is a defect on the face of the record that constitutes a ground for striking a default judgment.

(b) The procedure following issuance of the rule to show cause shall be in accordance with Rule 206.7.

**Official Note:** Subdivisions (b) through (e) of Rule 239.2 require every court to promulgate Local Rule 206.4(c) describing the court's procedures for the issuance of a rule to show cause. [ **Local Rule 206.4(c) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).** ]

**Rule 208.2. Motion. Form. Content.**

\* \* \* \* \*

(b) A motion need not be verified unless verification is required by general rule governing the particular motion or by order of court.

**Official Note:** Rule 239.3(a) authorizes a court to require that a motion include a brief statement of the applicable authority. Rule 239.3(a) requires each court which has imposed this requirement to promulgate a local rule, numbered Local Rule 208.2(c), stating the requirement.

Rule 239.3(b) also authorizes each court to provide a certification requirement for a motion as uncontested. Rule 239.3(b) requires each court which has imposed this requirement to promulgate a local rule, numbered Local Rule 208.2(d), stating the requirement.

Similarly, Rule 239.3(c) authorizes each court of common pleas to require the moving party in any motion relating to discovery to certify that counsel has conferred or attempted to confer with all interested parties in order to resolve the matter without court action. Rule 239.3(c) requires each court which has imposed this requirement to promulgate a local rule, numbered Local Rule 208.2(e), stating the requirement.

[ **Any local rule which has been promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).** ]

**Rule 208.3. Alternative Procedures.**

(a) Except as otherwise provided by subdivision (b), the court shall initially consider a motion without written responses or briefs. For a motion governed by this subdivision, the court may not enter an order that grants relief to the moving party unless the motion is presented as uncontested or the other parties to the proceeding are given an opportunity for an argument.

**Official Note:** Rule 208.3(a) does not prevent a court from denying the moving party's request for relief without the opportunity for an argument where the motion is procedurally defective, is untimely filed or fails to set forth adequate grounds for relief.

Parties may choose to submit responses and briefs at the time of the presentation, provided that copies have been served on every other party. However, parties are not required to do so.

Rule 239.3(d) requires every court to promulgate Local Rule 208.3(a) describing the local court procedure governing motions under this rule. [ **Local Rule 208.3(a) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).** ]

(b) A court, by local rule, numbered Local Rule 208.3(b), may impose requirements with respect to motions listed in the rule for the filing of a response, a brief or both. Where a response is required, any party opposing a motion governed by Local Rule 208.3(b) shall file the

response within twenty days after service of the motion, unless the time for filing the response is modified by court order or enlarged by local rule.

**Official Note:** Motions are governed by the procedure in subdivision (a) unless the court by local rule designates particular types of motions to be governed by the procedure in subdivision (b).

The twenty-day response period may be extended or reduced by special order of court. A local rule may only extend the time period.

A response shall be filed by any party opposing a motion governed by subdivision (b) even if there are no contested issues of fact because the response is the opposing party's method of indicating its opposition.

Rule 208.3(b) authorizes each court of common pleas to impose requirements of responses and briefs with respect to designated motions. Rule 239.3(e) requires each court which has imposed such requirements to promulgate a local rule, numbered Local Rule 208.3(b), listing the motions and the requirements.

Rule 239.3(e) also provides that Local Rule 208.3(b) must describe the local court procedure governing motions under subdivision (b) and may allow the court to treat the motion as uncontested if a response is not filed.

[ **Any local rule promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).** ]

**Rule 210. Form of Briefs.**

Briefs shall be typewritten, printed or otherwise duplicated and endorsed with the name of the case, the court and number and the name, address, and telephone number of the attorney or the party if not represented by an attorney.

**Official Note:** Rule 239.4 authorizes each court of common pleas to impose additional requirements governing the form and content of a brief. Rule 239.4 requires each court which has imposed such requirements to promulgate a local rule, numbered Local Rule 210, listing the requirements. [ **Any local rule which has been promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).** ]

**Rule 239. Local Rules.**

(a) For the purpose of this rule, the term "local rule" [ **shall** ] shall include every rule, **administrative order**, regulation, directive, policy, custom, usage, form or order of general application, however labeled or promulgated, which is adopted and enforced by a court of common pleas to govern civil practice and procedure. **This rule shall also apply to any amendment to a local rule.**

**Official Note:** The caption or other words used as a label or designation shall not determine whether something is or establishes a local rule; if the definition in subdivision (a) of this rule is satisfied, the matter is a local rule regardless of what it may be called. [ **The provisions of this rule are also intended to apply to any amendments to a "local rule."** ] **A local rule solely addressing filing fees is excluded from this definition.**

(b)(1) Local rules shall not be inconsistent with any general rule of the Supreme Court or any Act of Assembly.

**Official Note:** The policy of the Supreme Court as declared in the Order promulgating this rule is “to implement the unified judicial system under the Constitution of 1968, to facilitate the statewide practice of law under this Court’s general rules, and to promote the further policy that a general rule of civil procedure normally preempts the subject covered.” In accordance with the Court’s policy, it is intended that local rules should not repeat general rules or statutory provisions verbatim or substantially verbatim nor should local rules make it difficult for attorneys to practice law in several counties.

(2) Except as otherwise provided by [ Rule 239.8 ] Rules 239.1, 239.2, 239.3, 239.4, 239.5, 239.6, 239.7, and 239.9, local rules which implement general rules shall be given numbers that are keyed to the numbers of the general rules to which the local rules correspond.

[ (c) Except as otherwise provided by Rule 239.8, to be effective and enforceable:

(1) A local rule shall be in writing.

(2) One certified copy of the local rule shall be filed by the court promulgating the rule with the Administrative Office of Pennsylvania Courts.

(3) Two certified copies of the local rule and a computer diskette containing the text of the local rule shall be distributed by the court promulgating the rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

**Official Note:** The diskette must (1) be formatted in one of the following formats: MS-DOS, ASCII, Microsoft Word, or WordPerfect, (2) contain the local rule text as reflected in the “hard copy” version of the rule, and (3) be labeled with court’s name and address and computer file name. See 1 Pa. Code § 13.11(b).

(4) One certified copy of the local rule shall be filed by the court promulgating the rule with the Civil Procedural Rules Committee, unless the rule relates to domestic relations matters, in which case it shall be filed with the Domestic Relations Procedural Rules Committee.

(5) The local rule shall be kept continuously available for public inspection and copying in the office of the prothonotary or clerk of court. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of any local rule.

**Official Note:** It is contemplated under subdivision (c)(5) that a separate consolidated set of local rules shall be maintained in the prothonotary’s or clerk’s office.

The Administrative Office of the Pennsylvania Courts maintains a webpage containing the texts of local rules. That webpage is located at: <http://www.pacourts.us/T/SpecialCourts/LocalRules.htm>

(6) A local rule promulgated before the effective date of this rule shall be filed on or before that effective date with the prothonotary or clerk of court and shall be kept by the prothonotary or clerk for inspection, copying, and furnishing as provided in subdivision (c)(5). ]

(c)(1) Except as provided by subdivision (c)(2), the court shall submit a proposed local rule in writing to the Civil Procedural Rules Committee

for review. The court shall not promulgate the proposed local rule until the court receives a written statement from the Civil Procedural Rules Committee that the proposed local rule does not conflict with Rules of Civil Procedure.

**Official Note:** A proposed local rule should be submitted to the Civil Procedural Rules Committee as an attachment to an e-mail addressed to [civilrules@pacourts.us](mailto:civilrules@pacourts.us).

(2) If a proposed local rule relates to domestic relations matters, the court shall submit the proposed local rule to the Domestic Relations Procedural Rules Committee for review. The court shall not promulgate the proposed local rule until the court receives a written statement from the Domestic Relations Procedural Rules Committee that the proposed local rule does not conflict with the Rules of Civil Procedure.

**Official Note:** A proposed local rule governing domestic relations matters should be submitted to the Domestic Procedural Rules Committee as an attachment to an e-mail addressed to [domesticrules@pacourts.us](mailto:domesticrules@pacourts.us).

(d) Upon receipt of the written statement from the Civil Procedural Rules Committee or the Domestic Relations Procedural Rules Committee, the court promulgating a local rule shall:

(1) File one certified copy of the local rule with the Administrative Office of Pennsylvania Courts.

(2) File two certified copies of the local rule and a copy of the local rule on a computer diskette, CD-ROM, or other electronic copy that complies with the requirements of 1 Pa. Code § 13.11(b)—(f) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) Post a copy of the local rule to the website of the court or county in which the court has jurisdiction.

**Official Note:** The Administrative Office of the Pennsylvania Courts maintains a web page linking to the websites of the Courts of Common Pleas. This web page is located at <http://www.pacourts.us/courts/courts-of-common-pleas/individual-county-courts>.

It is contemplated under subdivision (d)(3) that a complete and up-to-date set of local rules shall be maintained on the local court’s website.

(4) Keep the local rule continuously available for public inspection and copying in the office of the prothonotary or clerk of court. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of any local rule.

**Official Note:** It is contemplated under subdivision (c)(4) that a separate consolidated set of local rules shall be maintained in the prothonotary’s or clerk’s office.

[ (d) Except as otherwise provided by Rule 239.8, a ] (e) A local rule shall become effective not less than thirty days after the date of publication of the local rule in the *Pennsylvania Bulletin*.

**Official Note:** Although under subdivision [ (d) ] (e) a local rule shall not be effective [ until at least ] not less than thirty days after the date of publication in the

*Pennsylvania Bulletin*, when a situation arises that requires immediate action, the local court may act by specific orders governing particular cases in the interim before an applicable local rule becomes effective.

[ (e) ] (f) The Civil Procedural Rules Committee or the Domestic Relations Procedural Rules Committee may at any time recommend that the Supreme Court suspend, vacate, or require amendment of a local rule and may suspend that local rule pending action by the Court on that recommendation.

[ (f) ] (g) No civil action or proceeding shall be dismissed for failure to comply with a local rule.

**Official Note:** See Rule of Judicial Administration 1952 governing the duties and authorities of the [ trial court ] president judge in emergency actions. Rule 1952(B)(5) suspends the provisions of this rule during an emergency.

Rule 239.8. [ Local Rules. Promulgation. Publication. Effective Date. ] (Rescinded).

[ (a) Local rules required by Rules 239.2, 239.3, 239.5, 239.6 and 239.7 shall be promulgated not later than nine months following the date of the Order of the Supreme Court promulgating this rule.

**Official Note:** The date of the Order promulgating Rule 239.8 was October 24, 2003. Local requirements under Rules 239.1 through 239.7 are not effective and enforceable unless local rules are published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>). See subdivision (c) of this rule.

(b) The court promulgating a local rule or an amendment to a local rule pursuant to Rules 239.1 through 239.7 shall transmit a copy to the Civil Procedural Rules Committee which shall then forward a copy to the Administrative Office of Pennsylvania Courts (AOPC) for publication on the Pennsylvania Judiciary's Web Application Portal.

**Official Note:** The preferable method of transmission to the Civil Procedural Rules Committee is by attachment to e-mail addressed to [civil.rules@pacourts.us](mailto:civil.rules@pacourts.us).

The Committee may, of necessity arising from judicial automation, direct the court promulgating a local rule or amendment to transmit it to the AOPC or take other action to effect publication on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).

(c) To be effective and enforceable, a local rule or an amendment to a local rule promulgated pursuant to Rules 239.1 through 239.7 shall be

(1) numbered in accordance with the requirements of those rules,

(2) published on the Pennsylvania Judiciary's Web Application Portal, and

**Official Note:** The Pennsylvania Judiciary maintains a web page at <http://ujportal.pacourts.us/> containing the texts of local rules promulgated pursuant to Rules 239.1 through 239.7.

(3) kept continuously available for public inspection and copying in the office of the prothonotary or clerk of the court promulgating the rule or amendment. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of any local rule.

**Official Note:** It is contemplated under subdivision (c)(3) that a separate consolidated set of local rules shall be maintained in the prothonotary or clerk's office. The set of local rules may be in book or electronic form.

(d) A local rule or amendment promulgated pursuant to Rules 239.1 through 239.7 shall become effective upon publication on the Pennsylvania Judiciary's Web Application Portal.

**Official Note:** See Rule of Judicial Administration 1952 governing the duties and authorities of the trial court in emergency actions. Rule 1952(B)(5) suspends local rule-making procedures during an emergency. ]

**Rule 239.9. Electronic Filing. Local Rule 205.4.**

\* \* \* \* \*

(c) Local Rule 205.4 may contain such additional subdivisions as the court deems necessary to provide a full and complete description of the electronic filing system.

[ (d) Local Rule 205.4 shall be promulgated in accordance with the provisions of Rule 239.8(b) through (d). ]

## CHAPTER 1000. ACTIONS

### Subchapter A. CIVIL ACTION

#### PLEADINGS

**Rule 1028. Preliminary Objections.**

\* \* \* \* \*

(c)(1) A party may file an amended pleading as of course within twenty days after service of a copy of preliminary objections. If a party has filed an amended pleading as of course, the preliminary objections to the original pleading shall be deemed moot.

(2) The court shall determine promptly all preliminary objections. If an issue of fact is raised, the court shall consider evidence by depositions or otherwise.

**Official Note:** Preliminary objections raising an issue under subdivision (a)(1), (5), (6), (7) or (8) cannot be determined from facts of record. In such a case, the preliminary objections must be endorsed with a notice to plead or no response will be required under Rule 1029(d).

However, preliminary objections raising an issue under subdivision (a)(2), (3) or (4) may be determined from facts of record so that further evidence is not required.

Rule 239.5 requires every court to promulgate Local Rule 1028(c) describing the local court procedure governing preliminary objections. [ **Local Rule 1028(c) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).** ]

(d) If the preliminary objections are overruled, the objecting party shall have the right to plead over within twenty days after notice of the order or within such other time as the court shall fix.

(e) If the filing of an amendment, an amended pleading or a new pleading is allowed or required, it shall be filed within twenty days after notice of the order or within such other time as the court shall fix.

(f) Objections to any amended pleading shall be made by filing new preliminary objections.

**Rule 1034. Motion for Judgment on the Pleadings.**

(a) After the relevant pleadings are closed, but within such time as not to unreasonably delay the trial, any party may move for judgment on the pleadings.

**Official Note:** Only the pleadings between the parties to the motion for judgment on the pleadings must be closed prior to filing the motion.

Rule 239.6 requires every court to promulgate Local Rule 1034(a) describing the local court procedure governing motions for judgment on the pleadings. [ **Local Rule 1034(a) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujsportal.pacourts.us>).** ]

(b) The court shall enter such judgment or order as shall be proper on the pleadings.

**Rule 1035.2. Motion.**

After the relevant pleadings are closed, but within such time as not to unreasonably delay trial, any party may move for summary judgment in whole or in part as a matter of law

(1) whenever there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by additional discovery or expert report, or

(2) if, after the completion of discovery relevant to the motion, including the production of expert reports, an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury.

**Official Note:** Rule 1035.2 sets forth the general principle that a motion for summary judgment is based on an evidentiary record which entitles the moving party to judgment as a matter of law.

The evidentiary record may be one of two types. Under subparagraph (1), the record shows that the material facts are undisputed and, therefore, there is no issue to be submitted to a jury.

An example of a motion under subparagraph (1) is a motion supported by a record containing an admission. By virtue of the admission, no issue of fact could be established by further discovery or expert report.

Under subparagraph (2), the record contains insufficient evidence of facts to make out a prima facie cause of action or defense and, therefore, there is no issue to be submitted to a jury. The motion in this instance is made by a party who does not have the burden of proof at trial and who does not have access to the evidence to make a record which affirmatively supports the motion. To defeat this motion, the adverse party must come forth with evidence showing the existence of the facts essential to the cause of action or defense.

Oral testimony alone, either through testimonial affidavits or depositions, of the moving party or the moving party's witnesses, even if uncontradicted, is generally insufficient to establish the absence of a genuine issue of material fact. See *Nanty-Glo v. American Surety Co.*, [ **309 Pa. 236,** ] 163 A. 523 (**Pa.** 1932); *Penn Center House, Inc. v. Hoffman*, [ **520 Pa. 171,** ] 553 A.2d 900 (**Pa.** 1989).

Only the pleadings between the parties to the motion for summary judgment must be closed prior to filing the motion.

In asbestos litigation, a motion for summary judgment filed by one defendant alleging a ground common to one or more other defendants is deemed filed on behalf of all such defendants. See Rule 1041.1(f).

Partial summary judgment, interlocutory in character, may be rendered on one or more issues of liability, defense or damages.

Rule 239.7 requires every court to promulgate Local Rule 1035.2(a) describing the local court procedure governing motions for summary judgment. [ **Local Rule 1035.2(a) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujsportal.pacourts.us>).** ]

**SUPREME COURT OF PENNSYLVANIA  
CRIMINAL PROCEDURAL RULES COMMITTEE  
JUVENILE COURT PROCEDURAL RULES  
COMMITTEE  
CIVIL PROCEDURAL RULES COMMITTEE  
DOMESTIC RELATIONS PROCEDURAL RULES  
COMMITTEE  
ORPHANS' COURT PROCEDURAL RULES  
COMMITTEE**

**EXPLANATORY REPORT**

*Proposed Amendment of Pa.R.Crim.P. 105, Pa.Rs.J.C.P. 121 & 1121, and Pa.R.C.P. No. 239 with Rescission of Pa.R.C.P. No. 239.8*

The Civil Procedural Rules Committee, the Criminal Procedural Rules Committee, and the Juvenile Court Procedural Rules Committee (Committees) propose the amendment of Pa.R.Crim.P. 105, Pa.Rs.J.C.P. 121 & 1121, and Pa.R.C.P. No. 239, together with rescission of Pa.R.C.P. No. 239.8, to change the local rule adoption processes to require the posting of local rules on courts' or counties' websites rather than on the Unified Judicial System's Web Portal (UJS Portal) website. This recommendation is also joined by the Orphans' Court Procedural Rules Committee as it relates to proposed Pa.O.C. Rule 1.5. Additionally, the Civil Procedural Rules Committee and Domestic Relations Procedural Rules Committee propose expansion of the local civil rule review process to include all rules of civil procedure, including the domestic relations/family court rules.

Currently, various statewide procedural rules governing local rulemaking require committee approval and posting of the local rules on the UJS Portal to become effective. The Committees propose retaining the approval process, but would require posting on the county website instead of the UJS Portal to become effective. To do so, it first must be established that all counties compile and publish local rules on their respective county website.

Presently, there are two websites for local rules. The first site can be found on the Unified Judicial System's website at <http://www.pacourts.us/courts/supreme-court/committees/rules-committees/local-rules-for-common-pleas-and-magisterial-district-courts/>. It is maintained by the Administrative Office of Pennsylvania Courts, which posts local rules as they are published by the Legislative Reference Bureau. This site is a collection of docket activity of individual local rules grouped by county and date. The data source for this information is the *Pennsylvania Bulletin*.

The second site is on the UJS Portal, which contains local rules posted by the various court administrators pursuant to statewide procedural rules: <https://ujsportal.pacourts.us/LocalRules/RuleSelection.aspx>. The concept of posting local rules on the UJS site was conceived in the 1990s as a means of compiling the rules when technological resources at the county level could not easily do so. Since this effort, 49 of the 67 counties now maintain local rules on their county website.

The Committees propose a procedure whereby each county would maintain a current compilation of local rules on their respective county site. Links to the county

websites already exist and would be maintained on the UJS website at <http://www.pacourts.us/courts/courts-of-common-pleas/>. It is believed that this change will promote uniformity among the counties regarding the availability of local rules, offer convenience to users who may intuitively look to the county website for local rules of procedures in that county, and eliminate duplicity with the compilation and maintenance of local rules on both the county and multiple UJS websites.

Additionally, the proposal would require the counties' websites to include all rules of civil procedure, including domestic relations/family court rules. This change would be implemented by amending Pa.R.C.P. No. 239 and it is intended to assure that future local rules are not inconsistent with statewide rules.

Should rulemaking proceed after review of comments, then the two local rule sites currently being maintained by the UJS website would be deactivated. Correlative amendment of Pennsylvania Rule of Judicial Administration No. 103(c) would also be submitted to reflect these proposed amendments.

Specific amendments to individual rules are discussed below.

#### *Pennsylvania Rule of Criminal Procedure 105*

Pa.R.Crim.P. 105 governs the procedures for the adoption of local criminal rules. In 2009, Rule 105 was amended to improve this process. One of the Criminal Procedural Rules Committee's main goals in these amendments was to require prior approval by the Committee of any new local rule to ensure that the local rule did not conflict with the statewide rules. In addition, the amendments included the requirement that approved local rules be posted to the UJS websites described above. This latter requirement was intended to assist practitioners and was not intended to constitute a comprehensive archive of local rules, at least for the present.

Since the time of those amendments, there has been a marked increase in the use of websites administered by the local court of common pleas or county government for posting of local rules. The Committee has concluded that this practice is more efficient, timely, and complete than reliance on centralized websites that remain incomplete.

Therefore, paragraph (F)(2) of Pa.R.Crim.P. 105 would be amended to provide that, contemporaneously with publishing the local rule in the *Pennsylvania Bulletin*, the adopting court would be required to publish a copy of the local rule on "the website of the court or county in which the court has jurisdiction," rather than on the UJS Portal.

It should be noted that, due to the large number of local criminal rules and the lack of resources to perform a comprehensive review of existing local rules, when the 2009 amendments to Pa.R.Crim.P. 105 were adopted, they required review and uploading only of local rules created or amended since February 1, 2009, the effective date of the amendments. It is intended that the current proposed amendments will require the uploading of all existing local criminal rules to the court or county website. However, local rules existing at the time of the adoption of these amendments would not be required to be submitted to the Committee for approval or re-approval. The current requirement for Committee approval of new local rules or amendments to existing local rules would remain.

#### *Pennsylvania Rules of Juvenile Court Procedural 121 and 1121*

The majority of the changes in the Juvenile Court Procedural Rules 121 and 1121 concern a requirement for

counties to publish local rules on its court's or county's website instead of the UJS Portal.

The Juvenile Court Procedural Rules Committee proposes to eliminate the dates that local rules were vacated in Pa.Rs.J.C.P. 121(B) and 1121(B) and provide a new Comment section labeled "History of Local Rules Vacated and Publication Requirements" to explain this history of local rules. The history explains that when the Rules of Juvenile Court Procedure were originally effective on October 1, 2005 for delinquency matters and on February 1, 2007 for dependency matters, all local rules were vacated. After that time, only a few counties repromulgated some local rules. There was no need for other counties to repromulgate their rules because the new Rules of Juvenile Court Procedure covered the same specific areas of procedure.

Next, the Administrative Office of Pennsylvania Courts began working with juvenile courts across the Commonwealth to use the Common Pleas Case Management System for juvenile court practice. As another part of this statewide automation effort, the Court mandated counties to publish their local rules on the UJS Portal by June 1, 2010 so an attorney could practice in multiple counties and easily find any local procedures in one area. However, as noted *supra*, many practitioners are not utilizing the UJS Portal to find local rules as envisioned, and multiple counties have already established their own courts' or counties' websites. Research indicates that the practitioner is going to the local court's or county's website to obtain local rules. Therefore, the Juvenile Court Procedural Rules Committee is joining this recommendation to discontinue the posting of local rules on the UJS Portal. Specifically, the Committee proposes modification of Pa.Rs.J.C.P. 121 and 1121 to mandate the posting of local rules on its court's or county's website within ninety days of receiving written notification from the Committee. See paragraphs (D) and (F)(1)(b). Contemporaneously with publishing the local rule on its court's or county's website and in the *Pennsylvania Bulletin*, the adopting court shall file one certified copy with the Administrative Office of Pennsylvania Courts. See paragraph (G).

#### *Pennsylvania Rules of Civil Procedural Nos. 239 and 239.8*

In 2004, the Supreme Court adopted Pa.R.C.P. No. 239.8, which provided for procedures governing the promulgation of local rules for motion practice in each judicial district. This rule was promulgated specifically for the implementation of a statewide website upon which the motions practice rules were made available. The promulgation of all other local rules of civil procedure continued to be governed by the provisions of Pa.R.C.P. No. 239. As a result, two methods of promulgating local rules were established and this has caused some confusion by the judicial districts as to how to properly promulgate local rules. Consequently, the proposed amendment of Pa.R.C.P. No. 239 and rescission of Pa.R.C.P. No. 239.8 is designed to create to the greatest extent possible one method for promulgating local rules of civil procedure.

Combining aspects of both Pa.R.C.P. Nos. 239 and 239.8, the proposal requires a court promulgating a local rule to (1) obtain approval from the Civil Procedural Rules Committee, or if the local rule pertains to domestic relations procedure, the Domestic Relations Procedural Rules Committee, prior to adoption and publication to ensure that the local rule does not conflict with the statewide Rules of Civil Procedure, (2) publish the local rule in the *Pennsylvania Bulletin*, (3) post the local rule to the local court or county website, and (4) file the local

rule in the local prothonotary's office for public inspection and copying. All local rules will become effective 30 days after publication in the *Pennsylvania Bulletin*.

Pa.R.C.P. Nos. 205.2, 205.5, 206.1, 206.4, 208.2, 208.3, 210, 239.9, 1028, 1034, and 1035.2 are proposed to be amended to conform them to the present proposal.

*Domestic Relations Procedural Rules Committee*

As currently governed by Pa.R.C.P. No. 239, proposed local rules are not subject to prospective review by the Domestic Relations Procedural Rules Committee to determine whether a proposed local rule is inconsistent with a statewide rule. Instead, the Committee retroactively reviews local rules when they are received from the judicial districts. The Committee believes this post-adoption process is both inefficient and ineffective to ensure consistency with the statewide domestic relations procedural rules.

The joint proposal amending the Rules of Civil Procedure would afford the Committee an opportunity to provide guidance to the judicial districts before local rules are promulgated, thereby making for a more efficient rulemaking process and a more consistent statewide family law practice. As noted in the explanation to the amendments to the Rules of Criminal Procedure and Rules of Civil Procedure, the effect of this proposal would be prospective in nature and would not require judicial districts to submit their current domestic relations local rules for approval, but rather, only local rules proposed after the effective date of the amendments would necessitate the prior approval process contemplated by the jointly proposed amendments.

*Pennsylvania Orphans' Court Rule 1.5 (Proposed)*

The Orphans' Court Procedural Rules Committee previously proposed Pa.O.C. Rule 1.5 governing local rule-making. See 43 Pa.B. 2010 (April 13, 2013). This proposed rule was based upon Pa.R.Crim.P. 105. *Id.* Therefore, proposed changes to Pa.R.Crim.P. 105 would similarly be incorporated into proposed Pa.O.C. Rule 1.5, namely, the requirement of publication on the county's website rather than the UJS Portal following Committee approval. As Pa.O.C. Rule 1.5 remains pending, those changes will be incorporated if and when Pa.R.Crim.P. 105 is amended.

The Committees invite all comments, objections, and suggestions concerning this proposal.

[Pa.B. Doc. No. 15-1572. Filed for public inspection August 28, 2015, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Administrative Closure of the Courts and Offices of the First Judicial District of Pennsylvania— September 23, 2015 to September 28, 2015; No. 01 of 2015

#### Order

And now, this 7th day of August, 2015, in light of the preparations the City of Philadelphia and other city, state and federal entities have announced which are necessary to accommodate in excess of one million people who are expected to attend the World Meeting of Families and the Papal visit in the area immediately surrounding the

courts and offices of the First Judicial District of Pennsylvania, upon consideration of the resulting mobility limitations both before and after the planned events, in order to insure the safety and well-being of court employees, court users and visitors, and to limit the impact and prejudice on litigants, court users and other visitors, *It Is Hereby Ordered and Decreed* that all First Judicial District of Pennsylvania courts and related offices, including the Office of Judicial Records and other filing offices, the Juvenile and Adult Probation Departments, and the Family Court Children's waiting area, will be closed beginning on Tuesday, September 22, 2015 at 5:00 PM and will reopen on Tuesday, September 29, 2015 at the normal business hours for the various courts and offices.

*It Is Further Ordered and Decreed* that:

1. Any legal pleadings which are required to be filed between September 23, 2015 and September 28, 2015 will be deemed to have been timely filed if they are filed on Tuesday, September 29, 2015, the next business day immediately after the administrative closure of the courts of the First Judicial District as provided in this Order.

2. Except as provided below, all Court of Common Pleas and Municipal Court emergencies which arise after 5:00 PM on September 22, 2015 and until 9:00 AM on September 29, 2015 shall be handled by the weekly emergency judges and other staff assigned pursuant to Philadelphia Civil Rule \*1531.

3. Video Preliminary Arraignments and Emergency Protection from Abuse services will continue on a 24/7 basis. Non-emergency Protection from Abuse petitions secured at Family Court will resume with normal business hours on Tuesday, September 29, 2015. Municipal Court will also continue to conduct video bench warrant hearings for individuals incarcerated in the Philadelphia Prison System. We will communicate and publicize the alternate locations at a later date. In addition, Alias Writs will not be issued or served from September 21, 2015 at 5:00 PM until September 30, 2015 at 9:00 AM.

4. Juvenile detention hearings and shelter care hearings held pursuant to 42 Pa.C.S. § 6332 will be held by the Court or master within 72 hours after the child is placed in detention or shelter care, at the following location: Philadelphia Juvenile Justice Services Center (PJJSC), Courtroom #1 or Courtroom #2, 48th and Haverford Ave., Philadelphia, PA 19139.

This Order shall be filed with the Office of Judicial Records in a Docket maintained for orders issued by the Administrative Governing Board of the First Judicial District of Pennsylvania, and shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the order shall be submitted to the Administrative Office of Pennsylvania Courts, American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://www.courts.phila.gov/regs>.

*By the Court*

HONORABLE KEVIN M. DOUGHERTY,  
*Chair, Administrative Governing Board  
First Judicial District of Pennsylvania  
Administrative Judge, Trial Division,  
Court of Common Pleas, Philadelphia County*

[Pa.B. Doc. No. 15-1573. Filed for public inspection August 28, 2015, 9:00 a.m.]



# Title 25—LOCAL COURT RULES

## WESTMORELAND COUNTY

### Promulgation of Rule of Criminal Procedure WC114; No. 621 MD 2015

#### Amended Administrative Order of Court

And Now, this 17th day of August, 2015, *It Is Hereby Ordered* that current Westmoreland County Rule of Criminal Procedure WC114, Orders and Court Notices; Filings; Service; and Docket Entries is rescinded and the new Rule WC114 is adopted.

*By the Court*

RICHARD E. McCORMICK, Jr.,  
*President Judge*

#### Rule WC114. Orders and Court Notices; Filing; Service; and Docket Entries.

(A) Pursuant to Pa.R.Crim.P. 114(A)(1) and (2), warrants, court orders, and court notices shall be docketed and placed in the criminal case file within two working days of receipt.

(B) Pursuant to Pa.R.Crim.P. 114(B), the Westmoreland County Court Administrator is designated to serve court notices. The Westmoreland County Clerk of Courts shall serve all Orders.

1. The Court Administrator shall place in the mail or otherwise serve all notices within two working days of printing.

2. The Clerk of Courts shall give a copy of all Court Orders to the Defendant or to the deputy sheriff who has custody of the defendant when the defendant reports to the Clerk of Courts. A copy of all such Court Orders that affect a defendant's custodial status shall also immediately be sent by facsimile transmission or by other electronic means to the Records Division of the Westmoreland County Prison.

3. The Clerk of Courts shall serve all Court Orders not covered by Subsection (B)(2) by placing such orders in the mail or by other means listed in Pa.R.Crim.P. 114(B)(3) within two working days of filing.

*Comment:* This Rule is promulgated pursuant to the responsibility given the president judge by Pa.R.Crim.P. 116.

[Pa.B. Doc. No. 15-1574. Filed for public inspection August 28, 2015, 9:00 a.m.]

## WESTMORELAND COUNTY

### Rescinding W212.1; Adopting New Rule W212.1; No. 3 of 2015

#### Administrative Order of Court

And Now, this 12th day of August, 2015, *It Is Hereby Ordered* that Westmoreland County Rule of Civil Procedure

W212.1, Certificate of Readiness for Trial, and the corresponding Certificate of Readiness located in the Forms Section of the Local Rules are both rescinded and new rule W212.1 is adopted. The Westmoreland Bar Association, the official publisher of Westmoreland County's local rules, shall replace the current Certificate of Readiness in the Forms Section of the local rules with the following new form, pursuant to Westmoreland Rule of Civil Procedure 212.1.

*By the Court*

RICHARD E. McCORMICK, Jr.,  
*President Judge*

#### Rule W212.1. Certification of Readiness for Trial. Time for Completing Discovery and Filing Pre-Trial Statement.

(a) Any party may file a certificate with the Prothonotary that the case is ready for trial. A copy of the certification found in the Forms section of these rules shall be served on the judge assigned to the case, on the Court Administrator and on all other parties or their counsel. Service shall be made at least twenty (20) days prior to the filing of the certificate.

(b) Any party objecting to a Certificate of Readiness shall do so by filing and serving Objections within ten (10) days of service of the Certificate of Readiness. Objections shall be presented at Motions Court after four days' notice to all other parties or their counsel, and after providing a courtesy copy to the Court.

(c) The term "ready for trial" means that:

- (1) The pleadings are closed;
- (2) Witnesses are presently available to appear at trial; and

(3) Discovery is complete, except for those depositions to be taken solely for the purpose of being presented at trial, such as the depositions of expert witnesses.

(d) Upon receipt of the certification of readiness, the judge assigned to the case shall issue an Order addressing the following matters:

(1) When Pre-Trial Statements shall be due pursuant to Pa.R.C.P. 212.1(c)(2), which dates shall be set prior to the Pre-Trial Conference.

(2) The date of the Pre-Trial Conference pursuant to Pa.R.C.P. 212.3.

(3) Such other matters that may aid in the disposition of the case.

Rescinded November 2, 2006; New Rule W212.1 adopted November 2, 2006, effective January 1, 2007. Rescinded August 12, 2015, New Rule W212.1 adopted August 12, 2015 effective November 1, 2015.

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA  
CIVIL DIVISION

Certificate of Readiness for Trial

_____		CASE NO. _____
_____		
_____	Plaintiff	Jury _____
VS		Non Jury _____
_____		
_____		Judge _____
_____	Defendant	
_____	Additional Defendant	

TO THE COURT ADMINISTRATOR:

I hereby certify pursuant to Westmoreland County Rule of Civil Procedure W212.1 that the above captioned case is Ready For Trial. All pleadings are closed; all witnesses are presently available to appear at trial; and discovery is complete, except for those depositions to be taken solely for the purpose of being presented at trial, such as the depositions of expert witnesses. A COPY OF THIS CERTIFICATE MUST BE SERVED ON ALL PARTIES AT LEAST twenty (20) DAYS PRIOR TO THE FILING OF THE CERTIFICATE. Any party objecting to a Certificate of Readiness shall do so by filing and serving Objections within ten (10) days of service of the Certificate of Readiness. If there is no objection, the moving party shall file the original and serve a copy on the assigned judge and court administrator. Objections shall be presented at Motions Court after four days' notice to all other parties or their counsel, and after providing a courtesy copy to the Court.

The Court Administrator's Office will be posting the trial list on the Court's Civil web page one month before the trial term.

_____	_____	_____
Plaintiff's Attorney	Address	Phone No.
_____	_____	_____
Defendant's Attorney	Address	Phone No.
_____	_____	_____
Additional Defendant's Attorney	Address	Phone No.

\_\_\_\_\_  
Attorney Filing Praeipce

Check Appropriate Box:

- Plaintiff's Counsel
- Defendant's Counsel
- Additional Defendant's Counsel

Original - Prothonotary

Copies: Judge  
Court Administrator  
Opposing Counsel/party

[Pa.B. Doc. No. 15-1575. Filed for public inspection August 28, 2015, 9:00 a.m.]

# DISCIPLINARY BOARD OF THE SUPREME COURT

## Notice of Disbarment

Notice is hereby given that Barbara Lieberman (# 26962), having been disbarred from the practice of law in the state of New Jersey, the Supreme Court of Pennsylvania issued an Order on August 12, 2015, disbarring Barbara Lieberman from the Bar of this Commonwealth, effective September 11, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 15-1576. Filed for public inspection August 28, 2015, 9:00 a.m.]

## Notice of Disbarment

Notice is hereby given that Arcadio Jorge Reyes (# 64774), having been disbarred from the practice of law in the District of Columbia, the Supreme Court of Pennsylvania issued an Order on August 12, 2015, disbarring Arcadio Jorge Reyes from the Bar of this Commonwealth, effective September 11, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 15-1577. Filed for public inspection August 28, 2015, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 40—LIQUOR

### LIQUOR CONTROL BOARD

#### [ 40 PA. CODE CH. 7 ]

#### Conversion of Suspension to Fine; Correction

An error occurred in the final-form rulemaking published at 45 Pa.B. 4761 (August 15, 2015). The findings and order portions of the preamble were inadvertently omitted. The text is as follows. The remainder of the final-form rulemaking was correct as published.

#### *Findings*

The Board finds that:

- (1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) The amendments to the Board's regulations in the manner provided in this order are necessary and appropriate for the administration of the Liquor Code.
- (3) The revisions that were made to this final-form rulemaking do not enlarge the purpose of the proposed rulemaking published at 43 Pa.B. 5825.

#### *Order*

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

- (a) The regulations of the Board, 40 Pa. Code Chapter 7, are amended by amending § 7.10 to read as set forth at 45 Pa.B. 4761.
- (b) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.
- (c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

[Pa.B. Doc. No. 15-1578. Filed for public inspection August 28, 2015, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 18, 2015.

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

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-14-2015	Northwest Bancshares, Inc. Warren Warren County  Application for approval to acquire 100% of LNB Bancorp, Inc., Lorain, OH, and thereby indirectly acquire 100% of The Lorain National Bank, Lorain, OH.	Effective

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>												
8-12-2015	The Juniata Valley Bank Mifflintown Juniata County  Application for approval to merge The First National Bank of Port Allegany, Port Allegany, with and into The Juniata Valley Bank, Mifflintown.	Filed												
8-14-2015	Northwest Savings Bank Warren Warren County  Merger of The Lorain National Bank, Lorain, OH, with and into Northwest Savings Bank, Warren, PA.  As a result of the merger, the following branch offices of The Lorain National Bank became branch offices of Northwest Savings Bank:	Effective												
	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">457 Broadway Lorain Lorain County, OH</td> <td style="width: 50%;">4455 East Liberty Avenue Vermilion Lorain County, OH</td> </tr> <tr> <td>1175 Cleveland Avenue Amherst Lorain County, OH</td> <td>42935 North Ridge Road Elyria Lorain County, OH</td> </tr> <tr> <td>2100 Center Road Avon Lorain County, OH</td> <td>32960 Walker Road Avon Lake Lorain County, OH</td> </tr> <tr> <td>2850 Pearl Avenue Lorain Lorain County, OH</td> <td>49 South Main Street Oberlin Lorain County, OH</td> </tr> <tr> <td>124 Middle Avenue Elyria Lorain County, OH</td> <td>3660 Oberlin Avenue Lorain Lorain County, OH</td> </tr> <tr> <td>27097 Bagley Road Olmstead Lorain County, OH</td> <td>600 Kendal Drive Oberlin Lorain County, OH</td> </tr> </table>	457 Broadway Lorain Lorain County, OH	4455 East Liberty Avenue Vermilion Lorain County, OH	1175 Cleveland Avenue Amherst Lorain County, OH	42935 North Ridge Road Elyria Lorain County, OH	2100 Center Road Avon Lorain County, OH	32960 Walker Road Avon Lake Lorain County, OH	2850 Pearl Avenue Lorain Lorain County, OH	49 South Main Street Oberlin Lorain County, OH	124 Middle Avenue Elyria Lorain County, OH	3660 Oberlin Avenue Lorain Lorain County, OH	27097 Bagley Road Olmstead Lorain County, OH	600 Kendal Drive Oberlin Lorain County, OH	
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27097 Bagley Road Olmstead Lorain County, OH	600 Kendal Drive Oberlin Lorain County, OH													

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	26376 John Road Olmsted Township Cuyahoga County, OH	105 Chestnut Commons Drive Elyria Lorain County, OH
	34085 Center Ridge Road North Ridgeville Lorain County, OH	540 North Center Street LaGrange Lorain County, OH
	28550 Westlake Village Drive Westlake Cuyahoga County, OH	807 West Avenue Elyria Lorain County, OH
	178 West Streetsboro Street Hudson Summit County, OH	4300 Kent Road Stow Summit County, OH

**CREDIT UNIONS**

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 15-1579. Filed for public inspection August 28, 2015, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

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### APPLICATIONS

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

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

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

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

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

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

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

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

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

## I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063142 (Industrial Wastewater)	Chrin Brothers Sanitary Landfill 1225 Industrial Drive Easton, PA 18042	Northampton County Williams Township	UNT to the Lehigh River (02C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0033111 (Sewage)	Oak Creek Campgrounds, Inc. PO Box 128 Bowmansville, PA 17507	Lancaster County/Brecknock Township	Rock Run (7J)	Y
PA0247669 (Sewage)	John E. Groninger, Inc. Arch Rock Development PO Box 36 Mexico, PA 17056	Juniata County/ Fermanagh Township	Horning Run (12A)	Y
PA0085367 (Sewage)	Sills Family Campground PO Box 566 Adamstown, PA 19501	Lancaster County/ Brecknock Township	UNT Little Muddy Run (7J)	Y
PA0088722 (Industrial Waste)	John F. Martin & Sons, Inc. 55 Lower Hillside Road PO Box 137 Stevens, PA 17578	Lancaster County/ West Cocalico Township	Indian Run (7J)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0101664 (Sewage)	Orchard Park Estates 2077 Bredinsburg Road Franklin, PA 16323-8115	Venango County Cranberry Township	Lower Twomile Run (16-G)	Y
PA0020052 (Sewage)	Eldred Boro STP Route 446 Eldred, PA 16731	McKean County Eldred Borough	Allegheny River (16-C)	Y

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

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

**PA0025224**, Sewage, SIC Code 4952, **Saint Clair Sewer Authority Schuylkill County**, 16 S 3rd Street, Saint Clair, PA 17970-1207. Facility Name: St Clair Municipal Wastewater Treatment Plant (WWTP). This existing facility is located in East Norwegian Township, **Schuylkill 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), Mill Creek, is located in State Water Plan watershed 3-A and is classified for Cold Water Fishery (CWF), 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 0.75 MGD.

<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>	
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	Report	XXX	XXX	XXX
Total Residual Chlorine*	XXX	XXX	XXX	0.98	XXX	2.0
Total Residual Chlorine**	XXX	XXX	XXX	Report	XXX	0.750
CBOD <sub>5</sub>	156	250	XXX	25.0	40.0	50.0
BOD <sub>5</sub>						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	188	282	XXX	30.0	45.0	60.0
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	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	Report	XXX	XXX	24.7	XXX	49.4
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	Report
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	Report	XXX	XXX	Report	Report	XXX
					Daily Max	
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Lead	Report	XXX	XXX	Report	Report	XXX
					Daily Max	
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

\*When using chlorine as either primary or back-up disinfection.

\*\*When not using chlorine as either primary or back-up disinfection (Conversion to UV disinfection).

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

- Stormwater prohibition; Necessary Property Rights; Residuals management; Chlorine Minimization; Changes to existing discharge/stream; and Combined Sewer Overflow (CSO) conditions including Interim Compliance Milestones.

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.*

**PA0054852**, SIC Code 4953, **WBLF Acquisition Co. LLC**, 455 Poplar Neck Road, Birdsboro, PA 19508-8300. Facility Name: Western Berks Community Landfill & Recycling Ctr/Birdsboro. This existing facility is located in Cumru Township, **Berks County**.

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

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-C 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 0.047 MGD.

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.64
CBOD <sub>5</sub>	9.8	19.6	XXX	25	50	75
Total Suspended Solids	10.6	23.5	XXX	27	60	75
Total Dissolved Solids	1,669	3,338	XXX	5,000	10,000	15,000



Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
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
Ammonia-Nitrogen	1.9	3.9	XXX	Geo Mean 4.9	10	12.2
Total Zinc	0.043	0.078	XXX	0.11	0.20	0.275
Phenol	0.006	0.010	XXX	0.015	0.026	0.037
a-Terpineol	0.006	0.013	XXX	0.016	0.033	0.040
Benzoic Acid	0.028	0.047	XXX	0.071	0.120	0.177
p-Cresol	0.005	0.010	XXX	0.014	0.025	0.035
PCBs (Dry Weather) (pg/L) (Interim)	XXX	XXX	XXX	XXX	Report	XXX
PCBs (Wet Weather) (pg/L) (Interim)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for stormwater Outfalls 002—004 and 007—011 are based on a design flow of 0.000000 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	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
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:

- Continued quarterly reporting of raw leachate sampling results;
- Implementation of Best Management Practices and following a PPC Plan for the stormwater outfalls;
- Permission to sample at stormwater outfalls 002, 009, and 011 only, as representative 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.

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

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

**WQM Permit No. 4615406**, Sewage, **West Pottsgrove Township**, 980 Grosstown Road, Stowe, PA 19464.

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

Description of Action/Activity: Replacing the existing 4 inch force main with a 6 inch force main and complete associated piping.

**WQM Permit No. WQG02151506**, Sewage, **South Coatesville Borough**, 136 Modena Road, Coatesville, PA 19320.

This proposed facility is located in South Coatesville Borough, **Chester County**.

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

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

**WQM Permit No. 3495201, Amendment No. 3**, Industrial Waste, **Empire Kosher Poultry**, 247 Empire Drive, Mifflintown, PA 17059.

This proposed facility is located in Mifflintown Borough, **Juniata County**.

Description of Proposed Action/Activity: Seeking permit approval for the additional of an equalization tank at their existing plant.

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

**WQM Permit No. 0215410**, Sewage, **Penn Hills Municipal**, 12245 Frankstown Rd, Pittsburgh, PA 15235-3405.

This existing facility is located in Penn Hills Township, **Allegheny County**.

Description of Proposed Action/Activity: Replace existing gas chlorination system with UV disinfection.

**WQM Permit No. 5615405**, Sewage, **National Park Service**, 278 Park Headquarters Road, Stoystown, PA 15563.

This proposed facility is located in Stonycreek Township, **Somerset County**.

Description of Proposed Action/Activity: construction of a sewer treatment facility to serve new visitor center.

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

**WQM Permit No. WQG02251501**, Sewage, **Fairview Township Water & Sewer Authority**, P.O. Box 429, 7485 McCray Road, Fairview, PA 16415-0429.

This proposed facility is located in Fairview Township, **Erie County**.

Description of Proposed Action/Activity: Sanitary sewer lift station.

**WQM Permit No. 1015404**, Sewage, **Gregory & Mary Ann Hulbert**, 103 Hillside Drive, Harmony, PA 16037.

This proposed facility is located in Lancaster Township, **Butler County**.

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

**WQM Permit No. 2515412**, Sewage, **Larry Miller M**, 2313 Saltsman Rd, Erie, PA 16510.

This proposed facility is located in Greenfield Township, **Erie County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024814014	Wagner Enterprises, LTD c/o Mr. Mark Wagner P.O. Box 3154 Easton, PA 18043	Northampton	City of Bethlehem	Saucon 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>
PAI030615001	Longswamp Township 1112 State Street Mertztown, PA 19539-9101	Berks	Longswamp Township	Little Lehigh Creek HQ/CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041415008	Michael R Lorenz 24 Christian Ln Cherry Hill, NJ 08002	Centre	Marion Township	Cedar Run HQ-CWF

**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>
Coopers Hillside Dairy 335 Dotterer Road Lenhartsville, PA 19534	Berks	12.1	777.95	Swine	NA	Renewal
Meadow Run Farm 4270 Harvest Road Manheim, PA 17545	Lebanon	107	1,102.5	Swine	NA	Renewal
Weiler Farms #1 350 East Mill Avenue Myerstown, PA 17067	Lebanon	118.2	586.03	Swine	NA	Renewal
Weiler Farms #3 226 Ridge Road Jonestown, PA 17038	Lebanon	147.6	966.95	Swine	NA	Renewal
Amos Newswanger (Garreau Farm) 158 Miller Road Lewisburg, PA 17837	Union	828.3	469.99	Swine and Poultry	HQ	Renewal
Troester Dairy 175 Cannon Road Mifflinburg, PA 17844	Union	844.3	1,015.4	Dairy	NA	Renewal
David Groff 262 Pawling Road Lewisburg, PA 17837	Union	592.4	631.68	Swine	NA	Renewal

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**  
**PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S.

§§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief

description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Magee Center, Bloomsburg University**, 700 West Main Street, Town of Bloomsburg, **Columbia County**. Black Rock Environmental, LLC, P.O. Box 288, Nazareth, PA 18064, on behalf of Bloomsburg University, 400 East 2nd Street, Bloomsburg, PA 17815, submitted a Notice of Intent to Remediate. An underground storage tank was discovered at the former Magee Center and a release of heating oil contaminated the groundwater and soil. The Notice of Intent to Remediate was published in *Press Enterprise* on June 17, 2015.

*Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager; 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Irene Cooke Property**, 47 Wilden Drive, Palmer Township, **Northampton County**. BlackRock Environmental LLC, PO Box 288, Nazareth, PA 18064, on behalf of BlackRock Environmental LLC, PO Box 288, Nazareth, PA 18064 submitted a Notice of Intent to Remediate. A release of an unknown quantity of No. 2 Heating Oil was discovered on June 23, 2015 from a 250 gallon and a 500 gallon UST. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *The Express Times* on July 25, 2015.

**Jaffin Residence**, 27 3rd Lane, Salem Township, **Luzerne County**. James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407, on behalf of Datom Products, Inc., 113 Monahan Avenue, Dunmore, PA 18512, submitted a Notice of Intent to Remediate. Approximately 145 gallons of No. 2 fuel oil was released from an aboveground tank resulting in contaminated soil on the site. The proposed future use of the property will be residential. The proposed cleanup standard for the site is the Statewide Health Standard for soil. The Notice of Intent to Remediate was published in *Press Enterprise* on July 1, 2015.

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

**Brickyard Road Site**, 615 Brickyard Road, New Oxford, PA 17350, Oxford Township, **Adams County**. BL Companies, 4242 Carlisle Pike, Camp Hill, PA 17011, on behalf of Royal Building, Inc., 160 Ram Drive, Hanover, PA 17301, submitted a Notice of Intent to Remediate site groundwater contaminated with gasoline released from a buried pipeline. The site will be remediated to the Site Specific Standard. Future use is unknown. The Notice of Intent to Remediate was published in the *Gettysburg Times* on August 3, 2015.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**5044 William Flynn Highway Site**, 5044 William Flynn Highway, Hampton Township, **Allegheny County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120 on behalf of Executive Motors, Inc., 1013 Executive Drive, Gibsonia, PA 15044 has submitted a Notice of Intent to Remediate to meet the non-residential Statewide Health standard concerning site soils and groundwater contaminated with petroleum constituents. The site was formerly a service station/truck stop, an auto body repair, auto sales and auto service facility. Notice of the NIR was published in the *Pittsburgh Post-Gazette* on August 10, 2015.

**Proposed Murrysville Grocery Store** (formerly Great American Lines, Angesco, Foster's Automotive Center, Tek Truck, Winky's Hardees, Gatto Cycle), 3801-3825 William Penn Highway, Municipality of Murrysville, **Westmoreland County**. ECS Mid-Atlantic, LLC., 500 Bursca Drive, Suite 506 Bridgeville, PA 15017 on behalf of TLBT, LLC, 2005 Market Street, Suite 1010 Philadelphia, PA 19103 has submitted a Notice of Intent to Remediate to meet the Site-Specific standard concerning site soils and groundwater contaminated with benzene, lead and 1,1,2-trichloroethane. Notice of the NIR was published in the *Tribune-Review* on July 29, 2015.

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

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

*Northeast Region: Regional Solid Waste Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790*

**General Permit Application No. WMGM039, Crushcrete, Inc.** 1035 Mauch Chunk Rd., Bethlehem, PA 18018-6622. This application is for a satellite location under Crushcrete's WMGM039 approval for processing prior to beneficial use of asphalt shingles. The satellite facility is located at the Middle Smithfield Materials site in Middle Smithfield and Bushkill Townships, **Monroe County**. The application for Determination of Applicability was received in the Regional Office on May 13, 2015, and was deemed administratively complete as of May 20, 2015.

Persons interested in obtaining more information about the Determination of Applicability application may contact Jeffrey Spaide, Environmental Engineer Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1519 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Public comments must be submitted within 30 days of the publication of this notice, and these comments may recommend revisions to, and approval or denial of the application.

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

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

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

**Permit ID No. 301071. MAX Environmental Technologies, Inc.** 1815 Washington Road, Pittsburgh, PA 15241-1498. MAX Environmental Technologies, Inc., Yukon Facility, 233 MAX Lane, Yukon, PA 15698. An application for a major permit modification for expansion of a the residual waste disposal facility in South Huntingdon Township, **Westmoreland County** was received and determined to be complete by the Regional Office on August 10, 2015.

### **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 Depart-

ment Regional Office. The address and phone number of the Regional Office is listed before the application notices.

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

#### **PLAN APPROVALS**

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

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

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

**48-00037A: Chrin Brothers, Inc** (1225 Industrial Drive, Easton, PA 18042) for the modification of conditions contained in Chrin Brothers Sanitary Landfill current Title V Permit (48-00037) and for the expansion of the existing landfill located in Williams Township, **Northampton County**. The proposed expansion will be comprised of approximately 32 acres east and north of the

current solid waste disposal boundary and additional overlay areas within the current landfill boundary. The expansion will not involve any increase of the daily waste acceptance rate which is currently 1,500 average tons per day of municipal solid waste with a maximum daily acceptance rate of 2,000 tons per day at their facility in Williams Township, Northampton County.

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

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

**10-171E: Butler Color Press** (119 Bonnie Drive, Butler, PA 16002), for the modification of plan approval 10-171D conditions associated with the construction of a new web offset pressline controlled by a new dryer/afterburner control system in Summit Township, **Butler County**. This is a State Only facility.

**37-023G: NRG Power Midwest LP—New Castle Plant** (2189 State Route 168 South, West Pittsburg, PA 16160), for the proposed facility Plantwide Applicability Limit (PAL) in Taylor Township, **Lawrence County**. This is a Title V facility.

#### OPERATING PERMITS

#### Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**06-05112: WBLF Acquisition Co., LLC/Western Berks Landfill** (455 Poplar Neck Road, Birdsboro, PA 19508) for operation of a municipal solid waste landfill in Cumru Township, **Berks County**. Actual emissions from the facility in 2014 were estimated at 11.22 tons CO, 3.13 tons NO<sub>x</sub>, 7.77 tons PM<sub>10</sub>, 1.56 ton PM<sub>2.5</sub>, 0.72 ton SO<sub>x</sub>, 3.71 tons VOC, 0.73 ton of a single HAP (toluene), and 0.73 ton of combined HAPs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills & 40 CFR 61, and Subpart M—National Emission Standard for Asbestos.

#### 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 19401*

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

**09-00226: Nosco ODSC, Inc.** (1504 Grundy Lane, Units 4-8, Bristol, PA 19007) for an initial State Only Operating Permit in Bristol Township, **Bucks County**. Nosco is a full-service printed packaging solutions provider. Sources at the facility consist of two digital printing presses and one flexographic press. The primary pollutant of concern from the plant is volatile organic compounds (VOC) from the inks, coatings, and solvents that are used in the printing process. The facility is categorized as a

natural minor facility based on its potential emissions. The permit includes monitoring, record keeping and reporting requirements to address all applicable air quality requirements.

**15-00041: Eastern Shore Natural Gas Co.** (604 Street Rd., Cochranville, PA 19330) for operation of a natural gas transmission facility in Londonderry Township, **Chester County**. The facility's major emission points include four (4) natural gas-fired compressor engines and one (1) natural gas-fired emergency generator. This action is a renewal of the State Only Operating Permit. The initial permit was issued on 12-9-2005 and was renewed on 11-30-2010. The permit is for a non-Title V, Synthetic Minor facility. The permit will include monitoring, recordkeeping, reporting, and work practice standards 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: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-00107: Allegheny Energy Supply, LLC**, (800 Cabin Hill Drive, Greensburg, PA 15601) The Department intends to issue a State Only (Synthetic Minor) operating permit for a natural gas fired combustion turbine at a facility in Hunlock Township, **Luzerne County**. The permittee is taking limitations on operating hours, NO<sub>x</sub> emissions, fuel type, and control device usage to maintain Synthetic Minor status. The State Only (Synthetic Minor) operating permit includes emissions, monitoring, record keeping, reporting, testing and additional conditions designed to ensure compliance with all applicable Federal and State air pollution control requirements.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**07-03045: Cargill Inc./Animal Nutrition MFG Roaring Spring** (965 Frederick Road, Martinsburg, PA 16662) to issue a State Only Operating Permit for operation of a pelletized feed mill located in Taylor Township, **Blair County**. The facility potential emissions are 13 tons of PM. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart JJJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers, and 40 CFR Part 63 Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.

**31-05013: New Enterprise Stone & Lime Co., Inc./Tyrone Forge Asphalt Plant** (855 Birmingham Road, Tyrone, PA 16686) to issue a State Only Operating Permit for operation of a batch asphalt plant in Warriors Mark Township, **Huntingdon County**. The 2014 emissions of the facility were 4.2 tons of PM, 33.2 tons of CO, 2.4 tons of NO<sub>x</sub>, 0.5 ton of SO<sub>x</sub>, 0.8 ton of VOC, and 1.5 ton of Total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality

regulations. The facility is subject to 40 CFR Part 60, Subpart I—Standard of Performance for Hot Mix Asphalt Facilities.

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

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

**08-00044: Barefoot Pellet Company** (PO Box 96, Troy, PA 16947) to issue a State Only Operating Permit for their facility located in Troy Township, **Bradford County**. The operating permit will incorporate the terms and conditions from plan approval 08-00044B. The facility's main sources include a three pass natural gas fired biomass rotary dryer and associated material sizing and conveying equipment.

The facility has the potential to emit 25.20 tons per year of carbon monoxide, 15.12 tons per year of nitrogen oxides, 39.96 tons of particulate matter less than 10 micron in diameter, 0.14 ton per year of sulfur oxides, 18.07 tons per year of volatile organic compounds and 2.92 tons per year of hazardous air pollutants. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

**65-00865: DNP Imagingcomm America Corporation** (1001 Technology Drive, Mt. Pleasant, PA 15666) In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) to DNP Imagingcomm America Corporation to authorize the continued operation of their thermal transfer ribbons manufacturing plant located in Mount Pleasant, East Huntingdon Township, **Westmoreland County**.

The facility produces thermal transfer ribbons for facsimile, bar code and dye-sublimation printers. Thermal transfer ribbon is used in high quality printing applications. Sources at this facility include coating lines, storage tanks, boilers and an emergency generator. Control units include solvent recovery units, thermal oxidizers, and dust collectors. The facility is currently a synthetic minor source of VOC and HAP because the proposed facility wide potential to emit through Plan Approval PA-65-00865C is limited not to equal or exceed 50 tpy for VOC, 10 tpy for single HAP, and 25 tpy for combined HAPs.

This facility is subject to the applicable requirements of 40 CFR Part 60 Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 63 Subpart ZZZZ—NESHAP for Stationary Reciprocating Internal Combustion Engines (RICE), and 25 Pa. Code Chapters 121—145. The

proposed SOOP includes source-specific emission limitations, operational restrictions, compliance testing and monitoring requirements, work practice standards, and associated recordkeeping and reporting requirements.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222, nnahar@pa.gov, 412.442.4194. Written comments may also be submitted via the same method. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (SOOP-65-00865), and a concise statement of the objections to the State Only Operating Permit issuance and the relevant facts upon which the objections are based.

DTI's State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the DTI State Only Operating Permit Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality State Only Operating Permit for this project, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

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

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

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

**10-00380: Mountain Gathering LLC, Jefferson Compressor Station** (910 Saxonburg Road, Butler, PA) for a Synthetic Minor Permit to operate a natural gas compressor station located in Jefferson Township, **Butler County**. The primary emissions are from the eight 1,775 Hp compressor engines at the facility.

Construction of this facility was authorized by Plan Approval Number: 10-0380C which was issued on December 13, 2013. The conditions from that plan approval have been incorporated into the Synthetic Minor Operating Permit.

Additional equipment was installed under General Plan Approval Number GP-10-00380 which was issued on July 29, 2014.

Sources at this facility are subject to the following federal emission standards:

- 40 CFR 60, Subpart JJJJ—Standards Of Performance for Stationary Spark Ignition Internal Combustion Engines
- 40 CFR 60, Subpart OOOO—Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution.
- 40 CFR 63, Subpart HH—National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities

The latest version of these subparts have been attached to the appropriate sources.

The potential emissions from this facility are as follows. (All values are in tons/year.)  $PM_{10}/PM_{2.5} = 5.61$ ,  $SO_x = 0.33$ ,  $NO_x = 74.78$ ,  $VOC = 38.00$ ,  $CO = 38.89$ ,  $CO_2e = 62,171.66$ ,  $HAPs = 4.92$ .

**25-00037: Joseph McCormick Construction Company Inc. Wesleyville Plant** (1507 Wesley Avenue, Erie, PA 16510-1675) for a renewal of the Synthetic Minor Permit to operate a hot mix asphalt plant located in Wesleyville Borough, **Erie County**. The emitting sources are a batch asphalt plant with dryer, material conveyors, and a baghouse. This facility is a Synthetic Minor because the facility took a restriction on production of hot mix asphalt (HMA) of less than or equal to 480,000 tons to avoid the Title V status (based on the AP-42 emission factor of 0.4 lb/ton from Table 11.1-5, the CO emissions would be 96 TPY). The actual emissions of pollutants submitted by the facility for the 2014 emission inventory are CO: 1.38 Tons per year (TPY),  $NO_x$ : 0.5262 TPY,  $PM_{10}$ : 0.1250 TPY,  $PM_{2.5}$ : 0.0937 TPY,  $SO_x$ : 0.0099 TPY, VOC: 0.2662 TPY,  $CO_2$ : 1973.46 TPY.

**43-00326: Buckeye Leasing, Incorporated, City Slag Quarry Plant** (300, Ohio Street Extension, Hermitage, PA 16148) for renewal of a Natural Minor Permit to operate a non-metallic mineral processing plant and processing recycled concrete. The emitting sources are slag processing operations and a portable crush and screen plant with diesel engines for the recycled concrete processing. The facility is located in the City of Hermitage, **Mercer County**. This facility is a Natural Minor facility. All emissions from the slag processing are fugitives. Actual slag processing emissions based on 2,080 hours are:  $PM_{10}$  2.56 TPY and  $PM_{2.5}$ —0.34 TPY. Actual emissions from the recycled concrete processing operations are  $PM_{10}$  0.4 TPY and  $PM_{2.5}$ —0.06 TPY. Emissions from the engines are less than 2.0 TPY  $NO_x$ , 3.08 TPY CO, 1.93 TPY VOC and 0.10 TPY PM.

## 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*

**63743705. ArcelorMittal Pristine Resources, LLC**, (PO Box 36, 129 Bethlehem Road, Revloc, PA 15948). To renew the permit for the Marianna Mine No. 58 CRDA in West Bethlehem Township, **Washington County** for reclamation only. No discharges. The application was considered administratively complete on August 12, 2015. Application received May 18, 2015.

**03851303 and NPDES No. PA0213462. McVile Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Clementine Mine No. 1 in South Buffalo and North Buffalo Townships, **Armstrong County** and related NPDES permit for reclamation only. Includes deletion of 6,323.0 subsidence control plan acres. No additional discharges. The application was considered administratively complete on August 12, 2015. Application received October 1, 2014.

**11991301 and NPDES No. PA0215210. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Twin Rocks Mine in Blacklick Township, **Cambria County** and related NPDES permit for reclamation only. No additional discharges. The application was considered administratively complete on August 12, 2015. Application received November 3, 2014.

**30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County**, East Finley, South Franklin, Buffalo Townships, Washington County and related NPDES permit for installation of the Lagonda Powerline. No additional discharges. The application was considered administratively complete on August 12, 2015. Application received May 7, 2015.

**30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise permit for the Harvey Mine in Richhill and Morris Townships, **Greene County** and related NPDES permit, for installation of overhead electric line. Surface Acres Proposed 18.2. No additional discharge. The application was consid-



ered administratively complete on August 14, 2015. Application received May 18, 2015.

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

**Permit No. 3279103 and NPDES No. PA0079791. CONSOL Mining Co., LLC**, CNX Center, 1000 Consol Energy Dr., Canonsburg, PA 15317, permit renewal for the continued operation and restoration of a bituminous surface mine in Young Township, **Indiana County**, affecting 19.0 acres. Receiving stream: unnamed tributary to Big Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 31, 2015.

**Permit No. 32100102 and NPDES No. PA0263044. Britt Energies, Inc.**, P.O. Box 515, Indiana, PA 15701, permit renewal for reclamation only of a bituminous surface mine in Burrell Township, **Indiana County**, affecting 110.3 acres. Receiving streams: unnamed tributaries to/and Conemaugh River classified for the following use: cold water fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 5, 2015.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**33100105. Original Fuels, Inc.** (P.O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous surface and auger mine in Perry Township, **Jefferson County**, affecting 139.8 acres. This renewal is for reclamation only. Receiving streams: Unnamed tributaries to Big Run and Big Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 12, 2015.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500*

**03980101 and NPDES Permit No. PA0202541. Walter L. Houser Coal Co., Inc.** (37 Copper Valley Road, Creekside, PA 15732). Renewal application for reclamation only to an existing bituminous surface mine, located in Kittanning Township, **Armstrong County**, affecting 207 acres. Receiving streams: Mill Run and unnamed tributaries to Mill Run, classified for the following use: WWF. There is no potable water supply intake within 10

miles downstream from the point of discharge. Renewal application received: August 6, 2015.

**26900109 and NPDES Permit No. PA059206. Chess Coal Company** (P.O. Box 37, Dilliner, PA 15327). Renewal application for reclamation only to an existing bituminous surface mine, located in Georges Township, **Fayette County**, affecting 213 acres. Receiving stream: unnamed tributary to York Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: August 13, 2015.

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

**Permit No. 54150102. Lone Eagle Coal Co., Inc.**, (2068 Old Phoenix Road, Pottsville, PA 17901), commencement, operation and restoration of an anthracite surface mine operation in Foster and Frailey Townships, **Schuylkill County** affecting 147.6 acres, receiving stream: Swatara Creek, classified for the following use: cold water fishes. Application received: August 10, 2015.

**Permit No. 40763206R6. Heavy Media, Inc.**, (PO Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation and preparation plant in Larksville Borough, **Luzerne County** affecting 77.2 acres, receiving stream: Susquehanna River, classified for the following use: warm water fishes. Application received: August 11, 2015.

**Permit No. 40-305-011GP12R. Heavy Media, Inc.**, (PO Box 27, Nanticoke, PA 18634), renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 40763206 in Larksville Borough, **Luzerne County**. Application received: August 11, 2015.

**Permit No. 54950104R4 and GP104R. City of Philadelphia**, Trustee, Acting by the Board of Directors of City Trust for Girard Estate, (21 South 21st Street, Philadelphia, PA 19107), renewal of an existing anthracite surface mine operation in West Mahanoy Township, **Schuylkill County** affecting 397.3 acres, receiving streams: Shenandoah Creek and Mahanoy Creek, classified for the following use: cold water fishes. Application received: August 13, 2015.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 19040801. Reuben Albertson**, (70 Albertson Road, Orangeville, PA 17859), Stage I & II bond release of a quarry operation in Fishing Creek Township, **Columbia County** affecting 1.0 acre on property owned by Dane Albertson. Application received: August 6, 2015.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

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

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

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

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

\* The parameter is applicable at all times.

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

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

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

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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

*Noncoal NPDES Draft Permits*

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**NPDES No. PA0241521 (Permit No. 16990301). Glen-Gery Corporation** (1166 Spring Street, Wyomissing, PA 19610) Revision to an existing NPDES permit for a large industrial minerals surface mine in Monroe Township, **Clarion County**, affecting 224.0 acres. Receiving streams: unnamed tributaries to Reids Run and Reids Run, classified for the following uses: CWF. TMDL: Reids Run. Application received: June 15, 2015.

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

The outfall(s) listed below discharge to unnamed tributaries to Reids Run and Reids Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB1	N
TB2	N
TB3	N
TB4	N
TB5	N
TB5	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		0.75	1.5	1.9
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

<sup>1</sup> The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributaries to Reids Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
B	N
C	N
D	N
E	N
F	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (ml/l)		35	70	90

**NPDES No. PA0259616 (Permit No. 37150301). Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) New NPDES permit for a large industrial minerals surface mine in Slippery Rock Township, **Lawrence County**, affecting 71.4 acres. Receiving streams: unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. TMDL: None. Application received: June 26, 2015.

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

The outfall(s) listed below discharge to unnamed tributary B to Slippery Rock Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

<sup>1</sup> The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributary B to Slippery Rock Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (ml/l)		35	70	90

**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.*

**E35-460. Scranton Sewer Authority**, 312 Adams Avenue, Scranton, PA 18503, in City of Scranton,

**Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To modify and maintain the Von Storch Outfall #11 CSO Facility located within the floodway and floodplain of the Lackawanna River. The modifications include the construction of a 120,000 gallon underground CSO pipe storage system consisting of approximately 320 feet of 24-inch HDPE pipe, 400 feet of 18-inch HDPE pipe, 222 feet of 15-inch HDPE pipe, 65 feet of 12-inch HDPE pipe, a flushing chamber, electrical platform, regulator structures and stormwater manholes. The project is located on and along Glen Street approximately 0.1 mile from its intersection of Von Storch Avenue in the City of Scranton, Lackawanna County. (City of Scranton, PA Quadrangle, Latitude: 41°25'39"; Longitude: -75°39'27").

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

**E21-445: Silver Spring Township**, 8 Flowers Drive, Mechanicsburg, PA, 17050 in Silver Spring Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

To place and maintain approximately 432 cubic yards of fill material in the floodplain of the Conodoguinet Creek (WWF) for the purpose of constructing a parking area for the Vincent Difilippo Nature Preserve, impacting approximately 0.53 acre of floodplain. The project site is immediately northwest of the crossing of Sample Bridge Road over the Conodoguinet Creek (Latitude: 40° 15' 23.9"; Longitude: -77° 01' 10.8") in Silver Spring Township, Cumberland County.

**E28-380: PENNDOT Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699 in Washington Township & Waynesboro Borough, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structures and to install and maintain a (1) 76 foot x 56-foot 6-3/8 inch bridge with a 3.91-foot under clearance over West Branch Antietam Creek (CWF, MF), (2) a 27-inch diameter outfall and, (3) an 18-inch diameter outfall along SR 0016 SEC037 in Washington Township & Waynesboro Borough, Franklin County (Latitude: 39° 45' 45.3"; Longitude: -77° 35' 49.1") for the purpose of improving roadway safety. The project proposes to directly affect 81-linear feet of stream channel and 0.01 ac. of wetlands and temporarily affect 75 linear feet of stream channel and 0.01 of wetlands.

**E50-257: Howe Township Municipal Authority**, 300 North 4th Street, Newport, PA 17074 in Howe Township, **Perry County**, U.S. Army Corps of Engineers Baltimore District.

Installation of approximately 5,800 linear feet of 10-inch PVC gravity sanitary sewer, approximately 7,300 linear feet of 3-inch HDPE low pressure sewer, approximately 8,000 linear feet of 6-inch HDPE sanitary sewer force main, three pump stations, and connection to the Newport Borough Municipal Authority's Wastewater Treatment Plant. The total disturbance within floodways or watercourses is approximately 0.91 of an acre. The project (centered at Lat: 40.480642 N Long: 77.120714 W) will require six stream crossings and one river crossing. The six crossings all traverse unnamed tributaries to the Juniata River (WWF). These crossings will be installed using open-cut trenching. The river crossing is beneath the Juniata River (WWF). This river crossing will be undertaken using horizontal directional drilling. Approximately 1,176 square feet of grading will occur in the Juniata River floodplain to construct the Howe Pump Station. The Juniata Parkway and West Shortcut Road Pump Stations will be constructed in the unnamed tributaries' floodways.

<i>Resource</i>	<i>Impact (square feet)</i>
Wetland 1 PSS	31,118
Wetland 2 PFO	384
Wetland 3 PFO	2,331
Wetland 4 PFO	1,480
Wetland 6 PFO	1,029
Wetland 7 PFO	5,107
Wetland 8 PEM	1,059

To mitigate for the above wetland impacts, Northern Tier Solid Waste Authority proposes to convert 1.57 acre of idle and active farm fields into wetland adjacent to existing palustrine open water (POW) wetlands located off of the project site in the Sugar Creek-Towanda Creek watershed.

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

**E02-1711. Allegheny County Airport Authority,** Landslide Terminal, 4th Floor Mezzanine, Pittsburgh, PA 15231; Findlay Township, **Allegheny County,** ACOE Pittsburgh District.

The applicant is proposing to:

1. Place and maintain fill in 622 linear feet of an Unnamed Tributary (UNT) to Montour Run (Stream 3) (TSF) and within 0.10 ac of PEM/PSS/PFO wetlands along Stream 3;
2. Place and maintain fill in 172 linear feet of a UNT to Montour Run (Stream 4) (TSF);
3. Place and maintain fill in 228 linear feet of a UNT to Montour Run (Stream 5) (TSF) and within 0.01 ac of PEM wetlands along Stream 5;
4. Place and maintain fill in 102 linear feet of a UNT to Montour Run (Stream 6) (TSF), and within 0.01 ac of PEM wetland along Stream 6;
5. Place and maintain fill in 13 linear feet of a UNT to Montour Run (Stream 7) (TSF);
6. Place and maintain fill in 266 linear feet of a UNT to Montour Run (Stream 8) (TSF);

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

**E08-492. Northern Tier Solid Waste Authority,** PO Box 10, Burlington, PA 18814. Landfill #2 Western Expansion, in Burlington Township, **Bradford County,** ACOE Baltimore District (East Troy, PA Quadrangle N: 41° 46' 36.3"; W: -76° 37' 50.5").

Northern Tier Solid Waste Authority is proposing the expansion of Landfill #2 to the west of the existing facility in order to accommodate increased waste management needs. As proposed, the project will require fill to be deposited and maintained in 42,508 square feet (0.98 acre) of wetlands in the watershed of an unnamed tributary to Sugar Creek, a Chapter 93 designated Trout Stocking Fishery (TSF) and Migratory Fishery (MF). All wetlands to be impacted are defined as "other wetlands" under Chapter 105 Section 105.17. No streams will be impacted by this project. The following impacts to wetlands are proposed for this project:

<i>Latitude (North)</i>	<i>Longitude (West)</i>
41° 46' 28.8"	-76° 37' 56.7"
41° 46' 29.2"	-76° 37' 59.5"
41° 46' 30.4"	-76° 37' 57.2"
41° 46' 30.4"	-76° 37' 56.1"
41° 46' 28.8"	-76° 38' 3.5"
41° 46' 28.2"	-76° 38' 1.9"
41° 46' 30.8"	-76° 38' 1.6"

7. Place and maintain fill in 37 linear feet of a UNT to Montour Run (Stream 9) (TSF), and within 0.02 ac of adjacent PEM wetlands;

8. Permanently remove, via excavation, 0.01 ac from an isolated PEM wetland;

9. Permanently remove, via excavation, 0.01 ac from an isolated PEM wetland;

10. Place and maintain fill in 0.02 ac of an isolated PEM wetland;

11. Mitigation for the stream impacts is being provided at two different Mitigation Sites. One site is along a UNT to Raccoon Creek (WWF) located northeast of the intersection of SR 151 and Cowpath Road (Aliquippa, PA Quadrangle; N: 9.0 inches, W: 10.0 inches; Latitude: 40° 32' 59"; Longitude: -80° 18' 21") in Independence Township, Beaver County, which will be constructed as a component of another DEP authorization, Permit No. E02-1678. The other Mitigation Site is along Meeks Run (40° 29' 27.38", -80° 10' 23.98") located along Township Road 437 (Downing Drive) in Moon Township, Allegheny County, Pennsylvania.

12. Mitigation for the 0.21 ac of PEM/PSS/PFO (0.13 ac of PEM, 0.07 ac of PSS and 0.01 ac of PFO) wetland impacts is being provided at an off-site location.

For the purpose of developing a 75-acre site consisting of three office buildings and one warehouse/office building. The purpose of this project is to supply the Parkway West/Airport submarket area with new, high quality large scale office and office/warehouse facilities (Oakdale PA USGS Topographic Quadrangle; Latitude: 40° 28' 8"; Longitude: -80° 14' 22.1"; Sub-basin: 20G; Chapter 93

Type: TSF), in Findlay Township, Allegheny County. The project will permanently and cumulatively impact 1,435 lf of stream and 0.21 ac of PEM/PSS/PFO (0.13 ac of PEM, 0.07 ac of PSS and 0.01 ac of PFO) wetland.

**E63-667. Arabian Meadows, LP**, 35 Whitehall Drive, Washington, PA 15301; Chartiers Township; **Washington County**; ACOE Pittsburgh District.

The applicant is proposing to:

1. place and maintain fill in a 0.01 ac PEM wetland
2. place and maintain fill in 106 linear feet (LF) of an Unnamed Tributary to Chartiers Creek (aka "Stream Designation CH2") and 414 LF of another UNT to Chartiers Creek (aka "Stream Designation CH1-D"), and to construct and maintain one, new 690 LF channel to convey the stream flows from these two (2) watercourses, and to
3. construct and maintain two (2) sanitary sewer utility line crossings underneath the newly constructed channel, resulting in 190 linear feet of permanent impact

For the purpose of constructing a residential development within a 28 acre land parcel, which will include site grading, installation of paved areas and the construction of residential lots. The project is located near the intersection of Barnickel Street and Gordon Avenue (Quadrangle: Washington East, PA; Lat: 40° 12' 55.71"; Long: -80° 14' 5.00"; Sub-basin: 20 F; Chapter 93 Type: WWF) in Chartiers Township, Washington County. The project will cumulatively result in 0.01 acre of permanent wetland impact and 710 linear feet of permanent stream impact.

**E65-971. PennDOT District 12-0**, 825 North Gallatin Avenue, Uniontown, PA 15401; Unity Township; **Fayette County**; ACOE Pittsburgh District.

The applicant is proposing to construct and maintain a 50 foot extension of 36 inch culvert to an existing 38 foot long 30 inch culvert carrying an unnamed tributary to Ninemile Run (WWF) with a drainage area less than 100 acres; remove the existing 93 foot long 24 inch culvert carrying an unnamed tributary to Monastery Run (WWF) with a drainage area less than 100 acres and construct and maintain a 153 foot long 24 inch replacement culvert in the same location; remove the existing 320 foot long 18 inch culvert carrying a second unnamed tributary to Monastery Run (WWF) with a drainage area less than 100 acres and construct and maintain a 359 foot long 30 inch replacement culvert in the same location; place and maintain fill in 0.234 acre of PEM/PSS wetlands. In addition, construct and maintain stormwater outfalls and temporarily impact 412 feet of stream and 0.112 acre of wetland for the construction of these encroachments. Stream mitigation will take place onsite. Wetland mitigation will take place offsite at the Shirey Farm (Derry quadrangle, North 1 inch, West 1.6 inches, Latitude 40° 15' 17.8", Longitude -79° 15' 44.3") in Ligonier Township, Westmoreland County. The project is located adjacent to the Arnold Palmer Regional Airport and begins at the SR 981/Airport Road intersection and ends at the SR 981/Arnold Palmer Drive intersection (Latrobe quadrangle, beginning North 2 inches, West 6.9 inches, Latitude 40° 15' 25.7", Longitude -79° 26' 19.3" and ending North 5.9 inches, West 3.75 inches, Latitude 40° 17' 0.2", Longitude -79° 23' 38.7") in Unity Township, **Westmoreland County**.

#### ENVIRONMENTAL ASSESSMENTS

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**EA20-052, Pennsylvania Game Commission**, 9552 Hartstown Road, Hartstown, PA 16131. Pymatuning Wildlife Management Area—Moist Soil Unit, in North Shenango Township, **Crawford County**, ACOE Pittsburgh District (Hartstown, PA Quadrangle N: 41°, 36', 51"; W: 80°, 25', 35").

The applicant proposes to reestablish 20.1 acres of wetland habitat in an agricultural field located in the Pymatuning Wildlife Management Area. Work will include building 2 low berms with water control structures and minor site grading. The project will impact 0.392 acre of PEM wetland in the agricultural field for construction of the 20.1 acre wetland complex. The newly reestablished wetlands will be managed by the applicant for waterfowl and water bird breeding habitat as well as migration and wintering habitat. The project is being reviewed as a restoration plan to qualify for waiver of permit requirements under 105.12(a)(16).

*Cambria District: Contact Person: Patrick M. Webb, 286 Industrial Park Rd, Ebensburg, PA 15931-4119.*

**EA1009-018. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Washington Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,700 linear feet of dangerous highwall with adjacent spoil material. The project will also include the backfilling of 0.57 acre of PEM wetlands that have developed within the open surface mine pits, of which 0.02 acre is acid mine drainage impacted, the remaining 0.55 acre will require mitigation. (Hilliards Quadrangle 41° 4' 51" N, 79° 51' 59" W)

**EA0409-002(R)1. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in South Beaver Township, **Beaver County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 5,000 linear feet of dangerous highwall with adjacent spoil material. The project will also include backfilling and mitigating 1.266 acre of wetlands and constructing 0.5 acre of open water body. (New Galilee Quadrangle 40° 45' 35" N, 80° 29' 39" W)

#### DAM SAFETY

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

**D56-044. Gene and Leslie Shaffer**, 1210 Cambria Avenue, Windber, PA 15963. To modify, operate, and maintain Pine Run Dam across Clear Shade Creek (EV) for the purpose of repairing the spillway and making the necessary modifications to comply with Department regulations. (Ogletown, PA Quadrangle Latitude: 40.2157; Longitude: -78.6984) in Ogle Township, **Somerset County**.

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**ACTIONS**


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**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**
**FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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**I. NPDES Renewal Permit Actions**


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*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061000 (Sewage)	Four Seasons Village RR Box 3350 LR-57044 & T-470 Union Dale, PA 18470	Susquehanna County Herrick Township	East Branch Tunkhannock Creek (4-F)	Y
PAS602202 (Storm Water)	Denco Tire Recycling PO Box 100 1212 Industrial Boulevard Stockertown, PA 18083	Northampton County Stockertown Borough	Unnamed Tributary to Bushkill Creek (1-F)	Y
PAS602206 (IW Stormwater)	Sibum's Auto Parts 2098 Paradise Trail East Stroudsburg, PA 18301	Monroe County Stroud Township	UNT to Brodhead Creek (01E)	Y

## NOTICES

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<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>
PA0035033 (Sewage)	Pinebrook Bible Conference & Retreat Center Conference/Retreat Center Route 191 Stroudsburg, PA 18360-0001	Monroe County Stroud Township	Brodhead Creek (1-E)	Y
PA0061662 (Sewage)	Arrowhead Sewer 2236 Lehigh Drive Pocono Lake, PA 18347	Monroe County Coolbaugh Township	Lehigh River (2-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083933 (Sewage)	Georgetown Area Sewer Authority 46 Quarry Road Quarryville, PA 17566-9454	Lancaster County/ Bart Township	Nickel Mines Run (7K)	Y
PA0261441 (Sewage)	Playful Pups Retreat, LLC 850 Milton Grove Road North Elizabethtown, PA 17022	Lancaster County/ Mount Joy Township	UNT Conewago Creek (7G)	Y
PA0080918 (Sewage)	Rick Long 101 Speedwell Forge Road Lititz, PA 17543	Lancaster County/ Elizabeth Township	Hammer Creek (7J)	Y
PA0027952 (Sewage)	HMS Host—Lawn Service Plaza PO Box 8 Middletown, PA 17057	Lebanon County/ South Londonderry Township	UNT Conewago Creek (7G)	Y
PA0044628 (Industrial Waste)	York Haven Power Company, LLC PO Box 67 York Haven, PA 17370	York County/ York Haven Borough	Susquehanna River (7F)	Y
PA0044598 (Sewage)	Susquehanna Area Region Airport Authority One Terminal Drive Suite 300 Middletown, PA 17057-5048	Dauphin County/ Lower Swatara Township	UNT Susquehanna River (7C)	Y
PA0246433 (Sewage)	Broad Top Township PO Box 57 187 Municipal Road Defiance, PA 16633-0057	Bedford County/ Broad Top Township	UNT Sherman Valley Run (11D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0110680 (Industrial Waste)	Wood Mode Inc. One Second Street Kreamer, PA 17833	Snyder County Middlecreek Township	Middle Creek (6-A)	Y
PA0112445 (Industrial Waste)	P & N Packing Wyalusing Meat Pack Plant 11627 Rt. 187 Wyalusing, PA 18853	Bradford County Terry Township	Susquehanna River (4-D)	N
PA0028100 (Sewage)	Turbotville Borough Wastewater Treatment Plant 2 Adam Street Turbotville, PA 17772-9069	Northumberland County Turbotville Borough	Unnamed Tributary to Warrior Run (10-D)	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0254215 (Sewage)	Horning Deep Mine SR 4015 Somerset, PA 15501	Somerset County Stonycreek Township	Glades Creek (18-E)	Y



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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0239607 (Sewage)	Rocky River Development Riverview Drive Parker, PA 16049	Clarion County Perry Township	Unnamed Tributary to the Allegheny River (17-C)	Y
PA0025461 (Sewage)	South Watson Run STP 9868 S Watson Run Road Meadville, PA 16335	Crawford County Vernon Township	Watson Run (16-D)	Y
PA0240192 (Sewage)	Frank R & Myranda S Hyden SFTF 24478 State Street Meadville, PA 16335	Crawford County Blooming Valley Borough	Unnamed Tributary to Woodcock Creek (16-A)	Y

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

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

**NPDES Permit No. PA0038903**, Industrial, **Sunoco Partners Market & Terminal LP**, 1000 Crown Point Road, Westville, NJ 08093.

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

Description of Action/Activity: To discharge from a facility known as Sunoco Malvern Market Terminal to Little Valley Creek in Watershed(s) 3-F.

**NPDES Permit No. PA0050237**, Sewage, **Walnut Hill Utility Company**, 400 Ashley Court, Glen Mills, PA 19342-2046.

This proposed facility is located in Chester Heights Borough, **Chester County**.

Description of Action/Activity: To discharge from a facility known as Walnut Hill Utility Company STP to Chester Creek in Watershed(s) 3-G.

*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. PA0232564**, SIC Code 4952, **William & Connie Knauer**, 20 Keefer Mill Lane, Danville, PA 17821.

This proposed facility will be located in Liberty Township, **Montour County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit for a discharge of treated sewage from a residence.

**NPDES Permit No. PA0232602 A-1**, Industrial, SIC Code 4911, **Hummel Station LLC**, 4100 Spring Valley, Dallas, TX 75244.

This existing facility is located in Shamokin Dam Borough, **Snyder County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of cooling tower blowdown.

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

**NPDES Permit No. PA0273121**, SIC Code 8800, **David Mohney**, PO Box 98, Sheffield, PA 16347-0098.

This proposed facility is located in Glade Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

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

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

**WQM Permit No. 6415402**, Sewage, SIC Code 4952, **Waymart Area Authority Wayne County**, PO Box 3300, Waymart, PA 18472.

This proposed facility is located in Waymart Borough, **Wayne County**.

Description of Proposed Action/Activity: Expansion to 0.815 MGD Treatment Plant capacity and related plant upgrades; new electrical generators at Belmont Street & Sleepy Hollow Pump stations; changes to aeration blowers and annual daily flow for SCI Waymart Pump Station.

**WQM Permit No. WQG02581501**, Sewage, SIC Code 4952, **Scranton City Sewer Authority Lackawanna County**, 312 Adams Avenue, Scranton, PA 18503.

This proposed facility is located in Scranton City, **Lackawanna County**.

Description of Proposed Action/Activity: Sewer Extension to Parallel and eliminate the Leggetts Street Combined Sewer Overflow #072.

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

**WQM Permit No. 0115401**, Sewerage, **Tyrone Township**, 5280 Old Harrisburg Road, York Springs, PA 17372.

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

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of an extension to the Heidlersburg Wastewater Collection System to serve a proposed Rutter's Farm Store. The proposed project will include a pump station, force main and gravity line.

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

**WQM Permit No. 1415202**, CAFO Operation, SIC Code 0241, **Evergreen Farm, Inc.**, 3102 Evergreen Lane, Spruce Creek, PA 16683-1569.

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

Description of Proposed Action/Activity: The construction of a new dairy barn and associated underbarn manure storage.

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

**WQM Permit No. WQG01651502**, SIC Code 8811, **Michael Nath**, 746 Bethel Church Road, Latrobe, PA 15650.

This proposed facility is located in Unity Township, **Westmoreland County**.

Description of Proposed Action/Activity: To construct a small flow treatment facility to replace a malfunctioning on-lot sewage treatment facility.

**WQM Permit No. 6315402**, Sewage, **Consol PA Coal Co. LLC**, 1525 Pleasant Grove Road, Claysville, PA 15323.

This proposed facility is located in Morris Township, **Washington County**.

Description of Proposed Action/Activity: Construction and operation of an 8,700 GPD sewage treatment plant to support the 4 North 1 Portal Facility.

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

**WQM Permit No. 6215403**, Sewage, **David Mohnney**, PO Box 98, Sheffield, PA 16347-0098.

This proposed facility is located in Glade Township, **Warren County**.

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

**WQM Permit No. WQG01201505**, Sewage, **Beverly Barickman & Patricia Wright SRSTP**, 22010 Star Route, Meadville, PA 16335.

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

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

**WQM Permit No. WQG02101501**, Sewage, **Buffalo Township Municipal Authority**, 707 South Pike Road, Sarver, PA 16055-9201.

This proposed facility is located in Buffalo Township, **Butler County**.

Description of Proposed Action/Activity: Installation of sanitary sewage collection and conveyance facilities.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024814014	Wagner Enterprises, LTD c/o Mr. Mark Wagner P.O. Box 3154 Easton, PA 18043	Northampton	City of Bethlehem	Saucon Creek (HQ-CWF, MF)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Crawford, Section Chief, Telephone 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030714004 Issued	Allegheny Township Sewer & Water Authority	Blair	Allegheny Township	Spencer Run (WWF, MF) UNT Spencer Run (WWF, MF) EV Wetlands
PAI032108018R Issued	US Army at Carlisle Barracks Carlisle Barracks INME-CLB-PW	Cumberland	Middlesex Township	Letort Spring Run (HQ-CWF)

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033613004(2) Issued	Forino Company, LP 555 Mountain Home Road Sinking Spring, PA 19608	Lancaster	Mount Joy Township	UNT Donegal Creek (CWF, MF) EV Wetlands
<i>Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052615001	Joseph E. Thurby, Jr. 118 Baxter Avenue Confluence, PA 15424	Fayette County	Henry Clay Township	Meadow Run (HQ-CWF)
PAI055615001	Horvath Communications 32 West Colfax Avenue South Bend, IN 46601	Somerset County	Conemaugh Township	South Fork Ben's Creek (HQ-CWF)
PAI055615003	Horvath Communications 312 West Colfax Avenue South Bend, IN 46601-1502	Somerset County	Conemaugh Township	South Fork of Bens Creek (HQ-CWF); Bens Creek (CWF)
PAI056313006	Redevelopment Authority of the County of Washington 100 West Beau Street, Suite 300 Washington, PA 15301	Washington County	Peters Township and North Strabane Township	Little Chartiers Creek (HQ-WWF); Canonsburg Lake

### 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 Petroleum Product Contaminated Groundwater 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 Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
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

*Northeast Region: Waterways and Wetlands 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>
Mahoning Township Carbon County	PAG02001315002	Lehighon New Building, L.P. 21 Blakeslee Blvd. Lehighon, PA 18235	UNT to Mahoning Creek (CWF, MF)	Carbon County Conservation District 610-377-4894

## 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>
Blakely Borough Lackawanna County	PAG02003515009	Siniawa 18, Ltd. 851 Commerce Blvd Suite 207 Dickson City, PA 18519-1761	Hull Creek (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Dunmore Borough Lackawanna County	PAG02003515012	Sister Ellen Carney IHM Center Councilor for Temporal Resources 2300 Adams Avenue Scranton, PA 18509	Meadow Brook (CWF, MF) Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Moore Township Northampton County	PAG02004804038R(1)	S&S Homes Richard George 5196 Cherry Valley Rd. Saylorsburg, PA 18353	Hokendauqua Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
East Norwegian Township Schuylkill County	PAG02005415002	Hexcel Pottsville Corp. Attn: Mr. John Kugel P. O. Box 179 Pottsville, PA 17901	Mill Creek (CWF, MF) UNT to Mill Creek (CWF, MF)	Schuylkill County Conservation District 570-622-3742

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

<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>
Berwick Township Adams County	PAG02000115020 Issued	James D. Frye Interstate Paving, LLC 2 Dart Manor Hanover, PA 17331-1328	UNT to Pine Run/ WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636
Maidencreek Township Berks County	PAG02000615002 Issued	Dean Miller Reading Area Water Authority 1801 Kutztown Road Reading, PA 19604	Lake Ontelaunee/ WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610-372-4657
Hollidaysburg Borough Blair County	PAG02000715006 Issued	Hollidaysburg Sewer Authority 401 Blair Street Hollidaysburg, PA 16648	Brush Run/WWF & Beaverdam Branch/ TSF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 ext. 5
Hollidaysburg Borough Blair County	PAG02000715007 Issued	Presbyterian Homes in the Presbytery of Huntingdon One Trinity Drive East, Suite 201 Dillsburg, PA 17019	Beaverdam Branch Juniata River/TSF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 ext. 5
Blair Township Blair County	PAG02000715012 Issued	Blair Township Sewer 375 Cedarcrest Drive Duncansville, PA 16635	Poplar Run/CWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 ext. 5
Upper Allen Township Cumberland County	PAG02002115018 Issued	Nino Purpura 107 West Main Street Mechanicsburg, PA 17055	Yellow Breeches Creek/CWF, MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717-240-7812

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Derry Township Dauphin County	PAG02002215014 Issued	DSG Development Corporation PO Box 42 Hershey, PA 17033-0042	Swatara Creek/WWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Lower Paxton Township Dauphin County	PAG02002215025 Issued	Penn Grant Associates, LP 633 West Germantown Pike, Suite 104 Plymouth Meeting, PA 19462	Spring Creek (West)/CWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Middle Paxton Township Dauphin County	PAG02002215030 Issued	John & Vicki Potteiger 6 Ratna Court Nottingham, MD 21236	Fishing Creek/WWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Penn Township Lancaster County	PAG02003614102 Issued	Blackford Ventures LLC 120 North Pointe Boulevard, Suite 300 Lancaster, PA 17601	Little Conestoga Creek/TSF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
West Earl Township Lancaster County	PAG02003615035 Issued	Fairmount Homes 333 Wheat Ridge Drive Ephrata, PA 17522-8558	Groff Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
East Donegal Township Lancaster County	PAG02003615035 Issued	Donegal School District 1005 Koser Road Mount Joy, PA 17552	Little Chiques Creek/TSF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
Manheim Borough Lancaster County	PAG02003615065 Issued	Manheim Borough 15 East High Street Manheim, PA 17545	Indirect to Chiques Creek/WWF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
Ephrata Township Lancaster County	PAG02003615070 Issued	John Raber 6 Pleasant Valley Road Ephrata, PA 17522	Tributary of Cocalico Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
West Donegal Township Lancaster County	PAG02003615071 Issued	Kevin Frey 3847 Bossler Road Elizabethtown, PA 17022	Uppermost Watershed of Conoy Creek/TSF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
East Hempfield Township Lancaster County	PAG02003615074 Issued	206 Rohrerstown Road LP 2450 Marietta Avenue Lancaster, PA 17601	Brubaker Run/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Rapho Township Lancaster County	PAG02003615075 Issued	Daniel Landis 2590 Shumaker Road Manheim, PA 17545	UNT To Brubaker Run/TSF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
West Hempfield Township Lancaster County	PAG02003615076 Issued	Daniel Conley 572 Prospect Road Mount Joy, PA 17552	UNT To Chiques Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
Clay Township Lancaster County	PAG02003615083 Issued	Clair Beyer 401 Middle Creek Road Lititz, PA 17543	Middle Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
Earl Township Lancaster County	PAG02003615086 Issued	Hinkletown Mennonite School 272 Wanner Road Ephrata, PA 17522	UNT To Conestoga River/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121
West Cocalico Township Lancaster County	PAG02003615078 Issued	Anatoliy Yurchenko Rear 1170 Swamp Bridge Road Denver, PA 17517	UNT Cocalico Creek/UNT Indian Run/WWF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 ext. 121

*Northcentral Region: Waterways & Wetlands Program Manager; 208 West Third Street, Williamsport, PA 17701, 570.327.3636*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Columbia County Town of Bloomsburg	PAG02001915007	United Water PA Inc 4211 E Park Crl Harrisburg, PA 17111	Fishing Creek CWF	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Snyder County Franklin Twp	PAG02005515011	Middleburg DPPXII LLC 9010 Overlook Blvd Brentwood, TN 37027	UNT Middlecreek CWF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X110
Snyder County Penn Twp	PAG02005515013	MBC Development LP 950 E Main St Schuylkill Haven, PA 17972	Penns Creek WWF, MF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X110

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Blacklick Township Cambria County	PAG02001115011	Martin Oil Company 528 North First Street Bellwood, PA 16617	Simmons Run (CWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Cambria Township Cambria County	PAG02001115014	SCEE, Ltd. 550 South High Street Selinsgrove, PA 17870	Howells Run (CWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
City of Johnstown Cambria County	PAG02001115016	Johnstown Housing Authority P. O. Box 419 Johnstown, PA 15907	Conemaugh River (WWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Hastings Borough and Elder Township Cambria County	PAG02001113020(2)	Hastings Municipal Authority 207-1 Fifth Avenue P. O. Box 559 Hastings, PA 16646	UNT Brubaker Run (CWF, MF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
North Union Township Fayette County	PAG02002608018R-01	Null Land, Inc. 682 West Main Street Uniontown, PA 15401	UNT to Jennings Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Menallen Township Fayette County	PAG02002614012	Verizon Wireless 18 Abele Road Bridgeville, PA 15017	UNT to Salt Lick Run (WWF) and Salt Lick Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456
Georges Township Fayette County	PAG02002614017	A-1 Environmental Services P. O. Box 1030 Kalkaska, MI 49646	Georges Creek (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456
City of Connellsville; Connellsville Township and Dunbar Townships Fayette County	PAG02002615002	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	UNT to Opossum Run (WWF), Opossum Run (WWF), Mounts Creek (WWF), and Youghioghenny River (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456
Brush Valley Township and East Wheatfield Township Indiana County	PAG02003215008	Peoples TWP, LLC 5999 Route 119 Highway North Home, PA 15747	Blacklick Creek (TSF) and Mardis Run (CWF)	Indiana County CD 625 Kolter Drive Suite 8 Indiana, PA 15701
Robinson Township Washington County	PAG02006315003	Gerald F. Bunda 1009 Beaver Grade Road Moon, PA 15108	UNT to Robinson Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Amwell Township Washington County	PAG02006315009	Western Construction, Inc. 2589 Kentucky Route 1428 Prestonsburg, KY 41653	Ten Mile Creek (TSF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Cecil Township Washington County	PAG02006315011	Oakbrooke-Muse Partners, LP 300 Weyman Plaza, Suite 210 Pittsburgh, PA 15236	UNT to Brush Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
City of Washington Washington County	PAG02006315015	Budd Baer, Inc. 71 Murtland Avenue Washington, PA 15301	Catfish Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Mount Pleasant Township Washington County	PAG02006315026	Pennsylvania American Water 300 Gallery Road McMurray, PA 15317	UNT to Robinson Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Butler Township Butler County	PAG02001015023	Speedway LLC Attn: Jeffrey J. Wild 500 Speedway Drive Enon, OH 45323	Connoquenessing Creek WWF	Butler County Conservation District 724-284-5270
North East Township Erie County	PAG02002515007	David Thornton PO Box 569 North East, PA 16428	UNT Sixteen Mile Creek WWF; MF	Erie County Conservation District 814-825-6403
Pinecreek Township Jefferson County	PAG02003315004	Jefferson County Commissioners 155 Main Street, 2nd Flr Brookville, PA 15825	UNT Mill Creek CWF	Jefferson County Conservation District 814-849-7463
Clinton Township, Butler County	PAG02091015006	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Lardintown Run (TSF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800
Boggs Township, Decatur Township Clearfield County	PAG02091715007	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Little Laurel Run (CWF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Berks County Reading City	PAR143514	Sealed Air Corporation 450 Riverfront Drive Reading, PA 19602	Schuylkill River/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County Ephrata Township	PAG033522	John Weidman & Sons, Inc. 541 East Main Street PO Box 416 Ephrata, PA 17522	UNT Cocalico Creek/WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
City of Williamsport Lycoming County	PAR234808	West Pharmaceuticals Service PO Box C7777 Williamsport, PA 17701-0977	Black Hole Creek 10-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Latrobe Borough Westmoreland County	PAR806271	First Student Inc. 110 Perimeter Prk Suite E Knoxville, TN 37922	Monastery Run—18-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000



*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>
Haycock Township Bucks County	PAG040032	Grubb Daniel 1392 Cobbler Road Quakertown, PA 18951-5622	Unnamed Tributary to Tohickon Creek—2-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Upper Hanover Township Montgomery County	PAG040143 A-1	Curtis Andrew 1359 Hendricks Road Pennsburg, PA 18073	Macoby Creek 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Haycock Township Bucks County	PAG040037 A-1	Curtis Christopher 1071 Old Bethlehem Pike Quakertown, PA 18951	Unnamed Tributary To Dimple Creek 2-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Beaver Township Crawford County	PAG041193	Beverly Barickman & Patricia Wright SRSTP 22010 Star Route Meadville, PA 16335	Unnamed Tributary to East Branch Conneaut Creek—15-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-9 (SSN)*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Ross Township Monroe County	PAG092207	J.R. Borger, Inc. 253 Weir Lake Rd. Saylorsburg, PA 18353	J.R. Borger, Inc. 253 Weir Lake Rd. Saylorsburg, PA 18353	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T 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*

<b>Permit No. 1515512</b> , Public Water Supply.	
Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	East Bradford
County	<b>Chester</b>
Type of Facility	PWS

Consulting Engineer GHD  
321 West Washington Street  
Huntingdon, PA 16652

Permit to Construct August 5, 2015  
Issued

**Permit No. 4614517**, Public Water Supply.

Applicant **Pennsylvania Air National Guard**  
1120 Fairchild Street  
Horsham, PA 19044

Township Horsham

County **Montgomery**

Type of Facility PWS

Consulting Engineer Gilmore & Associates, Inc.  
350 East Butler Avenue  
New Britain, PA 18901

Permit to Construct August 5, 2015  
Issued

**Permit No. 0915513**, Public Water Supply.

Applicant **Village of Buckingham Springs**  
1490 Durham Street  
New Hope, PA 18938

Borough Borough of New Hope

County **Bucks**

Type of Facility PWS

Consulting Engineer Castle Valley Consultants, Inc.  
10 Beulah Road  
New Britain, PA 18901

Permit to Construct August 10, 2015  
Issued

**Permit No. 1515523, Minor Amendment.** Public Water Supply.

Applicant **Atlantic Realty Management Imperial MHP**  
West Kings Highway (SR 0340)  
and Penn Drive  
Coatesville, PA 19320

Township West Caln

County **Chester**

Type of Facility PWS

Consulting Engineer Bursich Associates, Inc.  
2129 East High Street  
Pottstown, PA 19464

Permit to Operate August 6, 2015  
Issued

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

**Permit No. 3390055, Operation Permit**, Public Water Supply.

Applicant **Lehigh County Authority**  
P.O. Box 3348  
Allentown, PA 18106-0348

Municipality North Whitehall Township

County **Lehigh**

Type of Facility PWS

Consulting Engineer Edward L. Hoyle, Jr., P.E.  
Lehigh County Authority  
P.O. Box 3348  
Allentown, PA 18106-0348

Permit to Operate August 10, 2015  
Issued

**Permit No. 3390073, Operation Permit**, Public Water Supply.

Applicant **Lehigh County Authority**  
P.O. Box 3348  
Allentown, PA 18106-0348

Municipality Lower Macungie and Upper Macungie Townships

County **Lehigh**

Type of Facility PWS

Consulting Engineer Edward L. Hoyle, Jr., P.E.  
Lehigh County Authority  
P.O. Box 3348  
Allentown, PA 18106-0348

Permit to Operate August 10, 2015  
Issued

**Permit No. 3390076, Operation Permit**, Public Water Supply.

Applicant **Lehigh County Authority**  
P.O. Box 3348  
Allentown, PA 18106-0348

Municipality Upper Milford Township

County **Lehigh**

Type of Facility PWS

Consulting Engineer Edward L. Hoyle, Jr., P.E.  
Lehigh County Authority  
P.O. Box 3348  
Allentown, PA 18106-0348

Permit to Operate August 10, 2015  
Issued

**Permit No. 3390085, Operation Permit**, Public Water Supply.

Applicant **Lehigh County Authority**  
P.O. Box 3348  
Allentown, PA 18106-0348

Municipality Lynn Township

County **Lehigh**

Type of Facility PWS

Consulting Engineer Edward L. Hoyle, Jr., P.E.  
Lehigh County Authority  
P.O. Box 3348  
Allentown, PA 18106-0348

Permit to Operate August 10, 2015  
Issued

**Permit No. 3390035, Operation Permit**, Public Water Supply.

Applicant **Lehigh County Authority**  
P.O. Box 3348  
Allentown, PA 18106-0348

Municipality Lower Milford Township

County **Lehigh**

Type of Facility PWS

Consulting Engineer Edward L. Hoyle, Jr., P.E.  
Lehigh County Authority  
P.O. Box 3348  
Allentown, PA 18106-0348

Permit to Operate August 10, 2015  
Issued

**Permit No. 3390047, Operation Permit**, Public Water Supply.

Applicant **Lehigh County Authority**  
P.O. Box 3348  
Allentown, PA 18106-0348

Municipality Heidelberg Township

County **Lehigh**

Type of Facility PWS

Consulting Engineer Edward L. Hoyle, Jr., P.E.  
Lehigh County Authority  
P.O. Box 3348  
Allentown, PA 18106-0348

Permit to Operate August 10, 2015  
Issued

**Permit No. 2359008, Operation Permit**, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
(Lake Scranton Water System)  
800 West Hershey Park Drive  
Hershey, PA 17033

Municipality Archbald Borough

County **Lackawanna**

Type of Facility PWS

Consulting Engineer Scott M. Thomas, P.E.  
Pennsylvania American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055

Permit to Operate August 12, 2015  
Issued

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

**Permit No 5915501—Construction—Public Water Supply.**

Applicant **Duncan Township Municipal Water Authority**

Township/Borough Duncan Township

County **Tioga**

Responsible Official Mr. Stephen F. Tokarz  
Duncan Township Municipal Water Authority  
42 Duncan Township Road  
Wellsboro, PA 16901

Type of Facility Public Water Supply

Consulting Engineer William S. Bray P.E.  
373 W. Branch Road  
Wellsboro, PA 16901

Permit Issued August 18, 2015

Description of Action Development of Well No. 3 as an additional source of supply, with the existing treatment facilities including sodium hypochlorite disinfection and 4-log virus inactivation via the reservoir.

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

**Permit No. 3215501**, Public Water Supply.

Applicant **Indiana County Municipal Services Authority**  
602 Kolter Drive  
Indiana, PA 15701

[Borough or Township] South Mahoning Township

County **Indiana**

Type of Facility Plumville water storage tank #2

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct August 13, 2015  
Issued

**Permit No. 6514509**, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Washington Township

County **Westmoreland**

Type of Facility Pleasant View pump station

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct August 13, 2015  
Issued

**Permit No. 6514510**, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility Wegley pump station

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct August 13, 2015  
Issued

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

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Washington Township  
 County **Westmoreland**  
 Type of Facility Slickville pump station  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 PO Box 853  
 Latrobe, PA 15650  
 Permit to Construct August 13, 2015  
 Issued

**Operations Permit** issued to: **Authority of the Borough of Charleroi**, 3 McKean Avenue, Charleroi, PA 15022, (PWSID #5630039) Charleroi Borough, **Washington County** on August 13, 2015 for the operation of facilities approved under Construction Permit # 6315502MA.

**Operations Permit** issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (PWSID #5300017) Cumberland Township, **Greene County** on August 13, 2015 for the operation of facilities approved under Construction Permit # 3011501.

**Operations Permit** issued to: **Pittsburgh Water & Sewer Authority**, Penn Liberty Plaza I, 1200 Penn Avenue, Pittsburgh, PA 15222, (PWSID #5020038) City of Pittsburgh, **Allegheny County** on August 13, 2015 for the operation of facilities approved under Construction Permit # 0214522MA.

**Operations Permit** issued to: **Glendale Valley Municipal Authority**, 1800 Beaver Valley Road, Flinton, PA 16640, (PWSID #4110060) Flinton, **Cambria County** on August 13, 2015 for the operation of facilities approved under Construction Permit # 1114512.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5650032) Bell Township, **Westmoreland County** on August 12, 2015 for the operation of facilities approved under Construction Permit # 6513524MA.

**Operations Permit** issued to: **Fawn-Frazer Joint Water Authority**, 326 Donnellsville Road, Natrona Heights, PA 15065, (PWSID #5020076) Fawn Township, **Allegheny County** on August 13, 2015 for the operation of facilities approved under Construction Permit # 0214542.

**Permit No. 6515510MA, Minor Amendment.** Public Water Supply.

Applicant **Ligonier Township Municipal Authority**  
 One Municipal Park Drive  
 Ligonier, PA 15658  
 [Borough or Township] Ligonier Township  
 County **Westmoreland**  
 Type of Facility SR 1017 waterline relocation  
 Consulting Engineer The EADS Group  
 450 Aberdeen Drive  
 Somerset, PA 15501  
 Permit to Construct August 13, 2015  
 Issued

**Permit No. 6515508MA, Minor Amendment.** Public Water Supply.

Applicant **Latrobe Municipal Authority**  
 104 Gueirrier Road  
 Latrobe, PA 15650  
 [Borough or Township] Derry Township  
 County **Westmoreland**  
 Type of Facility SR 1017 waterline relocation  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 PO Box 853  
 Latrobe, PA 15650  
 Permit to Construct August 13, 2015  
 Issued

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Longswamp Township	1112 State St. Mertztown, PA 19539-9101	Berks

*Plan Description:* The request for an exception to the requirement to revise the Official Plan for the Diehl Subdivision, DEP Code No. A3-06939-148-1, APS Id 876606, consisting of creating one new single family residential building lot to be served by an on-lot sewage disposal system, is disapproved. This request was denied because it proposed the use of onlot sewage disposal systems in an area that is within 1/4 mile of water supplies documented to exceed 5 PPMs nitrate-nitrogen as per Chapter 71, Section 71.55(a)(2) and Chapter 71, Section 71.62(c)(2)(iii). The project is located northwest of the junction of Mary Ann Drive and Eric Lane.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 2**

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate

that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Northridge Group Inc.**, US Route 15N, East Buffalo Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Sandra & Jeremy Cook**, 389 Beth Ellen Drive, East Buffalo Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Sandra & Jeremy Cook, 389 Beth Ellen Drive, Lewisburg, PA 17837, submitted a Final Report concerning remediation of site soils contaminated heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Irene Cooke Property**, 47 Wilden Drive, Palmer Township, **Northampton County**. BlackRock Environmental LLC, PO Box 288, Nazareth, PA 18064, on behalf of BlackRock Environmental LLC, PO Box 288, Nazareth, PA 18064 submitted a Final Report concerning remediation of site soils contaminated with Benzene, Ethylbenzene, Cumene, MTBE, Naphthalene, Toluene, 1,2,4-Trimethylbenzene and 1,3,5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**5044 William Flynn Highway Site**, 5044 William Flynn Highway, Hampton Township, **Allegheny County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120 on behalf of Executive Motors, Inc., 1013 Executive Drive, Gibsonia, PA 15044 has submitted a Final Report concerning site soils and groundwater contaminated with petroleum constituents. The Final Report

is intended to document remediation of the site to meet the non-residential Statewide Health standard. Notice of the Final Report was published in the *Pittsburgh Tribune-Review* on August 12, 2015.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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**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).**

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Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Lawrence Township**, US Route 15N, East Buffalo Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Lawrence Transportation, 872 Lee Highway, Roanoke, VA 24019 submitted a Final Report concerning the remediation of site soils contaminated with Diesel Fuel. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on July 21, 2015.

**Northridge Group, Inc.**, US Route 15N, East Buffalo Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, have submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 10, 2015.

**Ogontz East Compressor Station**, 956 Gibraltar Road, Cummings Township, **Lycoming County**. Enviro Trac. Ltd., 8133 Easton Road, Ottsville, PA 18942 on behalf of Energy Transfer Partners, L.P., 101 W. Third Street, Williamsport, PA 17701 submitted a Final Report concerning remediation of site soils contaminated with Fuel Oil Nos. 4, 5, and 6, Lubrication Oils and Fluids, brine, ethylene glycol, and diethylene glycol. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 10, 2015.

**Service Garage, LLC**, Fifth Street & Huron Avenue, Renovo Borough, **Clinton County**. ARM Environmental Compliance, P.O. Box 819, Lock Haven, PA 17745 on behalf of Service Garage, LLC., Fifth Street and Huron Avenue, Renovo, PA 17764 submitted a Final Report concerning the remediation of site soil contaminated with Fuel Oil No. 2. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 10, 2015.

*Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager; 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Victor Longo Residence**, 4454 Fieldstone Drive, Lower Nazareth Township, **Northampton County**. JMT Environmental, 3353-C Gun Club Road, Nazareth, PA 18064, on behalf of Victor Long, 4454 Fieldstone Drive, Nazareth, PA 18064, submitted a Final Report concerning the remediation of site soils contaminated with Heating Oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 10, 2015.

**Diblasi Residence**, 33 Lincoln Street, Edwardsville Borough, **Luzerne County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Raoul Diblasi, 33 Lincoln Street, Edwardsville, PA 18704, submitted a Final Report concerning the remediation of site soils contaminated with 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Toluene, Ethylbenzene, Cumene, and Naphthalene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 17, 2015.

**Finnefrock Residence**, 169 Pottsville Street, Cresson Borough, **Schuylkill County**. Liberty Environmental Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of State Farm, PO Box 106110, Atlanta, GA 30348, submitted a Final Report concerning the remediation of site soils contaminated with 1,2,4-Trimethylbenzene and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 17, 2015.

**Walters Oil**, 1000 Bushkill Drive, City of Easton, **Northampton County**. JMT Environmental, 3353-C Gun Club Road, Nazareth, PA 18064, on behalf of Deiter Family Limited Partners, 1225 Stefko Boulevard, Bethlehem, PA 18018, submitted a Final Report concerning the remediation of site soils contaminated with #2 Fuel Oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 12, 2015.

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

**Wyeth-Marietta/GlaxoSmithKline—Main Parcel Area**, 206 North Biddle Street, Marietta, PA 17547, East Donegal Township, **Lancaster County**. ARCADIS US, Inc., 824 Market Street, Suite 820, Wilmington, DE 19801, on behalf of GlaxoSmithKline, One Franklin Plaza, 200 North 16th Street, Philadelphia, PA 19101 and Pfizer, Inc., 235 East 42nd Street, New York, NY 10017 submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs, SVOCs, Metals, and Mercury. The Final Report demonstrated attainment of a combination of Nonresidential Statewide Health and Site Specific Standards, and was approved by the Department on August 10, 2015.

**4532 East Prospect Road Property**, York, PA 17402, Lower Windsor Township, **York County**. Geo-Technology Associates, Inc., 3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of Estate of Horace Heindel, c/o Donald Heindel, 685 Stonewood Road, York, PA 17402, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with gasoline and kerosene released from unregulated underground storage tanks. The Remedial Investigation Report and Final Report demonstrated attainment of the Site Specific Standard, and were approved by the Department on August 12, 2015.

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

**Trinity Industries Plant 102N Railroad Cars Manufacturing**, 60 Union Street, Borough of Greenville, **Mercer County**. Golder & Associates, Inc., 200 Century Parkway, Suite C, Mount Laurel, NJ 08054, on behalf of Trinity Industries, Inc., 2525 Stemmons Freeway, Dallas, TX 75207, submitted a Final Report concerning the remediation of site soil contaminated with Antimony, Arsenic, Cadmium, Chromium, Iron, Lead, Manganese, Mercury, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, 2,4-Dinitrotoluene, Benzo[a]pyrene, Ethylbenzene, Methylene Chloride, Tetrachloroethene, Trichloroethene, Total Xylenes, Vinyl Chloride, and PCB Aroclor 1232. The Final Report did not satisfy the requirements of the December 21, 2006 Consent Order and Agreement (COA) between the Department and Trinity Industries, Inc. with respect to the application of the Act 2 Standards and post-remediation care requirements. The Final Report was disapproved in accordance with the COA on August 14, 2015.

**R. C. Winslow No. 54 Compressor Site**, Latitude 41 01 18.948 Longitude -78 58 2.748, McCalmont Township, **Jefferson County**. ARCADIS U.S., Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090, on behalf of XTO Energy, Inc., 190 Thorn Hill Road, Warrendale, PA 15086, submitted a Final Report concerning the remediation of site soil and groundwater contaminated with Benzene, Cumene (isopropylbenzene), Ethylbenzene,

Naphthalene, Toluene, Benzo[a]anthracene, Benzo[b]-fluoranthene, Benzo[g,h,i]perylene, Benzo[a]pyrene, Chrysene, Indeno[1,1,3-cd]pyrene, Pyrene, and Lead. The Report was disapproved by the Department on August 18, 2015.

*Southwest Region: Environmental Cleanup & Brown-field Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**XTO Energy—Clyde Green #3 Well Site**, Allison Road, Green Township, **Indiana County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Twp., PA 16066 on behalf of XTO Energy Inc., 395 Airport Road, Indiana, PA 15701 submitted a Remedial Investigation/Final Report concerning site soils contaminated with aluminum, barium, boron, iron, lithium, manganese, strontium, vanadium, selenium and chloride from a release of brine. The RI/Final Report demonstrated attainment of the Site-Specific standard for chlorides and a residential Statewide Health standard for all other constituents sampled for in soils and was approved by the Department on August 13, 2015.

## 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*

**GP3-09-0135: Mount Materials, LLC.** (100 Pipe Mill Road, Fairless Hills, PA 19030) On August 11, 2015, was authorized to install and operate a portable screener (Powerscreen Warrior 2400) in Falls Township, **Bucks County**.

**GP11-09-0066: Mount Materials, LLC.** (100 Pipe Mill Road, Fairless Hills, PA 19030) On August 11, 2015, was authorized to install and operate the nonroad engines in Falls Township, **Chester County**.

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

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531*

**GP3-58-041: Popple Construction, Inc.** (215 East Saylor Drive, Laffin, PA 18702) on July 17, 2015 to construct and operate a Portable Crushing Operation with water sprays at the Rushville Aggregates Quarry in Rush Township, **Susquehanna County**.

**GP5-58-034: SWN Production Company, LLC** (1000 SWN Drive, Conway, AR 72032) on July 13, 2015 to construct and operate twelve (12) IC Engines, one (1) generator, four (4) dehydrators, and two (2) condensate tanks at the Valentine CPF#1 Compressor Station site in Clifford Township., **Susquehanna County**.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**GP3-50-03002A: Pennsy Supply, Inc.** (PO Box 3331, Harrisburg, PA 17105) on August 13, 2015, for a portable

non-metallic mineral processing plant, under GP3, at the Newport Quarry in Oliver Township, **Perry County**.

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

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

**GP15-41-592A: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, Rheems, PA 17570) on August 12, 2015, for the installation of two existing fabric collectors for the control of PM emissions from two existing hamermills, pursuant to the General Plan Approval and/or General Operating Permit (BAQ-GPA/GP-15): Feed Mills at its Muncy Mill located in Clinton Township, **Lycoming County**.

**GP5-59-211A: Talisman Energy USA, Inc.** (50 Penwood Place, Warrendale, PA 15086) on August 14, 2015, for the construction and operation of four 1,380 bhps Caterpillar model G3516ULB natural-gas-fired compressor engines (K1108, K1208, K1308, and K1408) whose air-contaminant emissions will be controlled by Miratech model SP-ZHSI-36X31-14-XH2B1 oxidation catalysts under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Empire Booster Station in Jackson Township, **Tioga County**.

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

*Contact: Mark Gorog, New Source Review Chief—Telephone: 412-442-4150*

**GP1-65-00595: Excelsa Health** (532 West Pittsburgh Street, Greensburg, PA 15601) on August 11, 2015, to authorize the construction and operation of one (1) natural gas/No. 2 fuel oil fired boiler rated at 23.932 MMBtus/hr, at the Westmoreland Hospital located in the City of Greensburg, **Westmoreland County**.

**GP3-65-00143A: Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425) on August 12, 2015, to allow construction and operation of four (4) Metso Crushers of various models; each rated at 400 tphs, three (3) deck screens of various sizes; each rated at 400 tphs, and twenty-eight (28) conveyors of various makes and capacities at their 'Torrance Quarry' facility located in Derry Township, **Westmoreland County**.

**GP9-65-00143B: Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425) on August 12, 2015, to allow construction and operation of seven (7) diesel engines which include five (5) C-9 Caterpillar diesel engines; each rated at 448 bhps, one (1) C-4.4 Caterpillar diesel engine; rated at 144 bhps, and one (1) C-13 Caterpillar diesel engine; rated at 415 bhps at their 'Torrance Quarry' facility located in Derry Township, **Westmoreland 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: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**15-0150: The Vanguard Group, Inc.** (1401 West Valley Rd, Wayne, PA 19087) On August 12, 2015, for operation of seven (7) existing diesel-fired emergency

generator sets. Six (6) are rated at 1,850 brake horsepower (bhps), while the remaining one (1) is rated at 1,490 bhps for a total electrical production capacity of 9.39 megawatts at their facility in Tredyffrin Township, **Chester County**. The plan approval is for a non-Title V, State-Only facility. These units will be used to provide back-up electrical power to the various buildings during utility power outages and/or electrical infrastructure maintenance. These units will not be used for peak shaving or for sale of electricity to the electrical grid. The facility is applying to operate each engine a maximum of 500 hours in any 12 consecutive month period, or 1,120 hours as an aggregate for all engines at the site. Potential emissions (in tons/year) shall not exceed the following: 24.93 (NO<sub>x</sub>), 0.73 (NMHC), 5.71 (CO), 0.42 (SO<sub>2</sub>) and 0.73 (PM). The plan approval will include 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: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**48-00058A: Effort Foundry, Inc.** (6980 Chrisphalt Drive, Bath, PA 18014) on June 26, 2015 for the relocation of four (4) burn and weld booths and installation of one (1) new dust collector at their facility in East Allen Township, **Northampton County**.

**40-00067A: Wyoming Valley Sanitary Authority** (P.O. Box 33A, Wilkes-Barre, PA 18703) on June 26, 2015 for addition of an active carbon mercury adsorption system to comply with 40 CFR 60 Subpart MMMM at their facility in Hanover Township, **Luzerne County**.

**35-00007A: Pennsylvania Department of Public Welfare/Clarks Summit State Hospital** (1451 Hillside Drive, Clarks Summit, PA 18411) on June 18, 2015 to operate a new natural gas/No. 2 oil boiler and to voluntary limit coal usage to no more than 10% of their annual capacity to comply with 40 CFR 63 Subpart JJJJJJ for the two (2) existing coal boilers at their facility in Newton Township, **Lackawanna County**.

**40-00020A: Pennsylvania Department of Public Welfare/White Haven Center** (827 Oley Valley Road, White Haven, PA 18661) on July 22, 2015 to operate the three (3) existing coal boilers with a voluntary limit on coal usage to no more than 10% of their annual capacity to comply with 40 CFR 63 Subpart JJJJJJ at their facility in Foster Township, **Luzerne County**.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**ER-36-05026A: R. R. Donnelley & Sons, Inc.** (1375 Harrisburg Pike, Lancaster, PA 17601-2612) on August 13, 2015, for an Air Quality Emission Reduction Credit (ERC) approval of 5.43 tons of VOC emission reductions from the permanent shutdown of Title V Sources 200 (non-heatset presses 671, 676, 677 and 678) and 210 (non-heatset presses 672 and 673), at the Lancaster West printing facility in Lancaster City, **Lancaster County**.

**67-05004S: P.H. Glatfelter Co.** (228 South Main Street, Spring Grove, PA 17362) on August 13, 2015, for the construction of two (2) Babcock & Wilcox (B&W), (372.6 and 358.3 MMBtus per hour each), natural gas fired boilers and the installation of a hydrated lime

injection system to reduce HCl emissions from Power Boiler No. 5, with associated equipment including, but not limited to, a storage silo and pneumatic conveying system at the P.H. Glatfelter Co.'s Spring Grove facility located in Spring Grove Borough, **York County**. As part of the project, three (3) coal fired power boilers will also be decommissioned. The expected changes in facility emissions as a result of the changes proposed are approximately: +52.7 tpy carbon monoxide, -1.027.5 tpy NO<sub>x</sub>, -82.9 tpy PM<sub>10</sub>, -14.4 tpy PM<sub>2.5</sub>, -5,695.2 tpy SO<sub>2</sub> and +9.8 tpy VOC. The plan approval will include Emission Reduction Credits (ERC) related to the decommissioning of the three (3) coal fired power boilers.

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

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

**08-00025A: Richards Funeral Home, Inc.** (502 North Keystone Ave. South Waverly, PA 18840-2943) on August 14, 2015, to construct a crematory unit at the Northern Bradford Crematory facility located in South Waverly Borough, **Bradford County**.

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

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

**62-032K: Ellwood National Forge** (One Front Street, Irvine, PA 16329), on August 4, 2015, has issued a plan approval for the modification of Furnaces 382 and 605 by replacing the burner packages and controls in Brokenstraw Township, **Warren County**. This is a Title V facility.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**46-0040A: National Label Co.** (2025 Joshua Rd, Lafayette Hill, PA, 19444-431) On August 11, 2015, to construct, install and shakedown an eight (8)-station rotogravure printing press in Whitmarsh Township, **Montgomery County**.

**15-0002G: OG, LLC.** (4581 Lower Valley Rd, Atglen, PA 19310-1766) On August 11, 2015 for installation of a new enclosed 10-unit rotogravure publication printing press and an associated solvent recovery system control device and the removal of an older solvent recovery system and (2) unclosed rotogravure publication printing presses. Project 2 is for the installation of anew regenerative thermal oxidizer to control the exhaust from the 2 existing lithographic printing presses and the removal of an existing modular thermal oxidizer in West Sadsbury Township, **Chester County**.

**23-0009H: Boeing Co.** (P.O. Box 16858, MCP29-14, Philadelphia, PA 19142-0858) On August 11, 2015 for reconstruction of two aerospace paint booths in Ridley Township, **Delaware County**.



*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**06-05002J: Lehigh Cement Company, LLC** (Evansville Cement Plant and Quarry), (537 Evansville Road, Fleetwood, PA 19522-8541) on August 13, 2015, for the ability to combust Class A dried biosolids (DBS) as an alternative fuel in Source IDs 121 & 122, Portland Cement Kilns #1 & #2, respectively, at the cement manufacturing facility in Maiden creek Township, **Berks County**. The plan approval was extended.

**06-05002M: Lehigh Cement Company, LLC** (Evansville Cement Plant and Quarry), (537 Evansville Road, Fleetwood, PA 19522-8541) on August 13, 2015, for the ability to combust engineered fuel at their facility in Maiden creek Township, **Berks County**. This is for the authorization to burn an engineered fuel being sourced from, but not limited to, Renewable Fuel, Inc. (RFI) as an alternative fuel in the facility's two long dry kilns (Source ID's 121 & 122). The plan approval was extended.

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

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

**14-00002A: Graymont (PA), Inc.** (965 East College Avenue, Pleasant Gap, PA 16823) on August 10, 2015, extended the authorization an additional 180 days from August 13, 2015 to February 9, 2016, to continue the evaluation for compliance with the plan approval conditions. Additionally, the extension allows continued operation of the existing kilns located in Spring Township, **Centre County**, pending issuance of Title V operating permit. The plan approval has been extended.

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

*Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150*

**PA-32-00432A: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201-9642), on August 13, 2015, to extend the period of temporary operation for 180 days for their coal prep plant located in Center Township, **Indiana County**.

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

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328*

**24-083U: Mersen USA—St. Marys** (215 Stackpole St., St. Marys, PA 15846), on August 17, 2015, effective September 30, 2015, will issue a plan approval extension for the installation of a continuous baking kiln and associated regenerative thermal oxidizer and wet scrubber at their facility in the City of St. Marys, **Elk County**. This is a Title V facility.

**33-002E: Owens-Brockway Glass Container, Inc.—Crenshaw Plant #19** (3831 Route 219 North, Brockport, PA 15823) on August 5, 2015, effective August 21, 2015, has issued a plan approval extension for the modification of Furnace C, due to the age of the furnace and its general condition, to reduce NO<sub>x</sub> emissions in Snyder Township, **Jefferson County**. This is a Title V facility

**43-363A: Pennex Aluminum Company** (93 Werner Road, Greenville, PA 16125-9499) on August 17, 2015

effective August 31, 2015, has issued a plan approval extension for the operation of two (2) melting furnaces, a hold furnace, two (2) homogenizing furnaces, and three (3) billet saws. This facility will be located in Sugar Grove Township, **Mercer County**.

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

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

**09-00007: Waste Management Disposal Services of Pennsylvania, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) On August 12, 2015, for renewal of a Title V Operating Permit in Falls Township, **Bucks County**. A minor modification is concurrently being issued with this renewal. The modification replaces an operating hour restriction of a back-up enclosed flare with an equivalent heat input limitation. The renewal and modification of this operating permit does not authorize any change in method of operation of the landfill or back-up enclosed flare, nor does it authorize any increase in air emissions of any regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

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

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

**20-00040: Advanced Cast Products Incorporated** (18771 Mill Street, Meadville, PA 16335-3644). On August 13, 2015 issued an administrative amendment to the Title V Operating Permit to incorporate the conditions from plan approval 20-040K (which replaced plan approval 20-040I) into the permit for the facility located in Vernon Township, **Crawford County**.

**25-00179: Erie Sewer Authority** (68 Port Access Road Erie, PA 16507-2204) on August 14, 2015 the Department administratively amended the Title V Operating Permit for the facility located in Erie City, **Erie County**. The amendment incorporates the change of responsible official and permit contact.

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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 19401*

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

**46-00269: hibu (formerly Yellow Book USA, Inc.)** (2201 Renaissance Blvd., King of Prussia, PA 19406) On August 12, 2015, for operation of three (3) emergency generators at their facility located in Upper Merion Township, **Montgomery County**. This action is renewal of the operating permit which incorporates Plan Approval Nos. 46-0269 and 46-0269A. The initial permit was issued 7-13-2010 and will expire on 7-31-2010. The permit is for a non-Title V, Synthetic Minor facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00148: Sikorsky Global Helicopters, Inc.** (110 E. Stewart Huston Drive, Coatesville, PA 19320) On August 12, 2015, for operating a helicopter manufacturing plant in Sadsbury Township, **Chester County**. This is an initial State-only operating permit that includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable Federal and state air quality regulations.

**15-00110: Pepperidge Farm, Inc.**, (421 Boot Road, Downingtown, PA 19335) On August 12, 2015, for the renewal of the State Only Operating Permit for this facility. The permit is for a non-Title V (State Only) facility. The applicable requirements of 40 CFR Part 63 Subpart ZZZZ were incorporated into the permit for the emergency engines. 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: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-00027: Susquehanna Nuclear LLC, SSES** (769 Salem Blvd., Berwick, PA 18603-6828) on August 14, 2015 to operate an electric transmission and utilities facility in Salem Township, **Luzerne County**. The sources consist of emergency diesel generators, cooling towers, and a spray pond. 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.

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

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-5226*

**63-00105: AT Industries, LLC** (731 E Main Street, Monongahela, PA) on August 11, 2015, the Department issued a State Only Operating Permit renewal for the operation of a packaging facility located in Monongahela City, **Washington County**. AT Industries operates a bag filling station consisting of a blender, packer and 4 silos. Emissions are controlled through the use a baghouse. The potential emissions are estimated at: 10.7 tpy PM. This facility is subject to the applicable requirements of PA Code, Chapters 121—14.

**04-00673: Lacock Cremation Service, Inc./Rochester** (2 Chester Way, Rochester, PA 15074) on August 14, 2015, the Department issued a State Only Operating Permit renewal for the operation of the facility's air contamination source consisting of one 100 lbs/hr human crematory incinerator, Power-Pak II natural gas-fired rated at 750 MBtus/hr primary chamber and 1.2 MMBtu/hr secondary chamber. The facility is limited to 0.08 gr/dcsf particulate matter corrected to 7% oxygen and 500 ppmvs sulfur oxides. The permit includes emission, restrictions, operation requirements, monitoring requirements, and recordkeeping requirements for the facility located in East Rochester Borough, **Beaver County**.

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

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

**42-00154: Bradford Regional Medical Center** (116 Interstate Pkwy, Bradford, PA 16701-1036), on August 12, 2015, issued a renewal of the State Only Operating Permit for the two gas-fired boilers (with #2 oil for back up fuel) and two diesel fired emergency generators at the Hospital located in the City of Bradford, **McKean County**. The facility is a Natural Minor. The boilers are rated at 16.74 mmbtus/hr and 20.3 mmbtus/hr, respectively. The 100 kW generator is subject to the requirements of 40 CFR 60 Subpart IIII-Stationary Compression Ignition Internal Combustion Engines. The requirements of plan approval 42-302-027 and GP-1 are included in the permit. The boilers are exempt from the Area Source Boiler MACT requirements of 40 CFR 63 Subpart JJJJJJ because they primarily burn gas and use #2 oil during periods of gas curtailment and less than 48 hours per year for exercising the boilers on #2 fuel.

**43-00260: Mercer Area School District, High School** (545 W. Butler Street, Mercer, PA 16137) on August 12, 2015, for a renewal of the Natural Minor Permit. The School is located in Mercer Borough, **Mercer County**. The emitting sources include one coal fired boiler (6.39 mmbtus/hr), two natural gas fired boilers (5.85 MMBTUs/HR. each), one hot water heater (1.2 mmbtu/hr), and one emergency diesel generator (100 kW). The coal fired Boiler is subject to 40 CFR Part 63 Subpart JJJJJJ. All the applicable conditions of Subpart 6J have been included in the renewal permit. The potential emissions from the facility are less than Title V thresholds.

**43-00276: Mercer Area School District, Elementary School** (545 W. Butler Street, Mercer, PA 16137) on August 12, 2015, for renewal of the Natural Minor Permit. The School is located on Butler Street in Mercer Borough, **Mercer County**. The emitting sources include: Two coal and gas fired boilers (6.39 MMBTUs/Hr. each), one hot water heater (1.2 MMBTU/Hr.) and one diesel fueled emergency generator (100 KWs). The coal fired boiler is subject to 40 CFR Part 63, Subpart JJJJJJ. All applicable conditions of Subpart 6J have been included in the source level of the permit. The potential emissions from the facility are less than Title V thresholds.

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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 Elmer-ton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**67-05005: Brunner Island, LLC** (835 Hamilton Street, Suite 150, Allentown, PA 18101) on August 6, 2015, for the Brunner Island electric generating station located in East Manchester Township, **York County**. The Title V permit was administratively amended in order to reflect a change of ownership.

**28-05040: Ingenco Wholesale Power, LLC** (811 Main Street, Houston, TX 77002-6119) on July 21, 2015, for the landfill gas-to-energy facility associated with the Mountain View Landfill located in Peters Township, **Franklin County**. The Title V permit was administratively amended to reflect a change of ownership.

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

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-5226*

**26-00488 Laurel Aggregates of Delaware, LLC-Lake Lynn Quarry** (2480 Springhill Furnace Road, Lake Lynn, PA 15451) on August 6, 2015, the Department administratively amended the State Only Operating Permit for the limestone processing plant located in Springhill Township, **Fayette County**. The amendment incorporates Plan Approval PA-26-00488E conditions which authorize the facility to increase throughput from 3,000,000 tons to 3,600,000 tons per 12-month consecutive period.

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

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

**10-00273: Oxbow Activated Carbon LLC** (PO Box 566, Oneida Valley Road, Emlenton, PA 16373) on August 14, 2015 the Department administratively amended the State Operating Permit for the facility located in Allegheny Township, **Butler County**. The amendment incorporates the name change from Superior Adsorbents to Oxbow Activated Carbon. The responsible official changed to James R. Freney, Executive Vice President. The title of the permit contact (John M. Giglio) changed to V.P., NE Operations.

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**46-00078: G-Seven LTD** (2289 N. Penn Road, Hatfield, PA 19440) On August 11, 2015, for the generation and expiration of the following ERCs that resulted from the permanent shut down of the facility. The ERCs shall expire on December 2, 2023: VOC (3.16 tons), and NO<sub>x</sub> (0.08 ton).

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

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

**GP5-59-211: Talisman Energy USA, Inc.** (50 Penwood Place, Warrendale, PA 15086), received authorization GP5-59-211A under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP5) to replace GP5-59-211. Talisman Energy USA, Inc. requested termination of GP5-59-211 for this facility located in Jackson Township, **Tioga County**. GP5-59-211 is hereby terminated.

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

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

**37-00304: Heraeus Electro-Nite Company** (541 S. Industrial Drive Hartland, WI 53029) on August 13, 2015, for the 3 Fountain Avenue plant in Ellwood City, **Lawrence County**. This State Operating Permit was revoked

because production ceased on March 2, 2015 at the facility and the sources were removed from the site.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).

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*Coal Permits Issued*

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

**56990102 and NPDES No. PA0235105. Heritage Coal & Natural Resources, LLC**, 208 W. Mud Pike, Rockwood, PA 15557, permit renewal for reclamation only of a bituminous surface mine in Elk Lick Township, **Somerset County** affecting 87.8 acres. Receiving streams: unnamed tributaries to/and Tub Mill Run and unnamed tributaries to/and Casselman River, classified for the following uses: cold water fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 25, 2014. Permit issued: August 4, 2015.

**56663135 and NPDES PA0605921. PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 27.5 acres. Receiving stream: Schrock Run classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek SWI. Application received: January 16, 2015. Permit issued: August 4, 2015.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**33130102 and NPDES Permit No. PA0259411. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Transfer of an existing bituminous surface mine and associated NPDES permit from Bedrock Mines, LP in Porter Township, **Jefferson County**, affecting 85.0 acres. Receiving streams: Unnamed tributary to Nye Branch and unnamed tributaries to Pine Run. Application received: May 1, 2015. Permit Issued: August 10, 2015.

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

**17813024 and NPDES PA 0608777. EnerCorp, Inc.** (1310 Allport Cutoff, Morrisdale, PA 16858). Transfer of an existing bituminous surface mine from E. M. Brown, Inc. and revision to reduce permit acreage from 106.2 to

8.3 located in Bradford Township, **Clearfield County**, affecting 106.2 acres. Receiving stream(s): Unnamed Tributary to West Branch Susquehanna River classified for the following use(s): WWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 14, 2014. Permit issued: August 7, 2015.

*Noncoal Permits Issued*

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**61152801. McKissick Trucking, Inc.** (699 Pinegrove School Road, Venus, PA 16364) Commencement, operation and restoration of a small industrial minerals mine in Pinegrove Township, **Venango County**, affecting 5.0 acres. Receiving streams: East Sandy Creek. Application received: April 21, 2015. Permit Issued: August 10, 2015.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

*Blasting Permits Issued*

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

**Permit No. 67154001. Brubacher Excavating, Inc.**, (P.O. Box 528, Bowmansville, PA 17507), construction blasting at Gifford Pinchot State Park in Warrington Township, **York County** with an expiration date of August 10, 2016. Permit issued: August 11, 2015.

**Permit No. 36154132. Maine Drilling & Blasting Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting at 4750 Bossler Road Lot in West Donegal Township, **Lancaster County** with an expiration date of August 5, 2016. Permit issued: August 13, 2015.

**Permit No. 36154134. Maine Drilling & Blasting Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting at ODEC Raw Water Supply & Discharge in Fulton Township, **Lancaster County** with an expiration date of August 6, 2016. Permit issued: August 13, 2015.

**Permit No. 38154116. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting at 115 Mountain Lane in Cornwall Borough, **Lebanon County** with an expiration date of September 30, 2015. Permit issued: August 13, 2015.

**Permit No. 38154117. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting at John Brubaker Dwelling in Heidelberg Township, **Lebanon County** with an expiration date of November 30, 2015. Permit issued: August 13, 2015.

**Permit No. 38154118. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting at Lebanon Valley Distribution Center in Bethel Township, **Lebanon County** with an expiration date of September 30, 2016. Permit issued: August 13, 2015.

**Permit No. 48154106. Schlouch, Inc.**, (P.O. Box 69, Blandon, PA 19510), construction blasting for Madison Farms in Bethlehem Township, **Northampton County** with an expiration date of August 5, 2016. Permit issued: August 14, 2015.

**Permit No. 58154126. DW Drilling & Blasting**, (2042-B S. Brentwood Boulevard, Suite 115, Springfield,

MO 65804) construction blasting for Arnone Gas Pad in Brooklyn Township, **Susquehanna County** with an expiration date of August 6, 2016. Permit issued: August 14, 2015.

**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 AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511*

**E48-430. Borough of Walnutport**, 417 Lincoln Avenue, Walnutport, PA 18088. Borough of Walnutport, **Northampton County**, Army Corps of Engineers Philadelphia District.

To restore and maintain the Lehigh Canal, Lock 24 with work consisting of relaying stonework and restoration of the canal banks and approaches. The project is located on the west side of Washington Street, approximately 500-feet south of Canal Street (Palmerton, PA Quadrangle Latitude: 40° 44' 43.4"; Longitude: -75° 35' 47" in Walnutport Borough, Northampton County (Palmerton Quadrangle Latitude: 40°44'43.4"; Longitude: -75°35'47").

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335.*

**E25-773, Greg Ganzer**, 2102 Chapline Street, Wheeling, WV 26003, ACOE Pittsburgh District.

To construct and maintain a private pile watercraft lift measuring approximately 14' x 28', a permanent dock measuring 10'8" x 14' and a permanent dock measuring 6' x 10' at the northeastern corner of Niagara Pier within Lake Erie's Presque Isle Bay (WWF). This project is located directly adjacent to a private pile watercraft lift previously permitted under DEP Permit No. E25-744.

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; and Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, PO Box 8554, Harrisburg, PA 17105-8554*

**MB990563-0003, First Pennsylvania Resource, LLC**. 90 Whiteman Road, West Finley Twp., PA 16950; Robinson Fork Mitigation Bank, in West Finley Township, **Washington County**, ACOE Pittsburgh District (Clayville and Wind Ridge, PA Quadrangles N: 39°, 58', 27"; W: 80°, 29', 56").

To construct and maintain Phase 1 of the Robinson Fork Mitigation Bank, in accordance with Construction Plan Sets that will be acknowledged by the Department. This bank consists of restoration, enhancement and conservation activities within approximately 533 acres of the Robinson Fork watershed (WWF). The 533 acres that comprise Phase 1 of the Robinson Fork Mitigation Bank will be placed under conservation easements. The project includes activities affecting uplands, floodplains, approximately 76,990 linear feet of verified water courses; approximately 17,435 linear feet of unverified watercourses; and approximately 4.75 acres of wetland all within the Robinson Fork watershed; including the main stem of Robinson Fork, Beham Run tributary and numerous

unnamed tributaries. Restoration activities will be constructed utilizing six approved standard designs or prototypes: Mainstem; Beham Wide; Beham Narrow; Alluvial Fan; Headwaters and Enhancement. The project will also include the installation of temporary road crossings during construction.

The project includes affecting wetlands through the following-approximately 0.59 acre of permanent loss, approximately 1.79 acre of rehabilitation, approximately 2.37 acres of enhancement and approximately of 46.81 acres establishment/re-establishment. Approximately 3.45 acres of additional existing wetlands will be protected through site conservation easements.

The project includes affecting watercourses and their floodplains through reestablishment, rehabilitation and enhancement activities resulting in improvement of approximately 76,990 linear feet of watercourse and floodplain; and to improve approximately 17,435 linear feet of additional watercourses through reestablishment, rehabilitation and enhancement upon verification of watercourse status. In addition, the potential to protect approximately 16,180 linear feet of stream channel and floodplain, as well as other drainage features that do not meet the definition of regulated waters of the Commonwealth under site conservation easements exists. Some areas involve habitat management, invasive plant species control and vegetative plantings.

The results of the work performed under this permit may generate credits that can be utilized under the permittee's Water Obstruction and Encroachment Compensation Operations permit MB9915-0001 provided the permittee meets the terms and conditions of the applicable permits.

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335; 814-332-6860*

**E16-08-002, EQT Production Company**, 2400 Zenith Ridge Road, Canonsburg, PA 15317. Huey Pipeline Project in Toby Township, **Clarion County**, Army Corps of Engineers Pittsburgh District (Sligo, PA Quadrangle 41.087278N; -79.497167W).

The applicant proposes to construct and maintain approximately 16,100 feet of 12 inch steel natural gas gathering pipeline located in Toby Township, Clarion County. The proposed pipeline will connect existing natural gas wells to a meter site. The water obstructions and encroachments are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	One (1) 12" diameter natural gas pipeline with associated right-of-way crossing an EV PEM wetland using HDD technique and having 128 square feet of permanent wetland impact.	41.08368N -79.49007W
2	One (1) 12" diameter natural gas pipeline with associated right-of-way crossing an EV PSS wetland using HDD technique and having 32 square feet of permanent wetland impact.	41..08323N -79.48994W
3	One (1) 12" diameter natural gas pipeline with associated right-of-way crossing UNT to Cherry Creek (CWF) using HDD technique and having 37 square feet of permanent stream impact.	41.08306N -79.48994W
4	One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of UNT to Cherry Creek (CWF) using open cut technique having 672 square feet of temporary & 108 square feet of permanent stream impacts.	41.07373N -79.48867W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
5	One (1) 12" diameter natural gas pipeline with associated right-of-way crossing UNT to Cherry Creek (CWF) using HDD technique and having 21 square feet of permanent stream impact.	41.06982N -79.48477W
6	One (1) temporary road crossing of a PEM wetland with 200 square feet of temporary impact.	41.06963N -79.48411W
7	One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a PEM wetland using open cut technique having 1,088 square feet of temporary & 102 square feet of permanent stream impacts.	41.06969N -79.48921W
8	One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a PEM wetland using open cut technique having 1,088 square feet of temporary & 102 square feet of permanent stream impacts.	41.06909N -79.48190W
9	One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of UNT to Cherry Creek (CWF) using open cut technique having 560 square feet of temporary & 48 square feet of permanent stream impacts.	41.06835N -79.48069W
10	One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of UNT to Cherry Creek (CWF) using open cut technique having 370 square feet of temporary & 30 square feet of permanent stream impacts.	41.06146N -79.48157W

The project will result in a total of 1,602 square feet of temporary and 244 square feet of permanent stream impacts. There will be 2,376 square feet of temporary and 364 square feet of permanent wetland impacts.

**E10-08-006, EM Energy Pipeline Pennsylvania, LLC**, 1800 Main Street, Suite 220, Cannonsburg, PA. 15317, Constellation Pipeline Extension Project in Allegheny, Concord, Parker, and Washington Townships, **Butler County**, ACOE Pittsburgh District. (Starting at N 41.15850; W -79.855593 East Butler Quadrangle and ending N 41.158505, W -79.746778 Emlenton Quadrangle).

The applicant proposes to install approximately 16.37 miles of 24" diameter welded steel natural gas pipeline, 4.84 miles of 20" diameter welded steel natural gas pipeline and 1.19 mile of 8" diameter welded steel natural gas pipeline all with associated temporary access roads. The project will result in 750 linear feet of temporary stream impacts and 0.203 acre of temporary wetland impacts and 0.65 acre of permanent wetland impacts.

The water obstructions and encroachments for the purposes of installing the pipeline and associated access roads are described below:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) and its associated floodway, having 245 linear feet of permanent impact.	40° 58' 9.4794"N -79° 51' 0.3594"W
2	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross Connoquenessing Creek (HQ-WWF) and its associated floodway, having 241 linear feet of permanent impact. And 50 linear feet of impact to palustrine emergent wetland (PEM).	40° 58' 46.20"N -79° 50' 53.87"W
3	One (1) 24" diameter natural gas pipeline with associated right of way in the floodway of UNT to Connoquenessing Creek (HQ-WWF), having 34 linear feet of permanent impact.	40° 58' 4.4794"N -79° 50' 49.55"W
4	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) and its associated floodway, having a permanent impact of 172 linear feet.	40° 58' 46.20"N -79° 50' 53.87"W
5	One (1) 24" diameter natural gas pipeline with associated right of way in the floodway of UNT to Connoquenessing Creek (HQ-WWF), having 61 linear feet of permanent impact.	40° 58' 55.91"N -79° 50' 5.64"W
6	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) and its associated floodway, having a permanent impact of 265 linear feet.	40° 58' 56.28"N -79° 49' 45.84"W
7	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross UNT to Connoquenessing Creek (HQ-WWF) and its associated floodway, having a permanent impact of 190 linear feet.	40° 59' 6.36"N -79° 49' 45.84"W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
8	One (1) 24" diameter natural gas pipeline with associated right of way in the floodway of UNT to Connoquenessing Creek (HQ-WWF), having 33 linear feet of permanent impact.	40° 59' 6.36"N -79° 49' 45.12"W
9	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross two (2) UNT to Connoquenessing Creek (HQ-WWF) and its associated floodway, having a permanent impact of 117 linear feet.	40° 59' 28.68"N -79° 49' 18.47"W
10	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross a palustrine emergent wetland (PEM) having a permanent impact of 0.01 acre.	40° 59' 48.8394"N -79° 48' 36.36"W
11	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross UNT to Bear Creek (CWF) and its associated floodway, having a permanent impact of 213 linear feet.	40° 59' 48.8394"N -79° 48' 36.36"W
12	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross UNT to South Branch Slippery Rock Creek (CWF) and its associated floodway, having a permanent impact of 130 linear feet.	41° 0' 35.27"N -79° 49' 19.56"W
13	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross UNT to South Branch Slippery Rock Creek (CWF) and its associated floodway, having a permanent impact of 173 linear feet.	41° 0' 36.36"N -79° 49' 29.6394"W
14	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross UNT to South Branch Slippery Rock Creek (CWF) and its associated floodway, having a permanent impact of 170 linear feet.	41° 0' 42.83"N -79° 49' 44.75"W
15	One (1) 24" diameter natural gas pipeline with the associated right of way and a temporary road crossing to cross UNT to South Branch Slippery Rock Creek (CWF) and its associated floodway, having a permanent impact of 132 linear feet.	41° 0' 58.68"N -79° 50' 9.96"W
16	One (1) 24" diameter natural gas pipeline with the associated right of way impacting a palustrine emergent wetland, palustrine scrub shrub wetland and palustrine forested wetland (PEM/PSS/PFO) having a permanent impact of 0.01 acre.	41° 01' 09"N -79° 50' 34"W
17	One (1) 24" diameter natural gas pipeline with the associated right of way using a horizontal directional bore, impacting a palustrine forested wetland (PFO) having a permanent impact of 0.01 acre.	41° 1' 12"N -79° 50' 34"W
18	One (1) 24" diameter natural gas pipeline with the associated right of way using a horizontal directional bore, to cross under a pond having a permanent impact of 0.01 acre.	41° 1' 28.2"N 79° 50' 35.87"W
19	One (1) 24" diameter natural gas pipeline with the associated right of way using a horizontal directional bore, impacting a palustrine emergent wetland (PEM) having a permanent impact of 0.01 acre.	41° 1' 29.99"N -79° 50' 36.6"W
20	One (1) 24" diameter natural gas pipeline with the associated right of way using a horizontal directional bore (HDD) to cross UNT to South Branch Slippery Rock Creek (CWF) and its associated floodway, having a permanent impact of 129 linear feet.	41° 1' 31.76"N -79° 50' 36.95"W
21	One (1) 24" diameter natural gas pipeline with the associated right of way using a horizontal directional bore (HDD) to cross UNT to South Branch Slippery Rock Creek (CWF) and its associated floodway, having a permanent impact of 92 linear feet.	41° 1' 32.87"N -79° 50' 37.31"W
22	One (1) 24" diameter natural gas pipeline with associated right of way in the floodway of UNT to South Branch Slippery Rock Creek, having 80 linear feet of permanent impact.	41° 1' 36.48"N -79° 50' 37.68"W
23	One (1) 24" diameter natural gas pipeline with the associated right of way, impacting a palustrine emergent wetland (PEM) having a permanent impact of 0.04 acre.	41° 01' 45"N -79° 50' 37"W
24	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to South Branch Slippery Rock Creek (CWF) and its associated floodway, having 260 linear feet of permanent impact.	41° 2' 12.84"N -79° 49' 46.55"W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
25	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to Christy Run and its associated floodway, having 182 linear feet of permanent impact. One (1) 24" diameter natural gas pipeline and associated right of way and a temporary road crossing to cross a palustrine emergent wetland (PEM) with a permanent impact of 0.05 acre.	41° 2' 50.99"N -79° 49' 18.12"W
26	One (1) 24" diameter natural gas pipeline with associated right of way in the floodway of UNT to Christy Run (CWF), having 13 linear feet of permanent impact.	41° 3' 9.72"N -79° 49' 26.76"W
27	One (1) 24" diameter natural gas pipeline with the associated right of way, impacting a palustrine emergent wetland (PEM) having a permanent impact of 0.08 acre.	41° 3' 29.88"N -79° 49' 17.4"W
28	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross Christy Run (CWF) and its associated floodway, having 169 linear feet of permanent impact.	41° 3' 38.88"N -79° 49' 6.6"W
29	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to Christy Run (CWF) and its associated floodway, having 169 linear feet of permanent impact.	41° 3' 52.55"N -79° 49' 6.6"W
30	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to Slippery Rock Creek (CWF) and its associated floodway, having 184 linear feet of permanent impact.	41° 5' 31.1994"N -79° 47' 50.63"W
31	One (1) 24" diameter natural gas pipeline with associated right of way in the floodway of UNT to Slippery Rock Creek (CWF), having 216 linear feet of temporary impact.	41° 5' 31.91"N -79° 47' 55.31"W
32	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to Slippery Rock Creek (CWF) and its associated floodway, having 108 linear feet of permanent impact.	41° 5' 48.83"N -79° 46' 9.11"W
33	One (1) temporary crossing with associated right of way in the floodway of UNT to North Branch Bear Creek (CWF), having 74 linear feet of permanent impact.	41° 5' 48.48"N -79° 46' 8.04"W
34	One (1) temporary crossing with associated right of way in the floodway of UNT to North Branch Bear Creek (CWF), having 20 linear feet of temporary impact.	41° 5' 45.24"N -79° 46' 2.63"W
35	One (1) 24" diameter natural gas pipeline with the associated right of way, impacting a palustrine emergent wetland (PEM) having a permanent impact of 0.03 acre.	41° 5' 44.87"N -79° 46' 0.84"W
36	One (1) 24" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to North Branch Bear Creek (CWF) and its associated floodway, having 354 linear feet of permanent impact. One (1) 24" diameter natural gas pipeline and associated right of way and a temporary road crossing to cross a palustrine emergent wetland (PEM) with a permanent impact of 0.17acre.	41° 5' 47.39"N -79° 44' 50.27"W
37	One (1) temporary crossing with associated right of way in the floodway of UNT to North Branch Bear Creek (CWF), having 107 linear feet of permanent impact.	41° 5' 46.67"N -79° 44' 52.44"W
38	One (1) 20" diameter natural gas pipeline with the associated right of way, and temporary road crossing impacting a palustrine emergent wetland (PEM) having a permanent impact of 0.18 acre.	41° 6' 2.87"N -79° 44' 52.44"W
39	One (1) 20" diameter natural gas pipeline with associated right of way in the floodway and temporary crossing of UNT to North Branch Beaver Creek (CWF), having 223 linear feet of temporary impact.	41° 6' 12.59"N 79° 44' 52.07"W
40	One (1) 20" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross North Branch Bear Creek (CWF) and its associated floodway, having 159 linear feet of permanent impact.	41° 6' 17.64"N -79° 44' 48.83"W



<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
41	One (1) 20" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to North Branch Bear Creek(CWF) and its associated floodway, having 177 linear feet of permanent impact.	41° 8' 11.76"N -79° 44' 54.6"W
42	One (1) 20" diameter natural gas pipeline and associated right of way and a temporary road crossing to cross a palustrine emergent wetland (PEM) with a permanent impact of 0.04 acre.	41° 8' 31.2"N -79° 44' 41.27"W
43	One (1) 8" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross UNT to Lowrey Run (CWF-Wild Trout) and its associated floodway, having 187 linear feet of permanent impact.	41° 8' 31.2"N -79° 44' 40.2"W
44	One (1) 8" diameter natural gas pipeline with associated right of way and a temporary road crossing to cross Lowrey Run (CWF-Wild Trout) and its associated floodway, having 187 linear feet of permanent impact.	41° 9' 7.55"N -79° 44' 22.55"W

### 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 AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012514002-1	National Fuel Gas Supply 1100 State Street Erie, PA 16501	Allegheny County	Findlay Township	Burgets Fork, Raccoon Creek, Little Raccoon Run, Potato Garden Run, Service Creek, UNT to Cross Creek, Burgets Fork, Raccoon Creek, Saint Patrick Run, Bigger Run (HQ-WWF-CWF)
ESG0000515002	Dominion Transmission, Inc. 707 East Main Street Richmond, VA 23219	Armstrong County	Valley Township	UNTs to Cowanshannock Creek (WWF)
ESG0012514002-1	National Fuel Gas Supply 1100 State Street Erie, PA 16501	Beaver County	Independence Township	Burgets Fork, Raccoon Creek, Little Raccoon Run, Potato Garden Run, Service Creek, UNT to Cross Creek, Burgets Fork, Raccoon Creek, Saint Patrick Run, Bigger Run (HQ-WWF-CWF)

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012515005	Columbia Gas Pipeline Group 5151 San Felipe Street, Suite 2500 Houston, TX 77056	Greene County	Franklin Township and Washington Township	Redd Run (TSF), Little Tenmile Run (TSF), Horne Run (TSF), Bane Creek (TSF), Tenmile Creek (TSF), Ruff Creek (WWF), Wallers Run (WWF), Wisecarver Run (HQ-WWF), Mud Lick Run (HQ-WWF), Browns Creek (HQ-WWF)
ESG0012514001-1	Range Resources 3000 Town Center Boulevard Canonsburg, PA 15317	Washington County	Donegal Township	UNTs to Dutch Fork Lake, UNTs to Dutch Fork, UNTs to Buck Run, Buck Run (HQ-WWF)
ESG0012514002-1	National Fuel Gas Supply 1100 State Street Erie, PA 16501	Washington County	Mount Pleasant Township, Robinson Township and Smith Township	Burgets Fork, Raccoon Creek, Little Raccoon Run, Potato Garden Run, Service Creek, UNT to Cross Creek, Burgets Fork, Raccoon Creek, Saint Patrick Run, Bigger Run (HQ-WWF-CWF)
ESG0012515005	Columbia Gas Pipeline Group 5151 San Felipe Street, Suite 2500 Houston, TX 77056	Washington County	Amwell Township	Redd Run (TSF), Little Tenmile Run (TSF), Horne Run (TSF), Bane Creek (TSF), Tenmile Creek (TSF), Ruff Creek (WWF), Wallers Run (WWF), Wisecarver Run (HQ-WWF), Mud Lick Run (HQ-WWF), Browns Creek (HQ-WWF)

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481  
Butler County Conservation District, 122 McCune Drive, Butler, PA 16001-6501*

<i>ESCGP -2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG 00 019 15 0003	Columbia Gas Transmission LLC 1700 MacCorkle Avenue SE Charleston, WV 25314	Butler	Concord Twp	Bear Creek CWF and Connoquenessing Creek HQ; WWF

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-2 #ESX15-019-0017—Twentier to Adams Pipeline Applicant MarkWest Liberty Bluestone, LLC Contact Mr. Richard Lowry Address 4600 J. Barry Court, Suite 500 City Canonsburg State PA Zip Code 15317 County Butler Township(s) Muddy Creek Township and Portersville Borough County Lawrence Township(s) Perry Receiving Stream(s) and Classification(s) Slippery Rock Creek (CWF)/Connoquenessing Creek; UNTs to Slippery Rock Creek (CWF)/Connoquenessing Creek; UNT to Camp Run (WWF)/Connoquenessing Creek; Camp Run (WWF)/Connoquenessing Creek; UNT to Yellow Creek (CWF)/Little Connoquenessing Creek; Yellow Creek (CWF)/Little Connoquenessing Creek; UNTs to Cheeseman Run (CWF)/Connoquenessing Creek; Trib 34071 to Grindstone Run (CWF)/Connoquenessing Creek.

ESCGP-2 #ESX14-019-0047A Applicant MarkWest Liberty Bluestone, LLC—Powells Wells Lateral Project Major Mod Contact Mr. Rick Lowry Address 4600 J. Barry Court, Ste 500 City Canonsburg State PA Zip Code 15317 County Butler Township(s) Penn & Middlesex Receiving Stream(s) and Classification(s) UNT Tributaries to Glade Run/Connoquenessing Creek Watershed  
ESCGP-2 #ESG15-019-0019—Constellation Pipeline Project Applicant EM Energy Pipeline Pennsylvania, LLC Contact Cedric Flowers Address 1800 Main Street, Suite 220 City Canonsburg State PA Zip Code 15317 County Butler Township(s) Allegheny, Parker, Washington, & Concord Receiving Stream(s) and Classification(s) Connoquenessing Creek; UNTs to Connoquenessing Creek; Lowrey Run, UNTs to Lowrey Run, North Branch Bear Creek,

UNTs to North Branch Bear Creek, UNTs to Slippery Rock Creek, Christy Run, UNTs to Christy Run, UNTs to South Branch Slippery Rock Creek, UNTs to Bear Creek, UNTs to Silver Creek HQ, EV, WWF, CWF

ESCGP-2 #ESX15-019-0018—Burgh to Trillith Pipeline  
Applicant Markwest Liberty Bluestone, LLC—Burgh to Trillith Pipeline

Contact Mr. Richard Lowry  
Address 4600 J. Barry Court, Ste.500  
City Canonsburg State PA Zip Code 15317  
County Butler Township(s) Lancaster  
Receiving Stream(s) and Classification(s) Little Yellow Creek (CWF), UNT's to Little Yellow Creek (CWF)/Connoquenessing Creek

ESCGP-2 #ESX12-019-0166B—Pad W23  
Applicant PennEnergy Resources, LLC  
Contact Gregg Stewart  
Address 1000 Commerce Drive  
City Pittsburgh State PA Zip Code 15275  
County Butler Township(s) Winfield  
Receiving Stream(s) and Classification(s) UNT to Rough Run HQ, TSF

ESCGP-2 #ESG15-019-0021—Boyle 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) Clearfield  
Receiving Stream(s) and Classification(s) UNT to Little Buffalo Run, Little Buffalo Run, Buffalo Creek HQ-CWF

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX29-81-15-0025  
Applicant Name Inflection Energy (PA) LLC  
Contact Person Thomas Gillespie  
Address 49 East 4th Street, Suite 101  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Loyalsock Twp  
Receiving Stream(s) and Classification(s) UNT to Mill Creek(West), Mill Creek (West) (TSF)  
Secondary—Mill Creek(West), Loyalsock Creek

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr., Pittsburgh, PA*

ESCGP-2 No: ESX15-051-0009  
Applicant Name: Chevron Appalachia LLC  
Contact Person Branden Weimer  
Address: 1550 Coraopolis Heights Road  
City: Moon Township State: PA Zip Code: 15108  
County: Fayette Township: Luzerne  
Receiving Stream(s) and Classifications: Minnow Run, Kelley Run, Hereford Hollow, Rush Run, Bates Run/ Monongahela River Watershed; Other WWF

ESCGP-2 No.: ESX14-125-0091  
Applicant Name: CONE Gathering LLC  
Contact Person: Carol Phillips  
Address: 200 Evergreene Drive  
City: Waynesburg State: PA Zip Code: 15370  
County: Greene, Washington Township(s): Morris, East Finley  
Receiving Stream(s) and Classifications: 13 UNTs to Enlow Fork, Enlow Fork, and Boothe Run; Other Warm Water Fishes and Trout Stock Fishes; Siltation-Impaired

ESCGP-2 No.: ESG15-059-0021  
Applicant Name: EQT Production Company  
Contact Person: Todd Klaner  
Address: 2400 Zenith Ridge Road, Suite 200  
City: Canonsburg State: PA Zip Code: 15317  
County: Greene Township(s): Morris  
Receiving Stream(s) and Classifications: UNT to Browns Creek, (HQ-WWF) & Bates Fork/Tenmile Creek; HQ

ESCGP-2 No.: ESG15-063-0003  
Applicant Name: Mountain Gathering LLC  
Contact Person: Dewey Chalos  
Address: 810 Houston Street  
City: Fort Worth State: TX Zip Code: 76102  
County: Indiana Township(s): Center  
Receiving Stream(s) and Classifications: UNT Aultmans Run (TSF), Aultmans Run (TSF)/Conemaugh River; Other TSF; Siltation Impaired

ESCGP-2 No.: ESX14-129-0002 Major Revision  
Applicant Name: Campbell Oil & Gas Inc  
Contact Person: Erik Wood  
Address: PO Box 278  
City: Indiana State: PA Zip Code: 15701  
COUNTY Westmoreland Township(s): Derry  
Receiving Stream(s) and Classifications: Trib. 44687 to Stony Run/Conemaugh Watershed; Trib. 44694 to Stony Run/Conemaugh Watershed; Trib. 44696 to Stony Run/Conemaugh Watershed; Other CWF; Siltation-Impaired

ESCGP-2 No.: ESX15-125-0044  
Applicant Name: CNX Gas Company LLC  
Contact Person: Erika Whetstone  
Address: 200 Evergreene Drive  
City: Waynesburg State: PA Zip Code: 15370  
County: Washington Township(s): Morris  
Receiving Stream(s) and Classifications: Three (3) UNT to Tenmile Creek and Short Creek; Other TSF

ESCGP-2 No.: ESG15-125-0029  
Applicant Name: MarkWest Liberty Midstream & Resources LLC  
Contact Person: Rick Lowry  
Address: 4600 J Barry Court Suite 500  
City: Canonsburg State: PA Zip Code 15317  
County: Washington Township(s): Donegal, East Finley  
Receiving Stream(s) and Classifications: UNTs to Buffalo Creek, UNTs to Sawhill Run, UNTs to Dutch Fork, and UNTs to Bonar Creek; HQ

ESCGP-2 No.: ESX14-059-0062  
Applicant Name: EQT Production Company  
Contact Person: Todd Klaner  
Address: 455 Racetrack Road  
City: Washington State: PA Zip Code: 15301  
County: Greene Township(s): Morgan & Franklin  
Receiving Stream(s) and Classifications: UNT to South Fork Tenmile Creek, UNT to Ruff Creek; Other WWF/WWF

ESCGP-2 No.: ESX10-059-0005 Major Revision  
Applicant Name: EQT Production Company  
Contact Person: Todd Klaner  
Address: 2400 Zenith Ridge Road Suite 200  
City: Canonsburg State: PA Zip Code: 15317  
County: Greene Township(s): Morgan  
Receiving Stream(s) and Classifications: Poverty Run (Tenmile Creek) Grimes Run (Tenmile Creek) Ruff Creek (Tenmile Creek); Other WWF

ESCGP-2 NO.: ESX11-059-0006 Major Revision  
Applicant Name: EQT Production Company  
Contact Person: Todd Klaner  
Address: 2400 Zenith Ridge Road Suite 200

City: Canonsburg State: PA Zip Code: 15317  
 County: Greene Township(s): Center  
 Receiving Stream(s) and Classifications: Two (2) UNT to  
 Patterson Creek/South Fork Tenmile Creek; HQ

ESCGP-2 NO.: ESX15-125-0038  
 Applicant Name: Rice Drilling B LLC  
 Contact: Joseph Mallow  
 Address: 400 Woodcliff Drive  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Somerset  
 Receiving Stream(s) and Classifications: UNT Center  
 Branch Pigeon Creek, UNT North Branch Pigeon  
 Creek; Other WWF

ESCGP-2 NO.: ESX15-059-0023 Major Revision  
 Applicant Name: EQT Production Company  
 Contact: Todd Klaner  
 Address: 2400 Zenith Ridge Road Suite 200  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Greene Township(s): Washington

Receiving Stream(s) and Classifications: UNT to Ruff  
 Creek/South Fork Ten Mile Creek; Other WWF

ESCGP-2 NO.: ESX10-125-0029 RENEWAL  
 Applicant Name: EQT Production Company  
 Contact: Todd Klaner  
 Address: 2400 Zenith Ridge Road Suite 200  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): West Bethlehem  
 Receiving Stream(s) and Classifications: UNT to Barrs  
 Run/Ten Mile Creek Watershed; Other TSF

ESCGP-2 NO.: ESG14-129-0004  
 Applicant Name: CNX Gas Company LLC  
 Contact: Melissia Smith  
 Address: 280 Indian Springs Road Suite 333  
 City: Indiana State: PA Zip Code: 15701  
 County: Westmoreland Township(s): Washington  
 Receiving Stream(s) and Classifications: Tributary 24510  
 to Beaver Run; UNTs to Beaver Run; Beaver Run;  
 Kiskiminetas River Watershed; HQ

## STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
15-63-009	American Iron Oxide Company 661 Andersen Drive, Foster Plaza #7 Pittsburgh, PA 15220 Attn: Franz Mullings	Washington	Allenport Borough	2 ASTs storing hazardous substances	50,000 gallons total

## SPECIAL NOTICES

### Intent to Issue a Synthetic Minor Operating Permit

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief of Source Registration at (215) 685-9426.*

The City of Philadelphia, Air Management Services (AMS) intends issue a Synthetic Minor Operating Permit for the following facility:

**S15-007: Riverside Materials, Inc** (2870 E. Allegheny Avenue, Philadelphia, PA 19134), for the operation of an asphalt paving facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a Hot Mix Asphalt Drum Plant with 140 MMBTUs/hr capacity firing natural gas and No. 2 fuel, a Crushing Plant, a Baghouse with Pre-collector, and a 2.00 MMBTUs/hr Hot Oil Heater firing natural gas and No. 2 fuel.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3, and Air Management regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any

protests or comments filed with AMS must include a concise statement of objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty (30) days before the hearing.

### Intent to Issue a Natural Minor Operating Permit

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief of Source Registration at (215) 685-9426.*

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Natural Minor Operating Permit for the following facility:

**N15-004: Northeast Energy Terminal, LLC** (4101 Christopher Columbus Blvd., Philadelphia, PA 19148), for the operation of a fertilizer processing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include an electric crane with 1,000 kW diesel mounted generator, fertilizer and material handling operations, and dry bulk storage facilities.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3, and Air Management regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty (30) days before the hearing.

### **Phase I Hazardous Waste Facility Siting Application**

#### **Elcon Recycling Services, LLC; Falls Township, Bucks County; Notice of Public Hearing**

The Pennsylvania Department of Environmental Protection (DEP) has determined the Phase I Commercial Hazardous Waste Storage and Treatment Facility Siting Application submitted by Elcon Recycling Services, LLC, for their proposed facility to be located at 100 Dean Sievers Place, Morrisville, PA 19067, to be administratively complete. The purpose of a Phase I application is solely to determine whether the proposed site complies with Pennsylvania's exclusionary siting criteria for hazardous waste treatment facilities. DEP is now conducting a technical review of the application to determine whether the proposed site complies with the exclusionary siting criteria at 25 Pa. Code §§ 269a.21—269a.29. If the site does not meet the applicable criteria, a hazardous waste treatment facility may not be permitted there. If the site does meet the applicable siting criteria, the applicant must submit a detailed permit application, before a permit could be issued for construction and operation.

As a part of the Phase I siting application review process, DEP has scheduled a public hearing for Wednesday, September 30, 2015. The hearing will be held from 7 p.m. to 9 p.m. at the Sheraton Bucks County Hotel at 400 Oxford Valley Rd, Langhorne, PA 19047. The hearing is intended to allow for public testimony on the Phase I application. DEP will record testimony and receive written comments throughout the hearing. DEP will also accept written comments from September 30, 2015 until October 14, 2015. Written comments should be sent to: Hazardous Waste Facility Siting Team Leader, Pennsylvania Department of Environmental Protection, 2 E. Main St., Norristown, PA 19401.

Copies of the Phase I application are available for review or copying at the following locations between the hours of 8 a.m. and 4 p.m.:

DEP Southeast Regional Office, 2 E. Main St., Norristown, PA 19401, telephone number 484-250-5910.

DEP Bureau of Waste Management, Division of Hazardous Waste Management, 14th floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17105, telephone number 717-787-6239.

It is advisable to call ahead for an appointment for review and copying to assure proper assistance. The Department may charge a fee for copying.

A copy of the application is also available at the Levittown branch of the Bucks County Free Library located at 7311 New Falls Road, Levittown, PA 19055.

### **Drinking Water State Revolving Fund Special Notice**

#### **Special Notice Under the Federal Safe Drinking Water Act (42 U.S.C. § 300f, et. seq.)**

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

#### *Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Manor Township Joint Municipal Authority	2310 Pleasant View Drive Ford City, PA 16226	Armstrong

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Manor Township Joint Municipal Authority is proposing the construction of a new water treatment plant which will include pellet softeners, filtration, clearwell, and disinfection. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

#### **Request to Waive Setback a Required by the Oil and Gas Conservation Law; Public Hearing**

Notice is hereby given that the Pennsylvania Department of Environmental Protection (Department) has received a request from Hilcorp Energy Company to waive the 330 foot setback as required by the Oil and Gas Conservation Law (OGCL) 58 P. S. §§ 401—419 regarding the Pulaski-Chrastina 8H wellbore, API No. 073-20526, located in Pulaski Township, Lawrence County. The notice is also given that the Department will conduct a public hearing for this waiver request on Wednesday September 16, 2015, from 6 p.m. to 9 p.m. in the first floor conference room at the Northwest Regional Office located at 230 Chestnut Street, Meadville, PA 16335.

Hilcorp is proposing to drill the Pulaski-Chrastina 8H which will penetrate the Onondaga formation therefore the wellbore is subject to the OGCL and 25 Pa. Code Chapter 79. A well subject to the OGCL must be at least 330 feet from the nearest outside boundary line of the lease on which it is located, or if the lease is included in a voluntary unit, the well must be located 330 feet from the nearest unit line. The 330 foot setback applies to the entire length of both the vertical and horizontal well bore.

Section 406(a) of the OGCL and 25 Pa. Code § 79.11(b) allow an applicant to submit a request to waive the 330 foot setback in their application for a well permit. The public hearing will be held for the purpose of DEP accepting testimony on the above-proposed 330 foot waiver request.

The public hearing will be held at the Department's Meadville Regional Office, First Floor Conference Room, 230 Chestnut Street, Meadville, PA 16335, on Wednesday, September 16, 2015, from 6 p.m. to 9 p.m.

Persons wishing to present testimony at the hearing should contact the District Oil & Gas Operations, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 (814/332-6860) at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of five minutes and two written copies of the

oral testimony are required. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact District Oil & Gas Operations 814-332-6860, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

Those unable to attend the hearing but wish to comment should provide written comments to Brian Babb, Permit Chief, Oil & Gas Management, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494. Comments should be submitted within 20 days of the date of this publication notice.

All the documents regarding the waiver request are available for review from 8:00 a.m. to 4:00 p.m. at the DEP's Northwest Regional office. Appointments for scheduling a review must be made by calling 814-332-6340.

#### **Request for Comments on the Proposed Revision to the Total Maximum Daily Load Developed for Thompson Run, Allegheny County**

The Department of Environmental Protection will accept comments as of August 29, 2015 for the Total Maximum Daily Load (TMDL) document was developed for stream segments in the Thompson Run Watershed, originally listed on the 1996 Pennsylvania Section 303(d), list of impaired waters. This report supersedes and replaces the February 25, 2003, Thompson Run Watershed TMDL report approved by the U.S. Environmental Protection Agency (EPA), Region 3 on June 6, 2003.

The proposed plan provides calculations of the stream's total capacity to accept certain metals and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion Value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum (Al)	0.75	Total Recoverable
Iron (Fe)	1.50	30-day average

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. For further information, contact Scott Alexander, Water Program Specialist, Bureau of Point and Non-Point Source Management, Central Office, Department of Environmental Protection, Rachel Carson State Office Building, Harrisburg, PA 17105, 717-772-5670, salexander@pa.gov.

The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be postmarked by 30 days, after publication in the *Pennsylvania Bulletin*.

[Pa.B. Doc. No. 15-1580. Filed for public inspection August 28, 2015, 9:00 a.m.]

#### **Availability of Technical Guidance**

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](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.

#### *Final TGD: Minor Revision*

*DEP ID:* 262-4000-001. *Title:* Guidelines for the Storage Tank Cleanup Program—Identifying, Tracking and Resolving Violations for Storage Tanks (Corrective Action Process for Owners and Operators of Storage Tanks and Storage Tank Facilities and other Responsible Parties). *Description:* This guidance includes procedures for release reporting, release confirmation and corrective action requirements for owners and operators of storage tanks and storage tank facilities as well as other responsible parties. It defines the Department's procedures for taking enforcement actions, identifying, tracking and resolving violations, and compliance monitoring for the storage tank corrective action program.

*Contact:* Questions regarding this technical guidance document should be directed to Noreen Wagner, (717) 783-9284, [nwagner@pa.gov](mailto:nwagner@pa.gov).

*Effective Date:* August 29, 2015

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1581. Filed for public inspection August 28, 2015, 9:00 a.m.]

#### **Bid Opportunity**

**OSM 11(3041)102.1, Abandoned Mine Reclamation Project, Ehrenfeld Borough and Croyle Township, Cambria County.** The principal items of work and approximate quantities include mobilization and demobilization, road agreements, access roads, haul roads and traffic controls, preparation and implementation of the erosion and sediment control plan, topsoil excavation and placement 17,750 cubic yards, coal refuse reprocessing 1,200 tons, coal refuse disposal 2,478,000 cubic yards, channel excavation 15,150 cubic yards, rock lining with geotextile 8,380 square yards, grout 400 cubic yards, gabions 1,400 cubic yards, seeding 82 acres and price adjustment for diesel fuel cost fluctuations invoice. This bid issues on August 28, 2015, and bids will be opened on September 22, 2015, at 2 p.m. Bid documents cost \$5 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 joellmiller@state.pa.us for more information on this bid.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1582. Filed for public inspection August 28, 2015, 9:00 a.m.]

### Nutrient Credit Trading Program Certification Requests

The Department of Environmental Protection (Department) provides notice of the following certification request that has been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

#### Credit Certification Request

The following request is being reviewed by the Department. The Department will accept written comments on this application for this proposed pollutant reduction activity for 30 days.

#### Applicant

Unlimited Renewables (Lancaster County). Concentrated animal feeding operation layer manure from Esbenshade and Kreider farms

#### Pollutant Reduction Activity Description

This certification is for a manure conversion technology. Specifically for the conversion of layer manure into an organic fertilizer. The organic fertilizer product will be shipped out of the Chesapeake Bay watershed.

#### Written Comments

The Department must receive comments on this application for credit certification no later than Monday, September 28, 2015. Commentators are encouraged to submit electronic comments using the Department's eComment site at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments with the subject line "Unlimited Renewables" should be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, [ecomment@pa.gov](mailto:ecomment@pa.gov).

#### Written Comment Period Extended for Credit Certification Requests

The following requests for credit certification are being reviewed by the Department. These applications for proposed pollutant reduction activities will utilize a 3 to 1 trading ratio for credits verified after September 30, 2015.

These applications were published at 45 Pa.B. 4311 (August 1, 2015) for public comment from August 1, 2015, until August 31, 2015. The Department will extend the comment period for these certification requests for an additional 11 days. The comment period will end on September 11, 2015.

#### Applicant

Lycoming Conservation District (Lycoming County) on behalf of Jim McCoy Farms

#### Pollutant Reduction Activity Description

This certification is for cover crops and no-till Best Management Practices (BMPs).

Lycoming Conservation District (Lycoming County) on behalf of Harry Rogers

This certification is for cover crops and no-till BMPs.

Lycoming Conservation District (Columbia County) on behalf of GNH Farms

This certification is for cover crops and no-till BMPs.

Lycoming Conservation District (Sullivan County) on behalf of Lambert Farms

This certification is for cover crops and no-till BMPs.

Lycoming Conservation District (Lycoming and Tioga County) on behalf of Bishcroft Farms

This certification is for cover crops and no-till BMPs.

Lycoming Conservation District (Clinton County) on behalf of Schrack Farms

This certification is for cover crops and no-till BMPs.

For further information about these certification requests or the Nutrient Credit Trading Program contact Jay Braund, Bureau of Point and Non-Point Source Management, Department of Environmental Protection, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-5636, [jbraund@pa.gov](mailto:jbraund@pa.gov), or visit the Department's web site at [http://www.depweb.state.pa.us/Nutrient\\_Trading](http://www.depweb.state.pa.us/Nutrient_Trading).

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1583. Filed for public inspection August 28, 2015, 9:00 a.m.]

### Small Water Systems Technical Assistance Center Board Meeting Date Change

The September 17, 2015, meeting of the Small Water Systems Technical Assistance Center Board (Board) has been rescheduled to October 13, 2015. This change is to allow the Department of Environmental Protection (Department) time to review additional guidance received from the United States Environmental Protection Agency regarding the Revised Total Coliform Rule. The next Board meeting will be held on Tuesday, October 13, 2015, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions regarding this meeting date change should be directed to Dawn Hissner, Bureau of Safe Drinking Water, (717) 772-2189, [dhissner@pa.gov](mailto:dhissner@pa.gov). The agenda and meeting materials will be available through the Public Participation Center on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (select "Public Participation Center," then "Advisory Committees," then "Small Water Systems Technical Assistance Center (TAC)").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Dawn Hissner at (717) 772-2189, or through the Pennsylvania AT&T Relay Service at (800) 654-5984

(TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
Secretary

[Pa.B. Doc. No. 15-1584. Filed for public inspection August 28, 2015, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Jefferson Pain and Rehabilitation Center	28 Pa. Code § 551.31(e) (relating to licensure)
Peter's Township Surgery Center	28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery)

All requests previously listed are 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).

KAREN M. MURPHY, PhD, RN,  
Secretary

[Pa.B. Doc. No. 15-1585. Filed for public inspection August 28, 2015, 9:00 a.m.]

### Approved and Required Medications Lists for Emergency Medical Services Agencies and Emergency Medical Services Providers

Under 28 Pa. Code §§ 1027.3(c) and 1027.5(b) (relating to licensure and general operating standards; and medica-

tion use, control and security), the Department of Health (Department) has the authority to publish in the *Pennsylvania Bulletin* a list of medications approved for use by emergency medical services (EMS) agencies, by EMS provider certification level and a list of medications that an EMS agency is required to stock based upon the type of EMS service it is licensed, under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies), to provide. The Department has approved the following medications for administration by emergency medical responders (EMR), emergency medical technicians (EMT), advanced emergency medical technicians (AEMT), paramedics, prehospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital emergency medical services physicians (PHP) when functioning on behalf of an EMS agency. This notice also specifies the medications that must be stocked on the EMS vehicle listed.

Under 28 Pa. Code § 1027.5(d), EMS providers, other than a PHP, may administer to a patient medications, or assist the patient to administer medications previously prescribed for that patient, as specified in the Statewide EMS protocols or as authorized by a medical command physician. An EMS provider may administer medications on this list if the EMS provider is credentialed to do so and the EMS vehicle on which they are providing EMS is properly licensed to carry the medication.

Unless otherwise stated or restricted to a specific level of provider, listed medications may be given by any acceptable route as listed in protocol or as ordered by a medical command physician.

Medications listed as required to be carried on a specified type of EMS vehicle must be carried in a quantity sufficient to treat, using the Statewide EMS protocols, at least one adult. If the protocol identifies repeat doses, then additional medication must be carried. When a pediatric dose option is available (for example a pediatric EPINEPHrine autoinjector), then both the adult and pediatric options must be carried.

Section 8129(j) of 35 Pa.C.S. authorizes the Department to publish, through the *Pennsylvania Bulletin*, vehicle construction, equipment and supply requirements for EMS agencies based upon the type of EMS vehicles operated and the services provided. Under this authority, the Department is requiring that, during interfacility transport, all medications given by continuous infusion (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) must be regulated by an electronic infusion pump. For prehospital transport, continuous infusions of crystalloid solutions containing medication (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) and all vasoactive medications must be rate controlled by electronic IV pump or a manual flow control device capable of setting specific numeric flow rates. Nitroglycerin infusion must be regulated with an electronic pump.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Richard L. Gibbons, Bureau Director, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).



**Table 1. Medications that may be administered by EMS providers when functioning on behalf of an EMS agency based upon the type of EMS service an EMS agency is licensed to provide.**

<i>Medication</i>	<i>QRS (incl. providers at or above the level of EMR)</i>	<i>BLS (incl. providers at or above the level of EMT)</i>	<i>IALS (incl. providers at or above the level of AEMT)</i>	<i>ALS (incl. providers above the level of AEMT)</i>	<i>CCT (incl. providers above the level of AEMT with additional approved training)</i>	<i>Air (incl. providers above the level of AEMT with additional approved training)</i>
Abciximab	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Acetaminophen	NO	NO	NO	YES	YES	YES
Acetylcysteine	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Activated charcoal	NO	YES	YES	YES	YES	YES
Adenosine	NO	NO	NO	YES	YES	YES
Albumin	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Albuterol (nebulizer solution)	NO	NO	YES	YES	YES	YES
Albuterol with ipratropium bromide (nebulizer solution)	NO	NO	YES	YES	YES	YES
Amiodarone	NO	NO	NO	YES	YES	YES
Anti-coagulants/Platelet Inhibitors: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Anticonvulsants: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Anti-emetics: all types (not otherwise specifically listed)	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Anti-hypertensives: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Antimicrobials: all types	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Antivenom: all types	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Aspirin, oral	NO	YES	YES	YES	YES	YES
Atenolol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Atropine sulfate	NO	NO	NO	YES	YES	YES
Barbiturates: all types	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Benzocaine, topical	NO	NO	NO	YES	YES	YES
Bivalirudin	NO	NO	NO	YES <sup>4</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Blood products: all types	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Bronchodilators, short-acting medications listed in Statewide BLS protocol and contained in multidose inhaler (MDI), assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
Calcium chloride/calcium gluconate	NO	NO	NO	YES	YES	YES
Captopril	NO	NO	NO	YES	YES	YES
Clopidogrel	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>

<i>Medication</i>	<i>QRS (incl. providers at or above the level of EMR)</i>	<i>BLS (incl. providers at or above the level of EMT)</i>	<i>IALS (incl. providers at or above the level of AEMT)</i>	<i>ALS (incl. providers above the level of AEMT)</i>	<i>CCT (incl. providers above the level of AEMT with additional approved training)</i>	<i>Air (incl. providers above the level of AEMT with additional approved training)</i>
Crystalloid solutions (the following solutions may be administered separately or in combination in various concentrations of each: dextrose, Lactated Ringers, Normosol, saline (NaCl)) (unless otherwise specifically listed). <i>Note</i> —Normal Saline Solution listed separately	NO	NO	NO	YES	YES	YES
Crystalloid solution containing potassium, interfacility transport only, potassium concentration may not exceed 20 mEq/kg unless managed by qualified CCT or Air Medical provider	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Dexamethasone sodium phosphate	NO	NO	NO	YES	YES	YES
Dextran	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Dextrose (for intravenous bolus in concentrations between 10-50%)	NO	NO	YES	YES	YES	YES
Diazepam	NO	NO	NO	YES	YES	YES
Digoxin	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Diltiazem	NO	NO	NO	YES	YES	YES
Diphenhydramine HCl	NO	NO	NO	YES	YES	YES
DOBUTamine	NO	NO	NO	YES	YES	YES
DOPamine	NO	NO	NO	YES	YES	YES
Enalapril	NO	NO	NO	YES	YES	YES
EPINEPHrine HCl 1:1,000 (unless otherwise specifically listed)	NO	NO	YES <sup>2</sup>	YES	YES	YES
EPINEPHrine HCl 1:10,000 solution and diluted concentrations for intravenous infusion	NO	NO	NO	YES	YES	YES
EPINEPHrine HCl autoinjector, assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
EPINEPHrine HCl autoinjector (adult and pediatric dose sizes), (unless otherwise specifically listed)	NO	NO	YES	YES	YES	YES
EPINEPHrine HCl autoinjector (adult and pediatric dose sizes), applies only to EMTs in BLS services approved for EMT EPINEPHrine program	NO	YES	N/A	N/A	N/A	N/A
EPINEPHrine HCl, including racemic (by nebulizer)	NO	NO	NO	YES	YES	YES

<i>Medication</i>	<i>QRS (incl. providers at or above the level of EMR)</i>	<i>BLS (incl. providers at or above the level of EMT)</i>	<i>IALS (incl. providers at or above the level of AEMT)</i>	<i>ALS (incl. providers above the level of AEMT)</i>	<i>CCT (incl. providers above the level of AEMT with additional approved training)</i>	<i>Air (incl. providers above the level of AEMT with additional approved training)</i>
Eptifibatide	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Esmolol	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Etomidate	NO	NO	NO	YES <sup>3</sup>	YES <sup>3</sup>	YES <sup>3</sup>
FentanNYL	NO	NO	NO	YES	YES	YES
Fibrinolytics/thrombolytics: all types	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Furosemide	NO	NO	NO	YES	YES	YES
Flumazenil	NO	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>
Glucagon	NO	NO	YES <sup>9</sup>	YES	YES	YES
Glucocorticoids/mineralcorticoids (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Glucose, oral	NO	YES	YES	YES	YES	YES
Heparin (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Heparin (by continuous intravenous infusion)	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Hespan	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Hydralazine	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Hydrocortisone sodium succinate	NO	NO	NO	YES	YES	YES
HYRDRomorphone	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Hydroxocobalamin	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Insulin	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Isoproterenol HCl	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Ketamine	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Ketorolac	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Labetolol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Levalbuterol	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Lidocaine HCl	NO	NO	NO	YES	YES	YES
LORazepam	NO	NO	NO	YES	YES	YES
Magnesium sulfate	NO	NO	NO	YES	YES	YES
Mannitol	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Metaproterenol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
MethylPREDNISolone	NO	NO	NO	YES	YES	YES
Metoprolol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Midazolam	NO	NO	NO	YES	YES	YES
Milrinone	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Morphine sulfate	NO	NO	NO	YES	YES	YES
Naloxone (unless otherwise specifically listed). <i>Note</i> —autoinjector listed separately	NO	NO	YES <sup>9</sup>	YES	YES	YES

	<i>QRS (incl. providers at or above the level of EMR)</i>	<i>BLS (incl. providers at or above the level of EMT)</i>	<i>IALS (incl. providers at or above the level of AEMT)</i>	<i>ALS (incl. providers above the level of AEMT)</i>	<i>CCT (incl. providers above the level of AEMT with additional approved training)</i>	<i>Air (incl. providers above the level of AEMT with additional approved training)</i>
<i>Medication</i>						
Naloxone, intranasal or autoinjector. <i>Note</i> —EMRs and EMTs must complete additional required education with QRS or BLS service participating in naloxone program	YES <sup>1</sup>	YES <sup>1</sup>	YES <sup>9</sup>	YES	YES	YES
Nerve agent antidote kit, autoinjector only (may include atropine, pralidoxime and diazepam)	NO	YES <sup>6,7</sup>	YES <sup>6,7</sup>	YES	YES	YES
Non-depolarizing neuromuscular blocking agents: all types, intravenous bolus during rapid sequence induction, assisting PHRN, PHPE or PHP	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Non-depolarizing neuromuscular blocking agents: all types, intravenous infusion during interfacility transport	NO	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>
Nitroglycerin, intravenous and topical	NO	NO	NO	YES	YES	YES
Nitroglycerin, sublingual (unless otherwise specifically listed)	NO	NO	YES	YES	YES	YES
Nitroglycerin, sublingual, assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
Nitrous oxide	NO	NO	YES	YES	YES	YES
Norepinephrine	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Normal Saline Solution (0.9% NaCl solution for intravenous volume infusion)	NO	NO	YES	YES	YES	YES
Ondansetron	NO	NO	NO	YES	YES	YES
Oxygen, delivered by devices within the published scope of practice for the EMS provider	YES	YES	YES	YES	YES	YES
Oxytocin	NO	NO	NO	YES	YES	YES
Phenylephrine	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Potassium Cl (in concentrations above 20 mEq/L)	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Plasmanate	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Pralidoxime	NO	NO	NO	YES	YES	YES
Procainamide	NO	NO	NO	YES	YES	YES
Propofol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Propranolol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Prostaglandins: all types	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>

<i>Medication</i>	<i>QRS (incl. providers at or above the level of EMR)</i>	<i>BLS (incl. providers at or above the level of EMT)</i>	<i>IALS (incl. providers at or above the level of AEMT)</i>	<i>ALS (incl. providers above the level of AEMT)</i>	<i>CCT (incl. providers above the level of AEMT with additional approved training)</i>	<i>Air (incl. providers above the level of AEMT with additional approved training)</i>
Quinidine sulfate/quinidine gluconate	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Sodium bicarbonate	NO	NO	NO	YES	YES	YES
Sodium thiosulfate	NO	NO	NO	YES	YES	YES
Sterile water, for injection	NO	NO	NO	YES	YES	YES
Succinylcholine	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Terbutaline	NO	NO	NO	YES	YES	YES
Tetracaine, topical	NO	NO	NO	YES	YES	YES
Theophylline	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Tirofiban	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Tocolytics: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Total Parenteral Nutrition	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Verapamil	NO	NO	NO	YES	YES	YES
Medications not listed above, but within DOH-approved air ambulance service protocol for use by PHRN, PHPE and PHP	NO	NO	NO	NO	NO	YES <sup>5</sup>

**Table 2. Medications required to be carried by a specified EMS vehicle based upon the type of EMS service an EMS agency is licensed to provide. (R=Required)**

<i>Medication</i>	<i>QRS</i>	<i>BLS</i>	<i>IALS</i>	<i>ALS</i>	<i>CCT</i>	<i>AIR</i>
Adenosine				R	R	R
Aspirin, oral		R	R	R	R	R
Atropine sulfate				R	R	R
Benzodiazepines (diazepam, lorazepam or midazolam) At least one type must be carried.				R <sup>10,12</sup>	R <sup>10,12</sup>	R <sup>10,12</sup>
Bronchodilators (nebulizer solution), (albuterol or albuterol with ipratropium bromide) At least one type must be carried.			R <sup>8</sup>	R <sup>8</sup>	R <sup>8</sup>	R <sup>8</sup>
Dextrose (for intravenous bolus in concentration between 10-50%)			R	R	R	R
DiphenhydrAMINE HCl				R	R	R
EPINEPHrine HCl, 1:1,000 concentration (IALS may meet requirement with EPINEPHrine as autoinjector—both adult and pediatric dose sizes—or as solution in vial/ampoule; ALS, CCT, and Air must carry 1:1,000 in vial or ampoule)			R	R	R	R
EPINEPHrine HCl, 1:10,000 concentration				R	R	R

<i>Medication</i>	<i>QRS</i>	<i>BLS</i>	<i>IALS</i>	<i>ALS</i>	<i>CCT</i>	<i>AIR</i>
EPINEPHrine, autoinjector (adult and pediatric dose sizes)—applies only to BLS services approved for EMT EPINEPHrine program		R <sup>3</sup>				
Etomidate—applies only to ALS services approved by regional etomidate program				R <sup>3</sup>	R <sup>3</sup>	R <sup>3</sup>
Glucagon			R		R	R
Glucose, oral		R	R	R	R	R
Lidocaine HCl				R	R	R
Naloxone (restrictions on forms for QRS/BLS services listed separately)			R	R	R	R
Naloxone, intranasal kit or intramuscular autoinjector—applies only to QRS/BLS services that meet training requirements.	R <sup>3</sup>	R <sup>3</sup>				
Narcotic analgesics (fentaNYL or morphine sulfate) At least one type must be carried.				R <sup>11,12</sup>	R <sup>11,12</sup>	R <sup>11,12</sup>
Nitroglycerin, sublingual			R	R	R	R
Normal Saline Solution (0.9% NaCl solution for intravenous volume infusion)			R	R	R	R
Oxygen		R	R	R	R	R
Sodium bicarbonate				R	R	R
Medication within DOH-approved air ambulance service protocol for use by PHRN, PHPE or PHP on crew						R

QRS—Quick Response Service; BLS—Basic Life Support ambulance service; IALS—Intermediate Advanced Life Support ambulance service; ALS—Advanced Life Support ambulance service; CCT—Critical Care Transport ambulance service; Air—Air ambulance service.

1. EMRs and EMTs are restricted to administering this medication by intranasal and intramuscular autoinjector routes only, consistent with Statewide BLS protocols.

2. AEMTs are restricted to administering this medication by intramuscular route only, consistent with Statewide AEMT protocols. AEMTs may not administer this medication by intravenous or intraosseous route.

3. Permitted for services that meet Department requirements for training, medication stocking and any agency or quality improvement requirements, as verified by the agency’s assigned regional EMS council.

4. During interfacility transport, paramedics who are authorized to function for an EMS agency that has been licensed as an ALS, CCT or air ambulance service are restricted to the maintenance and monitoring of medication administration that is initiated at the sending medical facility.

5. This medication must be carried on a CCT ambulance so that it is only accessible when a PHRN, PHPE or PHP is part of the crew. Paramedics who are authorized to function for an EMS agency that has been licensed as a CCT or air ambulance service may only administer this medication when in the direct physical presence of, and supervised by, a PHRN, PHPE or PHP.

6. May administer to a patient when assisting an EMS provider above the level of AEMT who has determined the dose for the patient consistent with Statewide ALS protocols.

7. For self or peer rescue only.

8. One listed type of bronchodilator medication must be carried on each licensed vehicle.

9. AEMTs are restricted to administering this medication by intranasal, intramuscular or subcutaneous routes only, consistent with Statewide AEMT protocols. AEMTs may not give this medication by intravenous route.

10. One benzodiazepine class medication must be carried on each licensed vehicle.

11. One opioid class medication must be carried on each licensed vehicle.

12. For additional information relating to security and medication tracking requirements for controlled substances, see 28 Pa. Code § 1027.5.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

## Emergency Medical Services Operating Fund Funding Priorities for Fiscal Year 2015-2016

Under 28 Pa. Code §§ 1021.24 and 1021.25 (relating to use of EMSOF funding by a regional EMS council; and allocation of EMSOF funds to regional EMS councils), the Department of Health (Department) gives notice of priorities for the distribution by the regional emergency medical services (EMS) councils of funding from the Emergency Medical Services Operating Fund (EMSOF) for the fiscal year beginning July 1, 2015, and ending June 30, 2016.

EMSOF moneys are to be used to provide funding to maintain, improve and develop the quality of the EMS system within this Commonwealth. The Department finds that EMSOF is not sufficient to fully fund the EMS system. Therefore, it gives notice, under 28 Pa. Code § 1021.24(e), that recipients of EMSOF funding from regional EMS councils may be required to provide matching funds toward all purchases, acquisitions and projects for which the Department permits the use of EMSOF moneys.

Each regional EMS council shall prioritize the distribution of its EMSOF allocation based upon the Statewide EMS Development Plan and its regional EMS development plan, subject to the funding priorities set forth in this notice. By October 30, 2015, the regional EMS councils shall notify the providers and other appropriate entities of the established funding priorities, the application process, acquisition documentation requirements and processing deadlines. Each regional EMS council must complete all documents required for the distribution of EMSOF funding by June 30, 2016.

The Department may increase the amount of the initial payment or reimbursement from EMSOF based upon the EMS development plans (State and regional) or documented financial hardship of a provider of EMS. A provider of EMS that seeks additional funds due to financial hardship shall be required to submit a financial disclosure statement and other documentation deemed necessary by the Department.

A provider of EMS applying for EMSOF funding must be in full compliance with all regulations, policies and priorities of the State and regional EMS systems.

Funds for purchases, acquisitions and projects for the fiscal year beginning July 1, 2014, and ending June 30, 2015, must have been expended or encumbered by the regional EMS council by June 30, 2015.

### *Funding Priorities*

The funding priorities as follows are listed in order of current State priority. These priorities must be considered before there is any regional distribution of EMSOF moneys for initiatives that are not listed. All funding must be distributed in a manner consistent with the regional and Statewide EMS development plans. Consequently, if the priorities in this notice have been met and additional funding is available, the request to use EMSOF money towards lower-priority items must still be supported by the Statewide and regional EMS development plans.

1. Recruitment and retention programs, including scholarships or tuition reimbursement for emergency medical responder (EMR), emergency medical technician (EMT), advanced emergency medical technician (AEMT) and paramedic (P) education in areas with higher than average prehospital personnel vacancy rates and/or other

challenges associated with the provision of EMS primary education as determined by the regional EMS council and approved by the Department.

2. Costs associated with investigating a potential merger or consolidation of services. These costs include, but are not limited to, consulting fees, studies, legal fees and statistical analysis.

3. Costs associated with the actual merger or consolidation of services.

4. Development or improvement of an organizational risk management program (safety measures, hazard recognition or mitigation and the necessary organizational structure and support processes) proposed by an ambulance service. Proposals for funding that include a comprehensive program with expected outcome metrics and a review process that can potentially be replicated will receive first consideration. The Department must approve any requests prior to funding.

5. Capnography equipment (especially wave-form end-tidal CO<sub>2</sub> monitors).

6. Software or computer equipment to enable services to collect and transmit EMS patient care reports electronically.

7. Bariatric equipment for ambulances.

8. Replacement of an ambulance, for ambulance services, that is older than 10 years or has more than 200,000 miles on it. This allowance is limited to one per fiscal year.

When two or more ambulance companies have consolidated to create one entity, for the first 5 years after the ambulance companies completed consolidation, the entity may be deemed eligible to receive funding not to exceed the amount of the combined total for which the individual companies would have been eligible had they not consolidated.

### *Emergency Preparedness and Response Funding Requests*

Emergency preparedness and response funding requests must be based on local and response roles of services, regional needs and needs identified by threat vulnerability analysis. Purchases must be coordinated with county emergency, fire service, hazmat and hospital organizations in the applicant's service area to assure interoperability and to prevent duplication. Funding requests related to responding to all hazard and emergency preparedness must have a clear connection to the regional EMS catastrophic plan and the regional EMS development plan. Priority will be given to fund the ambulance services in each region that have committed to participating in the EMS strike team capability project and responding to requests for EMS, both interstate and intrastate, as identified in the State and regional mass casualty plans.

### *Provider Equipment*

Purchases by providers of EMS are not limited to equipment. If a provider of EMS requests EMSOF moneys to purchase equipment, the eligible provider equipment list included with this announcement identifies equipment for which EMSOF funds will be made available to purchase. This list provides the types of providers of EMS eligible for equipment purchases supported by EMSOF funding and the maximum allowable cost upon which the EMSOF contribution will be calculated.

EMSOF funds will fund 60% of the maximum allowable cost of an equipment item for rural providers and will fund 50% of the maximum allowable cost of an equipment item for nonrural providers. Providers of EMS that receive funding are responsible for the balance of the purchase price. The provider may purchase an item for an amount that exceeds the maximum allowable cost, but the provider will be responsible for the percentage of the maximum allowable cost not funded with EMSOF funds and for any amount in excess of the maximum allowable cost. The last two columns of the Eligible Provider Equipment List identify the percentage of EMSOF contribution towards the purchase price, up to the maximum allowable cost of the item, based upon whether the provider operates in a rural or nonrural area.

#### *Examinations*

Funding may be provided to EMS agencies to cover the cost of the State written test for paramedic, prehospital physician extender (PHPE), prehospital registered nurse (PHRN), AEMT, EMT and EMR certification taken by their personnel at 100% of the cost of two examination attempts up to a maximum allowable cost of \$220 for paramedics, PHPEs and PHRNs, \$200 for AEMTs, \$140 for EMTs and \$130 for EMRs per person.

#### *Medical Director*

The maximum allowable cost for an EMS agency to contract for medical director oversight is \$10,000 for Fiscal Year 2015-2016.



ELIGIBLE PROVIDER EQUIPMENT LIST

<i>Equipment Description</i>	<i>Life Expectancy</i>	<i>ALS</i>	<i>ALS/SQ</i>	<i>IALS</i>	<i>IALS/SQ</i>	<i>BLS</i>	<i>BLS/SQ</i>	<i>QRS</i>	<i>Allowable Costs<sup>1</sup></i>	<i>Nonrural (50%)</i>	<i>Rural (60%)</i>
EKG Monitor/Defibrillator with Pacer	5 years	Y	Y	N	N	N	N	N	12,000	6,000	7,200
12 Lead EKG <sup>2</sup>	5 years	Y	Y	Y	Y	N	N	N	20,000	10,000	12,000
Automated External Defibrillator (AED)	5 years	N	N	N	N	Y <sup>3</sup>	Y <sup>3</sup>	Y <sup>3</sup>	1,500	750	900
Automated External Defibrillator Trainer	5 years	N	N	N	N	Y	Y	Y	400	200	240
Oxygen Equipment (any combination)	5 years	Y	Y	Y	Y	Y	Y	Y	500	250	300
Cylinder											
Demand Valve w/Hose & Mask Regulator (combination or constant flow—25 lpm capable) Case											
Capnography Equipment	3 years	Y	Y	Y	Y	N	N	N	3,000	1,500	1,800
CPAP Ventilation Portable Equipment	5 years	Y	Y	Y	Y	Y	Y	Y	1,500	750	900
Pulse Oximeter	5 years	Y	Y	Y	Y	Y	Y	Y	700	350	420
Nitrous Oxide Delivery System	5 years	Y	Y	N	N	N	N	N	2,000	1,000	1,200
Intravenous Infusion Pumps	5 years	Y	Y	N	N	N	N	N	2,000	1,000	1,200
Adult/Pediatric Intubation Kits	5 years	Y <sup>4</sup>	Y <sup>4</sup>	N	N	N	N	N	600	300	360
Transtracheal Jet Insufflators (TTJ)	5 years	Y	Y	N	N	N	N	N	200	100	120
Splinting/Immobilization Devices (any combination)	3 years	Y	Y	Y	Y	Y	Y	Y	500	250	300
Backboard											
Cervical Immobilization Device											
Splints (rigid, traction, etc.)											
Stairchair	5 years	Y	N	Y	N	Y	N	N	Up to 5,000	2,500	3,000
Stretcher	5 years	Y	N	Y	N	Y	N	N	Up to 10,000	5,000	6,000
Stair Stretcher 500 lb Capacity	5 years	Y	N	Y	Y	Y	N	N	2,700	1,350	1,620
Suction (Portable)	3 years	Y	Y	Y	Y	Y	Y	Y	900	450	540
Ventilator, Automatic (per Department of Health Guidelines)	5 years	Y <sup>5</sup>	Y <sup>5</sup>	Y <sup>6</sup>	Y <sup>6</sup>	Y <sup>6</sup>	Y <sup>6</sup>	Y <sup>6</sup>	3,000	1,500	1,800
Ambulance with Chevron Marking on Back of Unit	-	Y	N	Y	N	Y	N	N	-	15,000	20,000
Chevron	-	Y	Y	Y	Y	Y	Y	Y	1,500	750	900
Squad/Response Vehicle with Chevron Marking on Back of Unit	-	N	Y	Y	Y	N	Y	Y	-	7,500	9,000
Data Collection Software/Technology <sup>7</sup>	-	Y	Y	Y	Y	Y	Y	Y	1,700	850	1,020

<i>Equipment Description</i>	<i>Life Expectancy</i>	<i>ALS</i>	<i>ALS/SQ</i>	<i>IALS</i>	<i>IALS/SQ</i>	<i>BLS</i>	<i>BLS/SQ</i>	<i>QRS</i>	<i>Allowable Costs<sup>1</sup></i>	<i>Nonrural (50%)</i>	<i>Rural (60%)</i>
Data Collection Hardware <sup>8</sup>	3 years	Y	Y	Y	Y	Y	Y	Y	2,000	1,000	1,200
Radio, Mobile (two per vehicle)	5 years	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	5,000	2,500	3,000
Radio, Portable (two per vehicle per year)	5 years	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	5,000	2,500	3,000
Triage Vest with Reflection Stripes Meeting ANSI National Standards	5 years	Y	Y	Y	Y	Y	Y	Y	150	75	90
Triage System	5 years	Y	Y	Y	Y	Y	Y	Y	750	375	450
Alerting Equipment (5 per service @ 400 each)	5 years	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	Y <sup>9</sup>	2,000	1,000	1,200
Vehicle Safety Monitoring Systems	5 years	Y	Y	Y	Y	Y	Y	Y	3,500	1,750	2,100
Personal Protective Equipment/Turnout Gear: Helmet, Coat, Pants, Boots	5 years	Y	Y	Y	Y	Y	Y	Y	1,200	600	720
Protection Respiratory Protection from Communicable Diseases											
Protective Ballistic Vest	5 years	Y	Y	Y	Y	Y	Y	Y	1,000	500	600
Global Positioning System Receiver 1 per licensed Ambulance or Recognized QRS Vehicle	5 years	Y	Y	Y	Y	Y	Y	Y	500	250	300
Traffic Safety Equipment	5 years	Y	Y	Y	Y	Y	Y	Y	2,500	1,250	1,500
Large Patient Moving/Carrying Device	10 years	Y	Y	Y	Y	Y	Y	Y	3,000	1,500	1,800
Self-Contained Breathing Apparatus (2 per licensed vehicle)	10 years	Y	Y	Y	Y	Y	Y	Y	3,000	1,500	1,800
Paramedic/PHPE/PHRN Testing (Written)	-								220	220	220
AEMT Testing (Written)									200	200	200
EMT Testing (Written)	-								140	140	140
EMR Testing (Written)	-								130	130	130
CO Detectors (Monitors)	5 Years	Y	Y	Y	Y	Y	Y	Y	200	100	120
12 Lead EKG Transmitter System	5 Years	Y	Y	Y	Y	N	N	N	1,000	500	600
IO Drills or Bone Injection Systems	5 Years	Y	Y	Y	Y	N	N	N	300	150	180
Narcotics Security Systems	5 Years	Y	Y	Y	Y	N	N	N	900	450	540
Refrigerators (mini)	10 Years	Y	Y	Y	Y	N	N	N	1,200	600	720
Pediatric Safe Transport Device	10 Years	Y	N	Y	N	Y	N	N	Up to 400	200	240
Tourniquet (tactical)	5 Years	Y	Y	Y	Y	Y	Y	Y	25	12.50	15
Bariatric equipment	5 Years	Y	Y	Y	Y	Y	Y	Y	27,000	13,500	16,200

ALS—Advanced Life Support ambulance service; ALS/SQ—Advanced Life Support Squad service; IALS—Intermediate Advanced Life Support ambulance service; IALS/SQ—Intermediate Advanced Life Support Squad service; BLS—Basic Life Support ambulance service; BLS/SQ—Basic Life Support Squad service; QRS—Quick Response Service

1. All figures are dollar amounts for each item of equipment.
2. Amount includes \$1,000 for communications package. Receiving facility must have appropriate communications capabilities.
3. Must be an approved AED service or part of regional planning, and AED medical director required.
4. Must be durable equipment, not disposable equipment.
5. Completion of approved training program required.
6. Completion of approved training program required and BLS service medical director approval required.
7. Must be a Department-approved software program, version and vendor.
8. Data collection hardware may include computer, modem, printer, backup device and battery system.
9. Must be compatible with regional and State EMS communications plan.

Questions regarding this notice should be directed to Aaron Rhone, EMS Program Manager, Bureau of Emergency Medical Services, Department of Health, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 787-8740.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Aaron Rhone at the previously listed address or telephone number or for speech or hearing impaired persons may use VTT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
Secretary

[Pa.B. Doc. No. 15-1587. Filed for public inspection August 28, 2015, 9:00 a.m.]

### Hospitals; Requests for Exceptions

The following hospital has filed a request for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b). Department regulations governing hospital licensure can be found in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals). The following hospital is requesting an exception to 28 Pa. Code § 153.1 (relating to minimum standards) which contains minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Jameson Memorial Hospital	Chapter 4, Table 7.1	Surgical Services	2014

The request previously listed 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).

KAREN M. MURPHY, PhD, RN,  
Secretary

[Pa.B. Doc. No. 15-1588. Filed for public inspection August 28, 2015, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, September 16, 2015, from 1 p.m. to 4 p.m.

and Thursday, September 17, 2015, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

Jurisdictional HIV prevention planning is a required activity of the Department's Federal Centers for Disease Control and Prevention grant for Comprehensive HIV Prevention Programs for Health Departments. In addition, Part B of the Ryan White Comprehensive AIDS

Resource Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38) requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Kenneth McGarvey, Director, Department of Health, Division of HIV/AIDS, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department reserves the right to cancel this meeting without prior notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1589. Filed for public inspection August 28, 2015, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Thursday, October 1, 2015, from 10 a.m. to 3 p.m. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Secretary of Health on matters relating to the administration of the Fund. The meeting will be held at the Giant Community Center, 2nd Floor, Giant Food Store, 3301 Trindle Road, Camp Hill, PA 17011.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Christine Bayuk, Program Administrator, Organ and Tissue Donation Program, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-6214, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1590. Filed for public inspection August 28, 2015, 9:00 a.m.]

### Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board (Board), established under section

3 of the Pennsylvania Cancer Control, Prevention and Research Act (35 P.S. § 5633), will hold a meeting on Wednesday, September 16, 2015, from 9 a.m. to 12 p.m. at the Giant Super Food Store Community Center, Second Floor, 2300 Linglestown Road, Harrisburg, PA 17110. The purpose of the Board meeting and items which may be discussed are as follows: advising the Secretary of Health with respect to cancer control, prevention and research in this Commonwealth; approving each year a program for cancer control, prevention and research, to be known as the "Pennsylvania Cancer Plan"; and recommending to the Secretary of Health the awarding of grants and contracts to qualified associations, nonprofit organizations or governmental agencies to plan, establish or conduct programs in cancer control or prevention, cancer education and training and cancer clinical research. In addition, various Department of Health and Centers for Disease Control and Prevention updates will be presented.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Sharon H. Sowers, Plan and Policy Development Section Chief, Comprehensive Cancer Control Section, Division of Cancer Prevention and Control, Department of Health, Health and Welfare Building, Room 1011, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3249 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

This meeting is subject to cancellation without notice.

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*Secretary*

[Pa.B. Doc. No. 15-1591. Filed for public inspection August 28, 2015, 9:00 a.m.]

### Scope of Practice for Emergency Medical Services Providers

Under the authority of 35 Pa.C.S. §§ 8101—8157 (relating to Emergency Medical Services Act) and under the Department of Health's (Department) regulations in 28 Pa. Code §§ 1023.24(d)(1), 1023.25(d)(1), 1023.26(d)(1), 1023.27(d)(1), 1023.28(d), 1023.29(d) and 1023.30(e), the Department is publishing the scope of practice for emergency medical responders (EMR), emergency medical technicians (EMT), advanced emergency medical technicians (AEMT), paramedics (P), prehospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital physicians (PHP).

Skills identified may be performed by an emergency medical services (EMS) provider at the provider's level of certification or registration only if the provider has successfully completed the approved education (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate. EMRs, EMTs, AEMTs and Ps may only perform the skills identified, through either Statewide or other Department-approved protocols, or skills that may be ordered online by a medical command physician.

As the following chart indicates, a PHRN, PHPE and PHP may perform all skills identified as within a paramedic's scope of practice. Each of these EMS providers may perform additional skills as outlined.

A PHRN who is appropriately credentialed by the EMS agency medical director may perform other services authorized by The Professional Nursing Law (63 P. S. §§ 211—225.5) when authorized by a medical command physician through either online medical command or through the applicable Statewide or Department-approved EMS protocols.

A PHPE who is appropriately credentialed by the EMS agency medical director may perform services within the scope of practice of a physician assistant under the Medical Practice Act of 1985 (63 P. S. §§ 422.1—422.51a) or the Osteopathic Medical Practice Act (63 P. S. §§ 271.1—271.18) when authorized by a medical command physician through either online medical command or through applicable Statewide or Department-approved EMS protocols. When a PHPE functions as an EMS provider, the physician supervision requirements applicable to a physician assistant under the Medical Practice Act of 1985 and the Osteopathic Medical Practice Act do not apply.

A PHP who is appropriately credentialed by the EMS agency medical director may perform skills within a paramedic's scope of practice and other skills within the

practice of medicine or osteopathic medicine. A PHP may not perform a skill that the PHP has not been educated and trained to perform.

Under 28 Pa. Code § 1023.1(a)(1)(vi) and (vii) (relating to EMS agency medical director), the EMS agency medical director must make an initial assessment of each EMS provider at or above the AEMT level, and then within 12 months of each prior assessment, to determine whether the EMS provider has the knowledge and skills to competently perform the skills within the EMS provider's scope of practice, and a commitment to adequately perform other functions relevant to the EMS provider providing EMS at that level. EMS providers at or above the AEMT level may only perform skills that the EMS agency medical director has credentialed them to perform.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Richard L. Gibbons, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

<i>Category</i>	<i>Skill</i>	<i>EMR</i>	<i>EMT</i>	<i>AEMT</i>	<i>P*</i>
1 Airway/Ventilation/Oxygenation	Airway—Nonsurgical Alternative/Rescue Airway—CombiTube™, King LT-D Airway™ or King LTS-D Airway™	No	No	Yes	Yes
2 Airway/Ventilation/Oxygenation	Airway—Oropharyngeal (OPA) and Nasopharyngeal (NPA)	Yes	Yes	Yes	Yes
3 Airway/Ventilation/Oxygenation	Airway—Pharyngeal tracheal lumen (PTL)	No	No	No	No
4 Airway/Ventilation/Oxygenation	Bag-valve-ETT/Nonsurgical alternative airway ventilation	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes	Yes
5 Airway/Ventilation/Oxygenation	Bag-valve-ventilation—with in-line small-volume nebulizer	No	Yes <sup>2</sup>	Yes	Yes
6 Airway/Ventilation/Oxygenation	Bag-valve-mask (BVM) ventilation	Yes	Yes	Yes	Yes
7 Airway/Ventilation/Oxygenation	Chest decompression—needle	No	No	No	Yes
8 Airway/Ventilation/Oxygenation	Chest tube thoracostomy, monitoring of existing tube in a closed system (for example water seal or suction)	No	No	No	No
9 Airway/Ventilation/Oxygenation	Chest tube thoracostomy, acute insertion	No	No	No	No
10 Airway/Ventilation/Oxygenation	Continuous positive airway pressure (CPAP)	No	Yes <sup>1</sup>	Yes	Yes
11 Airway/Ventilation/Oxygenation	Biphasic positive airway pressure (BiPAP) for patients chronically on BiPAP for >48 hours	No	No	No	Yes
12 Airway/Ventilation/Oxygenation	Biphasic positive airway pressure (BiPAP) for patients on BiPAP for <48 hours	No	No	No	No
13 Airway/Ventilation/Oxygenation	Cricothyrotomy—needle	No	No	No	Yes
14 Airway/Ventilation/Oxygenation	Cricothyrotomy—open/surgical	No	No	No	Yes
15 Airway/Ventilation/Oxygenation	Cricothyrotomy—overwire (Seldinger) technique	No	No	No	Yes
16 Airway/Ventilation/Oxygenation	End tidal CO <sub>2</sub> monitoring/capnography	No	No	Yes	Yes
17 Airway/Ventilation/Oxygenation	Esophageal obturator airway (EOA)/esophageal gastric tube airway (EGTA)	No	No	No	No

<i>Category</i>	<i>Skill</i>	<i>EMR</i>	<i>EMT</i>	<i>AEMT</i>	<i>P*</i>	
18	Airway/Ventilation/Oxygenation	Extubation—removal of ETT	No	No	No	Yes
19	Airway/Ventilation/Oxygenation	Gastric decompressions—Orogastric or nasogastric tube insertion	No	No	No	Yes
20	Airway/Ventilation/Oxygenation	Gastric decompression by means of alternative/rescue airway (CombiTube™ or King LTS-D™)	No	No	Yes	Yes
21	Airway/Ventilation/Oxygenation	Head-tilt/chin lift	Yes	Yes	Yes	Yes
22	Airway/Ventilation/Oxygenation	Inspiratory Impedance Threshold Device (ITD)	No	No	Yes <sup>1</sup>	Yes
23	Airway/Ventilation/Oxygenation	Endotracheal Intubation—by direct laryngoscopy (including video intubation devices), nasotracheal, digital, and transillumination/lighted stylet techniques	No	No	No	Yes
24	Airway/Ventilation/Oxygenation	Endotracheal Intubation—paralytic assisted, rapid sequence induction (RSI)	No	No	No	No
25	Airway/Ventilation/Oxygenation	Ventilation—maintenance of previously initiated neuromuscular blockade	No	No	No	No
26	Airway/Ventilation/Oxygenation	Endotracheal Intubation—retrograde technique	No	No	No	No
27	Airway/Ventilation/Oxygenation	Jaw thrust and modified jaw thrust (trauma)	Yes	Yes	Yes	Yes
28	Airway/Ventilation/Oxygenation	Laryngeal mask airway (LMA)	No	No	No	No
29	Airway/Ventilation/Oxygenation	Mouth-to-mouth, nose, stoma, barrier and pocket mask	Yes	Yes	Yes	Yes
30	Airway/Ventilation/Oxygenation	Obstruction—direct laryngoscopy (remove with forceps)	No	No	No	Yes
31	Airway/Ventilation/Oxygenation	Obstruction—manual (abdominal thrusts, finger sweep, chest thrusts) upper airway	Yes	Yes	Yes	Yes
32	Airway/Ventilation/Oxygenation	Oxygen therapy—blow-by delivery	Yes	Yes	Yes	Yes
33	Airway/Ventilation/Oxygenation	Oxygen therapy—humidifiers	No	Yes	Yes	Yes
34	Airway/Ventilation/Oxygenation	Oxygen therapy—nasal cannula	Yes	Yes	Yes	Yes
35	Airway/Ventilation/Oxygenation	Oxygen therapy—non-rebreather	Yes	Yes	Yes	Yes
36	Airway/Ventilation/Oxygenation	Oxygen therapy—partial rebreather	No	Yes	Yes	Yes
37	Airway/Ventilation/Oxygenation	Oxygen therapy—regulators	Yes	Yes	Yes	Yes
38	Airway/Ventilation/Oxygenation	Oxygen therapy—simple face mask	No	Yes	Yes	Yes
39	Airway/Ventilation/Oxygenation	Oxygen therapy—Venturi mask	No	Yes	Yes	Yes
40	Airway/Ventilation/Oxygenation	Peak expiratory flow assessment	No	No	Yes	Yes
41	Airway/Ventilation/Oxygenation	Suctioning—meconium aspiration	No	No	No	Yes
42	Airway/Ventilation/Oxygenation	Suctioning—stoma/tracheostomy	Yes	Yes	Yes	Yes
43	Airway/Ventilation/Oxygenation	Suctioning—tracheobronchial by means of advanced airway	No	Yes <sup>2</sup>	Yes	Yes
44	Airway/Ventilation/Oxygenation	Suctioning—upper airway (nasal)	Yes	Yes	Yes	Yes
45	Airway/Ventilation/Oxygenation	Suctioning—upper airway (oral)	Yes	Yes	Yes	Yes
46	Airway/Ventilation/Oxygenation	Transtracheal jet ventilation	No	No	No	Yes
47	Airway/Ventilation/Oxygenation	Single mode, volume controlled automated ventilator (without blender)	No	Yes	Yes	Yes

<i>Category</i>	<i>Skill</i>	<i>EMR</i>	<i>EMT</i>	<i>AEMT</i>	<i>P*</i>
48 Airway/Ventilation/Oxygenation	Ventilators, transport—single or multi-modal, with or without blender, using volume control mode only, on patients >1 year of age when there is no anticipated need by a healthcare provider involved with the care of the patient to actively titrate ventilator settings during transport	No	No	No	Yes <sup>1</sup>
49 Airway/Ventilation/Oxygenation	Ventilators that are portable and capable of being transported with a patient and are multi-modal, with a blender, that are used on patients requiring pressure control, pressure support or other advanced setting, or when there is an anticipated need by a healthcare provider involved with the care of the patient to actively titrate ventilator settings during transport, regardless of ventilation mode	No	No	No	No
50 Cardiovascular/Circulation	Blood pressure—auscultation	Yes	Yes	Yes	Yes
51 Cardiovascular/Circulation	Blood pressure—electronic non-invasive	Yes	Yes	Yes	Yes
52 Cardiovascular/Circulation	Blood pressure—palpation	Yes	Yes	Yes	Yes
53 Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—apply electrodes for single leads	No	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes
54 Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—obtain and transmit 12-lead ECG	No	No	Yes	Yes
55 Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—12-lead (interpret)	No	No	No	Yes
56 Cardiovascular/Circulation	Cardiac monitoring—single lead (interpret)	No	No	No	Yes
57 Cardiovascular/Circulation	Manual chest compressions—adult, child, infant	Yes	Yes	Yes	Yes
58 Cardiovascular/Circulation	Cardioversion—synchronized	No	No	No	Yes
59 Cardiovascular/Circulation	Carotid massage (vagal maneuvers)	No	No	No	Yes
60 Cardiovascular/Circulation	Defibrillation—counter shock—manual	No	No	No	Yes
61 Cardiovascular/Circulation	Transcutaneous cardiac pacing	No	No	No	Yes
62 Cardiovascular/Circulation	Transvenous or Epicardial pacing, Management of	No	No	No	No
63 Cardiovascular/Circulation	Defibrillation—automated external defibrillator (AED)	Yes	Yes	Yes	Yes
64 Cardiovascular/Circulation	Hemodynamic monitoring/assist (Swan Ganz, central venous pressure)	No	No	No	No
65 Cardiovascular/Circulation	Intra-aortic balloon pump or invasive cardiac assist device monitoring/assist	No	No	No	No
66 Cardiovascular/Circulation	Mechanical chest compression device use	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>
67 Cardiovascular/Circulation	Thrombolytic therapy—initiation	No	No	No	No
68 Cardiovascular/Circulation	Thrombolytic therapy—monitoring	No	No	No	No
69 IV Initiation/Maintenance/Fluids	Central venous cannulation/insertion	No	No	No	No
70 IV Initiation/Maintenance/Fluids	Central venous line—access of existing catheters with external ports	No	No	No	Yes
71 IV Initiation/Maintenance/Fluids	External jugular vein cannulation	No	No	No	Yes
72 IV Initiation/Maintenance/Fluids	Saline lock insertions as no-flow IV	No	No	Yes	Yes
73 IV Initiation/Maintenance/Fluids	Intraosseous—needle placement and infusion—tibia, femur and humerus	No	No	Yes <sup>3</sup>	Yes

<i>Category</i>	<i>Skill</i>	<i>EMR</i>	<i>EMT</i>	<i>AEMT</i>	<i>P*</i>
74 IV Initiation/Maintenance/Fluids	IV insertion, peripheral venous—initiation (cannulation)	No	No	Yes	Yes
75 IV Initiation/Maintenance/Fluids	Sub-cutaneous indwelling catheters—access of existing catheters	No	No	No	No
76 IV Initiation/Maintenance/Fluids	Venous blood sampling, peripheral—for clinical diagnostic purposes only, not for legal purposes	No	No	Yes <sup>3</sup>	Yes
77 IV Initiation/Maintenance/Fluids	Venous central line (blood sampling)—obtaining	No	No	No	No
78 IV Initiation/Maintenance/Fluids	Arterial line—capped—transport	No	Yes	Yes	Yes
79 IV Initiation/Maintenance/Fluids	Arterial line—monitoring/assist	No	No	No	No
80 IV Initiation/Maintenance/Fluids	Blood/Blood-by-products administration (initiation and continuation)	No	No	No	No
81 Lifting & Moving	Patient lifting, moving and transfers	Yes	Yes	Yes	Yes
82 Lifting & Moving	Patient restraints on transport devices	Yes	Yes	Yes	Yes
83 Medication administration routes	Endotracheal (ET)	No	No	No	Yes
84 Medication administration routes	Inhalation (aerosolized/nebulized)	No	No	Yes	Yes
85 Medication administration routes	Intramuscular (IM)	No	No	Yes	Yes
86 Medication administration routes	Intranasal	No	No	Yes	Yes
87 Medication administration routes	Intraosseous—tibia, humerus or femur	No	No	No	Yes
88 Medication administration routes	Intravenous (IV)—fluid bolus	No	No	Yes	Yes
89 Medication administration routes	Intravenous (IV)—monitoring or maintaining existing intravenous infusion (crystalloid fluid as published in the EMS medication list in the <i>Pennsylvania Bulletin</i> ) during interfacility transport	No	No	Yes	Yes
90 Medication administration routes	Intravenous (IV) infusion, with added medication, including by intravenous pump	No	No	No	Yes
91 Medication administration routes	Nasogastric	No	No	No	Yes
92 Medication administration routes	Enteral feeding devices, management of	No	No	No	No
93 Medication administration routes	Oral—glucose and aspirin (other medications addressed elsewhere)	No	Yes	Yes	Yes
94 Medication administration routes	Rectal	No	No	No	Yes
95 Medication administration routes	Subcutaneous	No	No	Yes	Yes
96 Medication administration routes	Sublingual ( <i>Note: EMT may only assist patient with his/her prescribed Nitroglycerin (NTG)</i> )	No	Yes	Yes	Yes
97 Medication administration routes	Topical	No	No	No	Yes
98 Medications	Auto-injector benzodiazepine for seizure	No	No	No	Yes
99 Medications	Auto-injector epinephrine (assist patient with his/her prescribed medication)	No	Yes	Yes	Yes
100 Medications	Auto-injected epinephrine—primary use—not patient's own prescription	No	Yes <sup>1</sup>	Yes	Yes
101 Medications	Medications as published in <i>Pennsylvania Bulletin</i> by the Department	No	No	Yes	Yes
102 Medications	Immunizations as published in the <i>Pennsylvania Bulletin</i> by the Department	No	No	Yes	Yes
103 Medications	Over-the-counter (OTC) medications ( <i>Note: aspirin and glucose covered elsewhere</i> )	No	No	No	No



	<i>Category</i>	<i>Skill</i>	<i>EMR</i>	<i>EMT</i>	<i>AEMT</i>	<i>P*</i>
104	Medications	Oxygen	Yes <sup>1</sup>	Yes	Yes	Yes
105	Medications	Auto-injector nerve agent antidote—self rescue treatment	No	Yes <sup>3</sup>	Yes <sup>3</sup>	Yes
106	Medications	Metered-dose inhaler (MDI) bronchodilator ( <i>Note: EMT may only assist patient with his own prescribed medication</i> )	No	Yes	Yes	Yes
107	Medications	Naloxone—Intranasal or auto-injector	Yes <sup>4</sup>	Yes <sup>4</sup>	Yes	Yes
108	Patient assessment/management	Behavioral—Restrain violent patient	Yes <sup>1</sup>	Yes	Yes	Yes
109	Patient assessment/management	Blood glucose assessment	No	No	Yes	Yes
110	Patient assessment/management	Portable blood analysis devices, use of (glucometer covered elsewhere)	No	No	No	No
111	Patient assessment/management	Childbirth—umbilical cord cutting	Yes	Yes	Yes	Yes
112	Patient assessment/management	Childbirth (abnormal/complications)	No	Yes	Yes	Yes
113	Patient assessment/management	Childbirth (normal)—cephalic delivery	Yes	Yes	Yes	Yes
114	Patient assessment/management	Carbon Monoxide CO-oximetry monitoring	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>
115	Patient assessment/management	Carbon Monoxide monitoring, with environmental surveillance devices	Yes	Yes	Yes	Yes
116	Patient assessment/management	Hemodynamic monitoring/assist (Swan Ganz, central venous pressure)	No	No	No	No
117	Patient assessment/management	Dislocation reduction	No	No	No	No
118	Patient assessment/management	Eye irrigation ( <i>Note: irrigation through corneal contact device limited to AEMT and Paramedic</i> )	Yes	Yes	Yes	Yes
119	Patient assessment/management	Intracranial monitoring/assist	No	No	No	No
120	Patient assessment/management	Patient management per Statewide EMS Protocols and Department approved protocols	Yes	Yes	Yes	Yes
121	Patient assessment/management	Pulse oximetry monitoring	No	Yes	Yes	Yes
122	Patient assessment/management	Splinting, extremity—manual, rigid, soft, vacuum	No	Yes	Yes	Yes
123	Patient assessment/management	Splinting, femur—traction	No	Yes	Yes	Yes
124	Patient assessment/management	Urinary catheterization	No	No	No	No
125	Patient assessment/management	Wound care, dressing, bandaging	Yes	Yes	Yes	Yes
126	Patient assessment/management	Wound care, removal of Taser probe/barb	No	No	No	No
127	Patient assessment/management	Wound drainage vacuum devices, monitoring	No	Yes	Yes	Yes
128	Patient assessment/management	Wound care, hemorrhage control—direct pressure, tourniquet, bandaging, hemostatic agents	Yes	Yes	Yes	Yes
129	Patient assessment/management	Wound care, irrigation and skin closure with tape or adhesive glue	No	No	No	No
130	Spine Care	Restrict spinal motion—Cervical collar application	No	Yes	Yes	Yes
131	Spine Care	Restrict spinal motion—Helmet removal or stabilization	No	Yes	Yes	Yes
132	Spine Care	Restrict spinal motion—manual cervical spine stabilization	Yes	Yes	Yes	Yes
133	Spine Care	Restrict spinal motion—rapid extrication with precautions to restrict spinal movement	No	Yes	Yes	Yes
134	Spine Care	Devices to restrict spinal motion—for example—vacuum mattress, extrication devices, scoop stretcher and spine board)	No	Yes	Yes	Yes

EMR—Emergency Medical Responder; EMT—Emergency Medical Technician; AEMT—Advanced Emergency Medical Technician; P\*—Paramedic (\*includes—PHRN/PHPE/PHP)

No—The skill is not in the scope of practice for the level of certification.

Yes—The skill is in the scope of practice for the level of certification.

1. Additional training and authorization by EMS agency medical director is required, and this skill may only be used when functioning with an EMS agency that complies with Department requirements for providing this skill.

2. May assist a P, PHRN, PHPE or PHP with this skill only when in the physical presence of, and under the direct supervision of, the higher level provider.

3. May perform this skill only in the physical presence of, and under the direct supervision of, a P, PHRN, PHPE or PHP.

4. Department-approved Act 139 training required and approval of the agency's EMS medical director when functioning with an EMS agency.

KAREN M. MURPHY, PhD, RN,  
Secretary

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## DEPARTMENT OF HUMAN SERVICES

### Medical Assistance Program Fee Schedule Revisions; 2015 Healthcare Common Procedure Coding System Updates; Prior Authorization Requirements

The Department of Human Services (Department) announces changes to the Medical Assistance (MA) Program Fee Schedule. These changes are effective for dates of service on and after September 1, 2015.

The Department is adding and end-dating procedure codes as a result of implementing the 2015 updates made by the Centers for Medicare and Medicaid Services (CMS) to the Healthcare Common Procedure Coding System (HCPCS). The Department is also adding and end-dating other procedure codes and making changes to procedure codes currently on the MA Program fee schedule. As follows, some of the procedure codes being added to the MA Program Fee Schedule will require prior authorization. Fees for the new procedure codes will be published in an MA Bulletin that will be issued to all providers.

#### *Procedure Codes Being Added or End-dated*

The following procedure codes are being added to the MA Program Fee Schedule as a result of the 2015 HCPCS updates:

#### *Procedure Codes and Modifiers*

20604	20604 (SG)	20606	20606 (SG)	20611
20611 (SG)	22510	22510 (SG)	22511	22511 (SG)
22512	22513	22513 (SG)	22514	22514 (SG)
22515	33946	33947	33948	33949
33951	33952	33953	33954	33955
33956	33957	33958	33959	33962
33963	33964	33965	33966	33969
33984	33985	33986	33987	33988
33989	37218 (RT)	37218 (LT)	37218 (50)	43180
43180 (SG)	44381	44381 (SG)	44384	44384 (SG)
44401	44401 (SG)	44402	44402 (SG)	44403
44403 (SG)	44404	44404 (SG)	44405	44405 (SG)
44406	44406 (SG)	44407	44407 (SG)	44408
44408 (SG)	45346	45346 (SG)	45347	45347 (SG)
45349	45349 (SG)	45350	45350 (SG)	45388
45388 (SG)	45389	45389 (SG)	45390	45390 (SG)
45393	45393 (SG)	45398	45398 (SG)	47383
47383 (SG)	62302	62302 (SG)	62303	62303 (SG)
62304	62304 (SG)	62305	62305 (SG)	64486
64487	64488	64489	66179 (SG)	66179 (RT)
66179 (LT)	66179 (50)	66179 (80) (RT)	66179 (80) (LT)	66179 (80) (50)
66184 (SG)	66184 (RT)	66184 (LT)	66184 (50)	66184 (80) (RT)
66184 (80) (LT)	66184 (80) (50)	76641 (RT)	76641 (LT)	76641 (50)
76641 (TC) (RT)	76641 (TC) (LT)	76641 (TC) (50)	76641 (26) (RT)	76641 (26) (LT)
76641 (26) (50)	76642 (RT)	76642 (LT)	76642 (50)	76642 (TC) (RT)
76642 (TC) (LT)	76642 (TC) (50)	76642 (26) (RT)	76642 (26) (LT)	76642 (26) (50)
77306	77306 (TC)	77306 (26)	77307	77307 (TC)
77307 (26)	77316	77316 (TC)	77316 (26)	77317

*Procedure Codes and Modifiers*

77317 (TC)	77317 (26)	77318	77318 (TC)	77318 (26)
77385	77386	77387	77387 (TC)	77387 (26)
80163	80165	80300	80301	80302
80303	80304	80320	80321	80322
80324	80325	80326	80327	80328
80329	80330	80331	80335	80336
80337	80342	80343	80344	80345
80346	80347	80348	80349	80353
80354	80358	80361	80362	80363
80364	80365	80369	80370	80375
81435	81436	81519	83006	87623
87623 (FP)	87624	87624 (FP)	87625	87625 (FP)
87806	87806 (QW)	88341	88341 (TC)	88341 (26)
88344	88344 (TC)	88344 (26)	88364	88364 (TC)
88364 (26)	88366	88366 (TC)	88366 (26)	88369
88369 (TC)	88369 (26)	88373	88373 (TC)	88373 (26)
88374	88374 (TC)	88374 (26)	88377	88377 (TC)
88377 (26)	90620	90621	90630	90651
93355	93355 (78)	96127	99188	A4602
G0277	G0472	G6001	G6001 (TC)	G6001 (26)
G6001 (26) (78)	G6002	G6002 (TC)	G6002 (26)	G6003
G6004	G6005	G6006	G6007	G6008
G6009	G6010	G6011	G6012	G6013
G6014	G6015	G6016	G6018	G6018 (SG)
G6019	G6019 (SG)	G6020	G6020 (SG)	G6022
G6022 (SG)	G6023	G6023 (SG)	G6024	G6024 (SG)
G6025	G6025 (SG)	G6030	G6031	G6032
G6034	G6035	G6036	G6037	G6038
G6039	G6040	G6040 (QW)	G6042	G6043
G6044	G6045	G6046	G6047	G6049
G6050	G6051	G6052	G6053	G6054
G6056	G6057	G6058	K0901 (RT)	K0901 (LT)
K0901 (50)	K0902 (RT)	K0902 (LT)	K0902 (50)	L3981 (RT)
L3981 (LT)	L3981 (50)	L6026 (RT)	L6026 (LT)	L6026 (50)
L7259 (RT)	L7259 (LT)	L7259 (50)	S8032	S8032 (TC)
S8032 (26)				

The following procedure codes are being added to the MA Program Fee Schedule based upon provider requests, clinical review or significant program exception requests:

*Procedure Codes and Modifiers*

19030 (RT)	19030 (LT)	19030 (50)	81235	81261	81262
81263	81264	81310	81504	83992	87521
88312	88312 (TC)	88312 (26)	88313	88313 (TC)	88313 (26)
91110	91110 (TC)	91110 (26)	96119	E0627 (RR)	E0627 (NU)
G0166	L4360 (RT)	L4360 (LT)	L4360 (50)	L5986 (RT)	L5986 (LT)
L5986 (50)					

The following procedure codes are being end-dated from the MA Program Fee Schedule as a result of the 2015 HCPCS updates:

*Procedure Codes*

00452	00622	00634	21800	21810	22520
22521	22522	22523	22524	22525	29020
29025	33332	33472	33960	33961	36822
42508	43350	44383	44393	44397	45339
45345	45355	45383	45387	61334	61440
61470	61490	61542	61609	61875	62116
64752	64761	64870	66165	72291	72292
74291	76645	76950	77305	77310	77315
77326	77327	77328	77403	77404	77406
77408	77409	77411	77413	77414	77416
77418	77421	80100	80101	80104	80152
80154	80160	80166	80172	80174	80182
80196	80440	82003	82055	82205	82646
82649	82651	82666	82690	82742	82953
82975	83008	83055	83071	83805	83858
83866	84022	87621	88349	C1300	G0461
G0462	L6025	L7260	L7261		

The following procedure codes are being end-dated from the MA Program Fee Schedule based upon clinical review, but will be available through the 1150 Administrative Waiver (Program Exception) process:

*Procedure Codes*

77605                                      77620                                      88130                                      88140

The following procedure codes were determined by clinical review to be experimental and are being end-dated from the MA Program Fee Schedule. Under 55 Pa. Code § 1141.59(12) (relating to noncompensable services) payments will not be made for experimental procedures.

*Procedure Codes*

87477                                      87482                                      87487                                      95905                                      95981                                      95982

Procedure code E0618, apnea monitor without recording feature, is being end-dated, at the recommendation of providers, as providers are using E0619, apnea monitor, with recording feature, already open on the fee schedule.

Local procedure code X2061 is being end-dated and replaced by National procedure code G0277:

*End-dated*

*Procedure*

<i>Code</i>	<i>Description</i>	<i>POS</i>	<i>Replacement Procedure Code</i>	<i>Description</i>	<i>POS</i>
X2061	Hospital Special Treatment Room support component; Hyperbaric oxygen treatment	99	G0277	Hyperbaric oxygen under pressure, full body chamber, per 30-minute interval	22

Procedure code G0461 is being end-dated as a result of the 2015 HCPCS update and replaced by procedure code 88342:

*End-dated*

*Procedure*

<i>Code</i>	<i>Description</i>	<i>Replacement Procedure Code</i>	<i>Description</i>
G0461	Immunohistochemistry or immunocytochemistry, per specimen; first single or multiplex antibody stain	88342	Immunohistochemistry or immunocytochemistry, per specimen; initial single antibody stain procedure

No new authorizations will be issued for the procedure codes being end-dated on and after September 1, 2015. For any of the previous procedure codes that had a prior authorization issued before September 1, 2015, providers should submit claims using the end-dated procedure code, as set forth in the authorization issued by the Department. The Department will accept claims with the end-dated procedure codes until September 1, 2016, for those services that were previously prior authorized.

*Prior Authorization Requirements*

The following procedure codes are being added to the MA Program Fee Schedule and will require prior authorization, as authorized under section 443.6(b)(7) of the Public Welfare Code (Code) (62 P. S. § 443.6(b)(7)), and as described in the MA Provider Handbook which may be viewed online at <http://www.dhs.state.pa.us/publications/forproviders/promiseproviderhandbooksandbillingguides/index.htm>.

*Procedure Codes and Modifiers*

81261                                      81262                                      81263                                      81264                                      81435                                      81436  
 81504                                      81519                                      91110                                      91110 (TC)                                      91110 (26)                                      G0166  
 G0277                                      G6016

The following procedure codes being added to the MA Program Fee Schedule are prostheses or orthoses and will require prior authorization, as authorized under section 443.6(b)(1) of the Code:

*Procedure Codes and Modifiers*

K0901 (RT)                                      K0901 (LT)                                      K0901 (50)                                      K0902 (RT)                                      K0902 (LT)  
 K0902 (50)                                      L3981 (RT)                                      L3981 (LT)                                      L3981 (50)                                      L4360 (RT)  
 L4360 (LT)                                      L4360 (50)                                      L5986 (RT)                                      L5986 (LT)                                      L5986 (50)  
 L6026 (RT)                                      L6026 (LT)                                      L6026 (50)                                      L7259 (RT)                                      L7259 (LT)  
 L7259 (50)

Procedure code E0627 (NU) is being added to the MA Program Fee Schedule and as durable medical equipment will require prior authorization, as authorized under section 443.6(b)(2) of the Code.

Rental of procedure code E0627 (RR) is being added to the MA Program Fee Schedule, and requires prior authorization after 3 months of rental as authorized under section 443.6(b)(3) of the Code.

The following procedure code being added to the MA Program Fee Schedule is considered an advanced radiology service and will require prior authorization as authorized under section 443.6(b)(7) of the Code and as described in MA Bulletin 01-14-42 (Advanced Radiologic Imaging Services) which may be viewed online at [http://www.dhs.state.pa.us/cs/groups/webcontent/documents/bulletin\\_admin/c\\_123646.pdf](http://www.dhs.state.pa.us/cs/groups/webcontent/documents/bulletin_admin/c_123646.pdf):

*Procedure Codes and Modifiers*

S8032

S8032 (TC)

S8032 (26)

*Updates to Procedure Codes Currently on the MA Program Fee Schedule*

*Application of Topical Fluoride Varnish by Physicians and Certified Registered Nurse Practitioners (CRNP)*

Procedure code D1206 will be end-dated for physicians (Provider Type (PT) 31) and CRNPs (PT 09). This code is being replaced by procedure code 99188, which is being added as part of the 2015 HCPCS updates for these provider types.

*Physician Services*

Procedure code 99183 will be end-dated for PT/specialty (Spec) combination 31/All in place of service (POS) 22 (outpatient hospital) because this service is not payable to physicians in a clinic setting under MA regulations in 55 Pa. Code § 1221.51 (relating to general payment policy).

*Clinic Services*

Procedure code 99183 will be added for PT/Spec 01/183 (Hospital Based Medical Clinic) in POS 22 because the Department has determined that it is appropriate for this provider to perform this service in this setting.

*Podiatrist Services*

Procedure code 99183 will have PT/Spec 14/140 (podiatrist) added in POS 21 (inpatient hospital) because the Department has determined that it is appropriate for this provider to perform this service in this setting.

*Modifier Updates*

*Right/Left/50 Modifiers*

The surgical procedure code 27280 will have modifiers right (Rt), left (Lt) and bilateral (50) added because the procedure may be performed laterally or bilaterally. The units will be increased from 1 unit per day to 1-2 units per day to allow for bilateral services.

*TC/26/Total Modifiers*

Radiology procedure code 78072 will have the total component (no modifier) and technical component (TC) added with applicable pricing and will continue to require prior authorization. PT/Specs 01/183, 08/082 (Independent Medical/Surgical Clinic) and 31/All, will also be added, as indicated, as a result of adding the Total and TC modifiers:

<i>PT/Spec</i>	<i>POS</i>	<i>Modifiers</i>	<i>Total Pricing</i>	<i>TC Pricing</i>
01/183	22	No Modifier, TC	\$319.38	\$258.15
08/082	49 (Independent Clinic)	No Modifier, TC		
31/All	11 (Office)	No Modifier, TC		

*QW Modifier*

The Department is adding the informational modifier, QW (Clinical Laboratory Improvement Amendments (CLIA) waived test), and QW with the Family Planning (FP) modifier, when applicable, to the following laboratory procedure codes on the MA Program Fee Schedule that are listed with CMS as CLIA waived tests.

<i>Procedure Code</i>	<i>PT/Spec/POS</i>	<i>Modifiers</i>
86780	01/016/23 (Emergency Room, Arrangement 1)	QW
	01/017/23 (Emergency Room, Arrangement 2)	
86780	01/183/22	QW; QW FP
86780	08/083/22 (Outpatient Family Planning Clinic),	QW FP
	08/083/49 (Independent Family Planning Clinic)	
86780	28/280/81 (Independent Laboratory)	QW; QW FP
87502	01/016/23, 01/017/23	QW
87502	01/183/22	QW
87502	28/280/81	QW

The Department is adding the PT/Spec/POS and modifiers, as indicated, to the following laboratory procedure codes on the MA Program Fee Schedule as a result of the latest tests listed by CMS as CLIA waived tests.

<i>Procedure Code</i>	<i>PT/Spec/POS</i>	<i>Modifiers</i>
86780	08/082/49	No Modifier; QW; FP; QW FP
86780	09/All/11	No Modifier; QW; FP; QW FP
86780	31/All/11	No Modifier; QW; FP; QW FP
86780	33/335/11 (Certified Nurse Midwife)	No Modifier; QW; FP; QW FP
87502	08/082/49	No modifier; QW
87502	09/All/11	No modifier; QW
87502	31/All/11	No modifier; QW
87502	33/335/11	No modifier; QW

End-Date Places of Service

The following procedure codes will have POS 22, 23, 49 and/or 99 (Special Treatment Room) end-dated because the Department has determined that these settings are not appropriate for the performance of these services:

<i>Procedure Code</i>	<i>POS</i>
27280	22, 23, 49, 99
99183	23, 99

Fiscal Impact

The estimated cost for Fiscal Year 2015-2016 is \$0.779 million (\$0.374 million in State funds). The estimated cost for Fiscal Year 2016-2017 is \$0.935 million (\$0.449 million in State funds).

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received will be reviewed and considered for any subsequent revisions to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS, Secretary

Fiscal Note: 14-NOT-973. (1) General Fund; (2) Implementing Year 2015-16 is \$374,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$449,000; (4) 2014-15 Program—\$348,741,000; 2013-14 Program—\$264,179,000; 2012-13 Program—\$450,835,000; (7) MA—Outpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 15-1593. Filed for public inspection August 28, 2015, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Steelers '15 Instant Lottery Game; Change to Game Rules; Amended Notice

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 changes to the Pennsylvania Steelers '15 instant lottery game rules that were published at 45 Pa.B. 4856 (August 15, 2015).

The Pennsylvania Lottery has altered two portions of the rules associated with the Steelers '15 Instant Lottery Game Second-Chance Drawing. Pursuant to this change, the date of the Suite Tickets prize has been updated in section 10(d)(3)(ii). Also, new provision section 10(e)(19) has been added to the Second-Chance Drawing Restrictions of the instant lottery game rules, and the ensuing provisions of section 10(e) have been renumbered. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 45 Pa.B. 4856—4861:

\* \* \* \* \*

10. Second-chance drawing: Steelers Second-Chance Drawings (hereafter, "Drawings").

\* \* \* \* \*

(d) Prizes Available to be Won, Determination of Winners, and Odds of Winning:

\* \* \* \* \*

(3) The following prizes shall be awarded for Drawing #1:

\* \* \* \* \*

(ii) The fifth through the ninth entries selected from the entries submitted in Drawing #1 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one Suite Tickets prize. Each Suite Tickets prize includes four suite tickets in a Luxury Suite, food and non-alcoholic beverages for the Pittsburgh Steelers home game to be held on December 20, 2015. The food and non-alcoholic beverage to be provided as part of this prize will be selected at the sole discretion of the Pittsburgh Steelers.

\* \* \* \* \*

(e) Second-Chance Drawing Restrictions:

\* \* \* \* \*

(19) The specific seats to be provided as part of any game tickets, club seats or suite tickets prize described in section 10(d) will be determined at the sole discretion of the Pittsburgh Steelers.

(20) In the event the winner is not available on the date of the game or event that is part of a prize described in section 10(d), there will be no extensions or substitutions of prizes and the winner will not receive any reimbursement for the unused prize.

(21) In the event a prize described in section 10(d) is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

(22) Other restrictions may apply.

\* \* \* \* \*

EILEEN H. McNULTY, Secretary

[Pa.B. Doc. No. 15-1594. Filed for public inspection August 28, 2015, 9:00 a.m.]

**Public Utility Realty Tax Act (PURTA); Surcharge Rate Notice for the Tax Year Beginning January 1, 2016**

72 P. S. § 8111-A(d) requires the Secretary of Revenue to publish the rate of the Public Utility Realty Tax Act (PURTA) surcharge in the form of a notice in the *Pennsylvania Bulletin* by October 1, 2003, and by each October 1 thereafter. The tax rate established in 72 P. S. § 8111-A(d) shall be imposed upon gross receipts taxes as provided in 72 P. S. § 8111-A(d) for the period beginning the next January 1.

The result of the PURTA surcharge calculation provided in 72 P. S. § 8111-A for the tax year beginning January 1, 2016, is zero mills. Therefore, no PURTA surcharge pursuant to 72 P. S. § 8111-A(d) will be imposed for the taxable period beginning January 1, 2016.

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 15-1595. Filed for public inspection August 28, 2015, 9:00 a.m.]

# HEALTH CARE COST CONTAINMENT COUNCIL

## Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Wednesday, September 2, 2015—Data Systems Committee Conference Call at 10 a.m.; Tuesday, September 15, 2015—Executive Committee Meeting at 1 p.m.; and Thursday, September 17, 2015—Council Meeting at 10 a.m.

The meetings will be accessible at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability who wish to attend should contact René Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 15-1596. Filed for public inspection August 28, 2015, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed 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>
18-436	Department of Transportation Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers; Field of Vision; Loss of Consciousness 45 Pa.B. 3218 (June 20, 2015)	7/20/15	8/19/15

**Department of Transportation  
Regulation #18-436 (IRRC #3107)**

**Physical and Mental Criteria, Including Vision  
Standards Relating to the Licensing of Drivers;  
Field of Vision; Loss of Consciousness**

**August 19, 2015**

We submit for your consideration the following comments on the proposed rulemaking published in the June 20, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

**1. Section 83.3. Visual standards.—Consistency with statute; Economic impact; Need; Clarity; Implementation procedure.**

*Field of vision criteria*

Existing Subsection (e) states:

A person shall have a combined field of vision of at least 120 degrees in the horizontal meridian, excepting the normal blind spots.

The proposed regulation breaks down this requirement into two paragraphs. Paragraph (1) is similar to the existing criterion of a “combined field of vision of at least 120 degrees.” Paragraph (2) introduces a different criterion that a person with a “visual field defect of 30 contiguous degrees or more” may not drive. The proposed criteria do not except “the normal blind spots” found in the existing provision.

The Pennsylvania Academy of Ophthalmology (PAO) commented that the new Paragraph (2) criterion would result in allowing only persons who have a field of vision of 150 degrees to drive (e.g., 180 degrees of normal field vision minus a 30 degree defect). Paragraph (2) is therefore more restrictive than the current criterion of 120 degrees, as reflected in Paragraph (1). PAO also questions whether the implementation of Paragraph (2) would require a physician to review all existing patient records to identify patients who do not meet this new criterion.

We agree with these concerns. The Preamble's Summary of Significant Amendments description confirms the concerns by stating "Section 83.3(e)(1) and (2) is proposed to be amended to disqualify an individual that has a binocular visual field defect of 30 contiguous degrees or more." The Preamble does not mention the existing criterion of a combined field of vision of 120 degrees or that this criterion is in Paragraph (1). We also agree that this provision appears to be contrary to the Department's stated Purpose of the Proposed Rulemaking in the Preamble and that compliance with the regulation, as written, would require a review of existing patient records. For these reasons, we recommend deleting the amendments to Subsection (e). If the Department's intent is different for Subsection (e), this provision in the final-form regulation submittal needs to be reworded and the Department should provide a full explanation of why Subsection (e) is being amended and how the amendments are intended to be applied to health care providers and drivers.

*Health care provider verification of an individual's ability to safely drive*

Paragraph (e)(2)(i) provides a condition for a driver to still qualify with a defect of 30 contiguous degrees if:

The individual's health care provider verifies in writing that the individual's condition does not pose a risk to the individual's ability to safely drive.

PAO objects to this provision because it places an undue burden on physicians. An ophthalmologist can state whether certain visual requirements are met. However, PAO states that physicians are not trained to evaluate an individual's ability to safely drive and should not be asked to verify this in writing.

PAO's comment is consistent with the provisions in statute. The physical and mental criteria to be used in evaluation of a driver are found under the duties of the Medical Advisory Board in 75 Pa.C.S. § 1517(b), which states:

The board may advise the department and review regulations proposed by the department *concerning physical and mental criteria including vision standards relating to the licensing of drivers* under the provisions of this chapter. (Emphasis added.)

The physical and mental criteria established in regulation are then used by health care providers to diagnose whether or not a patient meets the criteria. For example, 75 Pa.C.S. § 1518(b), Reports by health care personnel, states:

*All physicians, podiatrists, chiropractors, physician assistants, certified registered nurse practitioners and other persons authorized to diagnose or treat disorders and disabilities defined by the Medical Advisory Board shall report to the department, in writing, the full name, date of birth and address of every person over 15 years of age diagnosed as having any specified disorder or disability within ten days.* (Emphasis added.)

The determination of incompetency to drive is made by the Department under 75 Pa.C.S. § 1519(a), Determination of incompetency, which states:

The department, having cause to believe that a licensed driver or applicant may not be physically or mentally qualified to be licensed, may require the applicant or driver to undergo one or more of the examinations authorized under this subchapter in order to determine the competency of the person to drive. The department may require the person to be examined by a physician, a certified registered nurse practitioner, a physician assistant or a licensed psychologist . . . . Vision qualifications may be determined by an optometrist or ophthalmologist.

We recommend deleting Paragraph (e)(2)(i). If this provision is maintained, the Department should provide a detailed explanation of how it is reasonable and consistent with the statute.

*Criteria for a person sighted in only one eye*

Existing Subsection (f) states, in part, "a person may be adequately sighted in only one eye and still meet the requirements of this section." Can a person, who is otherwise adequately sighted in only one eye, meet the vision field requirements in either existing Subsection (e) or as amended? If not, the regulation might prohibit a person sighted in only one eye from driving, which we do not believe is the Department's intent. If so, how are these requirements appropriate for a person sighted in only one eye, and do they impose a more stringent field of view standard on these persons than is necessary? We recommend that the Department review Section 83.3 and, as appropriate, establish vision criteria that can be met by a person sighted in only one eye and at the same time adequately protect public safety.

*Normal blind spots*

Existing Subsection (e) excepts "the normal blind spots" from the measurement of combined field of vision of at least 120 degrees. Without this exception, amended Subsection (e) would be more stringent than existing Subsection (e). Why was this exception not included in the amended language?

*Consistency of language*

We question why Paragraphs (e)(1) and (2) use differing language to describe a field of vision. Paragraph (e)(1) and existing Subsection (e) describe a field of vision as a "combined field of vision . . . in the horizontal meridian." Whereas, Paragraph (2) describes "a binocular visual field." Are these the same fields of view? We ask the Department to review this language and clarify it, as appropriate.

**2. Timetable for review and compliance.**

Regulatory Analysis Form Question 29 asks for a schedule for review of the regulation, including the dates for when compliance with the final-form regulation will be required. The response shows dates in 2014 which have expired. We ask the Department to review and amend these dates for the final-form regulation submittal.

JOHN F. MIZNER, Esq.,  
Chairperson

[Pa.B. Doc. No. 15-1597. Filed for public inspection August 28, 2015, 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 it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
126-10	Philadelphia Parking Authority Image Retention and Use	08/17/15	09/17/15

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 15-1598. Filed for public inspection August 28, 2015, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Swiss Reinsurance Company, Ltd. has applied for renewal of its designation as certified reinsurer in this Commonwealth. The application was received on July 10, 2015, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P. S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application 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 and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [krankin@pa.gov](mailto:krankin@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1599. Filed for public inspection August 28, 2015, 9:00 a.m.]

### ARI Mutual Insurance Company; Plan of Conversion; Public Informational Hearing

The Insurance Department (Department) will hold a public informational hearing regarding the proposed Plan of Conversion (Plan) submitted by ARI Mutual Insurance Company (ARI), a Pennsylvania domiciled mutual property insurance company. The proposed Plan provides for conversion of ARI from a Pennsylvania mutual property insurance company to a Pennsylvania stock property insurance company. In conjunction with the mutual-to-stock conversion, AmTrust Financial Services, Inc., a Delaware corporation, submitted a request for approval to acquire control of all of the capital stock of ARI upon consummation of the previously-referenced conversion. The Plan was submitted for approval under the Insurance

Company Mutual-to-Stock Conversion Act (40 P. S. §§ 911-A—929-A) and Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413). Policyholders and interested persons are invited to attend and participate in the hearing. Individuals may attend the hearing without any obligation to speak at the hearing.

1. *Date and Time:* October 7, 2015, at 9 a.m.

2. *Location:* Capitol Associates Building  
901 North 7th Street  
Room 200  
Harrisburg, PA 17102

3. *Nature of Hearing:* The public informational hearing will provide an opportunity for policyholders and interested persons to present comments relevant to the proposed Plan. The proceeding will be recorded by a court reporter.

4. *Legal Authority:* The public informational hearing will be held under the Insurance Company Mutual-to-Stock Conversion Act.

5. *ADA Notice:* Individuals who require the assistance of auxiliary aids or services to participate in or attend this public informational hearing are asked to call the Director of the Bureau of Administration at (717) 787-4298. Individuals who are hearing impaired are asked to call the Department's TTY/TDD telephone number (717) 783-3898.

6. *Written Comments:* Persons who are unable to attend the public informational hearing or would prefer to submit written comments instead of speaking at the hearing concerning the previously-referenced transaction may do so by mailing or delivering a copy of the comments to Cressinda E. Bybee, Senior Insurance Company Licensing Specialist, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [cbybee@pa.gov](mailto:cbybee@pa.gov). Be advised that all comments received will be part of the public record regarding this filing and will be posted on the Department's web site as well as shared with the applicant.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1600. Filed for public inspection August 28, 2015, 9:00 a.m.]

**Berkshire Life Insurance Company of America (SERFF No. LFCR-130204662); Rate Increase Filing for Several LTC Forms**

Berkshire Life Insurance Company of America is requesting approval to increase the premium 10% on 377 policyholders with forms BG01P (06/04)-PA, BG02P (06/04)-PA, BG03P (06/04)-PA and BG04P (06/04)-PA.

Unless formal administrative action is taken prior to November 12, 2015, 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, 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*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-1601. Filed for public inspection August 28, 2015, 9:00 a.m.]

**Geisinger Quality Options PPO (GSHP-130190426); Individual Transitional Non-Grandfathered Policies; Rate Filing**

Geisinger Quality Options PPO submitted a rate filing to increase the premium rates for its Individual Transitional Non-Grandfathered Health Plans. The filing proposes a rate increase of 12.3% and will affect approximately 3,993 members. The proposed rate increase will generate approximately \$2.1 million of additional annual revenue and will be effective January 1, 2016.

Unless formal administrative action is taken prior to November 11, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-1603. Filed for public inspection August 28, 2015, 9:00 a.m.]

**Geisinger Quality Options PPO (GSHP-130190418); Individual Grandfathered Policies; Rate Filing**

Geisinger Quality Options PPO submitted a rate filing to increase the premium rates for its Individual Grandfathered Health Plans. The filing proposes a rate increase of 15.8% and will affect approximately 1,330 members. The proposed rate increase will generate approximately \$711,000 of additional annual revenue and will be effective January 1, 2016.

Unless formal administrative action is taken prior to November 11, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-1602. Filed for public inspection August 28, 2015, 9:00 a.m.]

**Highmark Blue Cross Blue Shield (HGHM-130174566); Individual Grandfathered Policies; Rate Filing**

Highmark Blue Cross Blue Shield submitted a rate filing to increase the premium rates for its Grandfathered Individual CompleteCare Program. The filing proposes a rate increase of 17.4% and will affect approximately 5,903 members. The proposed rate increase will generate approximately \$4.7 million of additional annual revenue and will be effective December 1, 2015.

Unless formal administrative action is taken prior to September 27, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-1604. Filed for public inspection August 28, 2015, 9:00 a.m.]

**Keystone Health Plan West (HGHM-130144925); Individual Grandfathered Policies; Rate Filing**

Keystone Health Plan West submitted a rate filing to increase the premium rates for its Grandfathered Individual HMO Plan. The filing proposes a rate increase of 15.2% and will affect approximately 2,610 members. The proposed rate increase will generate approximately \$2.08 million of additional annual revenue and will be effective December 1, 2015.

Unless formal administrative action is taken prior to November 11, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-1605. Filed for public inspection August 28, 2015, 9:00 a.m.]

**State Farm Mutual Automobile Insurance Company (SERFF No. STLH-130073014); Rate Increase Filing for Several LTC Forms**

State Farm Mutual Automobile Insurance Company is requesting approval to increase the premium an aggregate 27.4% on 1,078 policyholders with forms 97058PA, 99572, 99573 and 99574PA.

Unless formal administrative action is taken prior to November 12, 2015, 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, 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*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-1606. Filed for public inspection August 28, 2015, 9:00 a.m.]

**UPMC Health Benefits, Inc. (UPMC-130195985); Individual EPO Transitional Policies; Rate Filing**

UPMC Health Benefits, Inc. submitted a rate filing to increase the premium rates for its Transitional Individual EPO Program. The filing proposes a rate increase of 9.9% and will affect approximately 4,707 members. The proposed rate increase will generate approximately \$1.58 million of additional annual revenue and will be effective January 1, 2016.

Unless formal administrative action is taken prior to November 11, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-1607. Filed for public inspection August 28, 2015, 9:00 a.m.]

**UPMC Health Benefits, Inc. (UPMC-130203668); Individual EPO HSA Transitional Policies; Rate Filing**

UPMC Health Benefits, Inc. submitted a rate filing to increase the premium rates for its Transitional Individual EPO HSA Program. The filing proposes a rate increase of 9.9% and will affect approximately 1,409 members. The proposed rate increase will generate approximately \$364,528 of additional annual revenue and will be effective January 1, 2016.

Unless formal administrative action is taken prior to November 11, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-1608. Filed for public inspection August 28, 2015, 9:00 a.m.]

# PATIENT SAFETY AUTHORITY

## Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, September 8, 2015.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 15-1609. Filed for public inspection August 28, 2015, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 14, 2015. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2015-2495428. Melinda Snader** (209 Hillcrest Road, New Holland, PA 17557) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County to points in Pennsylvania, and return.

**A-2015-2498063. Marlons, LLC** (60 South Poplar Street, Hazleton, PA 18201-6658) for the right to transport by motor vehicle, persons, upon call or demand in the Borough of Beaver Meadows, Carbon County, and within a 5-mile radius of the Beaver Meadows Borough limits.

### Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.*

**A-2015-2494840. Hometown Transport Services, Inc.** (506 Mulberry Street, Scottsdale, PA 15683) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in call or demand service, between points in Pennsylvania; which is to be a transfer of all right authorized under the certificate issued at A-00105811, F0001 and all amendments, to Francis E. Criner t/d/b/a Mt. Pleasant Yellow Cab & Jeannette City Transit, subject to the same limitations and conditions. *Attorney:* John A. Pillar, 150 Green Commons Drive, Pittsburgh, PA 15243.

### Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.*

**A-2015-2496021. Jetway Transport, Inc. t/a Main-line Taxi** (908 DeKalb Street, Bridgeport, PA 19405) a corporation of the Commonwealth of Pennsylvania, for the additional right to begin to transport, as a common carrier, by motor vehicle, persons, upon call or demand, to and or from points within Delaware County; *So as to Permit:* the transportation of persons upon call or demand to and or from points within Delaware County.

### Applications 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 each application.*

**A-2015-2494288. Fard Enterprises, LLC** (8258 Williams Avenue, Suite 1, Philadelphia, PA 19150) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

**A-2015-2496784. Summit Moving & Storage, Inc.** (12 Starck Drive, Burgettstown, Washington County, PA 15021) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1610. Filed for public inspection August 28, 2015, 9:00 a.m.]

# PHILADELPHIA PARKING AUTHORITY

## Taxicab and Limousine Division Fee Schedule for the 2016 Fiscal Year

The following table lists fees for the Taxicab and Limousine Division for the 2016 Fiscal Year, beginning July 1, 2015.

### Fees

All Fees are Non-Refundable

<i>Fee Description</i>	<i>Fee</i>
Limousine Replacement Registration Sticker	\$50
Remote Carrier Vehicle Registration	\$15
Dispatcher Change in Colors and Markings Scheme Application Fee	\$500
Driver Certificate Renewal Application Fee (per Designation)	\$110
Duplicate Driver Certificate Replacement Fee	\$25
New Taxicab Driver Certification Application Fee (Classroom Training)	\$160
New Limousine Driver Certification Application Fee	\$130
Individual Medallion or CPC Ownership Transfer Fee	\$3,000 or 3.5% of purchase price, whichever is greater
New and Annual Renewal Broker Registration Fee	\$1,200
New Dispatcher Certificate of Public Convenience Application Fee	\$15,000
New Limousine Certificate of Public Convenience Application Fee for One Class of Service	\$12,000
Application Fee for Each Additional Classification for Limousine Service for New Applicants for Any Limousine Service	\$3,000
Application Fee for Each Additional Limousine Certificate of Public Convenience for One Class of Service by a Current Limousine Certificate Holder	\$6,000
Protest Fee	\$5,000
Petition Filing Fee	\$250
New Car and Replacement Vehicle Transfer	\$200
Age or Mileage Compliance Inspection Fee	\$200
PA State and TLD Biannual Inspection Fee for vehicles with 200,000 Miles and Above	\$100
PA State and TLD Biannual Inspection Fee for Wheelchair-Accessible Vehicles or Vehicles with Less Than 200,000 Miles	\$75
Emission Inspection Waiver Fee	\$100
Inspection Fee for Any Vehicle After Two Failed Inspections	\$125
Offsite Vehicle Inspection Fee	\$150
Inspection Rescheduling Fee	\$100
Fee for Medallion Return after Sheriff Levy	\$200
Administrative Hearing Fee (Upon Determination of Liability)	\$75
Taxicab Replacement Posting	\$10 (each posting)
PennDOT Processing Fee for all Vehicle Registration Changes (Above PennDOT Costs)	\$20
Check Declined for Payment	\$200
Limousine Tariff Amendments and/or Changes	\$50
Voluntary Suspension of Individual Medallion	\$75
Voluntary Suspension of Certificate of Public Convenience with 0-5 Vehicles Registered Under it During Current Fiscal Year or Previous Fiscal Year	\$100
Voluntary Suspension of Certificate of Public Convenience with 6-10 Vehicles Registered Under it During Current Fiscal Year or Previous Fiscal Year	\$125
Voluntary Suspension of Certificate of Public Convenience with 11+ Vehicles Registered Under it During Current Fiscal Year or Previous Fiscal Year	\$150

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

[Pa.B. Doc. No. 15-1611. Filed for public inspection August 28, 2015, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, 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 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, so individuals interested in challenging this action 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.

#### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
Lloyd Ray Weaver 395 South Farmersville Road Ephrata, PA 17522	Lancaster County/ West Earl Township	73.23	Broiler	Amended	Approved
Jay Lester Garman 1614 Jericho Road New Bloomfield, PA 17068	Perry County/ Centre Township	196.62	Broiler	New	Approved
Yippee! Farms 1103 Iron Bridge Road Mount Joy, PA 17552	Lancaster County/ Rapho Township	3,645.38	Cattle	Amended	Approved
Wingert Farms, Inc.— Heifer Farm William J. Wingert 7938 Juniata Valley Pike Alexandria, PA 16611	Huntingdon County/ Porter Township	70.5	Cattle	Amended	Approved
Leshner's Poultry Farm, Inc. 1153 Swamp Fox Road Chambersburg, PA 17202	Franklin County/ Guilford Township	1,559.8	Layers	Amended	Approved
Harold M. Barley III— Walnut Hollow Farms 230 Indian Run Road Millersville, PA 17551	Lancaster County/ Manor Township	38.3	Cattle	New	Approved
Brian Musser 173 Hickory Road Pine Grove, PA 17963	Schuylkill County/ Washington Township	196.92	Broilers	New	Approved
James and Daniel Schwalm 351 Bastian Road Halifax, PA 17032	Dauphin County/ Jackson Township	346.52	Swine	New	Approved
Hillandale Gettysburg, LP— Sites 2 and 5 3710 Oxford Road Gettysburg, PA 17325	Adams County/ Tyrone Township	5,158.13	Layers	Amended	Approved
Brenda Crouse 259 Greble Road Myerstown, PA 17067	Berks County/ Tulpehocken Township	164.38	Layers	New	Approved
Mike Zimmerman 1775 Blacks Bridge Road Annville, PA 17003	Lebanon County/ North Annville Township	229.91	Broilers	Amended	Approved

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
Delmar Martin 1375 West Route 897 Denver, PA 17517	Lancaster County/ West Cocalico Township	128.89	Broilers	New	Approved
King Farms LLC 50 Parkside Inn Road Bernville, PA 19506	Berks County/ Tulpehocken Township	2,337.4	Layers	New	Approved
John Z. Beiler 2719 West Valley Road Loganton, PA 17747	Clinton County/ Logan Township	81.51	Veal/Equine	Amended	Approved
Dan Landis 2590 Shumaker Road Manheim, PA 17545	Lancaster County/ Rapho Township	590.56	Pullets	New	Approved
Laverne M. Oberholtzer 512 County Line Road Grantville, PA 17028	Dauphin County/ East Hanover Township	214.82	Broilers	New	Approved

JOHN QUIGLEY,  
*Chairperson*

[Pa.B. Doc. No. 15-1612. Filed for public inspection August 28, 2015, 9:00 a.m.]

## STATE POLICE

### Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

The State Police, under the authority of 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4) (relating to exceptions to prohibition of interception and disclosure of communications; and exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), has approved, until the next comprehensive list is published, subject to interim amendment, the following equipment standards for electronic, mechanical or other devices (mobile video recording systems) which may be used by law enforcement officers for the purpose of interception as authorized under 18 Pa.C.S. § 5704(16). Mobile video recording systems must consist of the following components.

#### *Vehicle-Mounted Mobile Video Recording Systems Overview*

Vehicle-Mounted Mobile Video Recording Systems shall be defined as those which are permanently mounted in vehicles requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504 (relating to classes of licenses). The design of the vehicle-mounted mobile video recording system must use technology, which includes a camera, monitor, wireless voice transmitter/receiver and a recording device with a secure protective enclosure for the recording device, electronics and receiver components. The vehicle-mounted mobile video recording system must be powered from a standard automotive vehicle operating at 11 to 16.5 volts DC, negative ground. Current drain on the vehicle electrical system must not exceed 3.0 amps. The system must operate over the following temperature range: -4°F to 130°F (-20°C to 55°C).

#### *Camera*

The camera component must have the following features:

- A. Auto focus and auto iris.
- B. Flexible mounting bracket to allow manual aiming controls.
- C. Auto zoom (automatic zoom in then back out to normal distance).
- D. Minimum sensitivity rating of 2.0 lux.
- E. Minimum horizontal resolution of 330 TV lines.

#### *Monitor*

The monitor component must have the following features:

- A. Controls for picture brightness and contrast.
  - B. Capability of being switched off without affecting recording.
  - C. A speaker and volume control system.
- The monitor must be capable of displaying:
- A. Camera image (live).
  - B. Previously recorded information from the recording unit.
  - C. Date and time.
  - D. Recording index indicator.
  - E. In-car/wireless microphone activity indicator.

#### *Wireless Voice Transmitter/Receiver*

The wireless voice transmitter/receiver must have the following features:

- A. Battery powered wireless microphone transmitter.
- B. Antenna incorporated into the microphone.
- C. A plug-in connector and a clothing clip on the microphone.
- D. FCC: Type acceptable under 47 CFR Part 74, Subpart H (relating to low power auxiliary stations).
- E. The transmitter must not have recording capabilities.

F. The wireless audio system must be equipped with either a digital coded squelch or a PL tone squelch circuit to prevent accidental activation of the record mode in stray RF fields.

#### *Recording Device*

The recording device must be capable of recording onto tape or other comparable media and have the following features:

- A. Enclosed in a secure housing protected from physical damage and unauthorized access.
- B. Capable of recording audio and video for a minimum of 2 continuous hours.
- C. Record time/date, recording index and remote microphone indicator.
- D. Record over protection.

#### *System Control*

The control console must be mounted within easy reach of the operator. The control console must contain the controls to operate the following functions:

- A. Power.
- B. Record.
- C. Play.
- D. Rewind.
- E. Fast forward.
- F. Pause.

The State Police, under the authority of 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following list of approved vehicle-mounted mobile video recording systems which meet the minimum equipment standards in this notice.

System 7, Mobile Vision, Boonton, NJ  
 Eyewitness, Kustom Signals, Lenexa, KS  
 Patrol Cam, Kustom Signals, Lenexa, KS  
 Motor Eye, Kustom Signals, Lenexa, KS  
 Cruise Cam, The Cruisers Division, Mamaroneck, NY  
 I Track, McCoy's Law Line, Chanute, KS  
 Docucam, MPH Industries Inc., Owensboro, KY  
 Digital Mobile Witness, T.A.W. Security Concepts, Wheat Ridge, CO  
 Car Camera AV360, A.S.S.I.S.T. International, New York, NY  
 OPV, On Patrol Video, Ontario, OH  
 Gemini System, Decatur Electronics, Decatur, IL  
 SVS-500, ID Control Inc., Derry, NH  
 PAVE System, Video Systems Plus, Bryan, TX  
 InCharge 5555, Applied Integration, Tucson, AZ  
 VMDT, Coban Research and Technology, Houston, TX  
 Mobile Vision 5-C Video Recording System, Mobile Vision, Boonton, NJ  
 Stalker Vision VHS, Applied Concepts Inc., Plano, TX  
 Stalker Vision HI8, Applied Concepts Inc., Plano, TX  
 Digital Eyewitness, Kustom Signals, Lenexa, KS  
 Eagleye Model 800, Eagleye Technologies, Inc., Rome, GA  
 Eagleye Model 900, Eagleye Technologies, Inc., Rome, GA  
 Flashback, Mobile Vision, Inc., Boonton, NJ  
 Digital Patroller, Integrian, Morrisville, NC  
 Digital Patroller 2 Mobile Video Recorder, Digital Safety Technologies, Morrisville, NC  
 Panasonic Arbitrator 360 Mobile Video Recorder, Panasonic Corporation of North America, Secaucus, NJ  
 WatchGuard DV-1 Mobile Video Recorder, WatchGuard Video, Plano, TX

EDGE Mobile Video Recorder, Coban Technologies, Stafford, TX  
 DVM-500 Plus and DVM-750 Mobile Video Recorders, Digital Ally, Overland Park, KS  
 WatchGuard 4RE Mobile Video Recorder, WatchGuard, Plano, TX  
 DigitalPatroller 3 Mobile Video Recorder, Digital Safety Technologies, Morrisville, NC  
 X22 Mobile Video Recorder, RDR Mobility, Flemington, NJ  
 Data 911 Mobile Digital Video System, Data 911 Mobile, Computer Systems, Alameda, CA  
 DVM-400 Mobile Video Recorder, Digital Ally, Lenexa, KS  
 DVB-777 Mobile Video Recorder, Digital Ally, Lenexa, KS  
 MVX1000 Mobile Video Recorder, Motorola Solutions Inc., Schaumburg, IL  
 DVM800, Digital Ally, Lenexa, KS  
 DVR-704, PRO-VISION, Byron Center, MI  
 1200-PA SD2+2, 10-8 Digital Video Evidence Solutions, Fayetteville, TN

#### *Non-Vehicle-Mounted Mobile Video Recording Systems Overview*

Non-Vehicle-Mounted Mobile Video Recording Systems shall be defined as those which are not permanently mounted in vehicles requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504. Non-vehicle-mounted mobile video recording systems shall include, but not be limited to, mobile video recorders worn on or about a law enforcement officer's person or affixed to an all-terrain vehicle, bicycle or horse.

The design of the non-vehicle-mounted mobile video recording system must use technology which includes a camera with date/time stamp capability, a microphone and a recording device, enclosed in secure protective enclosure(s). It may also contain controls, a monitor, GPS, wireless transceiver components and other electronic components. The non-vehicle-mounted mobile video recording system must be powered from a battery internal to the protective enclosure and must be weatherproof. The internal battery may be integral to the unit or removable. It is permissible to have an external battery to extend the operating life of the system. The non-vehicle-mounted mobile video recording system must have a minimum record time of 2 continuous hours. The system must operate over the following temperature range: -4°F to 122°F (-20°C to 50°C).

#### *Camera*

The camera component must have the following features:

- A. Must be color video.
- B. Minimum of 640 x 480 pixel resolution.
- C. Minimum of 68 degrees field of view.
- D. Minimum of 30 frames per second.
- E. Minimum sensitivity rating of 3.4 lux or lower. Unit may use Infrared LED illumination to obtain lower than 3.4 lux equivalent.
- F. Camera does not have to be in the same enclosure as the recorder. Can be connected to the recorder either by cable or wireless connection.



*Recorder*

The recorder component must have the following features:

- A. Enclosed in a secure housing protected from physical damage.
- B. Date/time recording index.
- C. Minimum of 4 gigabytes of nonremovable solid state memory, 4 gigabytes removable media or a combination of both removable and nonremovable memory.
- D. Editing and record-over protection.

*System Control*

The system must:

- A. Be capable of recording audio and video simultaneously, but may also provide the user with the option to record video only or audio only.
- B. Provide the user with the capability to manually turn the power on and off as necessary.

*Wireless Link (optional)*

The unit may use a wireless link to connect the camera to the recorder, recorder to another device, combination camera/recorder to another device or be used to download the evidence. The wireless link must have the following features:

- A. Use a secure digital connection.
- B. Wireless link can be used to play back a locally stored event on the recorder or store the media to a remote location such as secure Cloud storage.
- C. FCC Type acceptable under 47 CFR Part 15 (relating to radio frequency devices).

The State Police, under the authority of 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following list of approved non-vehicle-mounted mobile video recording systems which meet the minimum equipment standards in this notice.

AXON Body Mobile Video Recorder, TASER, Scottsdale, AZ  
 AXON Flex Mobile Video Recorder, TASER, Scottsdale, AZ  
 FIRST Vu, Digital Ally, Lenexa, KS

FIRST Vu HD, Digital Ally, Lenexa, KS  
 LE 3 Mobile Video Recorder, VIEVU, Seattle, WA  
 BODYCAM BC-100, PRO-VISION, Byron Center, MI  
 Prima Facie, Safety Vision LLC, Houston, TX

*Conducted Electrical Weapons with integrated Mobile Video Recording Systems*

Notwithstanding any other standards or requirements contained in this notice, conducted electrical weapons equipped with integrated mobile video recording systems are only required to meet the following minimum specifications:

- A. Be capable of recording audio and video simultaneously, but may also provide the user with the option to record video only or audio only.
- B. Be capable of having the audio video recording extracted from the conducted electrical weapon by means of downloading or by the removal of a media storage device.

Nothing in this notice prohibits the authorized use of a mobile video recording system that is not specifically identified if the mobile video recording system otherwise meets the equipment standards in this notice. Moreover, mobile video recording systems that are not activated to record oral communications or do not have an oral recording capability need not meet the equipment standards in this notice. Manufacturers may submit equipment to be added to the list by contacting the State Police, Bureau of Patrol (Bureau). New units must be in full commercial production. No prototype models will be considered. Proof of current sales and delivery of the specified equipment over the past 6 months must be provided, in writing, referencing current customers with contacts and phone numbers for verification. When requested by the Bureau, the manufacturer/bidder must furnish a complete working system installed in a vehicle for inspection within 30 days.

Comments, suggestions or questions should be directed to the State Police, Bureau of Patrol, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110.

COLONEL TYREE C. BLOCKER,  
*Acting Commissioner*

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