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Volume 44 (2014)

Pennsylvania Bulletin  
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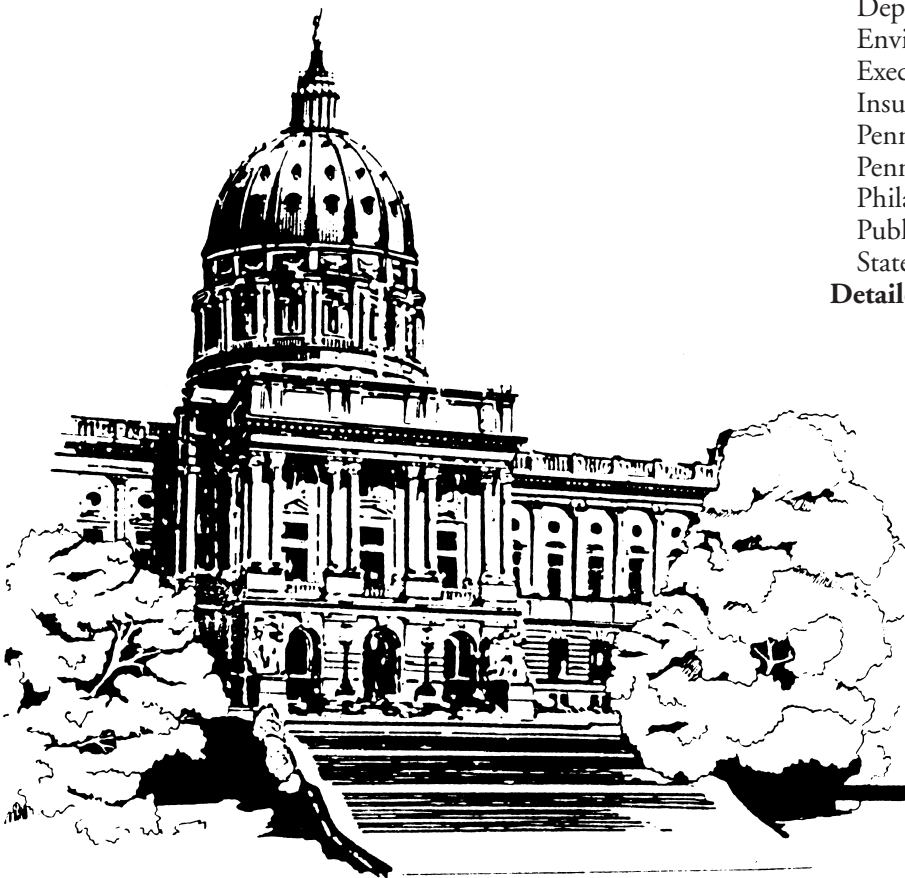
# PENNSYLVANIA BULLETIN

Volume 44  
Saturday, September 6, 2014 • Harrisburg, PA  
Number 36  
Pages 5747—5818

**Agencies in this issue**

The Courts  
Department of Banking and Securities  
Department of Conservation and Natural Resources  
Department of Education  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Environmental Quality Board  
Executive Board  
Insurance Department  
Pennsylvania Municipal Retirement Board  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
Public School Employees' Retirement Board  
State Board of Nursing

**Detailed list of contents appears inside.**



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

**No. 478, September 2014**

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**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

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

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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#### **Printing Format**

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

#### **Fiscal Notes**

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

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

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## List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 255—LOCAL COURT RULES

### ADAMS COUNTY

#### Rules of Judicial Administration; Administrative Order No. 38 of 2014

##### Order of Court

*And Now*, this 19th day of August, 2014, *It Is Hereby Ordered* that the following rule be added to the Adams County Rules of Judicial Administration:

##### 160. Termination of Inactive Cases.

###### A. Magisterial District Court—Traffic

1. In this subsection, the rule shall apply only to those summary traffic violations or parking violations in which a warrant has been issued pursuant to Pennsylvania Rule of Criminal Procedure Rule 430(A), Rule 430(B)(1)(a) or Rule 430(B)(2).

2. On or before the 15th day of November of each year, each Magisterial District Court shall:

i. Dismiss any summary citation or ticket filed under Title 75 (relating to vehicles) or under local ordinance pertaining to overtime parking which was issued three years prior to November 15th of each respective year.

ii. Vacate any active warrant in relation to the dismissed summary citation or ticket and promptly remove the warrant from MDJS, CPCMS or any other system or list in which the warrant has been issued.

iii. Forward notice to the Pennsylvania Department of Transportation that the citation or ticket has been dismissed and request withdrawal of the defendant's license suspension as needed pursuant to Pennsylvania Rule of Criminal Procedure Rule 470.

3. Each Magisterial District Court shall promptly provide a list of those cases being dismissed to Court Administration.

###### B. Magisterial District Court—Non-Traffic

1. On or before the 15th day of November of each year, each Magisterial District Court shall:

i. Identify all non-traffic summary cases where no plea has been entered and where there has been no evidence of activity in the three years prior to November 15th of each respective year.

ii. Compile a list that will indicate the name of the affiant, the name of the defendant, the docket number and the charge(s) associated with the docket number.

iii. Forward this list to Court Administration.

2. Upon receipt of the lists, Court Administration shall:

i. Submit the lists to the *Adams County Legal Journal* for publication.

ii. Provide a copy of the lists to the District Attorney.

3. The publication shall include a disclaimer to indicate that the matters listed shall be terminated after 30 days of publication unless a party to the proceeding requests a hearing from the appropriate Magisterial District Court.

i. If the defendant requests a hearing, the matter shall promptly be scheduled for such hearing or other disposition pursuant to the Rules of Criminal Procedure.

ii. If the Commonwealth requests a hearing to oppose termination, the matter shall promptly be scheduled to determine if termination is appropriate.

iii. Disposition of any hearing, including hearings where a citation or ticket is dismissed over the objection of the Commonwealth, shall be filed of record in MDJS.

iv. The Commonwealth shall have the right to appeal any determination to the Court of Common Pleas within the time period for Summary Appeals pursuant to the Rules of Criminal Procedure.

4. In the event a hearing is not requested within 30 days of publication, the Magisterial District Court shall:

i. Dismiss the summary citation or ticket filed.

ii. Vacate any active warrant in relation to the dismissed summary citation or ticket and promptly remove the warrant from MDJS, CPCMS or any other system or list in which the warrant has been issued.

iii. For any matter involving a license suspension, forward notice to the Pennsylvania Department of Transportation that the citation or ticket has been dismissed and request withdrawal of the defendant's license suspension pursuant to Pennsylvania Rule of Criminal Procedure Rule 470.

This rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. *It Is Further Directed* that:

A. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts Office and the Adams County Law Library for inspection and copying;

B. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts for distribution in accordance with the provisions of Pa.R.J.A. 103(c)(5); and

C. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format per 1 Pa. Code § 13.11(d), containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 14-1869. Filed for public inspection September 5, 2014, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Wendy Jane Rickles, having been disbarred from the practice of law in the Commonwealth of Massachusetts by Judgment of Disbarment of the Supreme Judicial Court for Suffolk County, Commonwealth of Massachusetts, entered March 17, 2014, the Supreme Court of Pennsylvania issued an Order on August 21, 2014, disbaring Wendy Jane Rickles from the Bar of this Commonwealth, effective September 20, 2014. 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. 14-1870. Filed for public inspection September 5, 2014, 9:00 a.m.]

### Notice of Suspension

Notice is hereby given that Kevin H. Main having been suspended from the practice of law in the State of New Jersey for a period of one year by Order of the Supreme Court of New Jersey dated March 25, 2014; the Supreme Court of Pennsylvania issued an Order dated August 21, 2014 suspending Kevin H. Main from the practice of law in this Commonwealth for a period of one year, to be

served concurrently with the two-year suspension entered by this Court on September 12, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside 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. 14-1871. Filed for public inspection September 5, 2014, 9:00 a.m.]

### Notice of Suspension

Notice is hereby given that Jonathan N. Thalasinios having been suspended from the practice of law in the State of New York for a period of one year by Order of the Supreme Court of New York, Appellate Division, First Judicial Department, filed March 13, 2014; the Supreme Court of Pennsylvania issued an Order dated August 21, 2014 suspending Jonathan N. Thalasinios from the practice of law in this Commonwealth for a period of one year. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside 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. 14-1872. Filed for public inspection September 5, 2014, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

[ 17 PA. CODE CHS. 21 AND 23 ]

### State Forest Picnic Areas

The Department of Conservation and Natural Resources (Department), Bureau of Forestry proposes to amend Chapter 21 (relating to general provisions) and rescind Chapter 23 (relating to State forest picnic areas). Chapters 21 and 23 are proposed to be consolidated into Chapter 21.

#### A. *Effective Date*

This proposed rulemaking will take effect upon final publication in the *Pennsylvania Bulletin*.

#### B. *Contact Persons*

For further information, contact Matt Beaver, Chief, Operations and Recreation Division, Bureau of Forestry, Department of Conservation and Natural Resources, P. O. Box 8552, Harrisburg, PA 17105-8552, (717) 783-7941; or Wendy Carson, Assistant Counsel, Office of Chief Counsel, Department of Conservation and Natural Resources, P. O. Box 8767, Harrisburg, PA 17105, (717) 772-4171. Persons with a disability may use (800) 654-5984 (TTY). This proposed rulemaking is posted on the Department's web site at [www.dcnr.state.pa.us](http://www.dcnr.state.pa.us).

#### C. *Statutory Authority*

This proposed rulemaking is made under the authority of sections 302, 313 and 502 of the Conservation and Natural Resources Act (71 P. S. §§ 1340.302, 1340.313 and 1340.502) and 18 Pa.C.S. §§ 7505 and 7506 (relating to violation of governmental rules regarding traffic; and violation of rules regarding conduct on Commonwealth property).

#### D. *Background and Purpose*

Chapter 21 applies to State forest land, including picnic areas. Chapter 23 applies solely to picnic areas. There are several redundancies and inconsistencies between the two chapters. Because there is not a particular benefit to maintaining these regulations in two chapters, this proposed rulemaking consolidates the general State forest rules and the State forest picnic area rules into Chapter 21.

Chapters 21 and 23 were last revised in 1998 and 2003, respectively. In addition to consolidating the two chapters, the purpose of this proposed rulemaking is to reorganize, update and clarify State forest regulations. A new provision on ground blinds and tree stands is added.

Because this proposed rulemaking consolidates Chapter 23 into Chapter 21 and reorganizes Chapter 21, the regulations currently in Chapter 21 are proposed to be deleted and replaced by new sections.

#### E. *Summary of regulatory requirements*

##### § 21.101. *Definitions*

Proposed § 21.101 (relating to definitions) replaces § 21.1 (relating to definitions). Definitions of “act,” “all-terrain vehicle,” “Crimes Code,” “Department,” “Fish and

Boat Code,” “Game and Wildlife Code,” “motor vehicle,” “motorized off-road vehicle,” “permission of the Department or permitted by the Department,” “permit,” “person,” “picnic area,” “snowmobile,” “State forest,” “vehicle,” “Vehicle Code” and “watercraft” are proposed to be added.

The definition of “camping” in § 21.1 is not included in proposed § 21.101 because § 21.117 (relating to camping) defines the three types of camping. Therefore, a generic definition of “camping” is not needed.

The definition of “District Forester” in § 21.1 is not included in proposed § 21.101 because the proposed definition of “Department” includes authorized officials of the Department.

The definition of “group activity” in § 21.1 is not included in proposed § 21.101 because proposed § 21.119 (relating to group activities) describes the type of activity that requires authorization. Therefore, a definition is not needed.

##### § 21.102. *Scope*

Proposed § 21.102 (relating to scope) replaces § 21.2 (relating to scope).

##### § 21.103. *Trespass*

Proposed § 21.103 (relating to trespass) replaces § 21.80 (relating to trespass). A reference to a “Department-commissioned officer” is proposed to be included.

##### § 21.104. *Closure*

Proposed § 21.104 (relating to closure) replaces §§ 21.4 and 21.72 (relating to closure; and closure because of fire danger). A provision under which the Department may prohibit certain uses or activities is proposed to be added.

##### § 21.105. *Property left in a State forest*

Proposed § 21.105 (relating to property left in a State forest) is added to place the public on notice that the Department may move, remove, store (and charge a fee) or dispose of property left in a State forest. It is similar to § 11.206 (relating to property left in a State park), but adds a prohibition against leaving property for more than 24 hours.

##### § 21.106. *Picnic areas*

Proposed § 21.106 (relating to picnic areas) contains provisions currently in Chapter 23 that apply only to picnic areas. It replaces §§ 23.11, 23.14, 23.17, 23.20 and 23.23.

Sections 23.1—23.3, 23.12, 23.15, 23.16, 23.22 and 23.24 are proposed to be renumbered and added into Chapter 21 and made applicable to State forest land generally.

##### § 21.107. *Hunting, trapping and shooting*

Proposed § 21.107 (relating to hunting, trapping and shooting) replaces §§ 21.63 and 21.65 (relating to hunting and trapping; and target shooting).

##### § 21.108. *Fishing*

Proposed § 21.108 (relating to fishing) replaces § 21.64 (relating to fishing).

##### § 21.109. *Boating*

Proposed § 21.109 (relating to boating) replaces §§ 21.11 and 21.12 (relating to use; and mooring and launching). A provision on docks is proposed to be added.

This section also clarifies that launching is permitted with either a Department permit or a Fish and Boat Commission registration.

§ 21.110. *Traffic*

Proposed § 21.110 (relating to traffic) replaces §§ 21.3(a) and 21.21 (relating to violations; and motor vehicles). Section 21.110(b) is under 18 Pa.C.S. § 7505, which states that a violation of a Department regulation governing parking or traffic on Department property is a summary offense. Section 21.110(b)(3) clarifies those areas where vehicle operation is allowed on State forest lands.

§ 21.111. *Parking*

Proposed § 21.111 (relating to parking) replaces § 21.3(a) and § 21.25 (relating to parking). Subsection (a)(2) prohibits parking in locations that obstruct a gate, road, and the like, and in locations posted as closed under § 21.104.

Subsection (a)(1) allows for parking in a handicapped space by persons with a disability if the Department has given written permission. This is consistent with the Americans with Disabilities Act and the Department's policy on access to State forests by persons with disabilities.

Subsection (b)(1) is under 18 Pa.C.S. § 7505, which states that a violation of a Department regulation governing parking or traffic on Department property is a summary offense.

Subsection (b)(2) provides authority for issuing parking tickets for parking offenses under 75 Pa.C.S. (relating to Vehicle Code). This is an expansion of § 21.25, which allows for parking tickets only for violations of Chapter 21.

§ 21.112. *Snowmobiles*

Proposed § 21.112 (relating to snowmobiles) replaces § 21.22 (relating to snowmobiles), which specifies the requirements for riding a snowmobile on State forest land, including the period during which riding is permitted.

This section also reiterates the existing helmet requirement for operators and riders of snowmobiles in § 51.93 (relating to helmet requirements).

§ 21.113. *All-terrain vehicles*

Proposed § 21.113 (relating to all-terrain vehicles) replaces § 21.23a (relating to all-terrain vehicles), which specifies the requirements for riding an all-terrain vehicle on State forest land, including the period during which riding is permitted.

This section also reiterates the existing helmet requirement for operators and riders of all-terrain vehicles in § 51.93.

§ 21.114. *Motorized off-road vehicles*

Proposed § 21.114 (relating to motorized off-road vehicles) replaces § 21.23 (relating to trail bikes and other motorized off-road vehicles). It eliminates a specific reference to trail bikes and permits motorized off-road vehicles on roads, trails or areas that are posted and designated for their use. The only forest district where motorized off-road vehicles are permitted is Bald Eagle State Forest, which has trails for off-highway and dual-sport motorcycles.

This section also establishes a riding season, which is the same as the all-terrain vehicle season, for the purposes of reducing user group conflict during hunting seasons in this Commonwealth (fall, winter and spring), minimizing damage to the trail system during winter thaws and spring rains, and avoiding interference with spring wildlife mating/nesting season.

“Written permission” is intended to encompass permission to use a powered mobility device under the Department's policy on access to State forest land by persons with mobility disabilities.

Helmets are required for operators and riders.

§ 21.115. *Natural resources*

Proposed § 21.115 (relating to natural resources) replaces § 21.31 (relating to prohibitions). It removes from Chapter 21 several provisions that more appropriately belong in permits, rather than in regulations. See §§ 21.32—21.34 (relating to designated trees; cutting practices; and removal). However, compliance with permit conditions may still be enforced by citing § 21.122 (relating to other prohibitions), which prohibits the failure to comply with a condition of a permit.

The prohibition in subsection (a)(1) against cutting, picking, digging, damaging and removing plants adds a specific reference to “fungus, lichen and moss.”

The prohibition against removal of sawdust is not included in proposed § 21.115(a)(3) because loggers no longer saw lumber at timbering sites.

Pine straw is added to the list of forest products in subsection (a)(3) that may not be removed without written permission of the Department. A commercial market has developed in the landscaping industry for pine straw and the Department needs a means of regulating its removal from State forest land.

Proposed subsection (a)(5) adds a prohibition against releasing an animal that was brought into a State forest.

Current § 21.31, which prohibits cutting, picking, digging, damaging or removing plants, allows an exception for edible wild plants for personal or family consumption. Proposed § 21.115(b)(1) retains this exception but states that the exception does not apply to plants listed in Chapter 45 (relating to conservation of Pennsylvania native wild plants) as threatened, endangered, rare or vulnerable.

§ 21.116. *Feeding wildlife*

Proposed § 21.116 (relating to feeding wildlife) replaces § 21.76 (relating to feeding of wildlife), which allows for about 1 1/2 bushels of feed (spring gobbler season begins on May 1 and flintlock muzzleloader deer season ends on about January 15). This blanket permission is replaced with a blanket prohibition without written permission. The reason for the more restrictive provision is that leaving food for wildlife results in animals, including bears and deer, congregating or habituating areas where they may become a nuisance. In addition, the concentration of deer, elk or other wildlife can promote the spread of diseases, such as Chronic Wasting Disease.

§ 21.117. *Camping*

Proposed § 21.117 replaces § 21.61 (relating to camping permit). It clarifies the differences among the four types of camping—primitive, motorized, group and water trail—and whether or under what circumstances permission is needed.

§ 21.118. *Fires*

Proposed § 21.118 (relating to fires) replaces §§ 21.62 and 23.16 (relating to open fires; and fires). This proposed section clarifies the fire provisions and makes them less subjective. It does not establish a fall fire season, thereby allowing the Department to declare it annually based on conditions existing in that year.

§ 21.119. *Group activities*

Proposed § 21.119 replaces § 21.78 (relating to group activities).

§ 21.120. *Ground blinds and tree stands*

Proposed § 21.120 (relating to ground blinds and tree stands) addresses the construction and use of tree stands and ground blinds. This section addresses two problems: 1) damage to trees and safety hazards resulting from the construction, placement and use of tree stands and blinds; and 2) the failure to remove stands and blinds from State forest land within a reasonable period of time after placement.

The portability requirement for stands and blinds is consistent with the Game Commission's regulation applicable to game lands in 58 Pa. Code § 135.41 (relating to State game lands) and is intended to prevent damage to trees caused by the construction of permanent tree stands and blinds. Permanent stands and blinds are typically built of scrap lumber nailed to a tree. Nail wounds can increase a tree's vulnerability to disease and insects, and reduce tree value. Moreover, nails are hazardous to loggers, sawmill workers and Department employees who could strike a nail while sawing.

The prohibition against damaging trees is intended to protect not only the tree where the stand or blind is situated, but also trees in the vicinity of that tree. In building or placing a tree stand or blind, hunters sometimes cut nearby trees and brush to create an unobstructed shooting lane. This practice can reduce timber value and damage wildlife habitat.

The time requirements for leaving stands and blinds on State forest land are intended to prevent a common practice of hunters leaving their stands or blinds to "save their place" in an area of State forest land. The time requirements are also intended to discourage the abandonment of stands and blinds.

§ 21.121. *Pets*

Proposed § 21.121 (relating to pets) replaces and revises § 21.73 (relating to pets). It applies to nonpicnic areas (pets at picnic areas are covered in § 21.106(5)). In addition to requiring that pets be "attended and under control of an individual," as stated in the current section, it requires that pets do not behave in a manner "that may reasonably be expected to disturb or intimidate another person" or "that may cause damage to property or resources."

§ 21.122. *Other prohibitions*

Proposed § 21.122 is divided into activities that need written permission and activities that are prohibited absolutely. With a few exceptions, they are not new prohibitions, though some have been reworded.

Subsection (a) lists activities that require written permission.

Subsection (a)(1) replaces § 21.77 (relating to commercial activity). The proposed provision prohibiting use of State forest land "in connection with or arising out of commercial activity" is intended to more effectively cover

commercial activities that originate off State forest land but involve State forest land, such as a business located off State forest land that rents all-terrain vehicles for use on State forest land.

Subsection (a)(2) replaces § 21.31(4), regarding historical and archeological resources.

Subsection (a)(3) replaces § 21.67 (relating to posting and soliciting).

Subsection (a)(4) replaces § 21.70a (relating to snow plowing).

Subsection (a)(5) replaces § 21.79 (relating to structures) and adds "altering" to the prohibition.

Subsection (a)(6) replaces the provision in § 21.79 prohibiting excavation activity.

Subsection (b) lists activities that are prohibited absolutely.

Subsection (b)(1) replaces §§ 21.68 and 23.15 (relating to littering and disposal; and trash and garbage disposal).

Subsection (b)(2) replaces § 21.66 (relating to destruction of property).

Subsection (b)(3) replaces §§ 21.74(1) and (3) and 23.24 (relating to disorderly conduct; and disorderly, indecent or obscene or lewd conduct). "Indecent exposure" is deleted as a prohibited activity because it can be prosecuted by Department rangers under 18 Pa.C.S. § 3127 (relating to indecent exposure) as a misdemeanor offense.

Subsection (b)(4) replaces § 21.24 (relating to spark arrestors). Chainsaws are proposed to be added to the list of items that must have spark arrestors.

Subsection (b)(5) replaces § 21.74(2).

Subsection (b)(6) replaces § 21.75(a) (relating to sanitation).

Subsection (b)(7) replaces § 21.75(b).

Subsection (b)(8) replaces the portion of § 21.25(a) that prohibits obstruction of access to gates, roads, and the like, with items of personal property.

Subsection (b)(9), regarding failing to comply with a condition of a permit issued by the Department, is a new provision.

§ 21.123. *Violation of rules regarding conduct in State forests*

Proposed § 21.123 (relating to violation of rules regarding conduct in State forests) replaces § 21.3(b). It is under 18 Pa.C.S. § 7506, which provides that violation of a Department regulation—other than traffic and parking violations—on Department property is a summary offense.

F. *Benefits, Costs and Compliance*

*Benefits*

By clarifying and updating Chapter 21 and consolidating it with Chapter 23, this proposed rulemaking will improve the protection of State forest resources, the safety of visitors and the recreational opportunities of State forest visitors.

*Compliance costs*

There are no compliance costs.

*Compliance Assistance Plan*

The Compliance Assistance Plan is not applicable.

*Paperwork requirements*

There will not be an increase in the amount of required paperwork.

*G. Sunset Review*

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

*H. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 21, 2014, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate and House Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

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

*I. Public Comments*

Interested persons are invited to submit comments regarding this proposed rulemaking to Matt Beaver, Chief, Operations and Recreation Division, Bureau of Forestry, Department of Conservation and Natural Resources, P. O. Box 8552, Harrisburg, PA 17105-8552 (express mail or hand delivery to Rachel Carson State Office Building, 6th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments may be e-mailed to [forestrecreation@pa.gov](mailto:forestrecreation@pa.gov) with "Chapters 21 & 23 proposed rulemaking" in the subject line. A return name and United States Postal Service mailing address must be included in each transmission. Comments submitted by facsimile will not be accepted. Comments must be received by the Department within 30 days of publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

ELLEN FERRETTI,  
*Secretary*

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

**Annex A****TITLE 17. CONSERVATION AND NATURAL RESOURCES****PART I. DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES****Subpart C. STATE FORESTS****CHAPTER 21. GENERAL PROVISIONS**

*(Editor's Note:* As part of this proposed rulemaking, the Department is proposing to rescind §§ 21.1—21.4, 21.11—21.13, 21.21—21.23, 21.23a, 21.24, 21.25, 21.31—21.34, 21.61—21.68, 21.70a and 21.72—21.80, which appear in 17 Pa. Code pages 21-2—21-13, serial pages (294800), (250553), (250554), (294801)—(294804), (294901), (294902) and (250561)—(250563).)

§§ 21.1—21.4. (Reserved).

§§ 21.11—21.13. (Reserved).

§§ 21.21—21.23. (Reserved).

§ 21.23a. (Reserved).

§ 21.24. (Reserved).

§ 21.25. (Reserved).

§§ 21.31—21.34. (Reserved).

§§ 21.61—21.68. (Reserved).

§ 21.70a. (Reserved).

§§ 21.72—21.80. (Reserved).

*(Editor's Note:* Sections 21.101—21.123 are new and printed in regular type to enhance readability.)

**§ 21.101. Definitions.**

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

*Act*—The Conservation and Natural Resources Act (71 P. S. §§ 1340.101—1340.1103).

*All-terrain vehicle*—The term as defined in section 7702 of the Vehicle Code (relating to definitions).

*Commercial activity*—An activity in which a person directly or indirectly accepts consideration of value as compensation for the provision of goods or services, including transportation.

*Crimes Code*—Title 18 *Pennsylvania Consolidated Statutes*.

*Department*—

(i) The Department of Conservation and Natural Resources of the Commonwealth.

(ii) The term includes authorized officials of the Department.

*Fish and Boat Code*—Title 30 *Pennsylvania Consolidated Statutes*.

*Game and Wildlife Code*—Title 34 *Pennsylvania Consolidated Statutes*.

*Motor vehicle*—

(i) The term as defined in section 102 of the Vehicle Code (relating to definitions).

(ii) The term does not include a snowmobile or all-terrain vehicle as defined in section 7702 of the Vehicle Code.

*Motorized off-road vehicle*—

(i) A motorized recreational vehicle designed for either off-road use or for both off-road and road use.

(ii) The term does not include a snowmobile or all-terrain vehicle.

*Permission of the Department or permitted by the Department*—Approval obtained from the Department, including a district forester or designee.

*Permit*—Written approval obtained from the Department, including a district forester or designee, on a form prescribed by the Department.

*Person*—A corporation, company, club, firm, association, society, partnership, joint stock company, governmental agency or individual.

*Picnic area*—An area in a State forest designated by the Department as a State forest picnic area.

*Snowmobile*—The term as defined in section 7702 of the Vehicle Code.

*State forest*—An area under the jurisdiction of the Department acquired or administered as a State forest under section 302 of the act (71 P. S. § 1340.302).

*Vehicle*—The term as defined in section 102 of the Vehicle Code.

*Vehicle Code*—Title 75 *Pennsylvania Consolidated Statutes*.

*Watercraft*—The term as defined in section 102 of the Fish and Boat Code (relating to definitions).

#### § 21.102. Scope.

This chapter applies to State forests.

#### § 21.103. Trespass.

(a) A person who violates this chapter or disregards instructions or warnings given by a State forest officer or Department-commissioned officer or interferes in the performance of the duties of a State forest officer or Department-commissioned officer may be ordered to leave a State forest.

(b) A person who refuses to leave a State forest after receiving an order to leave from a State forest officer or Department-commissioned officer commits an act of criminal trespass under section 3503(b) of the Crimes Code (relating to criminal trespass).

#### § 21.104. Closure.

(a) *Closings and restrictions.* The Department may close a State forest, portion of a State forest or State forest facility, or may restrict it to certain uses or activities.

(b) *Prohibited activities.* The Department may prohibit certain uses or activities in a State forest, portion of a State forest or State forest facility.

(c) *Informing the public.* The public will be informed of the closure, restriction or prohibition under subsection (a) or (b) by any form of communication, including this chapter or posting, or by fencing, barricade, gate, or other structure or device manifestly designed to exclude the public.

(d) *Prohibitions.*

(1) Entering, using or remaining in a State forest, area or facility that is not open to the public or that has been closed under this section is prohibited, unless permitted by the Department.

(2) Using, or engaging in activities in, a State forest, area or facility in violation of a restriction or prohibition under subsection (a) or (b) is prohibited, unless permitted by the Department.

#### § 21.105. Property left in a State forest.

(a) Leaving personal property in a State forest for more than 24 hours without written permission of the Department is prohibited, unless permitted under § 21.120 (relating to ground blinds and tree stands).

(b) The following personal property may be moved or removed by the Department, placed in storage and is subject to disposal in accordance with law:

(1) Personal property that has been left in a State forest for more than 24 hours without written permission of the Department as required in subsection (a).

(2) Personal property that impedes public access or navigation.

(3) Vehicles or other personal property parked in violation of § 21.111 (relating to parking).

(c) Personal property that is in storage under this section will be released from storage only upon adequate proof of ownership and, if appropriate, payment of a reasonable storage fee.

#### § 21.106. Picnic areas.

(a) Picnic areas are open to the public between sunrise and sunset.

(b) Entering a picnic area when it is not open to the public under subsection (a) is permitted for the purpose of fishing or gaining access to another area of State forest land that is open for public use.

(c) Except as provided in subsection (b) or with written permission of the Department, entering, using or remaining in a picnic area when it is not open to the public under subsection (a) is prohibited.

(d) Possessing or consuming alcoholic beverages is prohibited.

(e) An owner, keeper or handler of a pet may have the pet in a picnic area only under the following conditions, a violation of which is prohibited:

(1) The pet is on a leash with a maximum length of 6 feet.

(2) The pet is attended and under physical control of an individual.

(3) The pet does not behave in a manner that may reasonably be expected to disturb or intimidate another person.

(4) The pet does not behave in a manner that may cause damage to property or resources.

(5) The pet's droppings are disposed of in trash receptacles or outside the State forest.

(f) Removing facilities, including picnic tables, fire rings and containers for disposal of waste or charcoal, is prohibited.

(g) Hunting, trapping and using a device that is capable of discharging or propelling a projectile is prohibited.

#### § 21.107. Hunting, trapping and shooting.

(a) Hunting and trapping are permitted unless otherwise posted.

(b) Hunting and trapping shall be in accordance with the Game and Wildlife Code and 58 Pa. Code Part III (relating to Game Commission).

(c) Using a device that is capable of discharging or propelling a projectile is prohibited except in accordance with the Game and Wildlife Code and except for target shooting at a location authorized by the Department.

(d) This section applies to State forest land other than picnic areas.

#### § 21.108. Fishing.

(a) Fishing is permitted unless otherwise posted.

(b) Fishing shall be in accordance with the Fish and Boat Code and 58 Pa. Code Part II (relating to Fish and Boat Commission).

#### § 21.109. Boating.

(a) *Operation.* Watercraft may be operated on State forest waters unless posted as closed.



(b) *Statutes and regulations.* Boating shall be in accordance with the Fish and Boat Code and 58 Pa. Code Part II (relating to Fish and Boat Commission).

(c) *Prohibition.* The use of a motor type other than electric motor for propulsion of motorized watercraft is prohibited.

(d) *Mooring.*

(1) Mooring watercraft at a location without possession of a valid watercraft mooring permit issued by the Department for that location is prohibited.

(2) A decal issued by the Department evidencing issuance of the permit shall be affixed aft of amidship on the starboard (right) side of the watercraft.

(3) The Department will establish a schedule of fees for mooring permits. The schedule and subsequent revisions will be effective upon publication in the *Pennsylvania Bulletin*.

(e) *Launching.*

(1) Subject to paragraph (2), watercraft may be launched or removed at any location except where prohibited by posting.

(2) Watercraft launched from trailers may be launched and removed only at designated launching areas.

(3) Launching watercraft without one of the following is prohibited:

(i) A valid watercraft launching or mooring permit issued by the Department. If a decal evidencing the issuance of a permit has been provided by the Department, the decal shall be affixed to the watercraft aft of amidship on the starboard (right) side. If another form of evidence of the issuance of a permit has been provided by the Department instead of a decal, this evidence shall be carried on the watercraft.

(ii) A valid registration number and validation decal, or a valid use permit, issued and displayed in accordance with 58 Pa. Code Part II.

(4) The Department will establish a schedule of fees for launching permits. The schedule and subsequent revisions will be effective upon publication in the *Pennsylvania Bulletin*.

(f) *Docks.* Maintaining a dock at any location without possession of a valid dock permit issued by the Department for that location is prohibited. A dock tag evidencing issuance of a permit shall be securely attached to the offshore end of the dock. The Department will establish a schedule of fees for dock permits. The schedule and subsequent revisions will be effective upon publication in the *Pennsylvania Bulletin*.

#### § 21.110. Traffic.

(a) Operating a vehicle or a motor vehicle is permitted in accordance with this section.

(b) The following are prohibited:

(1) Operating a vehicle in a manner that is any of the following:

(i) Reckless or negligent.

(ii) Creates a nuisance or excessive noise.

(iii) Demonstrates careless disregard for the safety of persons or property.

(2) Operating a motor vehicle in excess of the posted speed limit or, where a speed limit is not posted, in excess of 25 miles per hour.

(3) Operating a motor vehicle on roads, trails or other areas posted as closed to motor vehicles unless permitted in writing by the Department.

(4) Using State forest roads, trails or other areas in connection with or arising out of commercial activity without written permission of the Department. Occasional deliveries to residents of property adjoining a State forest are permitted.

(5) Operating an unregistered, uninspected or uninsured motor vehicle.

(6) Operating a motor vehicle without a valid driver's license.

(c) A violation of this section constitutes a summary offense under section 7505 of the Crimes Code (relating to violation of governmental rules regarding traffic).

#### § 21.111. Parking.

(a) *Prohibitions.* The following are prohibited:

(1) Parking a vehicle in an area designated by the Department for persons with a disability unless one of the following requirements is met:

(i) The Department has given written permission.

(ii) A valid plate or valid placard has been issued to a user of the vehicle under section 1338 or 1342(a) or (b) of the Vehicle Code (relating to person with disability plate and placard; and veteran plates and placard). A valid plate or valid placard for a person with a disability issued by a jurisdiction outside of this Commonwealth is deemed to be in compliance with the plate and placard requirements of this subparagraph. Placards shall be displayed in the manner required under section 1338(b) or 1342(b) of the Vehicle Code.

(2) Parking a vehicle as follows without written permission of the Department:

(i) In a location that obstructs a gate, road, trail, access way, drinking fountain, entrance, exit or road turnaround.

(ii) In an area that is posted as closed.

(iii) When the State forest is closed under § 21.104 (relating to closure).

(b) *Violations.*

(1) *Summary offense.* A violation of this section constitutes a summary offense under section 7505 of the Crimes Code (relating to violation of governmental rules regarding traffic).

(2) *Parking tickets.*

(i) For a violation of subsection (a) or a parking provision of the Vehicle Code, the Department may issue a parking ticket, as provided for in 234 Pa. Code Rule 401 (relating to means of instituting proceedings in summary cases charging parking violations), which will be handed to the violator or placed on the windshield of the violator's vehicle.

(ii) If the Department has issued a parking ticket, the Department will file a citation if the violator fails to pay a charge to the Department in the amount provided in this subparagraph within 5 days of the violation and in the manner specified on the ticket.

(A) For violations of subsection (a), the charge will be in the amount of the maximum fine as provided in section 7505 of the Crimes Code.

(B) For violations of a parking provision of the Vehicle Code other than section 3354(d)(3) or (e) of the Vehicle Code (relating to additional parking regulations), the

charge will be in the amount of the maximum fine as provided in the Vehicle Code.

(C) For violations of section 3354(d)(3) or (e) of the Vehicle Code, the charge will be in the amount of the minimum fine required under section 3354(f) of the Vehicle Code.

(iii) If the Department has not issued a parking ticket, the Department may issue a citation as provided for in 234 Pa. Code Rule 401.

**§ 21.112. Snowmobiles.**

(a) Operating a snowmobile is permitted in accordance with this section.

(b) Operating a snowmobile in violation of Chapter 77 of the Vehicle Code (relating to snowmobiles and all-terrain vehicles) is prohibited.

(c) The following are prohibited except with written permission of the Department:

(1) Operating a snowmobile on a road, trail or area that has not been posted as open for snowmobiles.

(2) Operating a snowmobile outside of the period from the day following the last day of regular or extended rifle deer season as established by the Game Commission through the following April 1, unless the district forester designates an earlier date that is prior to April 1.

(3) Operating or riding on a snowmobile without wearing a securely fastened helmet which meets the specifications established for motorcycle helmets in 67 Pa. Code Chapter 107 (relating to motorcycle helmets).

**§ 21.113. All-terrain vehicles.**

(a) Operating an all-terrain vehicle is permitted in accordance with this section.

(b) Operating an all-terrain vehicle in violation of Chapter 77 of the Vehicle Code (relating to snowmobiles and all-terrain vehicles) is prohibited.

(c) The following are prohibited except with written permission of the Department:

(1) Operating an all-terrain vehicle on a road, trail or area that has not been posted as open for all-terrain vehicles.

(2) Operating an all-terrain vehicle outside of the period from the Friday before Memorial Day through the last full weekend in September and from the day following the last day of regular or extended rifle deer season as established by the Game Commission through the following April 1.

(3) Operating or riding on an all-terrain vehicle without wearing a securely fastened helmet which meets the specifications established for motorcycle helmets in 67 Pa. Code Chapter 107 (relating to motorcycle helmets).

**§ 21.114. Motorized off-road vehicles.**

(a) Operating a motorized off-road vehicle is permitted in accordance with this section.

(b) The following are prohibited except with written permission of the Department:

(1) Operating a motorized off-road vehicle on a road, trail or area that has not been posted as open for motorized off-road vehicles.

(2) Operating a motorized off-road vehicle on a road, trail or area that has not been posted as open outside of the following periods:

(i) From the Friday before Memorial Day through the last full weekend in September.

(ii) From the day following the last day of the regular or extended rifle deer season as established by the Game Commission through the following April 1.

(3) Operating or riding a motorized off-road vehicle without wearing a securely fastened helmet which meets the specifications established for motorcycle helmets in 67 Pa. Code Chapter 107 (relating to motorcycle helmets).

**§ 21.115. Natural resources.**

(a) The following activities are prohibited without written permission of the Department:

(1) Cutting, picking, digging, damaging or removing, in whole or in part, a living or dead plant, vine, shrub, tree or flower, including fungus, lichen and moss, except as permitted in subsection (b) and § 21.120 (relating to ground blinds and tree stands).

(2) Removing rocks, shale, sand, clay, soil or other mineral products.

(3) Removing peat, bark, mulch, pine straw or other natural resources.

(4) Planting a tree, shrub or plant.

(5) Releasing an animal that was brought into a State forest.

(b) The following activities are permitted:

(1) Gathering edible wild plants or plant parts for an individual's personal or family consumption, unless the plant is listed in Chapter 45 (relating to conservation of Pennsylvania native wild plants) as threatened, endangered, rare or vulnerable.

(2) Gathering dead and down wood for building fires on State forest land as permitted in § 21.118 (relating to fires).

**§ 21.116. Feeding wildlife.**

(a) Except as provided in subsection (b), feeding wildlife or laying or placing food, fruit, hay, grain, chemical, salt or other minerals is prohibited without written permission of the Department.

(b) Placing of elevated songbird feeders of less than 1/2 bushel capacity is permitted.

**§ 21.117. Camping.**

(a) *Primitive camping.* Primitive camping without a permit is prohibited if the camper stays more than one night at a campsite. Primitive camping is overnight camping when a motor vehicle is not used for storage or transportation during the camping experience. Primitive camping does not include water trail camping.

(b) *Motorized camping.* Motorized camping without a permit is prohibited. Motorized camping is overnight camping in or near a vehicle when the vehicle is used for storage or transportation during the camping experience.

(c) *Group camping.* Group camping without written permission of the Department is prohibited. Group camping is primitive or motorized camping by a group consisting of more than ten persons.

(d) *Water trail camping.* Water trail camping is allowed without a permit but is limited to two nights at a site. Water trail camping is overnight camping at sites designated for water trail camping along designated water trails.

**§ 21.118. Fires.**

(a) *Prohibition.* Fires are prohibited except in accordance with this section.

(b) *Gas grills and camp stoves.* Fires are permitted in gas grills and camp stoves when these appliances are used as designed.

(c) *Charcoal fires.* Charcoal fires are permitted in appliances designed for them. Disposing of hot charcoal, except in a facility designed for charcoal disposal, is prohibited.

(d) *Fire rings.* Fires are permitted in fire rings that are either provided by the Department or, if not provided by the Department, do not exceed 2 feet in diameter. Fire rings must be constructed of noncombustible material.

(e) *Fireplaces.* Subject to subsection (d), fires are permitted in fireplaces provided by the Department.

(f) *Forest-fire danger.* Fires in fire rings and fireplaces are prohibited at the following times unless permitted by the Department:

(1) When the forest-fire danger is determined by the Department to be high, very high or extreme.

(i) The Department will notify the public of these danger ratings by means of the Department's web site, signs, news releases, fire wardens or volunteer fire departments.

(ii) The public may contact the district forester to obtain forest-fire danger ratings.

(2) From March 1 through May 25.

(g) *Attending a fire.* Failure to attend a fire at all times is prohibited.

(h) *Extinguishing a fire.* Leaving a fire that has not been completely extinguished is prohibited.

(i) *Liability.* A person who has caused a wildfire, in addition to possible criminal penalty, is liable for damages, costs of extinction and fines.

**§ 21.119. Group activities.**

(a) Participating in a group that engages in any of the following types of activity is prohibited without written permission of the Department:

(1) An activity that the Department determines requires a large land area or unique land formation.

(2) An activity that the Department determines may impact or conflict with normal or traditional visitor uses or experiences on State forest land.

(3) An activity that the Department determines may have a greater than normal impact on natural resources or the environment.

(b) This section does not apply to group hunting that is in compliance with 58 Pa. Code §§ 141.22 and 141.42 (relating to small game; and big game animal hunting roster).

**§ 21.120. Ground blinds and tree stands.**

(a) Ground blinds and tree stands may be placed, used and occupied subject to the following requirements:

(1) They must be portable.

(2) Their placement, use or occupation may not cause damage to a tree.

(3) They may not be left overnight except as follows:

(i) They may be left for any length of time within the period beginning 2 weeks prior to the first deer season and ending 2 weeks after the close of the last deer season.

(ii) Ground blinds may be left for any length of time during the spring turkey season and the water fowl season.

(iii) They may be left overnight outside of the periods in subparagraphs (i) and (ii) with written permission of the Department.

(4) Ground blinds must be constructed in accordance with the requirements for turkey blinds under the Game and Wildlife Code.

(b) Ground blinds or tree stands that do not comply with this section and accompanying personal property may be removed, stored or disposed of by the Department.

(c) Violation of this section is prohibited.

(d) This section applies to State forest land other than picnic areas.

**§ 21.121. Pets.**

(a) An owner, keeper or handler of a pet may have the pet in a State forest only under the following conditions:

(1) It is attended and under control of an individual.

(2) It does not behave in a manner that may reasonably be expected to disturb or intimidate another person.

(3) It does not behave in a manner that may cause damage to property or resources.

(b) This section applies to State forest land other than picnic areas.

(c) Violation of this section is prohibited.

**§ 21.122. Other prohibitions.**

(a) The following activities are prohibited without written permission of the Department:

(1) Using State forest land in connection with or arising out of commercial activity.

(2) Removing or disturbing historical or archeological resources.

(3) Posting signs or soliciting.

(4) Plowing or removing snow.

(5) Constructing, altering or removing a structure or other improvement. This paragraph does not apply to ground blinds and tree stands under § 21.120 (relating to ground blinds and tree stands).

(6) Excavating.

(b) The following activities are prohibited:

(1) Littering or disposing of trash, garbage, paper, refuse, waste, pollutants or other materials, except that any materials that have been accumulated during a visit to a State forest may be placed in receptacles or facilities provided by the Department for this purpose.

(2) Damaging or defacing any sign, structure, equipment or other material.

(3) Disorderly conduct, including any of the following:

(i) Fighting.

(ii) Threatening.

(iii) Engaging in violent or tumultuous behavior.

(iv) Making unreasonable noise.

- (v) Using obscene language.
- (vi) Making an obscene gesture.
- (vii) Creating a hazardous or physically offensive condition by any act which does not serve a legitimate purpose of the actor.
- (4) Operating a chainsaw, snowmobile, all-terrain vehicle or motorized off-road vehicle without a fully functioning spark arrestor.
- (5) Possessing or consuming alcoholic beverages by persons under 21 years of age.
- (6) Washing in water outlets, springs, lakes or waterways.
- (7) Discharging trailer, camper or motor home sewage, sink water or bath water except in receptacles or facilities provided by the Department for this purpose and in accordance with posted instructions.
- (8) Placing or leaving personal property where it obstructs or impedes access to a gate, road, trail, path, access way, drinking fountain, entrance, exit, road turn-around, vehicle parking area or other facility.
- (9) Failing to comply with a condition of a permit issued by the Department.

**§ 21.123. Violation of rules regarding conduct in State forests.**

Engaging in activity prohibited under §§ 21.104—21.109 and 21.112—21.122 constitutes a summary offense under section 7506 of the Crimes Code (relating to violation of rules regarding conduct on Commonwealth property).

**CHAPTER 23. [ STATE FOREST PICNIC AREAS ]  
(Reserved)**

*(Editor's Note: As part of this proposed rulemaking, the Department is proposing to rescind §§ 23.1—23.3, 23.11, 23.12, 23.14—23.17, 23.20 and 23.22—23.24, which appear in 17 Pa. Code pages 23-2 and 23-3, serial pages (294806) and (294807).)*

**§§ 23.1—23.3. (Reserved).**

**§ 23.11. (Reserved).**

**§ 23.12. (Reserved).**

**§§ 23.14—23.17. (Reserved).**

**§ 23.20. (Reserved).**

**§§ 23.22—23.24. (Reserved).**

[Pa.B. Doc. No. 14-1873. Filed for public inspection September 5, 2014, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of State

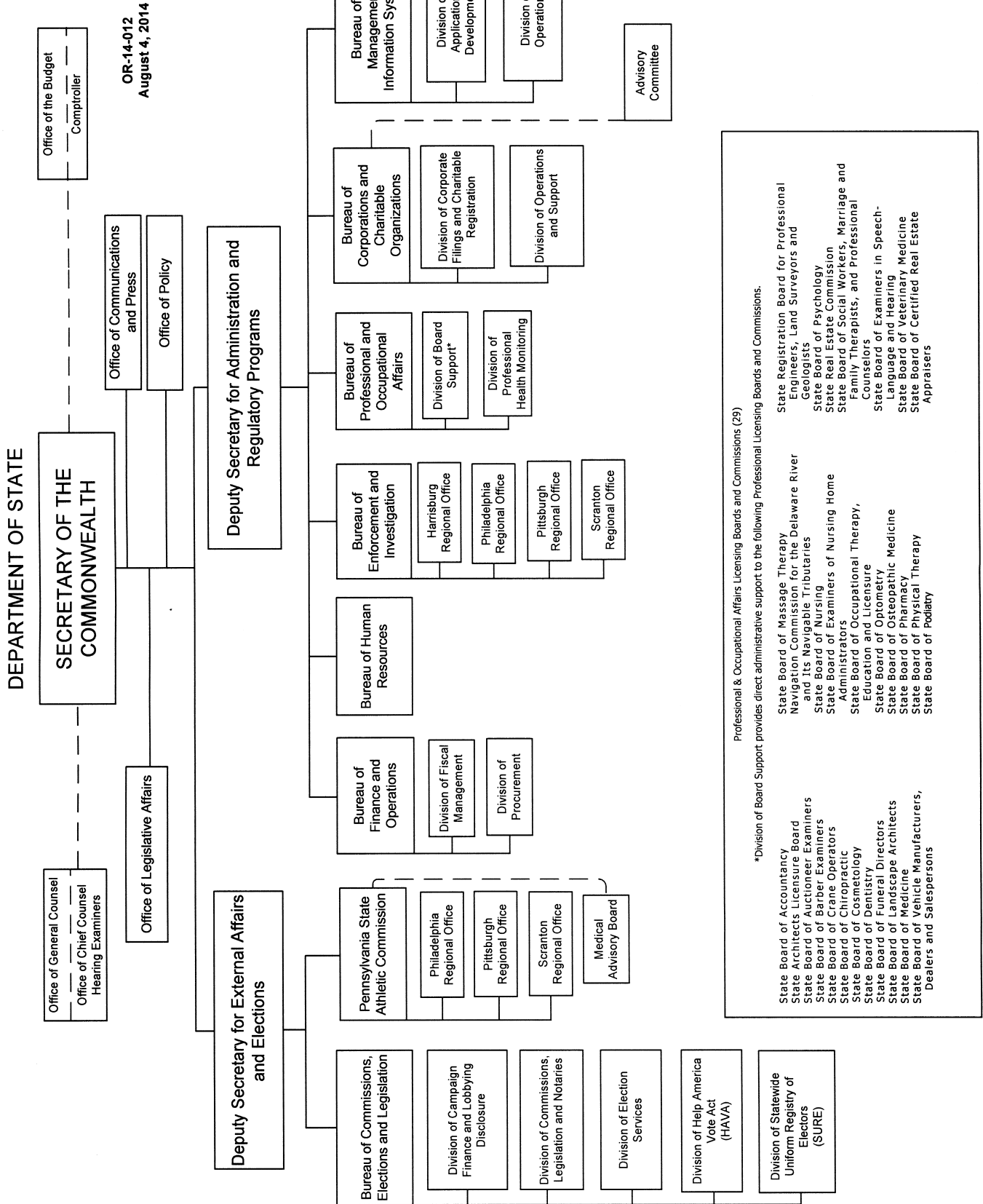
The Executive Board approved a reorganization of the Department of State effective August 4, 2014.

The organization chart at 44 Pa.B. 5767 (September 6, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note:* The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 14-1874. Filed for public inspection September 5, 2014, 9:00 a.m.]

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OR-14-012  
August 4, 2014

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 26, 2014.

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

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-21-2014	National Penn Bancshares, Inc. Allentown Lehigh County  Application for approval to acquire 100% of TF Financial, Inc., Newtown, and thereby indirectly acquire 100% of 3rd Fed Bank, Newtown.	Approved
8-22-2014	Beneficial Bancorp, Inc. Philadelphia Philadelphia County  Beneficial Bancorp, Inc., a holding company in formation filed an application for approval to acquire 100% of Beneficial Mutual Savings Bank, Philadelphia, in connection with Beneficial Mutual Savings Bank's conversion from a Pennsylvania State-chartered mutual savings bank to a Pennsylvania State-chartered stock savings bank. Beneficial Mutual Savings Bank will change its name to Beneficial Bank.	Filed

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-21-2014	Republic First Bank Philadelphia Philadelphia County	220 North Route 73 Berlin Camden County, NJ	Filed
8-21-2014	Republic First Bank Philadelphia Philadelphia County	780 Route 70 West Evesham Burlington County, NJ	Filed

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
8-26-2014	First Resource Bank Exton Chester County  Amendment to Article II of the institution's Articles of Incorporation provides for a change in their principal place of business from 101 Marchwood Road, Exton, Chester County, PA 19341 to 800 North Pottstown Pike, Exton, Chester County, PA 19341	Effective

#### CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-1875. Filed for public inspection September 5, 2014, 9:00 a.m.]

# DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Request for Bids

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

*FDC-300-7199.1—General Construction, Renovations to Region #3 Office, Shawnee State Park.* Work included under this contract consists of the general construction for renovations of the existing office building to provide improved accessibility for the Department’s personnel.

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

*FDC-300-7199.2—HVAC Construction, Renovations to Region #3 Office, Shawnee State Park.* Work included under this contract consists of the HVAC construction for renovations of the existing office building to provide improved accessibility for the Department’s personnel.

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

*FDC-300-7199.3—Plumbing Construction, Renovations to Region #3 Office, Shawnee State Park.* Work included under this contract consists of plumbing construction for renovations of the existing office building to provide improved accessibility for the Department’s personnel.

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

*FDC-300-7199.4—Electrical Construction, Renovations to Region #3 Office, Shawnee State Park.* Work included under this contract consists of the electrical construction for renovations of the existing office building to provide improved accessibility for the Department’s personnel.

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

Bid documents will be available on or after September 10, 2014. The bid opening will be held on October 9, 2014.

ELLEN FERRETTI,  
*Secretary*

[Pa.B. Doc. No. 14-1876. Filed for public inspection September 5, 2014, 9:00 a.m.]

# DEPARTMENT OF EDUCATION

## Application for University Status by Philadelphia College of Osteopathic Medicine

Under the act of June 18, 2014 (P. L. 769, No. 67), the Department of Education (Department) is publishing the application by Philadelphia College of Osteopathic Medicine to become a university.

The Department received notification of the intent to make the change to university status on August 14, 2014. The effective date of the change to university status is January 1, 2015. The Department has reviewed and accepted the notification.

CAROLYN C. DUMARESQ, Ed.D.,  
*Acting Secretary*

[Pa.B. Doc. No. 14-1877. Filed for public inspection September 5, 2014, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

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### APPLICATIONS

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

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

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



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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061026 (Sewage)	Ski Side Village and Chateau Resort Laurel Drive Tannersville, PA 18372	Monroe County Pocono Township	Pocono Creek (1-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261343 (Sew)	Joshua Hill Sewer Company, LLC 929 Baltimore Street Hanover, PA 17331	York County West Manheim Township	UNT West Branch Codorus Creek / 7-H	Y
PA0024074 (Sew)	Shoemakersville Municipal Authority 115 East Ninth Street Shoemakersville, PA 19555-1410	Berks County Shoemakersville Borough	Schuylkill River / 3-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0045993 (Sewage)	Ulysses Municipal STP 508 West Street Ulysses, PA 16948-0392	Potter County Ulysses Borough	Genesee River (14-A)	Y
PA0228842 (Sewage)	Muddy Run Region Authority Madera Wastewater Treatment Plant 813 Spruce Street Madera, PA 16661-9102	Clearfield County Bigler Township	Clearfield Creek (8-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.*

**PA0275620**, Storm Water, SIC Code 3479, **Morgan Advanced Ceramics Inc.**, 7331 William Avenue, Allentown, PA 18106. Facility Name: Morgan Advanced Materials—Diamonex. This facility is located in Upper Macungie Township, **Lehigh County**.

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

The receiving stream(s), Iron Run, is located in State Water Plan watershed 2-C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0 MGD.

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

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0 MGD.

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

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.

**PA0275638**, Storm Water, SIC Code 3715, **Haulmark Industries Inc.**, PO Box 147, 6 Banks Avenue, McAdoo, PA 18237. Facility Name: Haulmark Industries. This proposed facility is located in Banks Township, **Carbon County**.

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

The receiving streams, Quakake Creek and Unnamed Tributary to Quakake Creek, are located in State Water Plan watershed 2-B and classified for High Quality Waters—Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

Other requirements: Stormwater best management practices, PPC plan, annual inspection and compliance evaluation.

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.*

**PA0044598**, Sewage, SIC Code 4581, **Susquehanna Area Region Airport Authority**, One Terminal Drive Suite 300, Middletown, PA 17057-5048. Facility Name: Harrisburg International Airport. This existing facility is located in Lower Swatara Township, **Dauphin County**.

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

The receiving stream(s), Unnamed Tributary to Susquehanna River, is located in State Water Plan watershed 7-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 0.35 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000	XXX	10000
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	7306			
Net Total Phosphorus	Report	974			

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- Chesapeake Bay Nutrient Requirements
- Requirement to use EDMR System
- Solids Management

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

The EPA Waiver is in effect.

**PA0085570**, Industrial Waste, SIC Code 4941, **Millersburg Borough Area Authority** Dauphin County, 101 West Street, Millersburg, PA 17061-1363. Facility Name: Millersburg Borough Water System. This existing facility is located in Upper Paxton Township, **Dauphin County**.

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

The receiving stream(s), Wiconisco Creek, is located in State Water Plan watershed 6-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids	Report	Report	XXX	30	60	75
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Annl Avg Report Annl Avg	XXX	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Aluminum	Report	Report	XXX	4.0	8.0	10
Total Iron	Report	Report	XXX	2.0	4.0	5.0
Total Manganese	Report	Report	XXX	1.0	2.0	2.5

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

- Sedimentation basin cleaning requirements

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.

**PA0084514**, Sewage, SIC Code 4952, **Shade Gap Borough Area Joint Municipal Authority** Huntingdon County, PO Box 185, Shade Gap, PA 17255-0185. Facility Name: Shade Gap STP. This existing facility is located in Shade Gap Borough, **Huntingdon County**.

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

The receiving stream(s), Shade Creek, is located in State Water Plan watershed 12-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.065 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	14	22	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	16	24	XXX	30	45	60
		Wkly Avg				
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 Avg Qrtly	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

The EPA Waiver is in effect.

**PA0083992**, SIC Code 6514, **Dolores J Carrigan**, 112 Pondview Lane, Clearville, PA 15535. Facility Name: Carrigan Residence SRSTP. This proposed facility is located in Southampton Township, **Bedford County**.

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

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

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

The EPA Waiver is in effect.

**PA0248568**, SIC Code 4952, 6514, **Barbara & James Angelo**, 12295 Turkey Farm Road, Huntingdon, PA 16652. Facility Name: Angelo Residence SRSTP. This proposed facility is located in Walker Township, **Huntingdon County**.

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

The receiving stream(s), Unnamed Tributary of Crooked Creek, is located in State Water Plan watershed 11-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

The EPA Waiver is in effect.

**PA0088978**, Sewage, SIC Code 4952, **West Pennsboro Township Municipal Authority**, 2150 Newville Road, Carlisle, PA 17013-8957. Facility Name: West Pennsboro STP. This existing facility is located in **Cumberland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0835 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	17	XXX	XXX	25	XXX	50
CBOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	20	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
UV Intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Instant. Maximum	
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus	0.7	XXX	XXX	1.0	XXX	2.0

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

The EPA Waiver is in effect.

**PA0084514**, Sewage, SIC Code 4952, **Shade Gap Borough Area Joint Municipal Authority Huntingdon County**, PO Box 185, Shade Gap, PA 17255-0185. Facility Name: Shade Gap STP. This existing facility is located in Shade Gap Borough, **Huntingdon County**.

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

The receiving stream(s), Shade Creek, is located in State Water Plan watershed 12-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.065 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	14	22	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	16	24	XXX	30	45	60
		Wkly Avg				
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 Avg Qrtly	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

The EPA Waiver is in effect.

**PA0084107**, Industrial Waste, SIC Code 4953, **Cycle Chem, Inc.**, 550 Industrial Drive, Lewisberry, PA 17339-9537. Facility Name: Cycle Chem, Inc.—Lewisberry. This existing facility is located in Fairview Township, **York County**.

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

The receiving stream(s), Unnamed Tributary of Fishing Creek, is located in State Water Plan watershed 7-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are as follows:

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Cyanide	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

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

The EPA Waiver is in effect.

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

**PABIG 4802. McGuire's Septic Service**, Sheshequin Township, **Bradford County**. McGuire's Septic Service, PO Box 289, Ulster, PA 18850 has applied to use their biosolids for beneficial use by land applications.

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### III. WQM Industrial Waste and Sewerage Applications 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. 5414402**, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 762 W Lancaster Ave, Bryn Mawr, PA 19010-3402.

This proposed facility is located in North Union and East Union Townships, **Schuylkill County**.

Description of Proposed Action/Activity: to authorize the construction, operation and maintenance of a pumping station and a low pressure sewage collection and conveyance system in Phase II of the Hidden Forest section of Eagle Rock Resort residential community.

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024513-001-3	Kalahari Resorts, LLC 1305 Kalahari Drive P. O. Box 590 Wisconsin Dells, WI 53965	Monroe	Tobyhanna and Pocono Townships	Swiftwater Creek (EV)  Indian Run (EV)
	Pocono Manor Investors PT-L1 P. O. Box 38 The Inn at Pocono Manor Pocono Manor, PA 18349			

*Wayne County Conserve District, 648 Park Street, Honesdale PA 18431*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI026414005	Beach Lake DPP IX LLC 9010 Overlook Blvd. Brentwood, TN 37027	Wayne	Berlin Township	Beach Lake Creek (HQ-CWF, MF)

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

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041814007	Fox Hollow Construction LLC 46 Speed Ln Mill Hall PA 17751	Clinton	Porter Township	Fishing Creek HQ-CWF 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>
Keystone Dairy Ventures, LLC 324 Balance Meeting Road Peach Bottom, PA 17563	Lancaster	655.3	1,408.5	Dairy	HQ	Renewal

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 0914512** Public Water Supply

Applicant	<b>Doylestown Township Municipal Authority</b>
City	Bucks
Township	Doylestown
Responsible Official	Richard E. John 425 Wells Road Doylestown, PA 18901-2717
Type of Facility	PWS
Consulting Engineer	SC Engineers, Inc. P. O. Box 407 Fort Washington, PA 19034
Application Received Date	August 7, 2014
Description of Action	Upgrading of the central pumping station.



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

**Application No. 4014506**, Public Water Supply.

Applicant **PA American Water**  
800 W. Hershey Park Drive  
Hershey, PA 17033

[Township or Borough] **Kingston Township**  
**Luzerne County**

Responsible Official Mr. David Kaufman  
Vice President-Engineering

Type of Facility PWS

Consulting Engineer Mr. William J Malos, PE  
PA American Water Company  
100 N Pennsylvania Avenue  
Wilkes-Barre, PA

Application Received Date July 29, 2014

Description of Action This project is for replacement the existing distribution pumps with duplicate Grundfos Vertical Centrifugal pump with VFD control located at Hillcrest Well # 1 and Water System.

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

**Permit No. 0514503 MA, Minor Amendmant**, Public Water Supply.

Applicant **Saxton Brough Municipal Authority**

Municipality Saxton Borough

County **Bedford**

Responsible Official Steve Stoudnour, Chairman  
PO Box 173  
Saxton, PA 16678

Type of Facility Public Water Supply

Consulting Engineer Mark V. Glenn, P.E.  
Gwin, Dobson & Foreman, Inc.  
3121 Fairway Dr.  
Altoona, PA 16602-4475

Application Received: 8/7/2014

Description of Action Rehabilitation and repainting of the Carbaugh Lane 500,000 gallon storage tank.

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

**Application No. 0814501—Construction** Public Water Supply.

Applicant **Bradford County Manor**

[Township or Borough] West Burlington Township

County **Bradford**

Responsible Official Larry Belinger, Maintenance Supervisor  
Bradford County Manor  
15900 Route 6  
Troy, PA 16947

Type of Facility Public Water Supply

Consulting Engineer Timothy K. Steed, P.E.  
Hunt Engineers, Architects & Land Surveyors, P.C.  
1 Elizabeth Street, Suite 12  
Towanda, PA 18848

Application Received 8/19/14

Description of Action Replacement of the existing groundwater well. Proposed well will be developed approx. 45 ft. east of the existing well. The existing well will be grouted and capped after the proposed well is operational.

**Application No. 5914501—Construction** Public Water Supply.

Applicant **Tioga Borough Municipal Authority**

[Township or Borough] Tioga Borough

County **Tioga**

Responsible Official Keith Preston, Chairman  
Tioga Borough Municipal Authority  
18 North Main Street  
Tioga, PA 16946

Type of Facility Public Water Supply

Consulting Engineer Gregory M. Cummings, P.E.  
Larson Design Group  
1 West Market Street, Suite 301  
Corning, NY 14830

Application Received 8/18/14

Description of Action Update the pH adjustment process by replacing the present dry lime feed system with an alternate pH control chemical, liquid caustic soda (sodium hydroxide). The hydrochlorination system will be replaced as well.

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

**Permit No. 1014504**, Public Water Supply

Applicant **County Line Tavern**

Township or Borough Clearfield Township

County **Butler**

Responsible Official John W. Bauer, Jr.

Type of Facility Public Water Supply

Consulting Engineer Michael A. Basista, P.E.  
Bankson Engineers, Inc.  
267 Blue Run Road, Suite 200  
Cheswick, PA 15024

Application Received Date August 13, 2014

Description of Action Addition of contact piping for 4-Log treatment of viruses.

**MINOR AMENDMENT**

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

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

**Application No. 2450129, Minor Amendment.**

Applicant	<b>Cressona Point Properties, LLC</b>
[Township or Borough]	Middle Smithfield Township
Responsible Official	Cole Pepper, Owner P. O. Box 53, Ashfield, PA 18212
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Application Received Date	07/28/2014
Description of Action	This project provides for the transfer of PWS Permit 2450129 formerly known as the Rocky Ridge Water Company.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

**Dowell Schlumberger**, 1375 West Pleasant Street, City of Corry, **Erie County**. URS Corporation, 257 Genesee Street, Suite 400, Buffalo, NY 77478, on behalf of Schlumberger Technology Corporation, 105 Industrial Boulevard, Sugar Land, TX 77478, submitted a Notice of Intent to Remediate. Historically, the facility provided special products and services for oil and gas well cementing and stimulation. It was also utilized for the maintenance and storage of oil field service vehicles and provided other oil field support services. Tetrachlorethane, trichloroethene, and benzene were the primary contaminants detected in site soil and groundwater. The anticipated future use of the site will be non-residential. The proposed remediation standards are a combination of Site-Specific and Statewide Health. The Notice of Intent to Remediate was published in the *Corry Journal* on July 30, 2014.

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

**Former Defense Logistics Agency—Strategic Materials Stockpile Site**, Peters Creek Road, Jefferson Hills Borough, **Allegheny County**. PARS Environmental, Inc., 500 Horizon Drive, Suite 540, Robinsville, NJ 08691 on behalf of Defense Logistics Agency -Strategic Materials, 8725 John J. Kingman Road, Fort Belvoir, VA 22060-6221 has submitted a Notice of Intent to Remediate to meet the non-residential Statewide Health and Site Specific Standards, concerning site soils and groundwater contaminated with arsenic, chromium, manganese, lead and selenium. Notice of the NIR was published in the *Pittsburgh Post-Gazette* on July 31, 2014.

**XTO Energy Inc.—Curtis Poole #5 Well Site**, Blacklegs Road, Young Township, **Indiana County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township 16066 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 has submitted a Notice of Intent to Remediate to meet a combination of State Wide Health and Site Specific Standards, concerning site soils contaminated with volatile and semi-volatile compounds (VOC's & SVOC's), metals and chloride. The future use of the property is to remain a gas production well. Notice of the NIR was published in the *Indiana Gazette* on August 4, 2014.

## RESIDUAL WASTE GENERAL PERMITS

**Application(s) 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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.*

**General Permit Application Number WMGR101D001. Ervin Industry, Butler, Butler County, PA.** This application is for the renewal of a general permit for the processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag, reclaimed asphalt pavement materials (RAP) in quantities greater than 10 cubic yards and uncontaminated brick, block and concrete from sidewalk and highway projects as a construction material. The application was deemed administratively complete on August 19, 2014.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at rapbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Application Number WMGR101D001" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit,

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

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, 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 Subchapters D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**23-0003Y: Monroe Energy, LLC—Monroe** (4101 Post Road, Trainer, PA 19061) for installation of a new or reconstructed boiler (Source ID 053) in Upper Darby Township, **Delaware County**. The proposed boiler will be equipped with low NO<sub>x</sub> burners and flue gas recirculation to reduce NO<sub>x</sub> emissions. NO<sub>x</sub> emissions will be further reduced by selective catalytic reduction. CO and VOC emissions will be reduced by an oxidation catalyst. This project will result in annual emission increases of 11.70 tons NO<sub>x</sub>, 29.63 tons CO, 12.02 tons SO<sub>2</sub>, 10.64 tons PM (filterable), 13.52 tons PM<sub>10</sub> (filterable and condensable), 9.9 tons PM<sub>2.5</sub> (filterable and condensable); and 1.98 tons VOC.

Based on the information provided by Monroe and the Department's own analysis, the contemporaneous NO<sub>x</sub>

emission increases make this project subject to the requirements of 25 Pa. Code Chapter 127, Subchapter E—New Source Review. The required NO<sub>x</sub> emission reduction credits (ERCs) are 152.28 tons to offset the contemporaneous net NO<sub>x</sub> emission increases of 117.04 tons. Monroe must provide the required amount of NO<sub>x</sub> ERCs before commencing operation of this boiler. Further details on the installation are available upon request.

The boiler is also subject to the requirements of 40 C.F.R. Part 60 Subpart Db (Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units), and Subpart Ja (Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction Commenced After May 14, 2007), and Part 63 Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial Boilers). The applicable requirements including emission limitations, work practice standards, testing, reporting, recordkeeping requirements are specified in the Plan Approval.

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

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

**36-05017E: Conestoga Wood Specialties Corp.** (245 Reading Road, East Earl, PA 17519) for construction of a new coating line at their wood kitchen cabinet manufacturing facility in East Earl Township, **Lancaster County**. The new coating line will consist of a panel cleaner, infrared preheating units, a reciprocating spray machine with eight (8) spray guns, a flash-off tunnel, a vertical dryer, a hi-velocity infrared heating tunnel, and a cooling tunnel. The new line has the potential-to-emit VOCs at a rate of 50.7 tpy, HAPs at a rate of 13.5 tpy, PM<sub>10</sub> at a rate of 4.1 tpy, and NO<sub>x</sub> at a rate of 2.1 tpy. The facility will limit VOC emissions from the new coating line to 30 tpy. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirements (BAT) of 25 Pa. Code §§ 127.1 and 127.12, as well as 25 Pa. Code § 129.52—Surface coating processes, 25 Pa. Code §§ 129.101—129.107—Wood Furniture Manufacturing Operations, 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters, and 40 CFR Part 63, Subpart JJ—National Emission Standards for Wood Furniture Manufacturing Operations. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into a State Only Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

**14-00029B: Con-Stone, Inc.** (PO Box 28, Bellefonte, PA 16823) for construction of a new Canica 2000SD

vertical shaft impact crusher, a Simplicity 5' x 12' 1D screen and two truss conveyors at the Aaronsburg plant, in Haines Township, **Centre County**.

The Department of Environmental Protection's (Department) review of the information submitted by Con-Stone, Inc. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including monitoring, recordkeeping, and reporting requirements, and the emission of air contaminants including the Federal Standards for Performance for New Stationary Sources, 40 CFR Part 60 Subpart OOO Sections 60.670—60.676, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emission from each proposed source included in this project will not exceed the following limits: 6.19/2.56 TPY PM/PM<sub>10</sub>; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: Limit the product throughput below 3,500,000 tons per year; Control air emissions by wet dust suppression system with addition of water spray nozzles at the transfer point; Operate the proposed equipment on direct electric lines; Establish the recordkeeping and testing procedure in accordance with 40 CFR Part 60, Subpart OOO.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 14-00029B, the requirements established in the plan approval will be incorporated into State Only Operating Permit 14-00029 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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.

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

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

**25-1026A: Brugger Funeral Homes & Crematory, LLP** (845 East 38th Street, Erie, PA 16504) intends to issue a plan approval to, for changes in their method of operating one existing human crematory (relating to door opening) at their facility in the City of Erie, **Erie County**. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

The facility consists of one human crematory installed June 15, 2010 under authorization from GP14-37-327. This plan approval application was submitted per the Department's instruction that those crematories which open their primary chamber's door during operation could no longer use the GP-14 for authorization and must be

authorized by a plan approval or discontinue the opening of the door during the cremation cycle and continue to maintain their GP-14. Brugger has elected to apply for a plan approval rather than discontinue the opening of their door which they feel is necessary for efficient and complete cremation cycles. Special conditions will be included in the plan approval which address door opening and its impact on emissions and operation.

Emissions are estimated to be: less than 1.25 tons per year (tpy) of particulate matter, less than 1.0 tpy (each) of SO<sub>x</sub>, NO<sub>x</sub>, CO, VOC, and HAP.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [25-1026A] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Jacob G. Chemsak, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6638.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

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

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

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

**46-00200: John Middleton Co.** (PO Box 85108, Richmond, VA 23285) for their tobacco manufacturing facility at 418 Church Road, King of Prussia in Upper Merion Township, **Montgomery County**. The renewal permit is for a non-Title V (State only) facility. Air emissions sources at the facility include a dual oil/natural gas fired 350 hp boiler, a natural gas fired 500 hp boiler and a Top Dressing Storage and Mixing area. Most of the tobacco manufacturing equipment operates under Plan Approval 46-0200E, which is not being incorporated in the Operating Permit at this time. The 500 hp boiler was previously regulated under GP1-46-0239. Conditions of the general

permit are being incorporated with the renewal. Both boilers are equipped with Low NO<sub>x</sub> (nitrogen oxides) Burners and Flue Gas Recirculation. The facility has taken restrictions to limit emissions of volatile organic compounds to 24.9 tons/year on a 12-month rolling basis. Estimated potential to emit for other pollutants, including sources in Plan Approval 46-0200E are: particulate matter (PM) 7.1 tons/year, nitrogen oxides (NO<sub>x</sub>) 15.4 tons/year, sulfur dioxide (SO<sub>2</sub>) 18.1 tons/year, and carbon monoxide (CO) 8.8 tons/year, all on a 12-month rolling basis. The 350 hp boiler is subject to 40 CFR Part 63 Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, if it is operated as an oil-fired boiler as defined by the Subpart. Both boilers are subject to 40 CFR Part 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The operating permit will include monitoring and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**11-00412: Fuel Recovery, Inc.** (254 Interpower Drive, Colver, PA 15927) for a renewed facility-wide Natural Minor Operating Permit for operation of a coal preparation plant, known as the Sonman Refuse Site, in Portage Township, **Cambria County**. The facility contains air contamination sources consisting of coal stockpiles, conveyers, screens, loadout, and roadways. Air pollution prevention equipment at the facility includes enclosures, a water truck, and tarping of truck loads. Processed coal throughput is limited to a maximum of 1,310,000 tons per year. Facility emissions are 25.8 tons of PM, 9.0 tons of NO<sub>x</sub>, and 1.6 tons of VOC per year. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 40 CFR 60, Subpart Y, 40 CFR 63, Subpart IIII, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

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

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

**10-00325: Butler VA Medical Center** (325 New Castle Road, Room 505W, Butler, PA 16001-2418) to issue a Natural Minor Operating Permit for the hospital in Butler Township, **Butler County**. The facility's primary emission sources are two 25.8 mmbtu/hr boilers, a 12.4 mmbtu/hr boiler, emergency generators in buildings 99, 4, 3, 2, 7, 30 and the domiciliary. The facility also has miscellaneous smaller boilers (less than 10 mmbtu/hr), space heaters, and a parts washer. The permit contains the requirements of plan approval 10-325A, GP-1, GP-9, the requirements of the approved Request for Determinations (RFDs), and the requirements of 40 CFR 60 Subpart IIII. The NO<sub>x</sub>, VOC, TSP, PM<sub>10</sub>, CO, and SO<sub>x</sub> potential emissions are less than 54.18 TPY, 2.65 TPY, 3.5 TPY, 3.5 TPY, 39.3 TPY, and 0.15 TPY, respectively. The facility is an area source of Hazardous Air Pollutants (HAPs). The boilers are restricted to natural gas firing except for periodic testing of liquid fuel that shall not exceed a combined total of 48 hours during any calendar year. The boilers may also be fired with oil in the event of gas

curtailment and gas supply interruptions. Based on primarily firing natural gas fuel, the boilers are exempt from 40 CFR 63 Subpart JJJJJJ.

**25-00383: Erie Hard Chrome, Inc.—Erie Plant** (1570 12th Street, Erie, PA 16511-1750) to re-issue a Natural Minor Operating Permit for this facility in the City of Erie, **Erie County**.

The three chrome plating lines at this facility (Source IDs: 101, 102 and 103) are subject to the requirements of 40 CFR 60, Subpart N—National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. These requirements were included in previous versions of the operating permit.

The Nickel Plating Line (Source ID: 104) is subject to the requirements of 40 CFR 63, Subpart W—National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations. These requirements were updated to reflect amendments to Subpart W that were published on September 19, 2011.

The Batch Cold Degreaser (Source ID: 105) is subject to the requirements of 40 CFR 63, Subpart T—National Emission Standards for Halogenated Solvent Cleaning. These requirements were included in previous versions of the operating permit.

Potential emissions, if all source were operated 8,760 hours per year, from this facility are estimated to be as follows: (all values are in tons per year)  $\text{NO}_x = 2.0$ ,  $\text{CO} = 1.7$ ,  $\text{CO}_2 = 2,365.2$ , Particulate Matter = 0.15,  $\text{SO}_x = 0.01$ ,  $\text{VOC} = 0.1$ , Perchloroethylene = 1.5, Trichloroethylene = 1.5, Chromium = 0.0036.

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

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

**49-00005: Hoeganaes Corp.** (4330 Paradise Road, Watertown, PA 17777) to issue a renewal State Only Operating Permit for their Watertown Plant located Delaware Township, **Northumberland County**. The facility is currently operating under State Only Operating Permit 49-00005. The facility's main sources include two #2-fuel-oil fired boilers, twenty five small #2-fuel-oil fired space heaters, metal powder blending and bonding operations controlled by cartridge collectors and fabric collectors, metal powder manufacturing operations controlled by cartridge collectors, specialty blended metals processes controlled by cartridge collectors and fabric collector, AGM delivery system controlled by fabric collectors, distaloy screen system controlled by fabric collectors, a sample production process controlled by a cartridge collector, and a 50 kW diesel-fired emergency generator.

The facility has potential emissions of 0.56 ton in any 12 consecutive month period (tpy) of carbon monoxide, 2.70 tpy of nitrogen oxides, 8.11 tpy of sulfur oxides, 0.02 tpy of volatile organic compounds, 36.14 tpy of particulate matter less than 10 microns in size, 36.02 tpy of particulate matter less than 2.5 microns in size, and 8,138 tpy of greenhouse gases (i.e. carbon dioxide equivalent). Revisions include incorporating controlling fugitive emissions from a flexbag unloading station, incorporating a portable dust sweeper and portable dust collector, the operation of a hand-add station to be controlled by an existing cartridge collector, and to remove a throughput limitation that is no longer applicable.

The boilers are subject to 40 CFR Part 63 Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. The emergency engine is subject to 40 CFR Part 63 Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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 as well as 40 CFR Part 63.

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.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the

issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

#### *Coal Applications Received*

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

**Permit No. 56140103 and NPDES No. PA0279315. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, commencement, operation and restoration of a bituminous surface and auger mine in Southampton and Fairhope Townships, **Somerset County**, affecting 291.3 acres. Receiving streams: unnamed tributaries to Wills Creek to Potomac River classified for the following use: high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 30, 2014.

**Permit No. 11130105 and NPDES No. PA0279323. AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, commencement, operation and restoration of a bituminous surface mine in West and East Carroll Townships, **Cambria County**, affecting 133.6 acres. Receiving streams: unnamed tributary to/and the west branch of the Susquehanna River classified for the following uses: cold water fishery and warm water fishery. The first downstream potable water supply intake from the point of discharge is Bakerton Reservoir—West Carroll Water & Sewer Authority. Application received: August 8, 2014.

The applicant is requesting to obtain a variance to conduct surface mining activities within 100 feet of unnamed tributary #5 to West Branch of the Susquehanna River and unnamed tributary #6 to West Branch of the Susquehanna River. The stream encroachment activity consists of constructing replacement wetlands along the edge of unnamed tributary #5 which will replace the wetlands mined through above the stream channel. The next stream encroachment activity consists of construction of E&S Controls and mining within 50 feet of the impacted unnamed tributary #6 and adjacent wetlands.

Also mining will affect 1.01 acres of wetlands, which will be replaced with 1.05 acres of wetlands with similar values during or after mining has been completed and prior to bond release. The applicant is also requesting a Chapter 105 encroachment permit and a 401 Water Quality Certification to conduct the activities described in these conditions.

**Permit No. 56070110 and NPDES No. PA0262498. PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface mine, to approve a variance to the 100 foot barrier to Stonycreek Township Road T-530 North Dominion Road, in Stonycreek Township, **Somerset County**, affecting 249 acres. Receiving streams: Schrock Run and unnamed tributary #2 to Glades Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 28, 2014.

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

**16140104 and NPDES Permit No. PA0259519. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous surface mine in Limestone Township, **Clarion County**, affecting 78.0 acres. Receiving streams: One unnamed tributary to Sloan Run and two unnamed tributaries to Parsons Run, both classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 12, 2014.

**1475-16140104-E-1. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 25 feet of unnamed tributary No. 9 to Parsons Run in Limestone Township, **Clarion County**. Receiving streams: One unnamed tributary to Sloan Run and two unnamed tributaries to Parsons Run, both classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 12, 2014.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**37130303 and NPDES Permit No. PA0259501. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Commencement, operation and restoration of a large industrial minerals mine in Plain Grove & Worth Townships, **Lawrence & Butler Counties**, affecting 354.3 acres. Receiving streams: Unnamed tributary "A" to Jamison Run and Jamison Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 7, 2014.

**1270-37130303-E-1. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Application for a stream encroachment to construct a haul road along the northern side of unnamed tributary "C" to Slippery Rock Creek in Plain

Grove & Worth Townships, **Lawrence & Butler Counties**. Receiving streams: Unnamed tributary "A" to Jamison Run and Jamison Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 7, 2014.

**1270-37130303-E-2. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Application for a stream encroachment to mitigate 0.92 acre of wetlands along the northern side of unnamed tributary "A" to Jamison Run in Plain Grove & Worth Townships, **Lawrence & Butler Counties**. Receiving streams: Unnamed tributary "A" to Jamison Run and Jamison Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 7, 2014.

#### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

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

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

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

\* The parameter is applicable at all times.

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU)



Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0279293 (Mining Permit No. 32130102), Forcey Coal, Inc.**, 475 Banion Road, Madera, PA 16661 for a new NPDES permit for surface mining activities in Green Township, **Indiana County**, affecting 10.7 acres. Receiving streams: unnamed tributary to/and Little Mahoning Creek, classified for the following use: high quality cold water fishery. Application received: June 25, 2014.

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

The outfalls listed below discharge to an unnamed tributary to Little Mahoning Creek.

The outfalls listed below require a non-discharge alternative.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
Sediment Trap TR-1	(non-discharge alternative)
Sediment Trap TR-2	(non-discharge alternative)
Treatment Pond TF-1	(non-discharge alternative)

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

**NPDES No. PA0259497 (Permit No. 10130103), Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) New NPDES permit for a bituminous surface mine in Clay Township, **Butler County**, affecting 44.0 acres. Receiving streams: Muddy Creek, classified for the following uses: HQ-CWF. TMDL: None. Application received: June 27, 2014.

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

The outfall(s) listed below requires a non-discharge alternative and implementation of BMPs:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	Y
TP2	Y

The outfall(s) listed below requires a non-discharge alternative and implementation of BMPs for surface water collected in response to precipitation from less than 10 year/24 hour storm event. The outfall listed below may discharge to Muddy Creek in response to precipitation exceeding the 10 year/24 hour storm event:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SPA	Y
SPB	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
Alkalinity greater than acidity <sup>1</sup>				

**NPDES No. PA0242560 (Permit No. 61040102), Bedrock Mines, LP** (111 Freeport Road, Aspinwall, PA 15215) Renewal of an existing NPDES permit for a bituminous surface mine in Irwin Township, **Venango County**, affecting 58.0 acres. Receiving streams: Unnamed tributary to Scrubgrass Creek, classified for the following uses: CWF. TMDL: Scrubgrass Creek. Application received: July 10, 2014.

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

The outfall(s) listed below discharge to unnamed tributary to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB	N
TC	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	2.25
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 to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
B	N
C	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)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should

contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E06-605: Dauphin County Board of Commissioners**, PO Box 1295 Harrisburg, PA 17108 in South Hanover Township and Hummelstown Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District

To 1) remove an existing structure; 2) construct and maintain a 300.0-foot long, 34.67-foot wide three-span concrete spread box beam bridge with R-8 rip rap scour protection across Swatara Creek (WWF, MF) having an underclearance ranging from 4.3 feet to 14.2 feet; 3) construct and maintain a gravel parking lot and geotextile boat ramp in the floodway of Swatara Creek (WWF, MF); and 4) to install and maintain a) 82 feet of 24.0-inch diameter reinforced concrete pipe and R-6 rip rap scour protection; b) 34 feet of 24.0-inch diameter reinforced concrete pipe with R-6 rip rap scour protection; c) 35 feet of 18.0-inch diameter reinforced concrete pipe with R-6 rip rap scour protection; d) 57 feet of 24.0-inch diameter reinforced concrete pipe with R-6 rip rap scour protection; e) an 18.0-inch diameter reinforced concrete pipe outfall, all discharging to Swatara Creek (WWF, MF); and 5) two temporary construction causeways in Swatara Creek (WWF, MF), all for the purpose of provid-

ing sustainable, safe and efficient crossing of Swatara Creek. The project is located near the intersection of N. Duke Street and N. Railroad Street (Latitude: 40° 16' 14.1"N, Longitude 76° 42' 57.9"W) in South Hanover Township and Hummelstown Borough, Dauphin County.

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

**E17-487. Clearfield County Economic Development Corporation**, 511 Spruce Street—Suite 5, Clearfield, PA 16830-1923. Clearfield Riverfront Project in Clearfield Borough, **Clearfield County**, ACOE Baltimore

District (Clearfield, PA Quadrangle Latitude: 41° 01' 36.36"; Longitude: -78° 26' 22.61").

The applicant is seeking authorization to construct, operate and maintain a riverwalk, amphitheater, canoe launch, parking area, retaining wall, vegetative stabilization, rock stabilization and storm sewer outfall in and along the West Branch Susquehanna River and its floodway for the Clearfield Riverfront Project. The West Branch Susquehanna River is designated as a Warm Water Fishery. Construction of new or modification to existing facilities for the project will require the following ten (10) floodway and/or channel encroachments at the given location:

<i>Impact ID</i>	<i>Regulated Area</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Impact Length</i>	<i>Impact Width</i>
1	Floodway	Riverwalk& Parking	41.023195	-78.440985	110.0'	8.9'
2	Floodway	Rip Rap	41.023257	-78.441031	7.0'	1.6'
2	Channel	Rip Rap & Storm Sewer	41.023257	-78.441031	52.0'	13.3'
3	Floodway	Vegetative Stabilization	41.023154	-78.441078	130'	10.2'
3	Channel	Vegetative Stabilization	41.023154	-78.441078	260'	18.8'
4	Channel	Retaining Wall Rehabilitation	41.022538	-78441318	128'	8.8'
5	Channel	Temporary Construction Area	41.023274	-78.441074	468.0'	4.1'
6	Floodway	Vegetative Stabilization	41.022559	-78.442318	51.9'	5.2'
6	Channel	Vegetative Stabilization	41.022559	-78.442318	962.0'	7.6'
7	Floodway	Riverwalk	41.022996	-78.442307	257.0'	7.6'
7	Channel	Riverwalk	41.022996	-78.442307	316.0'	5.1'
8	Floodway	Rip Rap Stabilization	41.023002	-78.442273	61.0'	3.8'
8	Channel	Rip Rap Stabilization	41.023002	-78.442273	1020.0'	7.4'
9	Floodway	Temporary Construction Area	41.023301	-78.442021	65.0'	3.4'
9	Channel	Temporary Construction Area	41.023301	-78.442021	470.0'	8.3'
10	Floodway	Amphitheater & Canoe Launch	41.024365	-78.441026	15.0'	2.3'
10	Channel	Amphitheater & Canoe Launch	41.024365	-78.441026	83.0'	13.2'

All channel activities listed above shall be performed in dry work conditions by dam and pumping or diverting stream flow around the work areas. There shall be no placement of fill materials in the construction areas of any above listed floodway activities; whereby, existing waterway current, course or FEMA delineated floodway elevations are affected. The project is located south of the Nichol Street Bridge and north of the Market Bridge along the east and west banks of the West Branch Susquehanna River.

#### ENVIRONMENTAL ASSESSMENT

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

**EA 49-002. Nottingham Village Retirement Center Associates, LP**, 58 Neitz Road, Northumberland, PA 17857-9608. Stream Restoration, in Point Township, **Northumberland County**, ACOE Baltimore District.

The project proposes to restore approximately 200 linear feet of first order stream channel. The project will consist of the reestablishment of a natural meander pattern and profile of the Unnamed Tributary to the Susquehanna River, which

is designated as a cold water fishery. This work shall remove the existing channel from the previously constructed storm water pond and reestablish the aquatic habitat and flow regime of the natural channel. Associated with this work will be several new meanders, toe protection and a reestablished off stream storm water containment pond. Water quality improvements shall be noted by eliminating stream disturbances associated with future storm water basin maintenance, increases water quality during facility expansions since an "off-stream" storm water basin can be utilized as a sediment basin during construction to control sediment laden water from entering the stream, maintaining hydraulic and hydrologic conditions upslope of the existing seep to ensure there are no secondary impacts to existing wetlands and streams and reduced erosion (head-cutting) in the existing stream channel by diverting existing facility storm water flows into new water quality management facilities. Increased stream channel stabilization by construction of a longer and meandering stream channel will reduce channel slope and be resilient to scour. Bio-retention facilities proposed along the upslope side of the proposed retention basin will promote overall water quality and recharge for the development. The tiered orientation will also help to sustain a permanent pool within the new retention basin. This project is located 1,800 feet East on Leeds Drive from the intersection with Strawbridge Road.

Northumberland, PA Quadrangle, Latitude: 40° 54' 34.8"; Longitude: -76° 47' 14.6").

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

**EA62-050, Seneca Generation, LLC**, 500 Powerhouse Drive, Warren, PA 16365. Kinzua Pumped Storage Project, in Mead Township, **Warren County**, ACOE Pittsburgh District (Clarendon, PA Quadrangle N: 41°, 49', 50.3"; W: 79°, 0', 35.8").

To modify the operations of the Kinzua Pumped Storage Hydroelectric Project ("Kinzua Project"). The Kinzua Project is an existing 451.8 MW hydroelectric facility (FERC No. P-2280) located along the Allegheny River adjacent to the U.S. Army Corps of Engineers Kinzua Dam.

The applicant is proposing to provide an additional 110 acre-feet of storage capacity within the Upper Reservoir of the Kinzua Project by increasing the maximum operating elevation by one foot, and to automate features of the U.S. Army Corps of Engineers Kinzua Dam sluice gates. The increase in storage capacity will result in an additional 20-22 minutes of electric generation and an additional 80 megawatt-hours of electricity per day. The automation of the sluice gates will provide a smoother transition of flows between the Kinzua Project and the Kinzua Dam, and will assist in providing a relatively constant flow regime to maintain the U.S. Army Corps of Engineers flow requirements downstream of the Kinzua Dam. No construction activities are required for the proposed operational modifications.

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## ACTIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the

Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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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>
PA0031267 (Sewage)	Tri Valley School District Hegins-Hublely Elem School STP 1801 West Main Street Valley View, PA 17983	Schuylkill County Hegins Township	Pine Creek (6-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0010553 (Industrial Waste)	PA Fish and Boat Commission Benner Spring State Fish Hatchery 1735 Shiloh Road State College, PA 16801-8495	Centre County Benner Township	Spring Creek (9-C)	Y

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

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*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. PA0010430**, Industrial Waste, SIC Code 2037, **Hanover Foods Corp**, PO Box 193, Centre Hall, PA 16828-0193.

This existing facility is located in Potter Township, **Centre County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated food processing wastewater and boiler blowdown.

**NPDES Permit No. PA0028461 A-2**, Sewage [SIC Code 4952], **Mifflinburg Borough Wastewater Treatment Plant** Gessner Lane, Mifflinburg, PA 17844.

This proposed facility is located in Mifflinburg Borough, **Union County**.

Description of Proposed Action/Activity: The amendment of the Part C WET conditions in an existing NPDES permit for the discharge of treated Sewage.

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### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI132217	Olyphant Borough, 113 Willow Avenue, Olyphant, PA 18447-1400	Lackawanna	Olyphant Borough	Lackawanna River and Unnamed Tributary to Lackawanna River (Eddie Creek) / HQ-CWF, CWF, and MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023914011	Pennsylvania Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Lehigh	Upper Macungie Twp. & Lower Macungie Twp.	Cedar Creek (HQ-CWF, MF)
PAI024814002	City of Bethlehem 10 East Church Street Bethlehem, PA 18018	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>
PAI033612009(1)	Welsh Mountain Home 567 Springville Road New Holland, PA 17557	Lancaster	Salisbury Township	UNT Richardson Run (HQ-CWF, MF)
PAI032113008	Christopher Hoffman 219 North Hanover Street Carlisle, PA 17013	Cumberland	North Middleton Township	UNT Letort Spring Run (EV, HQ-CWF, MF)
PAI034414001	Valley View Haven 4702 East Main Street Belleville, PA 17004	Mifflin	Union Township	Frog Hollow (HQ-CWF, MF)
PAI032109006	Residential Homes, Et Al 1545 Holly Pike Carlisle, PA 17015	Cumberland	South Middleton Township	UNT Letort Spring Run (EV)

**VII. Approvals to Use NPDES and/or Other General Permits**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

**List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02**Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
North Whitehall Township Lehigh County	PAG02003914006	Aurel Arndt Lehigh County Authority P. O. Box 3348 Allentown, PA 18106	Lehigh River (TSF, MF)	Lehigh County Conservation District 610-391-9583
Jenkins Township Luzerne County	PAG02004009011R	Mericle New Boston Road, LLC Robert Mericle 100 Baltimore Drive Wilkes-Barre, PA 18702	Gardner Creek (CWF, MF) UNT to Susquehanna River (CWF, MF)	Luzerne Conservation District 570-674-7991
Allen Township Northampton County	PAR10U180R	Louis Tepes, Jr. 3185 Center Road Northampton, PA 18067	Lehigh River (TSF, MF)	Northampton County Conservation District 610-746-1971

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

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Straban Township Adams County	PAG02000112004R Issued	Gettysburg Crossing, L.P 10 East Baltimore Street, Suite 1600 Baltimore, MD 21202	Rock Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636
Lower Allen Twp Cumberland County	PAG02002114028 Issued	Lower Allen Township 2233 Gettysburg Road Camp Hill, PA 17011	Cedar Run/ CWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Upper Allen Township Cumberland County	PAG02002105033R Issued	Rhodes Development Group 1300 Market Street PO Box 622 Lemoyne, PA 17043	Cedar Run/CWF, MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Decatur Township Mifflin County	PAG02 0044 14 003 Issued	Jonathan Wray 6487 Old Stage Road Lewistown, PA 17044	UNT to Jacks Creek/CWF	Mifflin County Conservation District 20 Windmill Hill #4 Burnham, PA 17009 717.248.4695 ext. 110
York Township York County	PAG02006714006-1 Issued	Panorama Hills Interceptor Venture LLC 2700 Philadelphia Road Edgewood MD 21040-1120	Kreutz Creek/WWF and Mill Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County	PAG02006714029 Issued	DLA Installation Support 5750 3rd Street Building 750 New Cumberland, PA 17070-5078	Susquehanna River/WWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
York Township York County	PAG02006712030-1 Issued	Apple Retail Properties 950 Smile Way York, PA 17404	Tyler Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
West Manchester Township York County	PAG02006714025 Issued	Integrity Bank 3345 Market Street Camp Hill, PA 17011	Willis Run/WWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Chanceford Township York County	PAG02006714032 Issued	J & L Groff Farms, LLC 102 Picadilly Hill Road Quarryville, PA 17566	UNT to Mill Branch/WWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Springettsbury and Manchester Townships York County	PAG02006707043R Issued	York County Rail Trail Authority PO Box 335 Seven Valleys, PA 17360	Codorus Creek; Main Stem, Oil Creek to Mouth/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
East Manchester Township York County	PAG02006713045 Issued	North York Development LLC 4507 North Front Street Suite 302 Harrisburg, PA 17110	UNT to Musser Run/WWF and Musser Run/WWF and UNT to Little Conewago Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Springettsbury Township York County	PAG02006714053 Issued	Christopher A. & Angela M. Ferro 4223 Britain Drive York, PA 17402	UNT to Kreutz Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Woodbury Township Blair County	PAG02000714007 Issued	Christian & Missionary Alliance 216 East 3rd Street Williamsburg, PA 16693	UNT to Frankstown Branch, Juniata River/WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877 ext
Cumru Township Berks County	PAG02000614040 Issued	NRG REMA LLC 296 Poplar Neck Road Birdsboro, PA 19508	Schuylkill River/WWF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Oley Township Berks County	PAG02000613030 Issued	OZ Property Builders 318 Wet Main Street Birdsboro, PA 19508	Monocacy Creek/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Butler Township Butler County	PAG02001014022	Peoples TWP LLC 205 North Main Street Butler Pa 16001	Little Connoquenessing Creek CWF	Butler County Conservation District 724-284-5270



*Facility Location:  
Municipality &  
County*

<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>
Adams Township Butler County	PAG02001014041R	Kaclik Development Associates LP c/o Eric Lamm 215 Executive Drive Cranberry Township PA 16066	Unt Kauman Run WWF	Butler County Conservation District 724-284-5270
Cranberry Township Butler County	PAG02001014027R	Park Place Marketing LLC c/o Eric Lamm 215 Executive Drive Cranberry Township PA 16066	Unt Brush Creek WWF	Butler County Conservation District 724-284-5270

*General Permit Type—PAG-03**Facility Location:  
Municipality &  
County*

<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>
Carbondale City Lackawanna County	PAR202207	Quality Perforating, Inc. 166 Dundaff Street Carbondale, PA 18407	Coal Brook—5-A CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
New Berlin Borough Union County	PAG034810	Playworld System Inc. 20 Willow Pond Road New Berlin, PA 17855	Penns Creek—6-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

*General Permit Type—PAG-7 Denial**Facility Location:  
Municipality &  
County*

<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>
Westfall Township Pike County	PAG072201	Pike County Environmental 1116 Delaware Drive Matamoras, PA 18336	Pike County Environmental 1116 Delaware Drive Matamoras, PA 18336	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 Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also

available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**SAFE DRINKING WATER****Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 2314508, Minor Amendment.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Township Marple

County **Delaware**

Type of Facility PWS

Consulting Engineer Gannett Fleming, Inc.  
650 Park Avenue  
King of Prussia, PA 19406

Permit to Operate Issued August 12, 2014

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

**Permit No. 3540049,** Operations Permit Public Water Supply.

Applicant **Plum Creek Municipal Authority**  
686 Berne Road  
Auburn, PA 17922

[Borough or Township] Wayne Township

County **Schuylkill**

Type of Facility PWS

Consulting Engineer David M. Bright, P.E.  
SSM Group, Inc.  
1047 N. Park Road  
Reading, PA 19610-0307

Permit to Operate Issued 8/20/2014

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

**Permit No. 3614510,** Public Water Supply.

Applicant **RD's American Grill**

Municipality Drumore Township

County **Lancaster**

Responsible Official Richard D. Tipton, Owner  
1426 Lancaster Pike  
Quarryville, PA 17566

Type of Facility Installation of an anion exchange nitrate treatment system.

Consulting Engineer Charles A. Kehew II, P.E.  
James R. Holley & Associates, Inc.  
18 South George Street  
York, PA 17401

Permit to Construct Issued 8/20/2014

**Permit No. 3614512 MA, Minor Amendment,** Public Water Supply.

Applicant **Ephrata Area Joint Authority**

Municipality Ephrata Borough

County **Lancaster**

Responsible Official Thomas Natarian, Director of Operations  
124 South State Street  
Ephrata, PA 17522

Type of Facility Installation of bulk storage for coagulate used at Ephrata Area Joint Authority Water Treatment Plant.

Consulting Engineer Edward P. Greenebaum, P.E.  
Greenebaum Structures, PC  
26-28 Market Square  
Manheim, PA 17545

Permit to Construct Issued 8/19/2014

**Operation Permit No. 3814501 MA** issued to: **Cornwall Borough Municipal Authority (PWS ID No. 7380007)**, Cornwall Borough, **Lebanon County** on 8/15/2014 for facilities approved under Construction Permit No. 3814501 MA.

**Operation Permit No. 2213505** issued to: **Halifax Area Water & Sewer Authority (PWS ID No. 7220040)**, Halifax Borough, **Dauphin County** on 8/15/2014 for facilities approved under Construction Permit No. 2213505.

**Operation Permit No. 3060069** issued to: **Pennsylvania-American Water Company (PWS ID No. 3060069)**, Spring Township, **Berks County** on 8/15/2014 for facilities approved under Construction Permit No. 0613516 MA.

**Operation Permit No. 3614514 MA** issued to: **East Cocalico Township Authority (PWS ID No. 7360113)**, East Cocalico Township, **Lancaster County** on 8/20/2014 for facilities approved under Construction Permit No. 3614514 MA.

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

**Permit No. 4114503MA—Construction—**Public Water Supply.

Applicant **Montoursville Borough**

Township/Borough Montoursville Borough

County **Lycoming**

Responsible Official Mr. Ron Smith  
Montoursville Borough  
617 North Loyalsock Avenue  
Montoursville, PA 17754

Type of Facility Public Water Supply

Consulting Engineer Paul Krizan, P.E.  
Larson Design Group  
1000 Commerce Park Dr.,  
Suite 201  
Williamsport, PA 17701

Permit Issued August 25, 2014

Description of Action Modifications to upgrade Well #3 bulk water fill station to provide water for nonpotable uses.

**Permit No. 1714501MA—Operation—**Public Water Supply.

Applicant **Burnside Borough**

Township/Borough Burnside Borough

County **Clearfield**

Responsible Official James Philips, Vice Chairman  
Borough of Burnside  
P. O. Box 208  
Burnside, PA 15721

Type of Facility	Public Water Supply
Consulting Engineer	Stephen M. Sewalk, P.E. The EADS Group 227 Franklin St., Suite 300 Johnstown, PA 15901
Permit Issued	August 25, 2014
Description of Action	Construction of a 72,000 gal. glass-fused to steel water storage tank, concrete valve vault with pressure/level gage, and waterline with specialized valves to connect the tank to the existing booster pumps in the water treatment plant and water transmission lines.

**Cooper Township Municipal Authority (Public Water Supply), Clearfield County:** On August 22, 2014, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Cooper Township Municipal Authority. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570) 327-3650).

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

**Emergency Operation Permit** issued to **Mike Davies, Lee Skinner, Cindy Davies**, PWSID #6420031, Keating Township, **McKean County** on August 15, 2014. This permit is issued for the operation of the new replacement well.

**Permit No. 363W13-MA2** Public Water Supply

Applicant	<b>Saegertown Borough</b>
Township or Borough	Saegertown Borough
County	<b>Crawford</b>
Type of Facility	Public Water Supply
Consulting Engineer	Mark J. Corey, P.E. Mark J. Corey & Associates P. O. Box 268 Harborcreek, PA 16421
Permit to Construct Issued	August 19, 2014

**Operation Permit** issued to **Pennsylvania American Water Company, PWSID No. 6370011**, Jackson Township, **Butler County**. Permit Number 3714501 issued August 20, 2014 for the operation of the Ridge Road Booster Pump Station. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on August 18, 2014.

**Operation Permit** issued to **Jay Township Water Authority, PWSID No. 6240005**, Jay Township, **Elk County**. Permit Number 2412502 issued August 22, 2014 for the use of the new SCADA system at the Jay Township Water Treatment Plant. This permit is issued in response to a Certificate of Construction Completion Form received by the Department on July 28, 2014, and multiple inspections conducted by Department of environmental Protection staff.

**Operation Permit** issued to **Sykesville Borough, PWSID No. 6330013**, Sykesville Borough, **Jefferson County**. Permit Number 8742-W-T1-MA2 issued August

22, 2014 for the operation of the 0.25 MG tank submerged mixing system. This permit is issued in response to a Certificate of Construction Completion Form received by the Department on July 17, 2014.

#### WATER ALLOCATIONS

**Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**WA 36-1034, Water Allocations. Northwestern Lancaster County Authority (PWS ID No. 7360164), Lancaster County.** The right to purchase up to 25,000 gallons per day, based on a 30-day average, from the City of Lancaster through an interconnection in Penn Township, Lancaster County. Permittee Contact: David C. McCracken, Chairman, Northwestern Lancaster County Authority, 97 North Penryn Road, Manheim, PA 17545. Consulting Engineer: Mark L. Homan, P.E. Becker Engineering LLC, 111 Millersville Road, Lancaster, PA 17603. Permit Issued: 8/19/2014.

#### HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

##### Notice of Prompt Interim Response Franklin Street Battery Casings Site Hamburg Borough, Berks County

The Department, under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.102—6020.1303), is initiating a prompt interim response at the Franklin Street Battery Casings Site (Site) at 649 Franklin Street in Hamburg Borough, Berks County. The Site is an occupied local residential dwelling. The property and building is owned by Mr. Carl Rightmeyer.

The 649 Franklin Street property is approximately 1.55 acres in size. Battery casings appear to have been intermixed with other fill material and deposited on-site decades earlier. How or when the battery casing wastes were placed is unknown. U.S. Environmental Protection Agency soil sampling conducted in September 2011 found lead levels as high as 1,963 mg/kg in a composite sample and as high as 7,999 mg/kg in a discrete sample. Department discrete sampling conducted in October 2011 found soil lead levels at 2,122 mg/kg and 1,609 mg/kg. The PA Land Recycling Program Residential Direct Contact Statewide Health Standard is 500 mg/kg.

The Department considered two alternatives: 1) No action would be taken by the Department at the site. The contaminated soil and battery casings would remain in place; or 2) Take action by removing battery waste and contaminated soils from the ground surface to a depth of two feet and properly disposing of the battery waste and contaminated soils at an appropriate treatment/disposal facility and backfilled with clean soils. The Department chose alternative 2. This action will be protective of human health and safety and the environment. The cost of this action is estimated at \$51,875.12.

The Department is providing this notice under sections 505(b) and 506(b) of the HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)) and the publication of this notice starts the Administrative Record period under the HSCA. The Administrative Record, which contains information about

the Site and supports the Department's decision to perform this action at the Site, is available for public review and comment. The Administrative Record can be examined from 8 a.m. to 4 p.m. at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 by contacting Asuquo Effiong, (717) 705-4853. The Administrative Record will be open for comment starting September 6, 2014, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before December 5, 2014, by mailing them to Asuquo Effiong at 909 Elmerton Avenue, Harrisburg, PA 17110.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing, scheduled for October 21, 2014, at 7 p.m. at the Reading District Office, 1005 Crossroads Boulevard, Reading PA 19605. Persons wishing to present formal oral comment at the hearing must register before 4 p.m. on October 14, 2014, by calling Lisa Kasianowitz at 717-787-1323. If no one registers for the hearing, the meeting will not be held. Please call Ms. Kasianowitz after October 15, 2014, to determine if a hearing will be held.

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 call Lisa Kasianowitz at 717-787-1323, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

**Notice of Proposed Interim Response  
Lock Haven Laundry  
City of Lock Haven, Clinton County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.102—6020.1305), is proposing an interim response at Lock Haven Laundry, Lock Haven, Clinton County, Pennsylvania. This response is proposed pursuant to Sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 501(a) and 505(b)). The Lock Haven Laundry is located along Bellefonte Ave in the City of Lock Haven, Clinton County. The former Lock Haven Laundry consists of two parcels identified as Clinton County Tax Parcel Number 22-10735 and 22-10736. The environmental investigations at the Laundry site have identified extensive soil and groundwater contamination. The most severe area of soil contamination is located northeast of the main building abutting an adjacent property owner's warehouse and one of the out buildings belonging to the parcel. This area of soil contamination is approximately 50 cubic yards. This area represents a significant source for the groundwater plume, a risk for construction workers when the brownfield site is redeveloped and a source for vapor intrusion from the soil into the nearby commercial buildings. Groundwater contamination of the chlorinated solvents exceeds the Department's Statewide Health Standards (SHS) in the alluvial aquifer. Institutional controls and engineering controls via a vapor mitigation system will be used to eliminate potential exposure from the groundwater pathway.

The Department proposes to conduct a targeted removal action in the area where soil contamination is present above the characteristic hazardous level. The following alternatives were reviewed for this removal action.

Alternative 1. No Further Action—The "No Further Action" alternative does not reduce the toxicity, mobility, or volume of contamination and therefore does not meet the criteria of being protective of human health or the environment.

Alternative 2. Targeted Removal of Soil Contamination—This alternative excavates the soil above the characteristic hazardous level. This alternative reduces the toxicity, mobility and volume of the contamination by removing the most severely impacted soils. All other areas of contamination would be addressed by using institutional controls that limit future site activities and include remediation of indoor air and allow the site to be redeveloped. The cost to implement Alternative 2 is approximately \$250,000.

Alternative 3. Total Removal of Soil Contamination—This alternative would be to conduct a removal of the soil that exceeds the Department's SHS. Soil above the Department's SHS was found throughout the site. The depth of contamination varies from shallow soils to 13.5 feet below ground surface. The cost to implement Alternative 3 is approximately \$1.1 million.

The proposed response is Alternative 2 above, as it is the most cost effective. By removing the most severe contamination and addressing the other area through institutional controls, the potential exposure can be limited while still removing a significant mass of contamination.

This notice is being provided pursuant to Section 506(b) of HSCA. The administrative record which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. The administrative record is located at Lock Haven City Hall, 20 East Church Street, Lock Haven, PA 17745 and at the Department's North-central Regional Office, 208 West Third Street, Williamsport, PA is available for review Monday through Friday from 9:00 a.m. to 4:00 p.m. For reviews at the Department's North-central Regional Office appointments must be made in advance by contacting 570.327.0550 and requesting to review the Lock Haven Laundry administrative record.

The administrative record will be open for comment from July 19, 2014 until October 17, 2014. Persons may submit written comments into the record during this time only, by sending them to Randy Farmerie at PADEP 208 West Third Street, Suite 101 Williamsport, PA 17701 or by delivering them to this office in person. In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing on August 26, 2014 at 7:30 p.m. at the Lock Haven City Hall, 20 East Church Street, Lock Haven, PA 17745. The public hearing will be preceded by a public meeting at the same location beginning at 6:30 p.m. Persons wishing to present comments at the public hearing must register at the hearing location before the public hearing begins.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Dan Spadoni at 570.327.3659 or through the Pennsylvania AT & T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the 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*

**Mulfinger Residence**, 1924 East College Avenue, College Township, **Centre County**. McKee Environmental Inc., 218 Washington Avenue, Bellefonte, PA 16823, on behalf of Centrice & Lucas Mulfinger, submitted a Final Report concerning remediation of site soils contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Northwest Dairy Forwarding Company**, I-80 @ MM 185 eastbound, Greene Township, **Clinton County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Northwest Dairy Forwarding Company, 1305 159th Avenue NE, Ham Lake, MN 55304 submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene,

Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.*

**10th & Vine Street**, City of Philadelphia, **Philadelphia County**. Andy Toy, 301 North 9th Street, Philadelphia, PA 19107 on behalf of Bill Schmidt, Pennoni Associates, Inc. 3001 Market Street, Philadelphia, PA 19104-0591 has submitted a Remedial Investigation and Risk Assessment Report concerning remediation of site groundwater and soils contaminated with pah's, and other organics. The report is intended to document remediation of the site to meet the Site Specific Standard. PF760557

**Sandmeyer Steel Company**, One Sandmeyer Lane, City of Philadelphia, **Philadelphia County**. Christopher W. Duffy, Sandmeyer Steel Company, One Sandmeyer Lane, Philadelphia, PA 19116 on behalf of Eric Lindhult, Whitman, 7 Pleasant Hill Road, Cranbury, NJ 08512, Lorna Velardi, Environmental Strategy Consultants, 1528 Walnut Street, Suite 500, Philadelphia, PA 19102 has submitted a Final Report concerning remediation of site groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF766172

**William Weinberg Family Trust (375 Commerce Drive)**, 375 Commerce Drive, Upper Dublin Township, **Montgomery County**. Marc Weinberg, Weinberg Family Trust, 803 Camarillo Road, Suite C, Camarillo, CA 93012 on behalf of Michael A. Christie, Penn Environmental & Remediation, 2755 Bergey Road, Hatfield, PA 19440 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF726307

**Crozer Pub**, 350 West 15th Street, City of Chester, **Chester County**. Kenneth Rebecchi, Crozer-Chester Medical Center, One Medical Center, Upland, PA 19013-3995 on behalf of Bill Kunsch, J&J Environmental, Inc., P. O. Box 370, Blue Bell, PA 19422, Richard Sacks, P.G., IES Engineers, Inc, 1720 Walton Road, Blue Bell, PA 19422 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF 760594

**Gray Brothers Farm**, 1025 Washington Road, Uwchlan Township, **Chester County**. Gary Gray, Gray Brother's Partnership, 1696 East Lancaster Avenue, Paoli, PA 19301 on behalf of Thomas Lloyd, EnviroSure, 103 South High Street, Suite 1, West Chester, PA 19382, Scott Smith, EnviroSure, 103 South High Street, Suite 1, West Chester, PA 19382 has submitted a Remedial Investigation and Final Report and concerning remediation of site soil and groundwater contaminated with inorganics. The report is intended to document remediation of the site to meet the Site Specific and Statewide Health Standard. PF777087

**C & D Tech Inc. Facility**, 401 Washington Street, Borough of Conshohocken/Whitemarsh Township, **Montgomery County**. Linda Hansen, C&D Technologies, Inc., 1400 Union Meeting Road, Blue Bell, PA 19422 on behalf of Michael Gonshor, Roux Associates, Inc., 122 Parkway, Suite 190, West Deptford, NJ 08066, Mr. Johnathan Spergel, Esquire 401 Washington Street Associates, LP,

700 South Henderson Road, Suite 225, King of Prussia PA 19406 has submitted a Remedial Investigation/Risk Assessment and Cleanup Plan concerning remediation of site groundwater and soil contaminated with inorganics and lead. The report is intended to document remediation of the site to meet the Site Specific Standard. PF632093

**Hatboro Industrial Park**, 244 East County Line Road, Borough of Hatboro, **Montgomery County**. Daniel Zeo, The Zeo Group, Inc., 244 East County Line Road, Hatboro, PA 19040 on behalf of Chang Ho Lie c/o Helen Lie, 1430 Lady Bird Drive, Maclean, VA 22101, Jeremy W. Bolyn, Environmental Maintenance, 1320 East Mermaid Lane, Glenside, PA 19038 has submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF775279

**Schulmerich Carillons Inc.**, 1 Carillon Hill Road, Borough of Sellersville, **Bucks County**. Christopher R. Canavan, Prospect Acquisitions, LP, 404 Sumneytown Pike, Suite 200, North Wales, PA 19454 on behalf of Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 has submitted a Cleanup Plan and Remedial Investigation Report concerning remediation of site soil contaminated with arsenic, copper and lead. The report is intended to document remediation of the site to meet the Site Specific Standard. PF648757

**JC Penny Granite Run Mall**, 1067 West Baltimore Pike, Middletown Township, **Delaware County**. Gregory F. Gambel, Jr. BT Granite Run LP, 200 Witmer Road, Suite 200, Horsham, PA 19044 on behalf of Richard S. Werner, P.G. Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF617937

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes

conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**Lehigh Valley Industrial Park—Lot 10**, 1720 Spillman Drive, Bethlehem, PA 18015, City of Bethlehem, **Northampton County**, Jim Koval HDR Engineering, has submitted a Final Report on behalf of his client, Lehigh Valley Industrial Park, 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, concerning the remediation of antimony, arsenic, selenium and lead from soil due to historical operations at the site. The applicant proposes to remediate the site to meet the Site Specific Standard for soil. The report documented attainment of the Site Specific Standards for soils and was approved on August 18, 2014.

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

**Destiny Schell Property**, 422 North Hanover Street, Hershey, PA 17033, South Hanover Township, **Dauphin County**. Environmental Products and Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, PA 17111, on behalf of Destiny Schell, 132 Sparrow Road, Hummelstown, PA 17036 submitted a Final Report concerning the remediation of site soils and surface water contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Statewide Health Standard, and was disapproved by the Department on August 19, 2014.

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

**Buffalo & Pittsburgh Railroad Butler**, 100 B&P Lane, Butler and Summit Townships, **Butler County**. SE Technologies, LLC., 98 Vanadium Road, Bridgeville, PA 15017, on behalf of Buffalo & Pittsburgh Railroad, Inc., 100 B&P Lane, Butler, PA 16001, submitted a Final Report concerning the remediation of site soil contami-

nated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene), MTBE, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Anthracene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Chrysene, Fluorene, Phenanthrene, Pyrene and site groundwater contaminated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene), MTBE, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Anthracene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Chrysene, Fluorene, Indeno[1,2,3-cd]pyrene, Phenanthrene, and Pyrene. The Report was disapproved by the Department on August 12, 2014.

**Moody 67 12 OG Well**, Droney Road, Lafayette Township, **McKean County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Catalyst Energy, Inc., 424 S. 27th Street, Suite 304, Pittsburgh, PA 15203, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Toluene, Total Xylenes, Ethylbenzene, Cumene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Hexane, Cyclohexane, Sec-butylbenzene, Naphthalene, Tert-butylbenzene, 1,1-biphenyl, 2-methylnaphthalene, Fluorene, Anthracene, Phenanthrene, Pyrene, Fluoranthene, Chrysene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Indeno[1,2,3-CD]pyrene, Benzo[g,h,i]perylene, Acenaphthene, and Phenol. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 13, 2014.

**Crompton Petrolia (Fmr. Crompton Corporation Facility)**, 100 Sonneborn Lane, Fairview Township, **Butler County**. WSP, 750 Holiday Drive, Suite 410, Pittsburgh, PA 15220, on behalf of Sonneborn, LLC., 575 Corporate Drive, Suite 415, Mahwah, NJ 07430-2330, submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soil contaminated with p-isopropyltoluene, acenaphthylene, benzo[a]pyrene, benzo[g,h,i]perylene, carbazole, phenanthrene, BSA, m-BDSA, arsenic, iron, lead, mercury, p-PSA, aluminum, beryllium, cobalt, manganese and site groundwater contaminated with acetone, benzene, 1,2-dichloropropane, ethylbenzene, 2-hexanone, p-isopropyltoluene, naphthalene, 1,2,3-trichlorobenzene, 1,2,4-trichlorobenzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzo[a]anthracene, bis[2-ethylhexyl]phthalate, chrysene, 2-methylnaphthalene, naphthalene, 4-nitrophenol, phenanthrene, BSA, m-BDSA, p-PSA, aluminum, antimony, arsenic, barium, beryllium, boron, cadmium, cobalt, copper, iron, lead, manganese, mercury, nickel, selenium, silver, thallium, vanadium, zinc, and di-n-octyl phthalate. The Report was disapproved by the Department on August 13, 2014.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.*

**Baldwin Residence**, 18 Derstine Road, Hatfield Township, **Montgomery County**. Staci Cottone, J&J Environmental, PO Box 370, Blue Bell, PA 19422 on behalf of Jay Baldwin, 1304 Sunnyside Pike, Lower Gwynedd, PA 19002 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 7, 2014. PF777847

**Pathan Chem Site**, 427-447 Moyer Street, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc. 215 West Church Road, King of Prussia, PA 19406 on behalf of Kevin Gray, New Kensington Community Development Corporation, 2515 Frankford Avenue, Philadelphia, PA 19125 has submitted a Baseline Line Environmental and Final Report concerning the remediation of site soil and groundwater contaminated with lead and chlorinated solvents. The Baseline Line Environmental and Final Report were approved by the Department on August 5, 2014. PF636522

**Marcus Hook Industrial Complex 719**, 100 Green Street, Lower Chichester Township, **Delaware County**. Tiffanie L. Doerr, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19832, Brad Fish, Sunoco Logistics Partners LP, 4041 Market Street, Aston, PA 19014 on behalf of Gus Borkland, Sunoco Logistic partners LP, 1818 Market Street, Suite 1500, Philadelphia, PA 19103 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard was approved by the Department on July 31, 2014. PF77739

**US Steel KIPC 9.4 Acres**, One Ben Fairless Drive, Falls Township, **Bucks County**. Daniel Cusick, Conestoga-Rovers & Associates, 103 Gamma Drive, Ext, Suite 110, Pittsburgh, PA 15238 on behalf of Kathleen M. Mayher, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on August 6, 2014. PF77132

**Newtown Crossing Pipeline Release**, Route 332 (Near Tyler State Park) Newtown Township, **Bucks County**. James Mulry, P.G., Mulry and Cresswell Environmental, Inc., 1679 Horseshoe Pike, Glenmoore, PA 19343, Martin Liebhardt, Inc., Evergreen Resources Management, 2 Righter Parkway, Wilmington, PA 19803 on behalf of Bradford Fish, P.G., Sunoco Logistics Partners, 4041 Market Street, Aston, PA 19014 submitted a Final Report concerning the remediation of site groundwater and soil contaminated with btx, mtbe, and naphthalene. The Remedial Investigation and Final Report were approved by the Department on July 24, 2014. PF620491

**Brandywine Mills**, 1731-51 Wilmington Pike, Concord Township, **Delaware County**. Walter H. Hungater, III, P.E., RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Peter Miller, Chadds Ford Investors, L.P., 875 Berkshire Boulevard, Suite 102, Wyomissing, PA 19610 has submitted a Remedial Investigations concerning the remediation of site soil and groundwater contaminated with voc, pce and breakdown products. The Remedial Investigations was approved by the Department on August 7, 2014. PF773948

**Village Center Shopping Center**, 1-29 Quaker Way, Richland Township, **Bucks County**. Jim LaRegina, P.G., HRG, Inc., 369 East Park Drive, Harrisburg, PA 17111 on behalf of Michael Weave, 1750 Walton Road, Blue Bell, PA 19422 has submitted a Remedial Investigation and Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation and Final Report were approved by the Department on July 28, 2014. PF705297

**Parkhouse Nursing Home**, 1620 Black Rock Road, Upper Providence Township, **Montgomery County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, Montgomery County, One Montgomery Plaza, Norristown, PA 19401 on behalf of GA HC REIT Royersford SNF, LLC, 18191 Von Karman Avenue, Suite 300, Irvine, CA 92612 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 8, 2014. PF773809

**500 East Washington Street**, 500 East Washington Street, Norristown Borough, **Montgomery County**. Matthew Lesley, ARCADIS U.S. Inc., 824 North Market Street, Suite 820, Wilmington, DE 19801 on behalf of John Nugent, III, ARCADIS U.S. Inc., 824 North Market Street Suite 820, Wilmington, DE 19801 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with metals and volatile organics compounds. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 23, 2014. PF762419

**Bartram's Trail—A**, 1627-35 South 49th Street, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, P.G., Duffield Associates, Inc. 211 North 13th Street, Philadelphia, PA 19107, Christopher Dougherty, Philadelphia Parks and Recreation, One Parkway Building, 1515 Arch Street, 10th Floor, Philadelphia, PA 19102 on behalf of Monica Trudeau, Philadelphia Authority of Industrial Development, 2600 Centre Square West, 150 Market Street, Philadelphia PA 19102 has submitted a Risk Assessment and Remedial Investigation Report concerning the remediation of site soil contaminated with other organics. The Remedial Investigation and Risk Assessment were approved by the Department on April 15, 2014. PF772459

**Rite Aid 3637**, 6363 Frankford Avenue, City of Philadelphia, **Philadelphia County**. Bradley Wolf, BL Companies, Inc., 213 Market Street, 6th Floor, Harrisburg, PA 17101 on behalf of Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 18, 2014. PF683659

## 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.**

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110*

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

**GP1-06-05004: SBD Property Holdings, LLC** (6161 East 75th Street, Indianapolis, IN, 46250) on August 15, 2014, for three (3) existing natural gas-fired boilers, under GP1, at their facility in Reading City, **Berks County**.

**GP3-21-03109: Hempt Bros., Inc.** (205 Creek Road, Camp Hill, PA 17011) on August 15, 2014, to install and operate a portable nonmetallic mineral processing plant at the PA Turnpike Job 852, Mile Marker 206.9-210.2 in Upper Mifflin Township, **Cumberland County**.

**GP11-21-03109: Hempt Bros., Inc.** (205 Creek Road, Camp Hill, PA 17011) on August 15, 2014, to install and operate a non-road diesel engine at the PA Turnpike Job 852, at Mile Marker 206.9-210.2 in Upper Mifflin Township, **Cumberland 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.**

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

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

**42-004I: American Refining Group, Inc.** (77 North Kendall Avenue, Bradford, PA 16701-1726) on August 18, 2014, for installation of a new stationary diesel-fueled emergency generator rated at 2,923 brake horsepower. This facility is in the City of Bradford, **McKean County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**46-0018C: Markel Corp.** (435 School Lane, Plymouth Meeting, PA 19462) on August 18, 2014, for operation of catalytic oxidizer with a regenerative thermal oxidizer in Plymouth Township, **Montgomery County**.

**09-0206: Samax Enterprises/Morrisville** (1001 New Ford Mill Road, Morrisville, PA 19067) on August 18, 2014, for operation of the methylene chloride mixing/packing operations in Falls Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110*

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

**06-05040B: East Penn Manufacturing Co., Inc.** (Deka Road, PO Box 147, Lyon Station, PA 19536) on August 15, 2014, for modifications to the secondary lead smelting facility in Richmond Township, **Berks County**. The plan approval was extended.

**06-05069R: East Penn Manufacturing Co., Inc.** (Deka Road, PO Box 147, Lyon Station, PA 19536) on August 15, 2014, for modifications to their battery assembly plant in Richmond Township, **Berks County**. The plan approval was extended.

**34-05001D: AC Products, Inc.** (12393 William Penn Highway, Thompsontown, PA 17094) on August 15, 2014, for modification of the wood cabinet surface coating operation in Delaware Township, **Juniata County**. The plan approval was extended.



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

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

**14-00003F: The Pennsylvania State University** (Office of Physical Plant, University Park, PA 16802-1118) on August 11, 2014, to extend authorization to construct the West Campus Steam Plant (WCSP) Improvement Project pursuant to the plan approval one (1) additional year to January 31, 2017 to allow for completion of the project at the plant in the Borough of State College, **Centre County**. The plan approval has been extended.

**57-00005A: Appalachia Midstream Services, LLC** (PO Box 54382, Oklahoma City, OK 73154-1382) on July 30, 2014, to extend the authorization an additional 180 days from August 16, 2014 to February 12, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the facility. The extension authorization allows continued operation of the facility located in Cherry Township, **Sullivan County**. The plan approval has been extended.

**14-00002A: Graymont (PA), Inc.** (965 E. College Ave., Pleasant Gap, PA 16823) on July 30, 2014, to extend the authorization an additional 180 days from August 18, 2014 to February 14, 2015 and permit operation pending issuance of an operating permit for the sources as well as continue the compliance demonstration evaluation. The extension authorization allows continued operation of the sources located in Spring Township, **Centre County**. The plan approval has been extended.

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

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

**65-00837B: Dominion Transmission, Inc.** (5000 Dominion Boulevard, Glenn Allen, VA 23060) on August 21, 2014, for plan approval extension pending issuance of a Title V operating permit for its Oakford Compressor Station located in Salem Township, **Westmoreland County**. The Plan Approval has been extended.

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

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

**48-00077: East Penn Crematory—Hellertown** (1418 Main Street, Hellertown, PA 18055) on August 25, 2014, to operate a human crematory facility in Hellertown Borough, **Northampton County**. The primary source consists of one (1) crematory incinerator. The source is considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting

requirements designed to keep the facility operating within all applicable air quality requirements.

**39-00071: Anda Sportswear, Inc.** (15 South Albert Street, Allentown, PA 18109-2700) on August 25, 2014, to issue a renewal State Only Operating Permit for a facility in the City of Allentown, **Lehigh County**.

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

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

**49-00047: Furman Foods, Inc.** (770 Cannery Rd., Northumberland, PA 17857) on August 21, 2014, was issued a state only operating permit (renewal) for their Northumberland Cannery in Point Township, **Northumberland County**. The facility's significant sources include natural gas and #2 fuel oil fired boilers as well as an anaerobic digester. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**30-00183: EQT Gathering, LLC** (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) Administrative Amendment issued on August 21, 2014 to change the names of the Responsible Official and Environmental Contact. Diana Charletta is now the Responsible Official. Corey Giles is now the Environmental Contact. The Jupiter Compressor Station is located in Morgan Township, **Greene County**.

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

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

**25-00946: PSB Industries, Inc.** (1202 West 12th Street, Erie, PA 16501) on August 20, 2014, renewed a State Only Operating Permit for the metal fabricating facility in the City of Erie, **Erie County**. The primary sources at the facility are sand blasting and glass bead blasting operations; two paint booths; a parts washer; and a natural gas oven and several natural gas space heaters. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**61-00007: IA Construction Corp.** (PO Box 568, Franklin PA 16323) on August 21, 2014, issued an administrative amendment to the State Only Operating Permit for the Franklin Hot Mix Asphalt Plant in Sugar creek Borough, **Venango County**. The amendment incorporates the change of the responsible official.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### Coal Permits Issued

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

**30841317. Consol Pennsylvania Coal Company, LLC**, (1525 Pleasant Grove Road, PO Box J, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in Morris Township, **Greene County** and Morris Township, **Washington County** to add acreage for development mining. Underground Acres Proposed 3956.0, Subsidence Control Plan Acres Proposed 3956.0. No additional discharges. The application was considered administratively complete on June 12, 2013. Application received April 29, 2013. Permit issued August 14, 2014.

**32830701. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Greenwich No. 2 Refuse Site in Green Township, **Indiana County** and Susquehanna Township, **Cambria County** to Rosebud Mining Company from Pennsylvania Mines, LLC. No discharges. The application was considered administratively complete on June 2, 2014. Application received April 2, 2014. Permit issued August 18, 2014.

**03831305 and NPDES No. PA0002283. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Jane Mine in Plumcreek Township, **Armstrong County** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014. Permit issued August 19, 2014.

**32733708 and NPDES No. PA0215503. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Greenwich No. 1 Coal Refuse Disposal Area in Green Township, **Indiana County** and Susquehanna Township, **Cambria County**, and related NPDES permit to Rosebud Mining Company from Pennsylvania Mines, LLC. No additional discharges. The application was considered administratively complete on June 2, 2014. Application received April 2, 2014. Permit issued August 19, 2014.

**30841601. Consolidation Coal Company**, (1000 Consol Energy Drive, CNX Center, Canonsburg, PA

15317). To renew the permit for the Robena Preparation Plant in Monongahela Township, **Greene County**. The application was considered administratively complete on July 8, 2011. Application received March 4, 2011. Permit issued August 19, 2014.

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

**Permit No. 11090101 and NPDES No. PA0262773, Bedrock Mines, LP**, 111 Freeport Road, Pittsburgh, PA 15215, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Cropland to Commercial Forestland in Blacklick Township, **Cambria County**, affecting 101.0 acres. Receiving stream: unnamed tributary to South Branch Blacklick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 27, 2014. Permit issued: August 13, 2014.

**Permit No. 56663069 and NPDES No. PA0120944. Rosebud Mining Co.**, P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Elk Lick and Summit Townships, **Somerset County**, affecting 3,040 acres. Receiving streams: unnamed tributary to/and Caselman River and an unnamed tributary to/and Elk Lick Creek, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 5, 2014. Permit issued: August 13, 2014.

### Coal Permits Returned

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

**56961301, RoxCOAL, Inc.**, (PO Box 149, Friedens, PA 15541), To revise the permit for the Sarah Mine in Jenner Township and Jennerstown Borough, **Somerset County** to add permit acreage to the C' Coal Seam, Underground Acres Proposed 1549.6, Subsidence Control Plan Acres Proposed 1549.6, no additional discharges. Application received October 26, 2012. The application was considered administratively complete on March 28, 2013. Application returned August 6, 2014.

### Noncoal Permits Issued

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

**42140802. Joseph E. Johnson** (396 Newell Creek Road, Eldred, PA 16731) Commencement, operation and restoration of a small industrial minerals mine in Annin Township, **McKean County**, affecting 5.0 acres. Receiving streams: Newell Creek. Application received: March 3, 2014. Permit Issued: August 21, 2014.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**08070810. Quarry Services, LLC** (P. O. Box 252, New Milford, PA 18834). Final bond release for a small industrial minerals surface mine, located in Orwell Township, **Bradford County**. Restoration of 2.0 acres completed. Receiving stream: Unnamed Tributary to Johnson Creek. Application received: August 8, 2014. Final bond release approved: August 19, 2014.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

### *Blasting Permits Issued*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**08144111. John H. Brainard** (3978 SR 2073, Kingsley, PA 18826-7039). Blasting for residential development located in Troy Township, **Bradford County** with an expiration date of December 31, 2014. Permit issued: August 18, 2014.

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

**Permit No. 23144104. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Foulk Manor in Bethel Township, **Delaware County** with an expiration date of August 8, 2014. Permit issued: August 20, 2014.

**Permit No. 39144104. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Lehigh Hills in Upper Macungie Township, **Lehigh County** with an expiration date of August 13, 2015. Permit issued: August 20, 2014.

**Permit No. 58144160. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Dyson gas pad & tank farm in Springville Township, **Susquehanna County** with an expiration date of August 12, 2015. Permit issued: August 20, 2014.

**Permit No. 67124112. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013), construction blasting for Thornberry Hunt in Penn Township, **York County** with an expiration date of August 15, 2015. Permit issued: August 20, 2014.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed

with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E15-849. PECO Energy Company**, 2301 Market Street, S7-2, Philadelphia, PA 19101, New Garden Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain approximately 5,020 linear feet of 6-inch HP gas pipe line, crossing an unnamed tributary to the East Branch of White Clay Creek at two different locations, utilizing directional drilling for the purpose of providing service to existing dwellings.

The site is located within Church Road and Abrogio Road and along two private properties, (West Grove, PA USGS map; Latitude 39.8388; Longitude -75.7799).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E23-506. Township of Haverford**, 2325 Darby Road, Havertown, PA 19083, Haverford Township, **Delaware County**, ACOE Philadelphia, District.

To remove existing impervious paving along a portion of Darby Creek (TSF, MF), and restore the riparian buffer as part of a Growing Greener Grant. The project includes the construction of a water quality enhancement (rain garden) and the restoration of a modest portion of the existing impervious area. No change in the base flood elevation and no impacts to the floodway or floodplain are proposed.

The site is located at 50 Hilltop Road, Havertown PA 19083. (Lansdowne, PA USGS map, Lat. 39.97399, Long. 75.33757).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

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

**E05-376: PA Department of Transportation, Engineering District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648, Harrison Township, **Bedford County**, U.S. Army Corps of Engineers, Baltimore District

To 1) remove the existing structure and to construct and maintain a single-span composite pre-stressed concrete bulb-tee beam bridge skewed 45°, having a total clear span of 102.1', a width of 33.38', and an underclearance of 5.8', across Buffalo Run (WWF, MF); 2) restore/realign 348' of Buffalo Run, permanently impacting 0.16 acre of PEM wetlands; 3) construct and maintain three rock cross vanes in and across Buffalo Run; 4) mitigate 0.16 acre of wetlands on-site; 5) construct a temporary road crossing for public use upstream of the existing bridge using four pipes 5' in diameter across Buffalo Run; 6) place and maintain 794 cubic yards of fill material in the floodplain of Buffalo Run, all for the purpose of improving transportation safety and roadway standards. The project will involve three temporary stages of construction using temporary stream diversion, a causeway, and shoring for the construction and demolition of the bridge and rock cross vanes. The project is located along

SR 0096 in Harrison Township, Bedford County (Latitude: 39° 58' 23", Longitude: -78° 37' 29"). The permit was issued on August 15, 2014.

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

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

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

To remove structures from the floodplain at the locations listed. The projects propose to temporarily affect approximately .26 acre of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341). The permit was issued with an effective date of October 6, 2014.

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

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, 16335.*

**E27-088, Tennessee Gas Pipeline Company, LLC**, 1001 Louisiana Street, Suite 1460A, Houston TX 77002. Anomaly Dig 21A, in Jenks Township, **Forest County**, ACOE Pittsburgh District (Marienville West, PA Quadrangle N: 41°, 29', 01"; W: 79°, 09', 16.2").

To temporarily impact 0.26 acre of PEM wetland to conduct anomaly repairs on the existing natural gas pipeline, including 2500 ft<sup>2</sup> of disturbance at the anomaly location and 826 linear feet of timber mat wetland crossing for site access west of Greely Farm Road.

**ENVIRONMENTAL ASSESSMENT**

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

**EA60-001 U.S. Fish and Wildlife Service**, 315 South Allen Street, Suite 322, State College, PA 16801. Miller Run Stream Restoration Project, in East Buffalo Township, **Union County**, ACOE Baltimore District

To construct and maintain stream restoration and wetland creation in and along 3,714 linear feet of Millers Run and associated floodway on the property of Bucknell University. The goals of the project are to stabilize the stream channel, improve sediment transport and improve filtration of overland flows, increase stormwater retention and increase habitat diversity. This permit also includes 401 Water Quality Certification.

(Lewisburg NE, PA Quadrangle N: 40°56'51.78"; W: -76° 53'24.80").

**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*

**D30-066. Mr. Leonard George**, P. O. Box 4114, Star City, WV 26505. Permit issued to operate and maintain Leonard George Dam across a tributary to Dunkard Creek (WWF) for the purpose of recreation and wildlife habitat. The dam impounds 1,100 feet of stream channel. In-stream habitat has been degraded, but open water habitat has been created (Osage, PA Quadrangle - Latitude: 39.726N; Longitude: 80.099W) in Perry Township, **Greene County**.

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also

available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX29-015-14-0057  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruska  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township  
Receiving Stream(s) and Classification(s) Fall Brook (TSF);  
Secondary: Sugar Creek

ESCGP-2 # ESG29-081-14-0025  
Applicant Name Anadarko Marcellus Midstream, LLC  
Contact Person Rane Wilson  
Address 33 West Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Cogan House Township  
Receiving Stream(s) and Classification(s) UNT Larry's Creek, Larry's Creek (EV);  
Secondary: Larry's Creek, West Branch Susquehanna River (EV)

ESCGP-2 # ESX12-015-0145 (01)  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruska  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township  
Receiving Stream(s) and Classification(s) UNT to South Branch Sugar Creek (TSF/MF);  
Secondary: Sugar Creek

ESCGP-2 # ESX12-113-0037 (01)  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 IST Center  
City, State, Zip Horseheads, NY 14845  
County Sullivan County  
Township(s) Fox Township  
Receiving Stream(s) and Classification(s) Fall Run, Hoagland Branch, Schrader Creek Watersheds, Trib 30422 and 30423 to Schrader Creek (EV/MF), Hoagland Branch (EV/MF); Trib 20765 to Rock Run (EV/MF) Fall Run (EV); Trib 20079 and 20081 to Fall Run, (EV/MF);  
Secondary: Schrader Creek, Elk Creek, Rock Run, Hoagland Branch, Fall Creek

ESCGP-2 # ESG29-015-14-0045  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruka  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township

Receiving Stream(s) and Classification(s) UNT Northern Branch Towanda Creek (CWF/MF)

ESCGP-2 # ESG29-015-14-0044  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruka  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township  
Receiving Stream(s) and Classification(s) Northern Branch Towanda Creek (CWF/MF)

ESCGP-2 # ESG29-015-14-0038  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruka  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Armenia Township  
Receiving Stream(s) and Classification(s) Rathbone Creek, UNT to Rathbone Creek (CWF/MF);  
Secondary: Tioga River

ESCGP-2 # ESG29-015-14-0035  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruka  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Armenia Township  
Receiving Stream(s) and Classification(s) Webier Creek (CWF/MF);  
Secondary: Tioga River

ESCGP-2 # ESX29-015-14-0027  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruka  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township  
Receiving Stream(s) and Classification(s) North Branch Towanda Creek (CWF/MF);  
Secondary: Towanda Creek

ESCGP-2 # ESX29-015-14-0026  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruka  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township  
Receiving Stream(s) and Classification(s) South Branch Sugar Creek (TSF/MF);  
Secondary: Sugar Creek (TSF/MF)

ESCGP-2 # ESX29-015-4-0017  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruka  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township  
Receiving Stream(s) and Classification(s) South Branch Sugar Creek, Mud Creek (TSF/MF);  
Secondary: Sugar Creek (TSF/MF)

ESCGP-2 # ESX29-015-14-0016  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruka  
Address 50 Pennwood Drive  
City, State, Zip Warrendale, PA 15086  
County Bradford County

Township(s) Troy Township  
 Receiving Stream(s) and Classification(s) South Branch  
 Sugar Creek (TSF/MF);  
 Secondary: Sugar Creek (TSF/MF)

ESCGP-2 # ESG29-113-14-0009  
 Applicant Name EXCO Resources (PA), LLC  
 Contact Person Brian Rushe  
 Address 3000 Ericsson Drive, Suite 200  
 City, State, Zip Warrendale, PA 15086  
 County Sullivan County  
 Township(s) Shrewsbury Township  
 Receiving Stream(s) and Classification(s) Spring  
 Run/UNT to Rock Run (EV);  
 Secondary: Muncy Creek/Rock Run (EV)

ESCGP-2 # ESX29-081-14-0033  
 Applicant Name Waste Management of Pennsylvania, Inc.  
 Contact Person Robert Kalkstein  
 Address 782 Antrim Road  
 City, State, Zip Wellsboro, PA 16901  
 County Lycoming County  
 Township(s) Penn Township  
 Receiving Stream(s) and Classification(s) Derr Run (CWF/  
 MF);  
 Secondary: Little Muncy Creek (CWF)

ESCGP-2 # ESG29-023-14-0009  
 Applicant Name Seneca Resources Corporation  
 Contact Person Doug Kepler  
 Address 5800 Corporate Drive, Suite 300  
 City, State, Zip Pittsburgh, PA 15237  
 County Cameron County  
 Township(s) Shippen Township  
 Receiving Stream(s) and Classification(s) Havens Run  
 (CWF), Left Branch Cooks Run (EV), Nichols Run  
 (HQ-CWF), UNTs to Elk Fork (HQ-CWF), Eighteen  
 Hollow (EV), UNTs to Eighteen Hollow (EV), Big Run  
 (HQ-CWF) High Dry Hollow (EV), UNT to Cook Run  
 (EV);  
 Secondary: Potato Creek (CWF), Cooks Ru (EV), Elk  
 Fork (HQ-CWF), Fork (HQ-CWF), Left Branch Cooks  
 Run (EV), Eighteen Hollow (EV), Driftwood Branch  
 Sinnemahoning Creek (HQ-CWF), Cooks Run (EV),  
 Cooks Run (EV)

ESCGP-2 # ESX29-015-14-0058  
 Applicant Name Talisman Energy USA, Inc.  
 Contact Person Joseph Katruka  
 Address 50 Pennwood Drive  
 City, State, Zip Warrendale, PA 15086  
 County Bradford County  
 Township(s) Troy Township  
 Receiving Stream(s) and Classification(s) UNT to South  
 Branch Sugar Branch (TSF/MF);  
 Secondary: Sugar Creek

ESCGP-2 # ESG29-131-14-0008  
 Applicant Name Southwestern Energy Production Com-  
 pany  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Wyoming County  
 Township(s) Mehoopany and Forkston Townships  
 Receiving Stream(s) and Classification(s) Sugar Hollow  
 Creek (HQ-CWF/NRT),  
 Secondary: Bowman Creek (HQ-CWF, NRT)

ESCGP-2 # ESG29-081-14-0026  
 Applicant Name Anadarko Marcellus Midstream, LLC  
 Contact Person Rane Wilson  
 Address 33 West Third Street, Suite 200

City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cummings Township  
 Receiving Stream(s) and Classification(s) UNT to Carson  
 Run, Carson Run, Broughton Hollow and La Porte  
 Hollow (EV);  
 Secondary: English Run

[Pa.B. Doc. No. 14-1878. Filed for public inspection September 5, 2014, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance—Minor Revision*

**DEP ID:** 263-4200-001. **Title:** Closure Requirements for Aboveground Storage Tank Systems. **Description:** The purpose of this guidance is to establish minimum standards that must be met to comply with the closure requirements for regulated large aboveground storage tanks. These procedures include closure notification, tank handling, waste management and disposal, site assessment, sampling requirements, analytical requirements, release reporting and recordkeeping.

This Technical Guidance Document is being revised to correct the Short List of Petroleum Products presented in Appendix F, found on pages 49 and 50. The correction adds Methyl tert-Butyl ether to the parameters to be tested in soil and water when kerosene or fuel oil No. 1 is the product stored. This correction does not reflect new requirements. Rather, these analytical requirements have been utilized to guide closure site assessments since March 15, 2008. On March 15, 2008, notice of the analytical requirements was published in the *Pennsylvania Bulletin* as a revision to the Department's Land Recycling Program Technical Guidance Manual.

*Contact:* Questions regarding this action should be directed to Chad Clancy at (717) 772-5830 or cclancy@pa.gov.

*Effective Date:* September 6, 2014

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1879. Filed for public inspection September 5, 2014, 9:00 a.m.]

### Water Resources Advisory Committee Meeting Change

The Water Resources Advisory Committee (Committee) meeting scheduled for September 17, 2014, is rescheduled to September 26, 2014. The meeting will begin at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning the rescheduled meeting of the Committee should be directed to Sean Gimbel at (717) 783-4693 or sgimbel@pa.gov. The agenda and materials for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keywords: "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-4693 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1880. Filed for public inspection September 5, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(d), (e) and (k) (relating to prevention, control and surveillance of tuberculosis (TB)):

Willowcrest  
5501 Old York Road  
Philadelphia, PA 19141  
FAC ID # 232002

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Golden LivingCenter—Monroeville  
4142 Monroeville Boulevard  
Monroeville, PA 15146  
FAC ID # 026102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a

request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1881. Filed for public inspection September 5, 2014, 9:00 a.m.]

### Newborn Screening and Follow-Up Program; Addition of Critical Congenital Heart Defect Testing to the Follow-Up Screening Panel

The Newborn Screening and Follow-Up Program (Program), previously established under the Newborn Child Testing Act (35 P. S. §§ 621—625), now requires newborn child oximetry screening as a result of the recent passage of the Newborn Child Pulse Oximetry Screening Act (act) (11 P. S. §§ 878.1—878.5). Under the act, a birthing facility is required to perform critical congenital heart defect (CCHD) screening using pulse oximetry on a newborn child in its care before discharge from the birthing facility. If a health care practitioner delivers a newborn child other than in a birthing facility and the newborn child is discharged prior to 24 hours of age, then the health care practitioner shall perform or cause to be performed CCHD screening using pulse oximetry within 48 hours of birth. The act will be effective September 30, 2014.

Facilities are to continue reporting CCHD screening results to the Department of Health's (Department) Program. Reiteration of applicable procedures and instructions for testing and reporting can be found at [http://www.portal.state.pa.us/portal/server.pt/community/infant---newborn's\\_health/14173/newborn\\_screening\\_and\\_follow\\_up\\_homepage/558183](http://www.portal.state.pa.us/portal/server.pt/community/infant---newborn's_health/14173/newborn_screening_and_follow_up_homepage/558183). Failure to comply with this protocol will be referred to the appropriate licensure board within the Department of State's Bureau of Professional and Occupational Affairs and to the Department's Bureau of Facility Licensure and Certification for investigation and possible sanctions.

Questions regarding this notice should be directed to Luann Cartwright, Public Health Program Manager, Division of Newborn Screening and Genetics, 7th Floor East Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-8143. Persons with a disability who require an alternative format of this document (for

example, large print, audio tape or Braille) should contact Luann Cartwright to make the necessary arrangements.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1882. Filed for public inspection September 5, 2014, 9:00 a.m.]

### Newborn Screening and Genetics Program; Educational Brochure on Down Syndrome

The Division of Newborn Screening and Genetics has created an educational brochure on Down syndrome for use by health care practitioners, in accordance with the requirements of the Down Syndrome Prenatal and Postnatal Education Act (act) (35 P. S. §§ 6241—6244). The act requires certain health care practitioners to disseminate information relating to Down syndrome. The Department of Health (Department) plans to make the brochure available on the Department's publicly accessible web site. The brochure discusses up-to-date, evidence based information about Down syndrome, physical, developmental, educational and psychosocial outcomes, life expectancy, clinical courses, intellectual and functional development, and treatment options. This educational brochure will be available on October 1, 2014, and can be accessed at [www.health.state.pa.us/downsyndrome](http://www.health.state.pa.us/downsyndrome).

Questions regarding this notice should be directed to Luann Cartwright, Public Health Program Manager, Division of Newborn Screening and Genetics, 7th Floor East Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-8143. Persons with a disability who require an alternative format of this document (for example, large print, audio tape or Braille) should contact Luann Cartwright to make the necessary arrangements.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1883. Filed for public inspection September 5, 2014, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Frankenbucks Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Frankenbucks.

2. *Price:* The price of a Pennsylvania Frankenbucks instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Frankenbucks instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16

(SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Stack of Cash (WIN20) symbol and a Frankenstein (FRNKSTN) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$400, \$500, \$1,000 and \$50,000. A player can win up to 12 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct two Monster Money second-chance drawings for which non-winning Pennsylvania Frankenbucks instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Frankenbucks instant lottery game.

#### 8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Frankenstein (FRNKSTN) symbol and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under that Frankenstein (FRNKSTN) symbol, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING



NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Frankenstein (FRNKSTN) symbol and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that Frankenstein (FRNKSTN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Frankenstein (FRNKSTN) symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under that Frankenstein (FRNKSTN) symbol, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Frankenstein (FRNKSTN) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “Prize” area under that Frankenstein (FRNKSTN) symbol, on a single ticket, shall be entitled to a prize of \$25.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the

“WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Frankenstein (FRNKSTN) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under that Frankenstein (FRNKSTN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Cash (WIN20) symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Frankenstein (FRNKSTN) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under that Frankenstein (FRNKSTN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Frankenstein (FRNKSTN) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under that Frankenstein (FRNKSTN) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

\$5 w/ FRANKENSTEIN	\$5
\$5	\$5
\$5 × 2	\$10
\$10 w/ FRANKENSTEIN	\$10
\$10	\$10
\$5 × 4	\$20
\$10 × 2	\$20
\$20 w/ STACK OF CASH	\$20
\$20 w/ FRANKENSTEIN	\$20
\$20	\$20
\$5 × 5	\$25
(\$10 × 2) + \$5	\$25
(\$20 w/ STACK OF CASH) + \$5	\$25
\$25 w/ FRANKENSTEIN	\$25
\$25	\$25
\$5 × 8	\$40
\$20 × 2	\$40
(\$20 w/ STACK OF CASH) + (\$10 × 2)	\$40

<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
15	360,000
20	270,000
60	90,000
27.27	198,000
60	90,000
300	18,000
200	27,000
60	90,000
200	27,000
300	18,000
300	18,000
600	9,000
150	36,000
300	18,000
600	9,000
600	9,000
600	9,000
300	18,000

When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 5,400,000 Tickets:	
\$40 w/ FRANKENSTEIN	\$40	300	18,000
\$40	\$40	600	9,000
\$10 × 10	\$100	1,463	3,690
\$25 × 4	\$100	1,500	3,600
(((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	1,200	4,500
(((\$25 × 2) + (\$5 × 10))	\$100	1,200	4,500
(\$20 w/ STACK OF CASH) × 5	\$100	1,200	4,500
\$100 w/ FRANKENSTEIN	\$100	1,200	4,500
\$100	\$100	1,500	3,600
\$40 × 10	\$400	40,000	135
\$50 × 8	\$400	40,000	135
\$100 × 4	\$400	40,000	135
(((\$100 × 2) + (\$20 × 10))	\$400	40,000	135
\$400 w/ FRANKENSTEIN	\$400	24,000	225
\$400	\$400	40,000	135
\$500 × 2	\$1,000	120,000	45
(((\$100 × 8) + (\$50 × 4))	\$1,000	120,000	45
\$1,000	\$1,000	120,000	45
\$50,000	\$50,000	540,000	10

Reveal a "STACK OF CASH" (WIN20) symbol, win \$20 instantly.

Reveal a "FRANKENSTEIN" (FRNKSTN) symbol, win prize shown under that symbol automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

#### 10. Pennsylvania Lottery's Monster Money Second-Chance Drawings' Requirements:

(a) Non-winning PA-1108 Zombie Cash (\$2) and PA-1107 Frankenbucks (\$5) instant lottery tickets ("Qualifying Tickets") are eligible for entry in the Pennsylvania Lottery's Monster Money second-chance drawings. Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Pennsylvania Lottery's Monster Money second-chance drawings. To join the VIP Players Club, visit <http://www.palottery.com/VIP-Players-Club/login.aspx>. Becoming a VIP Players Club member is free.

(b) To enter the Pennsylvania Lottery's Monster Money second-chance drawings, entrants must choose to enter either the \$1,000 Monster Money Second-Chance Drawing or the \$50,000 Monster Money Second-Chance Drawing and submit the identifying information from at least one Qualifying Ticket into the entry site for the chosen drawing, accessible exclusively via the Pennsylvania Lottery's Monster Money promotional website, during the entry period for the drawings. Identifying information from a Qualifying Ticket may be submitted only for one of the two Pennsylvania Lottery's Monster Money second-chance drawings, and may be submitted only once for the chosen drawing.

(c) The number of entries an entrant will receive for a Pennsylvania Lottery's Monster Money second-chance drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1108 Zombie Cash (\$2) = 2 entries; and PA-1107 Frankenbucks (\$5) = 5 entries.

(d) Entries must be submitted via the Pennsylvania Lottery's Monster Money promotional website available at <http://www.palottery.com>. No other method of submission will be accepted, and entries submitted using any other

method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(e) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(f) Only one claimant per entry allowed.

(g) Entrants must be 18 years of age or older.

(h) Entry is limited to entrants that indicate, at the time of submitting Qualifying Ticket information, that their information is being submitted from an internet connected device located within Pennsylvania.

(i) Players may submit identifying information from an unlimited number of Qualifying Tickets in the Pennsylvania Lottery's Monster Money second-chance drawings.

#### 11. Pennsylvania Lottery's Monster Money Second-Chance Drawings and Prizes:

(a) The Lottery will conduct two second-chance drawings: the \$1,000 Monster Money Second-Chance Drawing and the \$50,000 Monster Money Second-Chance Drawing. All time references in this section are Eastern Time.

(b) The entry period for the Pennsylvania Lottery's Monster Money second-chance drawings begins after 11:59:59 p.m. September 14, 2014 and ends at 11:59:59 p.m. October 30, 2014.

(c) The Pennsylvania Lottery's Monster Money second-chance drawings will be held between October 31, 2014 and November 4, 2014.

(d) The first through the hundredth entries selected from the Pennsylvania Lottery's Monster Money second-chance drawings entrants that selected the \$1,000 Monster Money Second-Chance Drawing will be winning entries, and the entrants who submitted the winning entries shall be entitled to a prize of \$1,000.

(e) The first entry selected from the Pennsylvania Lottery's Monster Money second-chance drawings entrants that selected the \$50,000 Monster Money Second-

Chance Drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required federal income tax withholding. This prize shall be paid as a lump sum cash payment.

(f) The winners of the Pennsylvania Lottery's Monster Money drawings will be posted to the Monster Money promotional website and palottery.com.

*12. Pennsylvania Lottery's Monster Money Second-Chance Drawings Restrictions:*

(a) The odds of an entry being selected in a Pennsylvania Lottery's Monster Money second-chance drawing depends upon the number of entries received for each particular drawing.

(b) To be eligible to participate in a particular Pennsylvania Lottery's Monster Money second-chance drawing, entrants must have complied with the requirements of these rules.

(c) The Lottery is not responsible for late, lost or misdirected entries not entered into the Pennsylvania Lottery's Monster Money second-chance drawings. The Lottery is not responsible for entries that are not entered into the Pennsylvania Lottery's Monster Money second-chance drawings because of incompatible internet browsers or other technical issues. If a Pennsylvania Lottery's Monster Money second-chance drawing entry is selected as a winner and rejected during or following a Pennsylvania Lottery's Monster Money second-chance drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(d) A computer-generated randomizer will be used to select the winning entries.

(e) An entrant may only win the prize for which they are first selected in the \$1,000 Monster Money Second-Chance Drawing. After an entrant has an entry selected as a winner in the \$1,000 Monster Money Second-Chance Drawing, subsequent entries from the same entrant selected in the \$1,000 Monster Money Second-Chance Drawing will be disqualified and a replacement entry will be selected.

(f) If any discrepancy exists between these rules and any material describing the Pennsylvania Lottery's Monster Money second-chance drawings, these rules shall govern.

(g) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Pennsylvania Lottery's Monster Money second-chance drawings. Offer void where prohibited or restricted.

(h) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend one or more of the Pennsylvania Lottery's Monster Money second-chance drawings and change these rules if one or more of the Pennsylvania Lottery's Monster Money second-chance drawings cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of one or more of the Pennsylvania Lottery's Monster Money second-chance drawings.

(i) All entries shall be subject to verification by the Pennsylvania Lottery.

(j) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Pennsylvania Lottery's Monster Money second-chance promotion or associated drawings or to be acting in violation of these rules or applicable law.

(k) The Pennsylvania Lottery's Monster Money drawings are governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(l) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(m) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(n) The payment of a prize awarded in the Pennsylvania Lottery's Monster Money second-chance drawings to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(o) A winner is responsible for all taxes arising from or in connection with any prize won.

*13. Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Frankenbucks instant lottery game tickets.

*14. Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

*15. Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Frankenbucks, prize money from winning Pennsylvania Frankenbucks instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Frankenbucks instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

16. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

17. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Frankenbucks or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-1884. Filed for public inspection September 5, 2014, 9:00 a.m.]

### Pennsylvania 10X The Money '14 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 10X The Money '14.

2. *Price:* The price of a Pennsylvania 10X The Money '14 instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania 10X The Money '14 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Money (MONEY) symbol and a 10X (10TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTN), \$20<sup>.00</sup> (TWENTY), \$30<sup>.00</sup> (THIRTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$25,000 (TWYFIVTHO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000, \$25,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,800,000 tickets will be printed for the Pennsylvania 10X The Money '14 instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (MONEY) symbol, and a prize symbol of \$1,000 (ONE THO) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$100 (ONE HUN) appears under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (MONEY) symbol, and a prize symbol of \$500 (FIV HUN) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$400 (FOR HUN) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$200 (TWO HUN) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$20.00 (TWENTY) appears under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$100 (ONE HUN) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$10.00 (TEN DOL) appears under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.00 (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$50.00 (FIFTY) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10TIMES) symbol,

and a prize symbol of \$5.00 (FIV DOL) appears under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30.00 (THIRTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$30.00 (THIRTY) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$30.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$20.00 (TWENTY) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.00 (FIFTN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$15.00 (FIFTN) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$15.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money (MONEY) symbol, and a prize symbol of \$10.00 (TEN DOL) appears under the Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,800,000 Tickets:</i>
\$10 w/ MONEY	12	650,000
\$10	15	520,000
\$15 w/ MONEY	30	260,000
\$15	30	260,000
\$10 × 2	200	39,000
\$20 w/ MONEY	30	260,000
\$20	200	39,000
\$15 × 2	200	39,000
\$20 + \$10	200	39,000

When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,800,000 Tickets:
\$30 w/ MONEY	\$30	200
\$30	\$30	300
\$10 × 5	\$50	300
\$5 w/ 10X	\$50	200
\$50 w/ MONEY	\$50	200
\$50	\$50	300
\$50 × 2	\$100	600
\$10 w/ 10X	\$100	200
\$100 w/ MONEY	\$100	600
\$100	\$100	600
\$100 × 2	\$200	3,000
(\$15 × 10) + (\$10 × 5)	\$200	3,000
\$20 w/ 10X	\$200	3,000
\$200 w/ MONEY	\$200	3,000
\$200	\$200	3,429
\$100 × 4	\$400	10,000
(\$50 × 4) + (\$20 × 10)	\$400	8,000
(\$20 w/ 10X) + (\$50 × 4)	\$400	8,000
\$400 w/ MONEY	\$400	8,571
\$400	\$400	10,000
\$100 × 5	\$500	12,000
(\$50 × 4) + (\$20 × 10) + \$100	\$500	12,000
\$50 w/ 10X	\$500	12,000
\$500 w/ MONEY	\$500	12,000
\$500	\$500	12,000
\$500 × 2	\$1,000	60,000
(\$100 × 5) + (\$50 × 10)	\$1,000	30,000
\$100 w/ 10X	\$1,000	15,000
\$1,000 w/ MONEY	\$1,000	30,000
\$1,000	\$1,000	60,000
\$1,000 × 10	\$10,000	260,000
\$10,000	\$10,000	260,000
\$25,000	\$25,000	260,000
\$300,000	\$300,000	780,000

Reveal a "MONEY" (MONEY) symbol, win prize shown under that symbol automatically.  
Reveal a "10X" (10TIMES) symbol, win 10 times the prize under that symbol.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania 10X The Money '14 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after

the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 10X The Money '14, prize money from winning Pennsylvania 10X The Money '14 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 10X The Money '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania 10X The Money '14 or through normal communications methods.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-1885. Filed for public inspection September 5, 2014, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The September 16, 2014, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, October 21, 2014, at 9 a.m., in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. The agenda and meeting materials for the October 21, 2014, meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation Center," then "The Environmental Quality Board" then "EQB Meeting Schedule 2014").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger at (717) 783-8727 or [ledinger@pa.gov](mailto:ledinger@pa.gov).

E. CHRISTOPHER ABRUZZO,  
*Chairperson*

[Pa.B. Doc. No. 14-1886. Filed for public inspection September 5, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Agency Contract Termination of Group9 Insurance Solutions, Inc. under Act 143; DGU Insurance Associates, LLC; Doc. No. AT14-08-018

A prereview telephone conference initiated by this office is scheduled for September 3, 2014, at 2 p.m. A date for the review of the agency contract termination shall be determined, if necessary, at the prereview telephone conference.

Motions preliminary to those at the review, protests, petitions to intervene or notices of intervention, if any, must be filed on or before September 26, 2014, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before October 8, 2014.

Persons with a disability who wish to attend the previously-referenced administrative review and require an auxiliary aid, service or other accommodation to participate in the review should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1887. Filed for public inspection September 5, 2014, 9:00 a.m.]

## PENNSYLVANIA MUNICIPAL RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by Pennsylvania Municipal Retirement Law (53 P. S. §§ 881.101—881.501), in connection with the Pennsylvania Municipal Retirement Board's (Board) denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Pennsylvania Municipal Retirement System, 1010 North 7th Street, Suite 301, Eastgate Center, Harrisburg, PA 17102:

November 5, 2014	Ralph Imbrogno (Pension Forfeiture)	1 p.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Wanita Campbell at (717) 787-2065 to discuss how the Board may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 16 Pa. Code § 91.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

STEPHEN W. VAUGHN,  
*Secretary*

[Pa.B. Doc. No. 14-1888. Filed for public inspection September 5, 2014, 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 23, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2014-2413695. West Point Tours, Inc.** (1047 Route 94, New Windsor, Orange County, NY 12553) for the right to begin to transport, as a common carrier, by motor vehicle, persons, on schedule, from Pike County on the following route: beginning at the Best Western Inn at Hunt's Landing, 120 Routes 6 and 209, Matamoras, PA 18336, then heading northeast toward Reuben Bell Drive, turn left onto Reuben Bell Drive, take the first right onto US-209N/US-6E, turn slightly right onto the I-84W ramp, merge onto I-84, take exit 34 at PA-739 toward Dingmans Ferry/Lords Valley, turn left onto PA-739S to first destination at the Sunoco Station, 604 Route 739, Hawley, PA 18428; then head northwest on PA 739N toward Travis Road, turn left onto the I-84W ramp to Scranton, merge onto I-84, take the exit on the left onto I-81S toward Wilkes-Barre, take exit 175A to merge onto PA-315S toward Pittston, turn right onto Highway 315 Boulevard, take the first right to stay on Highway 315 Boulevard to the final destination of Mohegan Sun at Pocono Downs, 1280 Highway 315, Wilkes-Barre, PA 18702; thence returning to the point of origin.

**A-2014-2426091. Aseel Transport, LLC** (2029 South Wood Street, Allentown, PA 18103) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, between points in the City of Allentown, PA.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2014-2405375. (Corrected) Hill Investments, LLC** (25 Bala Avenue, Suite 107, Bala Cynwyd, Montgomery County, PA 19004) household goods in use, between points in the Counties of Delaware and Montgomery, and the City and County of Philadelphia.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1889. Filed for public inspection September 5, 2014, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-093.P, Installation of Fencing at Southport, until 2 p.m. on Tuesday, September 23, 2014. Information can be obtained from the web site at [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-1890. Filed for public inspection September 5, 2014, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-091.4, Installation of foundations & light poles for video surveillance project, until 2 p.m. on Thursday, October 9, 2014. Information (including mandatory prebid information) can be obtained from the web site at [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-1891. Filed for public inspection September 5, 2014, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimant's request concerning the indicated account.

The hearings will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 22, 2014	Kathleen Casner (D) (Death Benefit)	1 p.m.
November 5, 2014	Donna Pastore (Purchase of Service)	1 p.m.
November 12, 2014	Ronald Mihalko (Premium Assistance)	1 p.m.
January 14, 2015	Laurie Kristiniak (Effective Date of Retirement)	1 p.m.

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Book, Assistant to the Executive Director at (717) 720-4617 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 14-1892. Filed for public inspection September 5, 2014, 9:00 a.m.]



## STATE BOARD OF NURSING

**Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Christopher Warren Scarberry, LPN, Respondent; File No. 13-51-07321; Doc. No. 1510-51-13**

On October 31, 2013, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Professional Nurse Law, Act of May 22, 1951, P. L. 317, ("Act"). This notice is being published pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing for service of process upon you by publication.

### Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601

North Third Street, P. O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. **IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING.** To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary  
Department of State  
2601 North Third Street  
P. O. Box 2649  
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 14-1893. Filed for public inspection September 5, 2014, 9:00 a.m.]