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# PENNSYLVANIA BULLETIN

Volume 44  
Saturday, September 20, 2014 • Harrisburg, PA  
Number 38  
Pages 5955—6060

## Agencies in this issue

The Courts

Department of Banking and Securities

Department of Conservation and Natural  
Resources

Department of Environmental Protection

Department of Health

Department of Public Welfare

Department of Transportation

Fish and Boat Commission

Independent Regulatory Review Commission

Insurance Department

Legislative Reference Bureau

Pennsylvania Public Utility Commission

State Employees' Retirement Board

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

**No. 478, September 2014**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 255—LOCAL COURT RULES

### FRANKLIN AND FULTON COUNTIES

Amendment of Local Rules of Civil Procedure;  
Misc. Doc. Volume 2014, Page 3164

#### Order Pursuant to Pa.R.C.P. 239

2nd September, 2014, *It Is Hereby Ordered* that the following Rules of the Court of Common Pleas of the 39th Judicial District of Pennsylvania, Franklin and Fulton County Branches, are amended as indicated, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

Local Rule of Civil Procedure 39-1915.3 is amended in the following form.

Local Rule of Civil Procedure 39-1915.7 is amended in the following form.

*It Is Further Ordered* that The District Court Administrator shall:

1. File a copy of this order and certified copy of the local rule with the Administrative Office of Pennsylvania Courts (AOPC).

2. File with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* two (2) certified paper copies and one (1) computer diskette or CD-ROM copy which complies with 1 Pa. Code § 13.11(b) containing the text of the local rule.

3. File one certified copy of the local rule with the Domestic Relations Procedural Rules Committee.

4. Provide one (1) certified copy of the local rule changes to the Franklin County Law Library and one (1) certified copy to the Fulton County Law Library.

5. Keep such local rule changes, as well as all local civil rules, continuously available for public inspection and copying in the Office of the Prothonotary of Franklin County and the Office of the Prothonotary of Fulton County. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary shall furnish to any person a copy of any local rule.

6. Arrange to have the local rule changes published on the Franklin County Bar Association web site at [www.franklinbar.org](http://www.franklinbar.org).

7. Arrange to have the local rule changes published on the Franklin County Government web site at [www.franklincountypa.gov](http://www.franklincountypa.gov).

*By the Court*

DOUGLAS W. HERMAN,  
*President Judge*

#### Certification

Now this 2nd day of September, 2014;

I hereby certify that Franklin County conducts its custody proceedings in accordance with Pa.R.C.P. 1915.4-3. The amendments to local rule 39-1915.3 do not change the procedure for conducting custody proceeding in Franklin County.

I hereby certify that Fulton County conducts its custody proceedings in accordance with Pa.R.C.P. 1915.4-3. The

amendments to local rule 39-1915.3 do not change the procedure for conducting custody proceeding in Fulton County.

This certification shall be forwarded to the Domestic Relations Procedural Rules Committee.

DOUGLAS W. HERMAN,  
*President Judge*

#### Rule 39-1915.3. Commencement of an Action. Complaint and Order.

(a) *Commencement of an Action:*

(1) *Filing and Service Generally:*

All Custody Complaints and/or Petitions for Modification that have not been previously assigned to a judge shall be presented to the Court Administrator for assignment, after filing, in accordance with these rules.

Filing shall be accompanied by the payment of the designated filing fee and the conciliator's fee.

After the Order of Court and Directive for Conciliation has been entered by the Court, the Order shall be filed with the Prothonotary and the Complaint and Order served in accordance with the Pennsylvania Rules of Civil Procedure governing the service of Custody Complaints.

(2) *Contents of Complaint:*

The Complaint shall specifically designate the relief sought by the party who filed the pleading and include specific terms of legal custody (sole or shared) and physical custody (sole, primary, partial, shared, or supervised) sought by the Moving Party as well as the factual basis therefore.

In addition to those averments required by the Pennsylvania Rules of Civil Procedure governing actions relating to Custody, the Complaint shall also contain:

(i) Moving Party's Criminal Record/Abuse History Verification pursuant to Pa.R.C.P. No. 1915.3-2 as an exhibit;<sup>1</sup>

(ii) An averment as to the Moving Party's knowledge of the Non-Moving Party's representation or non-representation by counsel, and if represented, an averment as to the Non-Moving Party's counsel's name;

(iii) An averment as to the form, time and manner of furnishing a copy of the Complaint and Non-Moving Party's Criminal Record/Abuse History Verification to the Non-Moving Party or to legal counsel;

(iv) The language of the proposed custody arrangement shall be stated as a paragraph of the Complaint;

(v) A Proposed Order of Court and Directive for Conciliation in a form similar to Sample Form "A" (see Sample Form "A")

(b) *Time for Furnishing a Copy of the Complaint and Proposed Order to the Non-Moving Party; Record Proof:*

(1) *Timing:*

A true, attested copy of the Complaint or Petition for Modification and Proposed Order of Court and Directive for Conciliation shall be furnished to the Non-Moving Party's counsel of record or to the non-moving party if not represented, not less than five (5) days prior to its anticipated presentation to the Court.

<sup>1</sup> For criminal charge information parties can view Docket Sheets at <http://ujsportal.pacourts.us>.

(2) *Averment in Complaint or Petition for Modification*

The Moving Party shall allege in his/her Complaint or Petition for Modification the form and manner of furnishing notice to the Non-Moving Party and whether said notice was given directly to the named Non-Moving Party or to named legal counsel or by first class U.S. mail.

(c) *Scheduling Presentations; Pleadings Delivered to Court Administrator:*

To facilitate the proper giving of notice of the presentation of Custody Complaints and/or Petitions for Modification, the Court Administrator shall establish a regular time each week for the presentation of Custody Complaints and/or Petitions for Modification and the entry of an Order of Court and Directive for Conciliation establishing temporary custody arrangements pending a full hearing.

Counsel or self-represented parties may obtain the specific time for presentation of Complaints or Petitions for Modification from the Court Administrator.

If a case has previously been assigned to a judge, presentation shall be scheduled in front of that judge, unless otherwise determined by the Court Administrator.

For new custody cases the case will be assigned to a judge by the Court Administrator at the time presentation is scheduled.

A copy of the filed Complaint or Petition for Modification shall be delivered to the Court Administrator a minimum of five (5) days prior to the scheduled time of any planned presentations of Custody Complaints or Petitions for Modification and Proposed Orders of Court and Directive for Conciliation.

(d) *Formal Presentation to the Court Not Necessary:*

Certain Complaints and Petitions for Modification may be presented in the same manner and at the same times as all other petitions and need not be presented in open Court at the time specifically assigned for presentations of Custody Complaint or Petitions for Modification in these cases:

(1) When the Proposed Order of Court and Directive for Conciliation makes no provision at all for an interim custody arrangement for the child/ren.

(2) When the Proposed Order of Court and Directive for Conciliation simply maintains the status quo as evidenced by a prior Court Order, a copy of which must be attached to the Complaint or Petition for Modification.

(3) When all parties have stipulated to the entry of a Proposed Order of Court and Directive for Conciliation, without respect to whether any party is represented by counsel. However, if counsel represents any party, they shall be so identified by name, and counsel's signature shall be required on the Stipulation.

(e) *Conciliation:*(1) *Assignment to Conciliator:*

The Court Administrator shall assign all custody actions to a Conciliator designated by the Court, who shall conduct a Conciliation Conference with both legal counsel and the parties.

The Conciliator shall be a member of the Bar of this Court who, along with any other members of his/her professional practice, shall not be engaged in the practice of law in the field of Domestic Relations. The Conciliator

shall not be subject to the subpoena power of this Court to force testimony regarding information revealed during the Conciliation Conference.

The Court Administrator shall assign the Conciliator, date, time and place for the Conciliation Conference after the Order of Court and Directive for Conciliation has been signed by the Court.

(2) *Service Upon Conciliator:*

(i) The Moving Party shall also serve a copy of the Order of Court and Directive for Conciliation, along with the Complaint or Petition for Modification upon the assigned Conciliator within ten (10) days of the date of the Order of Court and Directive for Conciliation.

(ii) The Non-Moving Party shall serve a copy of any Response that was filed to the Complaint or Petition for Modification within ten (10) days of the date of the Order of Court and Directive for Conciliation.

(iii) Failure of the Moving Party to comply with the service requirements upon the Conciliator may result in the cancellation of the Conciliation Conference unless actual notice has been provided by the Non-Moving Party. The Moving Party shall certify service by filing a Certificate of Service with the Prothonotary. Additionally, the Court Administrator shall notify the Conciliator of the list of cases scheduled for Conciliation one (1) week in advance.

(3) *Conciliator's Fee:*

(i) The Moving Party shall deposit a nonrefundable conciliator's fee in the amount established by the Court<sup>2</sup> the Prothonotary upon the filing of the Complaint or Petition for Modification.

(ii) The Conciliator shall be compensated at the rate established by the Court for each scheduled Conciliation Conference.

(iii) Each conference is expected to last one (1) hour. In the event the Conciliation Conference lasts more than one hour, the Conciliator may petition the Court for additional compensation at the rate established by the Court. This additional fee shall be added to the cost of the action and shall be collected by the Prothonotary as directed by the Court. The Prothonotary shall post the conciliator's fee in its office. The fee shall be paid to the Conciliator by the Prothonotary.

(iv) In the event the Moving Party is unable to pay the conciliator's fee, such party may apply for an Order to Proceed In Forma Pauperis. If the Court authorizes In Forma Pauperis status, the administrative fee shall be paid by the County of Franklin.

(v) In the event a party files a request for an additional Conciliation Conference, the party requesting the additional Conciliation Conference shall pay an additional conciliator's fee for such Conciliation Conference which must be paid prior to the scheduling of an additional Conciliation Conference.

(vi) In the event a party requests a general continuance of a scheduled Conciliation Conference, if the rescheduled Conciliation Conference is scheduled more than six (6) months after the continued Conciliation Conference, the party requesting the Conciliation Conference shall pay an additional conciliator's fee for such Conciliation Conference which must be paid prior to the scheduling of the Conciliation Conference.

<sup>2</sup> The current conciliator's fee and additional hourly fee for conciliation conferences that last longer than one hour is available from the Prothonotary or the Court Administrator.

(4) *Authority of Conciliator:*

The Conciliator shall have the following authority and responsibility:

(i) To conciliate custody cases, which specifically includes meeting with the parties and the children, if appropriate. If a party desires the children to be present at the Conciliation Conference, he/she shall make said request of the Conciliator no later than seven (7) days prior to the scheduled conference. The Conciliator shall determine the appropriateness of the request on a case-by-case factual basis after consultation with counsel for both parties or with a pro se party;

(ii) To address the need for home studies, as appropriate;

(iii) To address the issue of utilization of expert witnesses, as appropriate;

(iv) To recommend to the Court, where appropriate, the need for evaluation of either party or members of their household pursuant to 23 Pa.C.S.A. § 5329; and

(v) To recommend a resolution of the custody conflict which recommendation shall be included in the Summary Report and submitted to the Court for further action.

If the parties are not able to agree upon the need for home studies and/or the need for any other expert witnesses, either party may petition the Court pursuant to Pa.R.C.P. 1915.8 for the appointment of an expert and the payment of his or her fees.

(5) *Conciliation Memorandum by Parties:*

At least three (3) days prior to the scheduled Conciliation Conference, each party shall furnish to the Conciliator and counsel for the opposing party, or the self-represented party individually, a Conciliation Memorandum addressing the following:

(i) Factual background, including a brief history of the case;

(ii) If not previously filed of record, Defendant/Respondent must file of record and include as an exhibit a Criminal Record/Abuse History Verification pursuant to Pa.R.C.P. No. 1915.3-2. Additionally, if a party has filed a Criminal Record/Abuse History Verification, any necessary updates should be made at this time.

(iii) Names and ages of the children;

(iv) A proposed order for resolution of matters;

(v) Issues, both factual and legal, for resolution;

(vi) Whether a home study is requested; and

(vii) Whether the parties will agree to a particular psychologist/psychiatrist for evaluation or request psychological evaluations.

The parties are directed to supplement the Memorandum from time to time if new information becomes available prior to Conciliation.

(6) *Summary Report by Conciliator:*

(i) Following the conclusion of each conference and within seven (7) business days thereof, the Conciliator shall file with the Prothonotary a Summary Report and Proposed Order of Court, if applicable, in the original plus two (2) copies. The Conciliation Memorandums of the parties shall be attached to the original Summary Report for filing.

(ii) In the event the parties reach a comprehensive agreement at the Conciliation Conference, the Summary Report shall so state and the Proposed Order of Court

shall reflect the terms of the agreement and shall be titled a Final Order of Court.

(iii) In the event the parties reach a partial agreement, or fail to reach any agreement to modify the existing order, the Conciliator's Summary Report shall include the following:

1. Custody status at the time of conciliation;

2. Summary of the parties' positions;

3. Identification of legal and factual issues before the Court; and

4. The Conciliator's recommendation and rationale therefore.

(iv) The Proposed Order of Court shall reflect the terms of any partial agreement reached and the need for home studies, psychological evaluations, or need for evaluation of either party or members of their household pursuant to 23 Pa.C.S.A. § 5329. If the Proposed Order of Court amends the Order of Court and Directive for Conciliation signed at presentation, the Proposed Order of Court shall also include a provision stating that the order will become a final appealable order of court one hundred eighty-one (181) days after the date of filing of the complaint/petition and shall include the exact date that the order will become final.

(7) *Entry and Service of Order of Court:*

Upon review of the Conciliator's Summary Report, the Court may issue an Order of Court addressing the appropriate issues. A copy of said Order of Court shall be furnished to legal counsel for the parties or in the event a party is unrepresented, to the party directly by the Prothonotary in accordance with Pa.R.C.P. 236

(f) *Pre-Trial Conferences and Hearings:*(1) *Pre-Trial Conferences:*

Upon the completion of home studies and psychological evaluations (if applicable), and at any time after the entry of the Order of Court approving the Conciliator's Summary Report, either party may file a Praeceptum/Motion for Scheduling of a Pre-Trial Conference and Proposed Order of Court for a Pre-Trial Conference. (See, Sample Forms "B" and "C").

(2) *Parent Education Program:*

The Proposed Order of Court for a Pre-Trial Conference shall contain language requiring the parties to the proceeding to attend and successfully complete a parent education program designated by the Court.

The party filing the Praeceptum/Motion for Scheduling of a Pre-Trial Conference shall provide the Prothonotary with pre-addressed, stamped envelopes for each party to the custody action.

The Court Administrator shall send a pamphlet regarding the parent education program to each party.

(3) *Scheduling:*

The assigned Judge shall schedule a Pre-Trial Conference within sixty (60) days of the submission of a Motion by either party requesting said conference.

(4) *Pre-Trial Conference Memorandum:*

(i) At least five (5) days prior to the scheduled Pre-Trial Conference, a Pre-Trial Conference Memorandum in conformity with Pa.R.C.P. 1915.4-4 shall be filed and served.



(ii) In addition to the information required by Pa.R.C.P. 1915.4-4, the Pre-Trial Conference Memorandum shall contain a brief summary containing the anticipated testimony of each listed witness.

(5) *Appearance by the Parties at the Pre-Trial Conference:*

At the scheduled Pre-Trial Conference, both counsel shall be present and the parties shall be personally present.

(i) In the event that neither legal counsel nor a party appears, the Pre-Trial Conference shall be held in that party's absence upon proof of service of the Order of Court for Pre-Trial Conference in accordance with the Pennsylvania Rules of Civil Procedure.

(ii) Although the Court may not discuss the case with represented parties, they are directed to be present in the event issues arise where the parties' input may be beneficial.

(6) *Hearings:*

In the event that an agreement is not reached at the Pre-Trial Conference, a hearing date shall be established by the Court at the conclusion of the Pre-Trial Conference.

**SAMPLE FORM "A"**

**IN THE COURT OF COMMON PLEAS OF THE  
39TH JUDICIAL DISTRICT PENNSYLVANIA—  
FRANKLIN/ FULTON COUNTY BRANCH**

_____ ,	:	Civil Action
Plaintiff	:	
	:	No. F.R.
vs.	:	
	:	In Custody
	:	
_____ ,	:	Judge:
Defendant	:	

**ORDER OF COURT AND DIRECTIVE FOR  
CONCILIATION**

NOW, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, this Order will notify \_\_\_\_\_, Defendant, that you have been sued in Court to obtain custody of the child(ren): \_\_\_\_\_, date of birth \_\_\_\_\_.

It is ordered and directed that \_\_\_\_\_, Esquire, the Court's Child Custody Conciliation Officer, is hereby directed to conduct a Conciliation Conference on \_\_\_\_\_, 20 \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ .M at the Assigned Room, Third Floor, Franklin County Courthouse, Chambersburg, Pennsylvania. The anticipated length of the Conciliation Conference is one (1) hour. The parties along with their legal counsel shall appear in person at the designated time for the Conciliation Conference. A memorandum shall be furnished to the Conciliator at least three (3) days prior to the scheduled Conciliation Conference pursuant to 39th Judicial District Civil Rule No. 1915.3(e)(5).

Failure to provide said memorandum may result in the imposition of sanctions. At the Conciliation Conference, an effort will be made to see if the issues can be resolved by an agreement between the parties. If an agreement cannot be reached, the Conciliator will assist in defining and narrowing the issues to reduce the time required for hearing by the Court. At the conclusion of the conference, the Conciliator will prepare a Conference Summary Report for further action by the Court.

You have the right to be represented by an attorney who may attend the Conciliation Conference with you. If

you have not secured an attorney by the date of the scheduled Conciliation Conference, you shall nonetheless personally appear at the time scheduled for the Conciliation Conference without an attorney.

The Plaintiff has deposited the required conciliator's fee with the Prothonotary for the cost of the Conciliation Conference and the Court reserves the right to further assign or divide these costs.

\_\_\_\_\_, Defendant, is notified that if you fail to appear as provided by this Order, an Order of Court for Custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

Pending the hearing, with emphasis placed on the arrangements for the six (6) months preceding the filing of this Complaint and with particular attention paid to the role of primary caretaker, the Court hereby establishes the following temporary Order for custody pending a hearing:

[The appropriate language should be inserted at this point detailing the custody arrangements sought by the Plaintiff keeping in mind the emphasis to be placed upon the prior six (6) months and the role of primary caretaker. It is suggested one (1) inch of blank space be left for judge's comments or changes to the proposed Order.]

You must file with the Court a Criminal Record/Abuse History Verification regarding you and anyone living in your household on or before the presentation scheduled on \_\_\_\_\_, but no later than thirty (30) days after the date of service of the Complaint or Petition for Modification.

No party shall be permitted to relocate the residence of the child/ren to significantly impair the ability of another person to exercise custody UNLESS every individual who has custody rights to the child/ren consents to the proposed relocation OR the Court approves the proposed relocation. A person proposing to relocate MUST comply with the notice requirements pursuant to 23 Pa.C.S.A. Section 5337(c).

Defendant is hereby notified that if (s)/he disputes the Plaintiff's averments regarding the current status of the custody arrangements and this Order is entered on the basis of those averments, (s)/he has the right to request a prompt conference with the Court. If the matter of the temporary custody arrangements is not resolved at the Conference, the Court may in atypical factual situations and at its sole discretion schedule a brief hearing limited to the issues of determining temporary custody arrangements pending the scheduled Conciliation Conference.

The parties and their legal counsel, if applicable, are hereby directed to engage in meaningful negotiations to resolve this matter before the Conciliation Conference.

This Order shall become a final appealable order 181 days after the date of filing of the attached Complaint/Petition, that is, on \_\_\_\_\_ [fill in date 181 days after the date of filing of the complaint/petition], unless prior to that date (1) a party files a praecipe, motion or request for a trial, or (2) there is filed a final intervening order.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMA-**

TION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Pennsylvania Bar Association
Lawyer Referral Service
1-800-692-7375 (PA ONLY) or 1-717-238-6715

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Franklin County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court.

By the Court,
\_\_\_\_\_
J.

SAMPLE FORM "B"

IN THE COURT OF COMMON PLEAS OF THE 39TH JUDICIAL DISTRICT FRANKLIN/FULTON COUNTY BRANCH—PENNSYLVANIA

\_\_\_\_\_, : Civil Action
Plaintiff :
: No.
vs. :
: In Custody
\_\_\_\_\_, :
Defendant : Judge: \_\_\_\_\_

ORDER OF COURT

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, upon consideration of the within Praecept/Motion,

IT IS HEREBY ORDERED, that a Pre-Trial Conference in the above-captioned custody matter is scheduled for \_\_\_\_\_, 20 \_\_, at \_\_\_\_\_ o'clock \_\_.m. in the Chambers of the Honorable \_\_\_\_\_, Franklin County Courthouse, Chambersburg, Pennsylvania.

A Pre-Trial Conference Memorandum shall be filed of record and a copy furnished to the Court at least five (5) days prior to the scheduled Pre-Trial Conference pursuant to 39th Judicial District Civil Rule No. 1915.3(f)(4). Failure to provide said Pre-Trial Conference Memorandum may be grounds for imposition of sanctions.

Failure of a party or legal counsel to appear upon proper notice shall result in the holding of the conference in absentia and the entry of an Order of Court that may be to the detriment of the absent party.

IT IS FURTHER HEREBY ORDERED that all parties to this custody proceeding shall enroll in, attend and successfully complete required parent education program which has been established by the Court to provide guidance to the parties in helping children to adjust to custody changes. Failure of any party to comply with this provision of this Order of Court may result in a finding of contempt with the imposition of sanctions including fine or imprisonment or both.

By the Court,
\_\_\_\_\_
J.

Sample Form "C"

IN THE COURT OF COMMON PLEAS OF THE 39TH JUDICIAL DISTRICT FRANKLIN/FULTON COUNTY BRANCH—PENNSYLVANIA

\_\_\_\_\_, : Civil Action
Plaintiff :
: No.
vs. :
: In Custody
\_\_\_\_\_, :
Defendant : Judge: \_\_\_\_\_

PRAEPIPE/MOTION FOR SCHEDULING OF A PRE-TRIAL CONFERENCE

AND NOW comes \_\_\_\_\_, Esquire, legal counsel for the above-captioned Plaintiff/Defendant and moves the Court as follows:

- 1. A Conciliation Conference in the above-captioned matter was held on \_\_\_\_\_.
2. A Summary Report and Proposed Order of Court was prepared by the Conciliator and filed of record on \_\_\_\_\_, \_\_\_\_\_, 20 \_\_\_\_\_.
3. An Order of Court was signed on \_\_\_\_\_ containing further directives in this matter.
4. The undersigned legal counsel hereby certifies that all Court-ordered directives have been complied with and the matter is now ready for a hearing.
5. Notification of this Praecept/Motion has been given to \_\_\_\_\_, Esquire, attorney for (Plaintiff/Defendant) who concurs with/opposes the request.

WHEREFORE, it is respectfully requested that an Order of Court be entered establishing a date and a time for a Pre-Trial Conference.

Date: \_\_\_\_\_ By: \_\_\_\_\_
(Signature), Esquire
Counsel for (Plaintiff/Defendant)

I verify that the statements made in this Praecept/Motion are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_
(Signature), Esquire
Counsel for (Plaintiff/Defendant)

Rule 39-1915.7. Consent Order.

(a) Required Submissions to the Court:

(1) Form

Any agreement between the parties for legal and physical custody of a minor child/ren shall be submitted to the Court in the form of a document entitled "Stipulation and Agreement," bearing the signature of each parent, and their counsel of record, if any, and requesting the entry of the agreed upon terms as an Order of Court. The Stipulation and Agreement shall be accompanied by a Proposed Order for entry by the Court.

(2) Contents of Stipulation and Agreement Where No Complaint or Petition for Modification is Pending

If no Complaint or Petition for Modification is currently pending before the Court, the Stipulation and Agreement shall contain:

(i) Averments required under 23 Pa.C.S.A. Section 5429(a), to enable the Court to determine whether jurisdictional requirements have been met, including:



1. The child/ren's present address or whereabouts;
2. The child's residence address(es) for the five (5) years preceding the filing of the Stipulation and Agreement, and the names of the persons with whom the child resided during such period;
  - (ii) An averment whether any party has participated as a party or witness or in any other capacity in any other proceeding concerning the legal or physical custody of the child, and, if any such actions exist, stating the presiding court, case number, and nature of such proceeding;
  - (iii) An averment whether any party knows of any proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions, and if so, identify the court, case number, and the nature of the proceedings;
  - (iv) An averment whether any party knows the names and addresses of any person not a party to the proceeding who has any form of physical custody of the child, or claims rights of legal or physical custody to the child, stating for any such person(s) their name(s) and address(es);

- (v) The language of the Proposed Order; and
- (vi) Criminal Record/Abuse History Verifications of both parties attached as exhibits.

(3) *Contents of Proposed Order:*

The Proposed Order shall contain:

- (i) The terms of the agreement, as to both legal and physical custody of the subject child/ren;
- (ii) An averment pursuant to 23 Pa.C.S.A. § 5323(c), giving notice of the parties' obligations under 23 Pa.C.S.A. § 5337, related to relocation, substantially equivalent to that set forth in Sample "A" to Rule 39-1915.3; and
- (iii) The conditions for protection of the child or abused party as required pursuant to 23 Pa.C.S.A. § 5323(e), if either party has engaged in past violent or abusive conduct and a risk of harm exists to the child/ren or the abused party.

[Pa.B. Doc. No. 14-1956. Filed for public inspection September 19, 2014, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### FISH AND BOAT COMMISSION

[ 58 PA. CODE CHS. 61 AND 65 ]

#### Fishing; Seasons, Sizes and Creel Limits; Special Fishing Regulations

The Fish and Boat Commission (Commission) amends Chapters 61 and 65 (relating to seasons, sizes and creel limits; and special fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

##### A. *Effective Date*

The final-form rulemaking will go into effect on January 1, 2015.

##### B. *Contact Person*

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

##### C. *Statutory Authority*

The amendments to §§ 61.1 and 65.26 (relating to Commonwealth inland waters; and extended trout season) are published under the statutory authority of section 2102(b) of the code (relating to rules and regulations). The amendments to § 65.12 (relating to Regional Opening Day of Trout Season Program) are published under the statutory authority of section 2102(a) of the code.

##### D. *Purpose and Background*

The specific purpose and background of the amendments are described in more detail under the summary of changes.

##### E. *Summary of Changes*

The Commission determined that Class A wild trout streams should be treated the same as other wild trout streams with respect to harvest during the extended season. Specifically, wild trout streams are closed to harvest beginning 12:01 a.m. the day after Labor Day to midnight the last day of February of the following year. Under §§ 61.1 and 65.12, approved trout waters and all waters downstream of approved trout waters are open to harvest with a three fish limit. There are currently at least 22 streams comprising 29 stream sections designated as Class A and that occur downstream of an approved trout water section. These amendments will result in all Class A streams being regulated the same relative to harvest and consistent with other wild trout streams that are not approved trout waters. This additional level of protection is consistent with treating the best wild trout waters in this Commonwealth with a greater level of protection than streams whose trout fisheries are partially or totally provided by stocking, where put-and-take is the preferred management approach.

On final-form rulemaking, the Commission also determined that § 65.26 must be revised to maintain consistency among regulations. The Commission therefore amends §§ 61.1 and 65.12 to read as set forth in the

proposed rulemaking published at 43 Pa.B. 7097 (December 7, 2013) and § 65.26 to read as set forth in Annex A.

##### F. *Paperwork*

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

##### G. *Fiscal Impact*

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

##### H. *Public Involvement*

Notice of proposed rulemaking was published at 43 Pa.B. 7097. The Commission did not receive public comments regarding the proposed rulemaking.

##### *Findings*

The Commission finds that:

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

(2) A public comment period was provided and no public comments were received.

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

##### *Order*

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

(a) The regulations of the Commission, 58 Pa. Code Chapters 61 and 65, are amended by amending §§ 61.1 and 65.12 to read as set forth at 43 Pa.B. 7097 and § 65.26 to read as set forth in Annex A.

*(Editor's Note:* Section 65.26 was not included in the proposed rulemaking published at 43 Pa.B. 7097.)

(b) The Executive Director will submit this order, 43 Pa.B. 7097 and Annex A to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order, 43 Pa.B. 7097 and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on January 1, 2015.

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-253 remains valid for the final adoption of the subject regulations.

#### Annex A

#### TITLE 58. RECREATION

#### PART II. FISH AND BOAT COMMISSION

#### Subpart B. FISHING

#### CHAPTER 65. SPECIAL FISHING REGULATIONS

#### § 65.26. Extended trout season.

(a) *General rule.* The extended trout season is in effect from the day after Labor Day until the last day of February of the following year on approved trout waters

and all waters downstream of approved trout waters. A creel limit of three trout per day and a minimum size limit of 7 inches apply during this season, except Class A wild trout streams where the creel limit is 0 and areas with special regulations.

(b) *Waters not approved trout waters.* The Executive Director may grant a permit to apply extended trout regulations to waters that are not approved trout waters upon written application of the owner or lessee of the lands on which the waters are located. Applications will be reviewed to ensure that applying extended trout season regulations to the waters in question is consistent with the best appropriate fisheries management of the waters in question, and to ensure that approval of the application will have no adverse effect on the preservation and expansion of public fishing opportunities within this Commonwealth. Approval or disapproval of applications shall be subject to review under Chapter 51, Subchapter E (relating to permit procedures). Permits for extended trout season on waters other than approved trout waters will be valid until the last day of February of the 6th year after the year in which they are issued. For example, a permit issued in June 1984 will expire on February 28, 1990.

[Pa.B. Doc. No. 14-1957. Filed for public inspection September 19, 2014, 9:00 a.m.]

## FISH AND BOAT COMMISSION [ 58 PA. CODE CH. 63 ]

### Fishing; General Fishing Regulations

The Fish and Boat Commission (Commission) amends Chapter 63 (relating to general fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

#### A. *Effective Date*

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

#### B. *Contact Person*

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

#### C. *Statutory Authority*

The amendment to § 63.2 (relating to display of fishing license and verification of license purchase) is published under the statutory authority of section 2703 of the code (relating to possession and display of licenses). The amendments to § 63.20 (relating to permits for the protection and management of trout and salmon) are published under the statutory authority of section 2904 of the code (relating to permits for protection and management of particular fish).

#### D. *Purpose and Background*

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

#### E. *Summary of Changes*

Under § 63.2(b), anglers required under Chapter 27 of the code (relating to fishing licenses) to purchase a license to fish in the waters of this Commonwealth or boundary waters shall display the actual fishing license certificate on a hat or outer garment while fishing. In March 2014, the Commission made license buttons available for sale. The Commission therefore amends § 63.2 to allow for the display of license buttons as an alternative to the current display requirement. As amended, a license holder will be required to carry the license certificate on his person if a license button is displayed instead of the license certificate.

Under § 63.20(c)(3), a person who purchases a senior resident lifetime fishing license and who wishes to fish for trout or salmon is required to purchase one trout/salmon permit and is then exempt from the requirement to purchase a trout/salmon permit for subsequent years. This effectively means that those licensees may purchase one trout/salmon permit that is valid for the licensee's lifetime. About 70% of seniors purchase a trout/salmon permit, which mirrors the rate for other anglers.

Since it was instituted in 1979, the Commission has sold 463,714 senior resident lifetime fishing licenses through the end of 2013. In 1979, that category of license sales accounted for 1.31% of total license sales (13,179 out of 1,004,003). When license sales peaked in 1990, the sale of senior resident lifetime fishing licenses also reached an all-time high of 18,645. As this Commonwealth's population has aged, so too has the percentage of senior resident lifetime fishing licenses compared to total license sales, with that category accounting for 1.97% of total sales in 2013 (17,004 out of 860,672).

Even more significantly, senior resident lifetime fishing licenses have grown to comprise nearly 50% of all senior licenses sold. Residents 65 years of age and older may purchase either a senior resident lifetime fishing license for \$50 or a senior resident annual fishing license for \$10. In 1979, senior resident lifetime licenses and senior resident annual licenses totaled 87,247, but the lifetime category only accounted for 15.11% of that total. In 2013, of the 34,790 combined senior resident lifetime and senior resident annual licenses, 48.9% were for the lifetime license. As this Commonwealth's seniors continue to account for a larger percentage of the total population (and of anglers), the relative number of anglers buying the lifetime license is expected to continue to rise.

According to the Commission's Stocked Trout Program: Cost Report (March 2009), the Commission's trout program accounts for 36% of the Fish Fund annual expenditures, and the cost of trout production continues to rise. The Commission can no longer afford to allow anyone required to purchase a senior resident lifetime fishing license to fish for trout without paying for the privilege to do so annually.

One thing that the Commission can do by regulation is to require senior resident lifetime license holders to purchase a trout/salmon permit each year that the license holder desires to fish for trout. At the same time, the Commission can establish that a senior resident lifetime license holder who purchased a trout/salmon permit before a certain date will remain exempt from the requirement to purchase a permit annually. To use a common term, those individuals will be grandfathered.

With the grandfathering clause, there will not be additional revenues generated in the first year of the amendment since the licensees who purchase a permit

under the regulation will presumably buy it anyway. Assuming senior resident lifetime license holders continue to make up about 50% of all senior license buyers, an estimated 8% drop in sales and associated Federal funds due to the new annual requirement, and 70% of seniors will continue to purchase a trout/salmon permit, staff estimate the generation of about \$300,000 in additional annual revenues by the fifth year that the change is in place.

Similar to § 63.20(c)(3), a person who purchases a senior resident lifetime license and fishes in Lake Erie or its tributaries is only required to purchase one special permit which is valid for the licensee's lifetime under section 2907.2(c) of the code (relating to Lake Erie fishing permits). However, requiring those anglers to annually purchase a special permit to fish in Lake Erie and its tributaries will require an act of the General Assembly.

The Commission also noted the need for a number of housekeeping changes to § 63.20. In § 63.20(b), eliminating the list of licenses to which the requirement applies makes it clear that any license holder must possess a trout/salmon permit or a combination trout/salmon permit and Lake Erie permit to fish for trout. While section 2907.2(c) of the code already requires all anglers to have a special permit to fish in Lake Erie and its tributaries or a combination trout/salmon permit and Lake Erie permit to fish in those parts of the Lake Erie watershed, adding the combination trout/salmon permit and Lake Erie permit makes it clear that the license holder shall have a valid permit to fish for trout in other parts of the Lake Erie watershed (for example, lakes stocked with trout). Since license holders no longer need to affix a stamp to their licenses, that requirement in § 63.20(b) is deleted. In addition, because the Commission no longer issues trout stamps, § 63.20(c) is no longer necessary and is deleted.

The Commission amends §§ 63.2 and 63.20 to read as set forth in proposed rulemaking published at 44 Pa.B. 1769 (March 22, 2014).

*F. Paperwork*

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

*G. Fiscal Impact*

The amendment to § 63.2 will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The amendment to § 63.2 will not impose new costs on the private sector or the general public because the license button is purely voluntary.

The amendments to § 63.20 will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The amendments to § 63.20 will not impose new costs on the private sector or the general public except that future purchasers of a senior resident lifetime fishing license

will be required to purchase a trout/salmon permit annually. The fee for a trout/salmon permit is set at \$8 by section 2715(a.1)(1) of the code (relating to license, permit and issuing agent fees).

*H. Public Involvement*

Notice of proposed rulemaking was published at 44 Pa.B. 1769. The Commission did not receive public comment regarding the proposal to amend § 63.2. The Commission received one comment from Representative Haluska and Representative Gergely during the formal comment period and one public comment after the comment period, both opposing the proposal to amend § 63.20. The Commission also received one public comment before the comment period and one public comment after the comment period, both supporting the proposal to amend § 63.20. Copies of the public comments were provided to the Commissioners.

*Findings*

The Commission finds that:

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

(2) A public comment period was provided and all public comments received were considered.

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

*Order*

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 63, are amended by amending §§ 63.2 and 63.20 to read as set forth at 44 Pa.B. 1769.

(b) The Executive Director will submit this order and 44 Pa.B. 1769 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 44 Pa.B. 1769 and deposit them with the Legislative Reference Bureau as required by law.

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

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-257 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 14-1958. Filed for public inspection September 19, 2014, 9:00 a.m.]



# PROPOSED RULEMAKING

## FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 65 ]

### Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 65 (relating to special fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

#### A. Effective Date

The proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

#### B. Contact Person

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

#### C. Statutory Authority

The proposed amendments to §§ 65.4a, 65.5—65.7, 65.14, 65.15 and 65.20 are published under the statutory authority of section 2102 of the code (related to rules and regulations).

#### D. Purpose and Background

The proposed rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the proposed amendments is described in more detail under the summary of proposal.

#### E. Summary of Proposal

A number of existing special regulation areas for trout occur on waters that may be large enough to permit boating. Sections 65.5—65.7 and 65.14 allow, notwithstanding the requirements of those sections, an angler in a boat to possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the waters from which taken, provided that the boat angler floats through the specially regulated area without stopping or engaging in the act of fishing, or the boat angler takes out his boat at an access point within the specially regulated area. Sections 65.4a, 65.15 and 65.20 (relating to all-tackle trophy trout; catch and release all-tackle areas; and Mentored Youth Fishing Day Program) contain similar language but do not mention bait. While these regulations reference anglers who take out their boats at an access area within a special regulation area, they do not reference anglers who would put in their boats at an access area within a special regulation area. To address this omission, the Commission proposes to amend §§ 65.4a, 65.5—65.7, 65.14, 65.15 and 65.20 to read as set forth in Annex A.

#### F. Paperwork

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

#### G. Fiscal Impact

The proposed amendments will not have adverse fiscal impact on the Commonwealth or its political subdivisions.

The proposed amendments will not impose new costs on the private sector or the general public.

#### H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fishandboat.com/reg](http://www.fishandboat.com/reg) comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** 48A-259. No fiscal impact; (8) recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART II. FISH AND BOAT COMMISSION

#### Subpart B. FISHING

#### CHAPTER 65. SPECIAL FISHING REGULATIONS

#### § 65.4a. All-tackle trophy trout.

\* \* \* \* \*

(d) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the all-tackle trophy trout area without stopping or engaging in the act of fishing or the boat angler **puts in or** takes out his boat at an access point within the all-tackle trophy trout area.

#### § 65.5. Catch and release areas.

\* \* \* \* \*

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release area without stopping or engaging in the act of fishing or the boat angler **puts in or** takes out his boat at an access point within the catch and release area.

#### § 65.6. Delayed harvest artificial lures only areas.

\* \* \* \* \*

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the delayed harvest artificial lures only area without stopping or engaging in the act of fishing or the boat angler **puts in or** takes out his boat at an access point within the delayed harvest artificial lures only area.

§ 65.7. Trophy Trout Program.

\* \* \* \* \*

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the trophy trout area without stopping or engaging in the act of fishing or the boat angler **puts in or** takes out his boat at an access point within the trophy trout area.

§ 65.14. Catch and release fly-fishing only areas.

\* \* \* \* \*

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release fly-fishing only area without stopping or engaging in the act of fishing or the boat angler **puts in or** takes out his boat at an access point within the catch and release fly-fishing only area.

§ 65.15. Catch and release all-tackle areas.

\* \* \* \* \*

(c) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release all-tackle area without stopping or engaging in the act of fishing or the boat angler **puts in or** takes out his boat at an access point within the catch and release all-tackle area.

§ 65.20. Mentored Youth Fishing Day Program.

\* \* \* \* \*

(c) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the water designated as part of the Mentored Youth Fishing Day Program without stopping or engaging in the act of fishing or the boat angler **puts in or** takes out his boat at an access point within the water designated as part of the Mentored Youth Fishing Day Program.

[Pa.B. Doc. No. 14-1959. Filed for public inspection September 19, 2014, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of 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 September 9, 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

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-5-2014	PeoplesBank, a Codorus Valley Company York York County  Application for approval to merge Madison Square Federal Savings Bank, Baltimore, MD, with and into PeoplesBank, a Codorus Valley Company, York.	Filed

#### Branch Applications

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-5-2014	Royal Bank America Narberth Montgomery County	<i>To:</i> 151 York Road Willow Grove Montgomery County  <i>From:</i> 600 Old York Road Jenkintown Montgomery County	Filed

##### Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-5-2014	Wayne Bank Honesdale	<i>Into:</i> 308 Stroud Mall Road Stroudsburg Monroe County  <i>From:</i> 334 North Ninth Street Stroudsburg Monroe County	Filed

##### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
9-3-2014	William Penn Bank Levittown Bucks County  Amendment to Article 2 of the institution's Articles of Incorporation provides for a change in principal place of business from 8150 Route 13, Levittown, Bucks County, PA 19057 to 1309 South Woodbourne Road, Levittown, Bucks County, PA 19057.	Effective

**CREDIT UNIONS  
Branch Applications  
De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-18-2014	TruMark Financial Credit Union Trevose Bucks County	275 Swamp Road Newtown Bucks County	Opened

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. 14-1960. Filed for public inspection September 19, 2014, 9:00 a.m.]

**DEPARTMENT OF  
CONSERVATION AND  
NATURAL RESOURCES**

**Conservation and Natural Resources Advisory  
Council Meeting**

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Thursday, September 25, 2014, at 10 a.m. in the Washington Room, Genetti Hotel, 200 West Fourth Street, Williamsport, PA 17701.

Questions concerning this meeting or agenda items can be directed to Gretchen Leslie at (717) 787-9293. Persons

who wish to participate during the public comment section are encouraged to submit their comments in writing to Gretchen Leslie, Advisor, Conservation and Natural Resources Advisory Council, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Lauren Adair at (717) 787-9293 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

ELLEN FERRETTI,  
*Secretary*

[Pa.B. Doc. No. 14-1961. Filed for public inspection September 19, 2014, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Applications, Actions and Special Notices**

**APPLICATIONS**

**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**

**APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION  
SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM)  
PERMITS**

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PAS202208 (Stormwater)	Kraft Foods—Lehigh Valley Plant 7352 Industrial Boulevard Allentown, PA 18106-9344	Lehigh County Upper Macungie Township	Iron Run (02-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0082953 (IW)	Diller Transfer Station, Inc. 6330 Route 219 Brockway, PA 15824	Cumberland County Hampden Township	Silver Spring Township Sears Run / 7-B	Y
PA0081574 (SEW)	Salisbury Township 5581 Old Phila Pike Gap, PA 17527	Lancaster County Salisbury Township	UNT Pequea Creek / 7-K	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0024091 (Sewage)	Millville Borough Sewer System STP 136 Morehead Avenue Millville, PA 17846	Columbia County Millville Borough	Little Fishing Creek (5-C)	Y
PA0228796 (Sewage)	Matthew M. Barr SFTF 1957 Halfmoon Valley Road Port Matilda, PA 16870	Centre County Halfmoon Township	Halfmoon Creek (11-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0031330 (Sewage)	Cox Donahey Elementary School Republic Road Brownsville, PA 15417	Fayette County Redstone Township	Unnamed Tributary to Dunlap Creek (19-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0035289 (Sewage)	Glen Lake Estates MHP 1037 Barkeyville Road, Grove City, PA 16127	Mercer County Pine Township	Unnamed Tributary to the Wolf Creek (20-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.*

**PA0063258**, Industrial Waste, SIC Code 4941, **Mahanoy Township Authority**, 46 North Main Street, Mahanoy City, PA 17948. Facility Name: Mahanoy Township Authority WTP. This existing facility is located in Mahanoy Township, **Schuylkill County**.

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

The receiving stream, Unnamed Tributary to North Mahanoy Creek, is located in State Water Plan watershed 06B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	1.0	1.6
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Total Aluminum	1.67	3.34	XXX	2.0	4.0	XXX
Total Arsenic (Interim)	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic (Final)	XXX	XXX	XXX	0.098	0.153	XXX
Total Copper (Interim)	XXX	XXX	XXX	Report	Report	XXX
Total Copper (Final)	XXX	XXX	XXX	0.014	0.22	XXX
Free Available Cyanide	XXX	XXX	XXX	Report	Report	XXX
Total Iron	1.67	3.34	XXX	2.0	4.0	XXX
Total Lead (Interim)	XXX	XXX	XXX	Report	Report	XXX
Total Lead (Final)	XXX	XXX	XXX	0.002	0.003	XXX
Total Manganese	0.83	1.67	XXX	1.0	2.0	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

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

- Chemical Additives

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

The EPA Waiver is not in effect.

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

**PA0254860**, SIC Code 8800, **William T Kitsko Living Trust**, 170 Woodhaven Drive, Pittsburgh, PA 15228. Facility Name: Kitsko SR STP. This proposed facility is located in Indian Lake Borough, **Somerset 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 to Rhoads Creek, is located in State Water Plan watershed 18-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

The EPA Waiver is in effect.

### 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. 4014402**, Sewage, **Bear Creek Foundation, Inc.**, 1900 Bear Creek Boulevard, Bear Creek Township, PA 18702.

This proposed facility is located in Bear Creek Township, **Luzerne County**.

Description of Proposed Action/Activity: The project is for the construction of a new 0.0056 MGD sanitary sewage treatment facility and an effluent drip dispersal system to serve the new Bear Creek Community Charter School.

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

**WQM Permit No. 0503405 Amendment No. 1**, Sewerage, **East Providence Township Municipal Authority**, PO Box 83, 24 Municipal Road, Breezewood, PA 15533-0083.

This proposed facility is located in East Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Proposing improvements to the Breezewood Wastewater Treatment Facility.

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

**WQM Permit No. 3014401**, Sewage, **Barbara & Tom Mannion**, 1986 Aleppo Rd, Wind Ridge, PA 15380-1324.

This proposed facility is located in Aleppo Township, **Greene County**.

Description of Proposed Action/Activity: The applicant has proposed to construct a single residence sewage treatment plant to replace a malfunctioning onlot system.

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

**WQM Permit No. WQG01421401**, Sewage, **Steven Avery**, 42 Trudy Drive, Sykesville, MD 21784.

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

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

**WQM Permit No. 3775401**, Sewage, Amendment, **New Wilmington Borough**, 134 High Street, New Wilmington, PA 16142-1104.

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

Description of Proposed Action/Activity: Amendment to upgrade and expand existing wastewater treatment plant.

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 2314004	Hartford Properties, LLC 1000 S. Lenola Road Maple Shade, NJ 08052	Delaware	Brookhaven Borough	Unnamed Tributary to Chester Creek WWF—MF



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

*Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth PA 18064-9211*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024805002R(1)	Vincent DeLuca Sterling Maple L.P. 370 East Maple Avenue Suite 101 Langhorne, PA 19047-2859	Northampton	Hanover Township and East Allen Township	Monocacy Creek (HQ-CWF, MF) Catasauqua Creek (CWF, MF)
PAI024814007	Nicholas J. Pugliese 1072 Grand Street Phillipsburg, NJ 08865-3639	Northampton	Palmer Township	Bushkill Creek (HQ-CWF, MF)
PAI024814010	Nicholas Witko 4635 Rose Drive Emmaus, PA 18049	Northampton	Lower Saucon Township	UNT Cooks Creek (EV, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI036707002R	James E. Quesenberry, Jr. 6544 Anderson Road Stewartstown, PA 17363	York	Hopewell Township	UNT Leibs Creek (HQ-CWF)
PAI034414005	A. Carolyn Miller 4401 East Back Mountain Road Belleville, PA 17004-8577	Mifflin	Union Township	Frog Hollow (HQ-CWF)
PAI033614006	PPL Electric Utilities Corp 1639 Church Road Allentown, PA 18104-9342	Lancaster	Brecknock and Caernarvon Townships	UNT Muddy Creek (WWF, MF) Muddy Creek (TSF) UNT's Muddy Creek (HQ/TSF) Black Creek & UNT's (HQ-WWF) Little Conestoga River & UNT's (WWF, MF) Conestoga River (WWF, MF)
PAI034414004	McVeytown DPP X, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Mifflin	Oliver Township	Musser Run (HQ-CWF)

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

*Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044114002	Edward Dunlap UGI Penn Natural Gas 1 UGI Center Wilkes-Barre PA 18711	Lycoming	Mifflin, Piatt & Porter Townships	Canoe Run EV Nichols Run HQ-CWF, MF Nice Hollow WWF Stewards Run WWF WB Susquehanna River WWF



Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481  
 Jefferson County Conservation District, 1514 Route 28, Brookville PA 15825

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI063314002	Nine Star Capital, LP c/o Paula Foradora 80 North Park Place DuBois PA 15801 & Brookville Municipal Auth c/o Terrence J. O'Neill 18 Western Avenue, Suite A Brookville PA 15825	Jefferson	Pine Creek Township	Little Mill Creek 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

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units (AEUs)	Animal Type	Special Protection Waters (HQ or EV or NA)	Renewal/ New
Haas Farms Stephen & Virginia Haas 15 Haas Road Klingerstown, PA 17941	Schuylkill	1,602	540	Poultry (Layers)	N/A	Renewal
Meadow Vista Dairy LLC Eric Risser 166 Risser Road Bainbridge, PA 17502	Lancaster	721.7	1,258.5	Dairy	NA	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 determi-

nation 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. 4614516** Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**  
 City Montgomery  
 Township Upper Merion  
 Responsible Official Marc A. Lucca  
 762 W. Lancaster Avenue  
 Bryn Mawr, PA 19010

Type of Facility PWS  
 Consulting Engineer GHD  
 1240 North Mountain Road  
 Harrisburg, PA 17112

Application Received Date September 2, 2014

Description of Action Improvements to phosphate and polyaluminum chloride feed systems at the Upper Merion Water Treatment Plant.

**Permit No. 1514522** Public Water Supply

Applicant **Tel Hai Retirement Community**  
 City Chester  
 Township Honey Brook  
 Responsible Official Joseph Swartz  
 1200 Tel Hai Circle  
 Honey Brook, PA 19344

Type of Facility PWS  
 Consulting Engineer Whitehill Consulting Engineers  
 763 Conowingo Road  
 Quarryville, PA 17566

Application Received Date September 3, 2014

Description of Action Addition of new well #3 to serve proposed expansion to the Tel Hai Retirement Community.

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

**Application No. 4914502—Construction** Public Water Supply

Applicant **Aqua Pennsylvania, Roaring Creek Division**

[Township or Borough] Ralpho and Coal Township's  
 County **Northumberland**  
 Responsible Official Marc A. Lucca, VP Production  
 Aqua Pennsylvania, Roaring  
 Creek Division  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Type of Facility Public Water Supply  
 Consulting Engineer Marc A. Lucca, P.E.  
 Aqua Pennsylvania, Roaring  
 Creek Division  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Application Received September 2, 2014

Description of Action Installation of a THM removal system in the Ralpho and Treverton tanks to reduce the levels of THM's in the distribution system.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
 PREAMBLE 1**

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

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

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

request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

**Lehigh University Transportation Services Building**, 126 Goodman Drive, City of Bethlehem, **Northampton County**, Michael Bingaman, Hafer Environmental Services Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Lehigh University, concerning the remediation of soil from hydraulic oil & fluid due to a leaking underground lift system. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. The intended future use of the site is for ongoing operation and maintenance activities associated with the University's transportation, transit, and parking services. A Summary of the Notice of Intent to Remediate was published in *The Morning Call* on July 12, 2014.

**Kotran Property**, 4715 Main Street, Whitehall, PA 18052, Whitehall Township, **Lehigh County**, Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, has submitted a Notice of Intent to Remediate on behalf of his client (Mr. Dan Kotran, 2463 Victoria Way, Coplay, PA 18037), concerning the remediation of fuel oil #2 found to be present in soil at the property location cited above as a result of a malfunctioning aboveground storage tank. The applicant proposed to remediate the site to meet the Residential Statewide Health Standard for soils. The intended future use of the site is residential. A Final Report was simultaneously submitted. A summary of the Notice of Intent to remediate and Final Report was published in *The Express Times* on August 16, 2014.

**GROWMARK FS, Inc.**, 3024 Levans Road, North Whitehall Township, **Lehigh County**, Martin Gilgallon of Pennsylvania Tectonics Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Mr. Steve Buckalew, CEO, GROWMARK FS, LLC, concerning the remediation of soil from diesel fuel due to a release at the site. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. The intended future use of the site is for it to be used as non-residential purposes. A Summary of the Notice of Intent to Remediate was published in *The Morning Call* on August 7, 2014.

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

**Donaldson's Square** (former auto repair/gasoline station), 3855 Washington Road, Peters Township, **Washington County**, Penn Environmental & Remediation, Inc., 100 Ryan Court, Pittsburgh, PA 15205 on behalf of Crossroads Acquisitions, LLC., 451 Parker Drive, Pittsburgh, PA 15216 has submitted a Notice of Intent to Remediate to meet the residential Statewide Health Standard for site soils contaminated with volatile organic compounds. Future use of the property will be non-residential. Notice of the NIR was published in the *Pittsburgh Post-Gazette* on August 20, 2014.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations



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

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

#### PLAN APPROVALS

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

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

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

**03-00027E: GenOn Northeast Management Co.** (121 Champion Way, Suite 200, Canonsburg, PA 15317-5817) for a Truck Coal Receiving Facility at their Keystone Generating Station in Plumcreek Township, **Armstrong County**. This is a major facility Plan Approval application submittal.

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

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

**24-012B: Graftech USA LLC** (800 Theresia Street, St. Marys, PA 15857-1898) for the in-kind replacement of the pre-control scrubber for source 109 (Mixer, Feeder, Scale) in St. Marys City, **Elk County**. This application was determined to be administratively complete on September 3, 2014.

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

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

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

**09-0064A: CRC Industries, Inc.** (885 Louis Drive, Warminster, PA 18974) for a non-Title V, Synthetic Minor facility in Warminster Township, **Bucks County**. This plan approval will allow an increase in volatile organic compounds (VOC) for the facility. No new equipment will be added to the facility. The facility will remain a Synthetic Minor. The main emissions for this facility are VOC, of which the facility will be limited to less than 24.5 tons per year of emissions, and hazardous air pollutants, will remain at 10 tons per year for any single hazardous

air pollutant and less than 25 tons per year for all of the hazardous air pollutants combined. The Plan Approval will contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

#### PLAN APPROVAL

#### PUBLIC HEARINGS

*Department of Public Health, Air Management Services:  
321 University Avenue, Philadelphia, PA 19104*

*Contact: Roger Fey, Chief—Telephone: 215-823-7584*

#### Philadelphia Air Management Services

#### Proposed Revision to the State Implementation Plan to Meet the Requirements of Reasonably Available Control Technology Set Forth by the Clean Air Act under the 1997 8-Hour NAAQS

The Clean Air Act Amendments of 1990 (CAA) requires Philadelphia County (Philadelphia) to submit to the U.S. Environmental Protection Agency (EPA) a State Implementation Plan (SIP) revision demonstrating that Philadelphia has implemented all necessary Reasonably Available Control Technology (RACT) controls on all major stationary sources of volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>).

The Philadelphia Department of Public Health, Air Management Services (AMS) is now seeking public comment on a proposed SIP revision that updates Philadelphia's RACT demonstration for the 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS).

On December 13, 2013 (78 FR 75902), EPA conditionally approved Philadelphia's 1997 8-hour ozone RACT demonstration provided in the 2006 and 2010 SIP revisions, based upon a commitment from AMS to submit additional SIP revisions to provide source-specific RACT determinations for certain major sources of VOC and NO<sub>x</sub> in Philadelphia and a certification that previously adopted source-specific RACT controls approved by EPA in the Pennsylvania's SIP under the 1-hour ozone NAAQS for the remaining sources in Philadelphia County (as listed in 40 CFR 52.2020(d)(1)) continue to adequately represent RACT for the 1997 8-hour ozone NAAQS.

This SIP revision is intended to partially satisfy AMS' commitment by addressing source-specific RACT determinations for certain major sources of VOC and/or NO<sub>x</sub>; certifying that previously adopted source-specific RACT controls approved by EPA in the Pennsylvania's SIP under the 1-hour ozone NAAQS continue to adequately represent RACT for the 1997 8-hour ozone NAAQS; and certifying that certain sources that were applicable to the 1-hour ozone RACT are now minor sources or have shut down and are no longer applicable to the 1997 8-hour ozone RACT for the following facilities:

Major VOC and/or NO<sub>x</sub> sources:

**PES Refinery (including Tank Farm), formerly Sunoco Refinery** (3144 Passyunk Ave., Philadelphia, PA 19145)

**Honeywell, formerly Sunoco Chemicals** (4700 Bermuda Street, Philadelphia, PA 19137)

**PaperWorks, formerly Jefferson Smurfit** (5000 Flat Rock Road, Philadelphia, PA 19127)

**Sun Chemical** (3301 Hunting Park Ave., Philadelphia, PA 19132)

**Newman & Company** (6101 Tacony Street, Philadelphia, PA 19135)

**Exelon—Southwark** (2501 South Delaware Ave., Philadelphia, PA 19148)

**Naval Surface Warfare Center** (5001 South Broad Street, Philadelphia, PA 19112)

**Temple—Health Sciences** (3401 N. Broad Street, Philadelphia, PA 19140)

**Sunoco—Belmont Terminal** (2700 Passyunk Ave., Philadelphia, PA 19145)

**Aker Philadelphia Shipyard** (2100 Kitty Hawk Ave., Philadelphia, PA 19112)

**Inolex Chemical** (Jackson and Swanson Streets, Philadelphia, PA 19148)

**Allied Tube & Conduit** (11350 Norcom Road, Philadelphia, PA 19154)

**MIPC, LLC, formerly Tosco** (4210 G Street, Philadelphia, PA 19124)

**University of Pennsylvania** (3451 Walnut Street, Philadelphia, PA 19104)

**Philadelphia Prison System** (8001 State Road, Philadelphia, PA 19136)

**Kinder Morgan, previously GATX** (3300 North Delaware Ave., Philadelphia, PA 19134)

**Phila. Gas Works—Richmond** (3100 East Venango Street, Philadelphia, PA 19134)

**Plains Products Terminals, North Terminal was previously Maritank, South Terminal was previously ExxonMobil** (3400 South 67th Street, Philadelphia, PA 19153)

Minor sources or shut down:

**Interstate Brands, formerly Continental Baking** (9801 Blue Grass Road, Philadelphia, PA 19114)

**Mondelez Global LLC (formerly Kraft-Nabisco)**—12000 E. Roosevelt Blvd., Philadelphia, PA 19116

**Budd Company**—2450 W. Hunting Park Ave., Philadelphia, PA 19129

**Bellevue**—200 S. Broad Street, Philadelphia, PA 19102

**Plains Products Terminals (formerly Amerada Hess)**—1630 S. 51st Street, Philadelphia, PA 19143

**Amoco Oil**—63rd Street & Passyunk Ave., Philadelphia, PA 19153

**Kurz Hastings**—10901 Dutton Road, Philadelphia, PA 19154

**Lawrence McFadden**—7430 State Road, Philadelphia, PA 19136

**Philadelphia Baking Company**—Grant Ave. & Roosevelt Blvd., Philadelphia, PA 19115

**Phila. Gas Works—Passyunk**—3100 Passyunk Ave., Philadelphia, PA 19145

**The Philadelphian Condominiums**—2401 Pennsylvania Ave., Philadelphia, PA 19130

**SEPTA—Berridge/Courtland**—200 West Wyoming Ave., Philadelphia, PA 19140

**Rohm and Haas**—5000 Richmond Street, Philadelphia, PA 19137

**SBF Communications**—3747 Ridge Ave., Philadelphia, PA 19132

**Smith-Edwards-Dunlap**—2867 East Allegheny Ave., Philadelphia, PA 19134

**Tasty Baking**—2801 Hunting Park Ave., Philadelphia, PA 19129

**Aldan Rubber**—2701 East Tioga Street, Philadelphia, PA 19134

**Braceland Bros.**—7625 Suffolk Ave., Philadelphia, PA 19153

**Graphic Arts**—4100 Chestnut Street, Philadelphia, PA 19104

**O'Brien Cogeneration—NE**—3900 Richmond Street, Philadelphia, PA 19137

**O'Brien Cogeneration—SW**—8200 Enterprise Ave., Philadelphia, PA 19153

**Pearl Pressman Liberty**—912 north 5th Street—Philadelphia, PA 19123

**Arbill**—2207 West Glenwood Ave., Philadelphia, PA 19132

**McWhorter**—7600 State Road, Philadelphia, PA 19136

**Transit America**—One Red Lion Road, Philadelphia, PA 19115

**NE Water Pollution Control Plant** (3899 Richmond Street, Philadelphia, PA 19137)

**SW Water Pollution Control Plant** (8200 Enterprise Ave., Philadelphia, PA 19153)

This SIP revision also includes revisions to the approved RACT plan approvals for the following facilities:

**Honeywell, formerly Sunoco Chemicals** (4700 Bermuda Street, Philadelphia, PA 19137) to replace the requirement to operate Boiler #1 and Boiler #2 at a minimum 51% phenol waste based on annual BTU heat input to a minimum 51% phenol waste and natural gas combined based on annual BTU heat input. Change the conditions when they can burn fuel oil in Boilers #1 and #2 to allow it during testing programs and change the prohibition of fuel oil under regular operation from May 1 through September 30 to all year. Add a condition that Boiler #3 can only burn No. 6 oil during natural gas emergencies and stack test program. These revisions will reduce the potential NO<sub>x</sub> emissions from the boilers. The plan approval will contain monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

**Kinder Morgan, previously GATX** (3300 North Delaware Ave., Philadelphia, PA 19134) to change the loading racks which may load VOC materials with a Reid Vapor Pressure (RVP) of 4.0 or greater and require control by a vapor incinerator. Changing limits on the RVP of materials loaded (less than 4.0) and combined uncontrolled emissions (129 tons VOC/year) from specific uncontrolled loading racks to all uncontrolled loading positions. Changing a quarterly leak check requirement to only apply to valves, pumps, and flanges in VOC service. Adding a 70 ton per year VOC limit for uncontrolled loading at each loading position. These revisions will reduce the potential VOC emissions. The plan approval will contain monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

**PaperWorks, formerly Jefferson Smurfit** (5000 Flat Rock Road, Philadelphia, PA 19127) to remove shut down Boiler #2. Remove coal burning from Boiler #1 and only allow #6 oil as back-up. These changes reduce potential NO<sub>x</sub> emissions from the boiler. Add Boilers #3 and #4,



each 92.27 MMBTU/hr and burns natural gas. Boiler #3 and #4 each shall be equipped with low-NO<sub>x</sub> burners (LNB) and flue gas recirculation (FGR) and have NO<sub>x</sub> emission limits of 0.025 lb/MMBTU. Each boiler has potential NO<sub>x</sub> emissions of 10.15 tons per year. The plan approval will contain monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

**Temple—Health Sciences** (3401 N. Broad Street, Philadelphia, PA 19140) to remove a shutdown medical waste incinerator. Remove a requirement to install FGR with low excess air on Boiler #2. Remove a requirement to install fuel governing devices on Boilers #1 and #3 to limit their capacities to 50 MMBTU/hr. Add the following requirements for each boiler: install CCA burner modifications; NO<sub>x</sub> emission limits of 0.067 when burning natural gas and 0.40 lb/MMBTU when burning #6 oil; NO<sub>x</sub> emission limit of 56.3 lbs/hr for all three boilers combined; a heat input limit of 673,894 MMBTU per rolling 12-month period for all three boilers combined; and add a requirement that between May 1 and September 30 each boiler shall burn natural gas as primary fuel and shall only burn #6 oil during periods of gas curtailment or gas interruptions. These revisions will reduce the potential NO<sub>x</sub> emissions from the facility. The plan approval will contain monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

**PES Refinery, formerly Sunoco Refinery** (3144 Passyunk Ave., Philadelphia, PA 19145) to remove shutdown boilers and heaters. Remove the ability to burn oil from all boilers and heaters. Add the 870 H01 and H02 Heaters and the 859 1H1 Heater, each with ULNBs and a 0.035 lbs/MMBTU NO<sub>x</sub> limit. Add a requirement for Selective Catalytic Reduction (SCR) and a NO<sub>x</sub> limit of 40 ppmv @ 0% O<sub>2</sub> on a 7-day rolling average for the 1232 FCCU. Require good combustion practices on five diesel engines rated 214 bhp or less. Require ULNBs and a 0.060 lbs/MMBTU NO<sub>x</sub> limit on the 137 F-3 Heater. Require ULNBs and a 0.040 lb/MMBTU NO<sub>x</sub> limit on the 1332 H-2 Heater. Require FGR in addition to ULNB and a 0.040 lb/MMBTU NO<sub>x</sub> limit on each #3 Boiler House boiler. Require SCR and a 0.060 lb/MMBTU NO<sub>x</sub> limit on 1332 Heaters H-400 and H-401. These revisions will reduce potential NO<sub>x</sub> emissions from the facility. The plan approval will contain monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

**Phila. Gas Works—Richmond** (3100 East Venango Street, Philadelphia, PA 19134) to remove the following shutdown units: four Clark engines, two Clark Stand-by engines, two Ingersoll-Rand stand-by boil-off compressors, two Kewanee boilers, two facility heaters, and two AO Smith Under-tank heating systems.

**Cardone Industries** (5660 Rising Sun Ave., Philadelphia, PA 19120) to remove the shutdown solvent recovery process and condenser.

This SIP revision also includes the following facilities which were not part of the 1-hour ozone RACT:

**Temple University—Main Campus** (Broad Street and Montgomery Ave., Philadelphia, PA 19122) for three 91.3 MMBTU/hr boilers that burn natural gas and #2 oil and ten 2250 HP gas-fired standby electric generators. Each boiler has LNB and FGR and NO<sub>x</sub> emission Limits of 0.036 lb/MMBTU while burning natural gas and 0.110 lb/MMBTU while burning #2 oil. Each generator is limited to 500 operating hours per rolling 12-month

period and has a NO<sub>x</sub> emission limit of 2.00 g/bhp-hr. The generators have a combined NO<sub>x</sub> limit of 99 lbs/hr.

**Grays Ferry Cogeneration Partnership** (2600 Christian Street, Philadelphia, PA 19146) for a 1119 MMBTU/hr boiler and a 1515 MMBTU/hr combustion turbine (CT) that can operate with a heat recovery steam generator (HRSG). The boiler and CT both burn natural gas and #2 oil. The boiler has LNB w/ FGR and NO<sub>x</sub> emission limits of 0.10 lb/MMBTU while burning gas and 0.15 lb/MMBTU while burning oil. The CT has SCR and NO<sub>x</sub> emission limits of 0.0344 lb/MMBTU while burning gas and 0.168 lb/MMBTU while burning oil. The CT/HRSG has emission limits of 0.09 lb/MMBTU while burning gas and 0.168 while burning oil.

**Veolia Energy Efficiency** (2600 Christian Street, Philadelphia, PA 19146) for two 297.91 MMBTU/hr boilers that burn natural gas and #2 oil. Each boiler has NO<sub>x</sub> emission limits of 0.01 lb/MMBTU on a rolling 30-day average while burning gas and 0.08 lb/MMBTU on a rolling 30-day average while burning oil. NO<sub>x</sub> emissions during start-up, shutdown, and malfunctions for each boiler are limited to 0.036 lb/MMBTU while burning gas and 0.08 lb/MMBTU while burning oil.

This SIP revision also includes a certification that 25 Pa. Code § 129.81 which was originally approved as RACT for the 1-hour ozone standard continues to represent RACT for the 8-hour ozone standard.

The SIP revision and other supporting information are available for inspection at the offices of AMS during normal business hours or on AMS' web site at <http://www.phila.gov/health/AirManagement/PublicMeetings.html>.

Anyone affected by the proposed updates to the SIP revision may submit written comments or a request for a public hearing by mail to Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, Attn: Karen Smith within thirty (30) days from today. If requested, AMS will hold a public hearing to discuss these issues on October 22, 2014, at 6 PM at the Spellman Building, 321 University Avenue, 1st Floor Conference Room, Philadelphia, PA 19104. Persons with a disability who desire to attend the meeting and require an auxiliary aid, service, or other accommodation to participate in the proceedings should contact Alison Riley at (215) 685-9422 to discuss how AMS may accommodate their needs.

If no request for public hearing is received by 4 PM on October 20, 2014, the hearing will be cancelled and notice of the cancellation will be published on October 21, 2014, on AMS' web site <http://www.phila.gov/health/AirManagement/PublicMeetings.html>. Interested parties may also call (215) 685-7572 to find out if the hearing has been cancelled.

## OPERATING PERMITS

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

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

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

**15-00022: Columbia Gas Transmission, LLC** (1700 Maccorkle Avenue, Charlestown, WV 25314) for renewal of the Title V Operating Permit in West Vincent Township, **Chester County**. The facility transports natural

gas through pipelines. The major sources of air emissions are four (4) engines that emit major levels of nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), volatile organic compounds (VOC), and formaldehyde (a hazardous air pollutant (HAP)). The facility is a major stationary source, as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is subject to the requirements of 40 C.F.R. 63 Subparts ZZZZ and DDDDD, which have been incorporated into this renewal. The Title V Operating Permit renewal will contain emission limitations, monitoring, recordkeeping, reporting requirements, and work practice standards to keep the facility operating within all applicable air quality requirements.

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

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

**35-00014: Keystone Sanitary Landfill, Inc.** (P. O. Box 249, Dunmore, PA 18512-0249) to issue a renewal Title V Operating Permit to a landfill facility in Dunmore Borough, **Lackawanna County**. The facility sources include quarry operations, landfill (closed), landfill phase 1 (gas collection system); gasoline, hydraulic oil, motor oil and diesel storage tanks and a leachate pre-treatment plant. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

**04-00033: NOVA Chemicals Inc.** (400 Frankfort Road, Monaca, PA 15061-2298) to issue renewal TVOP-04-00033 to authorize continued operation of their chemical manufacturing facility engaged in the production of various grades of polystyrene at this facility is known as the Beaver Valley Plant in Potter Township, **Beaver County**.

Existing sources at this facility include storage tanks, (16) natural-gas fired boilers rated at 11.7 mmBtu/hr each, production areas that include raw material mixing, reactors equipped with condensers, wash kettles, centrifuges, driers, extrusion lines, storage and packaging. Control devices include scrubbers, filters, dust collectors and baghouses and thermal oxidizers. No emission or equipment changes are being proposed by this action. This facility has the potential to emit the following type and quantity of air contaminants (on a tons per year basis): 17.0 tons of PM<sub>10</sub>, 0.6 ton of SO<sub>x</sub>, 22.0 tons of NO<sub>x</sub>, 110.0 tons of CO, 392.0 tons of VOCs, 40.0 tons of Styrene, and 120,245 tons of greenhouse gas equivalents, on a 12-month rolling total basis.

This facility is subject to the applicable requirements of 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 63 Subpart H—National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks, 40 CFR 63 Subpart UU—National Emission Standards for Equipment Leaks-Control Level 2 Standards, 40 CFR 63 Subpart JJJ—National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins, 40 CFR 63 Subpart FFFF—

National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing, 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers, 40 CFR Part 64—Compliance Assurance Monitoring, 40 CFR 80, Subpart I—Motor Vehicle Diesel Fuel; Nonroad, Locomotive, and Marine Diesel Fuel; and ECA Marine Fuel, and 25 Pa. Code, Chapters 121—145. Proposed TVOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

**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*

**23-00086: Engineered Arresting Systems Co.** (2250 Market St, Aston, PA 19014-3426) for operation of their assembly facility in Upper Chichester Township, **Delaware County**. The permit is for a non-Title V (State only) facility. Sources of air emissions include two (2) spray paint booths and clean-up operations. The renewed permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00167: Parkhouse Providence Pointe** (1600 Black Rock Road Royersford, PA 19468-3109) for operation of a long-term care, geriatric/rehabilitation nursing facility in Upper Providence Township, **Montgomery County**. This action is a renewal of a State Only Operating Permit (Synthetic Minor), which was issued on September 4, 2009. The permit is for a non-Title V (State Only) facility. The facility has elected to cap Nitrogen Oxide Compounds (NO<sub>x</sub>) to less than 25 tons per year making the facility a Synthetic Minor. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**45-00010: H.G. Smith Wilbert Vault Co., Inc.** (2120 N 5th Street, Stroudsburg, PA 18360-2802) for operation of four (4) crematories in Stroudsburg Borough, **Monroe County**. The emissions are controlled by a secondary afterburner. This is an initial State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

**36-03002: High Concrete Structures, Inc.** (125 Denver Road, Denver, PA 17517-9314) to issue a State Only Operating Permit for their architectural precast concrete



and structural precast systems facility in East Cocalico Township, **Lancaster County**. Potential emissions from the facility are estimated to be 9.6 tpy VOC, 7.1 tpy of a single HAP, 10.9 tpy of combined HAPs, and 2.1 tpy PM. The Operating Permit will include emission limits and work practice standards along with monitoring, record-keeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.77 & 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

**38-03062: Sunoco Pipeline LP** (525 Fritztown Road, Sinking Spring, PA 19608) to issue a State Only Operating Permit for the natural gas liquid (ethane, propane, butane or a mixture of these) pumping station in West Cornwall Township, **Lebanon County**. The potential emissions from the facility are estimated at 0.25 tpy of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**07-03046: Penn Mag, Inc.** (719 Tarrtown Road, Adrian, PA 16210) to issue a State Only Operating Permit for a ball mill classifier operation in Greenfield Township, **Blair County**. The primary emissions from the facility are particulate matter; the actual emissions from the facility in 2013 are less than 5 tpy after controls. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for Source ID 103 derived from 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated

before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

### *Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724.769.1100*

**30120701 and NPDES No. PA0236179. Cumberland Coal Resources, LP** (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To operate the Cumberland Mine Coal Refuse Disposal Area No. 3 in Whitely Township, **Greene County** to operate a new coal refuse disposal and related NPDES permit. Coal Refuse Disposal Support Acres Proposed 343.9, Coal Refuse Disposal Acres Proposed 204.6. Unnamed tributary to Whitely Creek, classified for the following use(s): TSF. The application was considered administratively complete on September 3, 2014. Application received August 30, 2012.

**17921603 and NPDES No. PA0214612. Greenwood Processing & Loading Complex, LLC**, (1340 Hoyt Road, Curwensville, PA 16833). To renew the permit for the Bells Landing Tipple in Greenwood Township, **Clearfield County** and related NPDES permit. No additional discharges. The application was considered administratively complete on September 4, 2014. Application received February 18, 2014.

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

**33080106. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous surface mine in Young Township, **Jefferson County** affecting 100 acres. This renewal is for reclamation only. Receiving streams: Five unnamed tributaries to Little Elk Run and Little Elk Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 4, 2014.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**17714022 and NPDES PA0611034. A.W. Long Coal Company** (127 Logan Street, Philipsburg, PA 16866). Permit renewal for the continued operation and restoration of a bituminous surface mine in Morris Township, **Clearfield County** affecting 149.6 acres. Receiving streams: Hawk Run and Moshannon Creek, classified for

the following uses: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 2, 2014.

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

**Permit No. 5488201R5. Blaschak Coal Corp.**, (PO Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Pine Grove Township, **Schuylkill County** affecting 61.4 acres, receiving stream: Swatara Creek, classified for the following use: cold water fishes. Application received: August 19, 2014.

**Permit No. 54840106R6 and GP104R. City of Philadelphia**, 21 South 12th Street, Philadelphia, PA 19107), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in West Mahanoy and Butler Townships, **Schuylkill County** affecting 447.63 acres, receiving streams: Shenandoah and Mahanoy Creeks, classified for the following use: cold water fishes. Application received: August 21, 2014.

*Noncoal Applications Received*

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

**2969BSM24 and NPDES Permit No. PA0252018. Potato Ridge, LLC** (520 West Short Street, Lexington, KY 40507). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in Stewart Township, **Fayette County**, affecting 169.8 acres. Receiving stream: unnamed tributary to Laurel Run, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: August 27, 2014.

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

**Permit No. 64142501 and NPDES Permit No. PA0225509. Robert A. Coleman**, (PO Box 3, Susquehanna, PA 18847), commencement, operation and

restoration of a General Permit for Bluestone (GP105) and NPDES Permit for discharge of treated mine drainage in Scott Township, **Wayne County** affecting 9.6 acres, receiving stream: unnamed tributary to Balls Creek, classified for the following uses: HQ—cold water and warm water fishes. Application received: August 15, 2014.

**Permit No. 64142802 and NPDES Permit No. PA0225517. Robert A. Coleman**, (PO Box 3, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Scott Township, **Wayne County** affecting 3.0 acres, receiving stream: unnamed tributary to Balls Creek, classified for the following uses: HQ—cold water and warm water fishes. Application received: August 15, 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*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724.769.1100*

**NPDES No. PA0213438** (Mining Permit No. 30841307), **Emerald Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). A revision to the renewed permit issued on September 26, 2013 for the Emerald No. 1 Mine in Franklin Township, **Greene County**. This NPDES draft permit is also being published in compliance with 25 Pa. Code § 92a.88, as a result of a settlement of an Environmental Hearing Board appeal at the EHB Docket No. 2013-182-M. Surface Acres Affected 566.38, Underground Acres Affected 23,778.35. Receiving stream: South Fork Tenmile Creek, classified for the following use: WWF Monongahela River. Receiving stream: UNT Smith Creek, classified for the following use: WWF Monongahela River. Receiving stream: UNT Laurel Run, classified for the following use: WWF Monongahela River. Receiving stream: UNT Coal Lick Run, classified for the following use: WWF Monongahela River. Receiving stream: UNT Frosty Run, classified for the following use: TSF Monongahela River. Receiving stream: Grimes Run, classified for the following use: WWF Monongahela River. Receiving stream: UNT Toll Gate Run, classified for the following use: WWF Monongahela River.

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 following limits apply to dry weather discharges from the stormwater facility.

\*\* The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event.

*Outfall 002* discharges to: South Fork Tenmile Creek

The proposed effluent limits for *Outfall 002* (Lat: 39° 53' 49.2" Long: 80° 11' 50.4") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75



<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids	(mg/l)	35	70	90
Osmotic Pressure	(mOs/kg)	50	50	50
Chlorides	(mg/l)	567	1133	1416
Sulfates	(mg/l)	250	250	250
Total Dissolved Solids	(mg/l)	500	779	974
Selenium	(mg/l)	-	-	REPORT

*Outfall 003\** discharges to: South Fork Tenmile Creek

The proposed effluent limits for *Outfall 003\** (Lat: 39° 53' 49" Long: 80° 11' 53.9") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-
Iron	(mg/l)	3.0	6.0	7.0
Manganese	(mg/l)	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	REPORT
Total Suspended Solids	(mg/l)	35	70	90
Total Settleable Solids	(ml/l)	-	-	REPORT
Sulfates	(mg/l)	-	-	REPORT
Total Dissolved Solids	(gm/l)	-	-	-

*Outfall 003\*\** discharges to: South Fork Tenmile Creek

The proposed effluent limits for *Outfall 003\*\** (Lat: 39° 53' 49" Long: 80° 11' 53.9") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-
Iron	(mg/l)	-	-	7.0
Total Settleable Solids	(ml/l)	-	-	0.5

*Outfall 004\** discharges to: UNT Smith Creek

The proposed effluent limits for *Outfall 004\** (Lat: 39° 53' 14" Long: 80° 11' 33") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-
Iron	(mg/l)	3.0	6.0	7.0
Manganese	(mg/l)	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	REPORT
Total Suspended Solids	(mg/l)	35	70	90
Sulfates	(mg/l)	-	-	REPORT
Total Dissolved Solids	(mg/l)	-	-	REPORT

*Outfall 004\*\** discharges to: UNT Smith Creek

The proposed effluent limits for *Outfall 004\*\** (Lat: 39° 53' 14" Long: 80° 11' 33") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-
Iron	(mg/l)	-	-	7.0
Total Settleable Solids	(ml/l)	-	-	0.5

*Outfall 012\** discharges to: UNT Laurel Run

The proposed effluent limits for *Outfall 012\** (Lat: 39° 52' 38.5" Long: 80° 09' 59.7") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-
Iron	(mg/l)	3.0	6.0	7.0
Manganese	(mg/l)	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	REPORT
Total Suspended Solids	(mg/l)	35	70	90
Sulfates	(mg/l)	-	-	REPORT
Chlorides	(mg/l)	-	-	REPORT
Total Dissolved Solids	(mg/l)	-	-	-

*Outfall 012\*\** discharges to: UNT Laurel Run

The proposed effluent limits for *Outfall 012\*\** (Lat: 39° 52' 38.5" Long: 80° 09' 59.7") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Total Settleable Solids (ml/l)		-	-	0.5

*Outfall 013\** discharges to: UNT Coal Lick Run

The proposed effluent limits for *Outfall 013\** (Lat: 39° 52' 23.1" Long: 80° 07' 34.3") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	REPORT
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 013\*\** discharges to: UNT Coal Lick Run

The proposed effluent limits for *Outfall 013\*\** (Lat: 39° 52' 23.1" Long: 80° 07' 34.3") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Total Settleable Solids (ml/l)		-	-	0.5

*Outfall 016\** discharges to: UNT Frosty Run

The proposed effluent limits for *Outfall 016\** (Lat: 39° 52' 11" Long: 80° 05' 15") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	REPORT
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 016\*\** discharges to: UNT Frosty Run

The proposed effluent limits for *Outfall 016\*\** (Lat: 39° 52' 11" Long: 80° 05' 15") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Total Settleable Solids (ml/l)		-	-	0.5

*Outfall 017\** discharges to: Grimes Run

The proposed effluent limits for *Outfall 017\** (Lat: 39° 54' 16" Long: 80° 09' 06") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	REPORT
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 017\*\** discharges to: Grimes Run

The proposed effluent limits for *Outfall 017\*\** (Lat: 39° 54' 16" Long: 80° 09' 06") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

*Outfall 018\** discharges to: UNT Toll Gate Run

The proposed effluent limits for *Outfall 018\** (Lat: 39° 54' 47" Long: 80° 12' 16") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	REPORT
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 018\*\** discharges to: UNT Toll Gate Run

The proposed effluent limits for *Outfall 018\*\** (Lat: 39° 54' 47" Long: 80° 12' 16") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

Additionally, Part B, Section 7, Special Conditions of the NPDES draft permit contains the following language regarding the Compliance Schedule:

#### 7. Compliance Schedule

(a) Effluent limitations for sulfates, osmotic pressure, chlorides and total dissolved solids set in Part A are assigned to protect the receiving stream uses designated in the Department's rules and Regulations.

(b) The permittee shall achieve compliance with the discharge limitations for sulfates, osmotic pressure, chlorides and total dissolved solids, according to the following compliance schedule:

- |    |  |  |
|----|--|--|
| 1. | Complete preliminary engineering and design of selected treatment facility.  | February 14, 2014                              |
| 2. | Submit complete application(s) for necessary permitting for the treatment system, excluding a Water Quality Management (WQM) permit application to DEP.  | April 25, 2014                                 |
| 3. | Submit Mining and NPDES permit applications for modification of Cumberland and Emerald mining operations to reflect collection of wastewater for treatment and discharge to Monongahela River  | October 1, 2014                                |
| 4. | Complete final engineering and design and submit a complete WQM permit application to DEP.   | November 21, 2014                              |
| 5. | Initiate construction of permitted treatment facility.   | 30 Days Following DEP's Issuance of WQM Permit |
| 6. | Achieve mechanical completion of construction of the treatment system. For purposes of this milestone, "mechanical completion" shall mean that the treatment system has been constructed and the equipment has been installed such that the plant is ready to begin commissioning.   | April 22, 2016                                 |
| 7. | Complete the commissioning stage of the treatment system construction during which equipment shall be tested and adjusted as necessary to ensure that the treated discharge consistently meets effluent limits and complete training of treatment system operators in proper operation of the plant to ensure that the treated discharge consistently meets effluent limits. | September 15, 2016                             |
| 8. | Achieve compliance with final effluent limitations.  | October 1, 2016                                |

(c) No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit to DEP a written notice of compliance or non-compliance with the specific schedule requirement. Each notice of non-compliance shall include the following information:

1. A short description of the non-compliance.
2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirement.
3. A description of any factors which tend to explain or mitigate the non-compliance.
4. An estimate of the date that compliance with the elapsed schedule requirement will be achieved and an assessment of the probability that the next scheduled requirement will be met on time.

**NPDES No. PA0215724 (Mining Permit No. 30753712), Emerald Coal Resources**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). A revision to the renewed NPDES permit issued on June 13, 2013 for the Emerald Mine No. 1 CRDA No. 1 in Franklin Township, **Greene County**. This NPDES draft permit is also being published in compliance with the 25 Pa. Code § 92a.88, as a result of a settlement of an Environmental Hearing Board appeal at the EHB Docket No. 2013-101.M. Surface Acres Affected 176.8. Receiving stream: UNT Smith Creek, classified for the following use: WWF. Monongahela River. The application was considered administratively complete on September 5, 2014. Application received September 5, 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.

*Outfall 001* discharges to: UNT Smith Creek

The proposed effluent limits for *Outfall 001* (Lat: 39° 53' 04" Long: 80° 11' 47") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	50	50
Sulfates (mg/l)		250	250	250
Chlorides (mg/l)		179	358	448
Total Dissolved Solids (mg/l)		500	778	1255
Selenium (mg/l)		-	-	REPORT

Additionally, Part B, Section 7, Special Conditions of the NPDES draft permit contains the following language regarding the Compliance Schedule:

#### 7. Compliance Schedule

(d) Effluent limitations for sulfates, osmotic pressure, chlorides and total dissolved solids set in Part A are assigned to protect the receiving stream uses designated in the Department's rules and Regulations.

(e) The permittee shall achieve compliance with the discharge limitations for sulfates, osmotic pressure, chlorides and total dissolved solids, according to the following compliance schedule:

- |    |  |  |
|----|--|--|
| 1. | Complete preliminary engineering and design of selected treatment facility.  | February 14, 2014                              |
| 2. | Submit complete application(s) for necessary permitting for the treatment system, excluding a Water Quality Management (WQM) permit application to DEP.  | April 25, 2014                                 |
| 3. | Submit Mining and NPDES permit applications for modification of Cumberland and Emerald mining operations to reflect collection of wastewater for treatment and discharge to Monongahela River  | October 1, 2014                                |
| 4. | Complete final engineering and design and submit a complete WQM permit application to DEP.   | November 21, 2014                              |
| 5. | Initiate construction of permitted treatment facility.   | 30 Days Following DEP's Issuance of WQM Permit |
| 6. | Achieve mechanical completion of construction of the treatment system. For purposes of this milestone, "mechanical completion" shall mean that the treatment system has been constructed and the equipment has been installed such that the plant is ready to begin commissioning.   | April 22, 2016                                 |
| 7. | Complete the commissioning stage of the treatment system construction during which equipment shall be tested and adjusted as necessary to ensure that the treated discharge consistently meets effluent limits and complete training of treatment system operators in proper operation of the plant to ensure that the treated discharge consistently meets effluent limits. | September 15, 2016                             |
| 8. | Achieve compliance with final effluent limitations.  | October 1, 2016                                |

(f) No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit to DEP a written notice of compliance or non-compliance with the specific schedule requirement. Each notice of non-compliance shall include the following information:

5. A short description of the non-compliance.
6. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirement.
7. A description of any factors which tend to explain or mitigate the non-compliance.
8. An estimate of the date that compliance with the elapsed schedule requirement will be achieved and an assessment of the probability that the next scheduled requirement will be met on time.

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

**NPDES No. PA0269417 (Mining Permit No. 56130104), Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, new NPDES permit for a surface coal mine operation in Stonycreek Township, **Somerset County**, affecting 86.5 acres. Receiving stream: unnamed tributary to Stonycreek River, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: April 11, 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 Stonycreek River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
003—Treatment Pond 1	Y
004—Treatment Pond 2	Y

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

<i>Outfalls: 003 and 004</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.8	3.6	4.2
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	2.0	2.5
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001—Sediment Pond A	Y
002—Sediment Pond B	Y

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

<i>Outfalls: 001 and 002</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.8	3.6	4.2
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.0	2.0	2.5
Total Suspended Solids (mg/l)	35.0	70.0	90.0

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**NPDES No. PA0256277 (Mining Permit No. 17050108), King Coal Sales, Inc.**, P. O. Box 712, Philipsburg, PA 16866, revision of an NPDES permit for bituminous coal surface mining permit in Graham Township, **Clearfield County**, affecting 91.2 acres. Receiving stream(s): Moravian Run, classified for the following use(s): CWF—part of the West Branch Susquehanna River Watershed TMDL. NPDES revision application received: January 30, 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 listed below discharges to: Moravian Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
LD-1	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		3.3	3.3	3.3
Alkalinity greater than acidity <sup>1</sup>				

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



## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900*

**E46-1108. Royersford Borough**, 300 Main Street, Royersford, PA 19468-2313, Royersford Borough, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a 10-foot wide trail along the floodway of the Schuylkill River (WWF, MF) which is part of an overall revitalization project to develop the riverfront. The project includes the removal of existing paved concrete surface.

The site is located along First Avenue between Main and Arch Streets (Latitude: 40.1795; Longitude: -75.5421) in Royersford Borough, Montgomery County.

**E09-988. Doylestown Township**, 425 Wells Road, Doylestown, PA 18901, Doylestown Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 72-foot long by 12-foot wide by 6-foot high pedestrian bridge in and along the

100-year floodway of Pine Run, for the purpose of the proposed new 10-foot wide paved trail system.

The bridge is located approximately 128 feet upstream of the existing Kelly Avenue covered bridge over Pine Run. (Doylestown, PA Lat: 40.3110 long. -75.1711).

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

**E21-442: South Newton Township**, 11 High Mountain Road, Walnut Bottom, PA 17266-0011 in South Newton, Southampton, North Newton and Pen Townships, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain 6.0-inch PVC dry hydrants in Yellow Breeches Creek (HQ-CWF, MF) in seven locations (Latitude: 40° 04' 27.70"; Longitude: -77° 24' 35.58"; Latitude: 40° 05' 31.53"; Longitude: -77° 24' 30.94"; Latitude: 40° 03' 49.28"; Longitude: -77° 24' 46.46"; Latitude: 40° 03' 37.57"; Longitude: -77° 24' 53.50"; Latitude: 40° 05' 47.25"; Longitude: -77° 23' 29.61"; Latitude: 40° 05' 47.36"; Longitude: -77° 22' 44.11"; and Latitude: 40° 05' 48.07"; Longitude: -77° 22' 23.40"), two unnamed tributaries to Yellow Breeches Creek (HQ-CWF, MF) (Latitude: 40° 04' 11.86"; Longitude: -77° 24' 21.21"; and Latitude: 40° 03' 05.76"; Longitude: -77° 24' 20.90"), Big Spring creek (EV, MF) (Latitude: 40° 07' 49.36"; Longitude: -77° 24' 27.60") and a private pond (Latitude: 40° 05' 26.36"; Longitude: -77° 23' 17.53"), impacting a total of 55 linear feet of stream channel, all for the purpose of improved fire protection in South Newton, North Newton, Southampton and Penn Townships, Cumberland County.

**E36-936: West Cocalico Township**, PO Box 244, Reinholds, Pennsylvania, 17569 in West Cocalico Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District

To install and maintain: 1) a 4.5-foot wide by 413.0-foot long, pressure treated lumber boardwalk on concrete supports; 2) a 10.0-foot by 10.0-foot pressure treated lumber observation deck on concrete supports; and 3) a 5.0-foot wide by 6.0-foot long bituminous walking path over an existing steel pipe culvert, all in and across palustrine emergent wetlands for the purpose of enhancing recreational opportunities for the local community. The project is located in Chapel Gate Park (Latitude: 40° 16' 14"; Longitude: -76° 06' 38") in West Cocalico Township, Lancaster County. Approximately 0.044 acres of wetlands will be permanently impacted by this project. Wetland impacts are de-minimus and replacement is not required.

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

**F19-014 Catawissa Borough**, 307 Main Street, Catawissa, PA 17820. Floodplain encroachment demolitions; (3) in the Borough of Catawissa, **Columbia County**, US ACOE Baltimore District. Catawissa Borough is seeking authorization to demolish the existing floodplain encroachments (flood damaged structures) and to re-grade the floodplain at the following locations.

138 South First Street, Catawissa, PA 17820—Catawissa Quadrangle, Lat.: 40° 57' 8.9" N, Long.: -76° 27' 55.2" W

114 Main Street, Catawissa, PA 17820—Catawissa Quadrangle, Lat.: 40° 57' 11.6" N, Long.: -76° 26' 41.8" W

112 South Street, Catawissa, PA 17820—Catawissa Quadrangle, Lat.: 40° 57' 7.2" N, Long.: -76° 27' 59.5" W

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5829-085: Bridgewater Township, Williams Field Services Company, LLC;** Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Bridgewater Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 114 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 48' 42" Lat., W -75° 54' 25" Long.),

2) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 569 square feet (0.01 acre) of a PEM wetland (Montrose West, PA Quadrangle; N 41° 48' 33" Lat., W -75° 54' 22" Long.),

3) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 59 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 48' 30" Lat., W -75° 54' 28" Long.),

4) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,725 square feet (0.04 acre) of a PEM wetland (Montrose West, PA Quadrangle; N 41° 48' 30" Lat., W -75° 54' 28" Long.),

5) a temporary timber mat crossing impacting 718 square feet (0.02 acre) of a PEM wetland (Montrose West, PA Quadrangle; N 41° 48' 28" Lat., W -75° 54' 30" Long.),

6) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 51 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 48' 18" Lat., W -75° 54' 31" Long.),

7) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,256 square feet (0.03 acre) of a PEM wetland (Montrose West, PA Quadrangle; N 41° 48' 18" Lat., W -75° 54' 31" Long.).

The project consists of constructing approximately 1.6 mile of 12" steel natural gas gathering line, located in

Bridgewater Township, Susquehanna County. The project will result in 224 lineal feet of temporary stream impacts, and 4,268 square feet (0.10 acre) of temporary wetland impacts all for the purpose of conveying Marcellus Shale natural gas to market.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA02-012. Hydro Green Energy, LLC.,** PO Box 385, Westmont, IL 60559-0385; West Mifflin Borough, **Allegheny County;** ACOE Pittsburgh District.

The applicant is proposing to construct and maintain a modular hydropower facility at the U.S. Army Corps of Engineers Braddock Locks and Dam in the Monongahela River (WWF, N). The proposed project will be located opposite the existing lock chambers, and within the existing footprint of the dam, and will consist of a new 105 lf long by 22 lf wide steel frame powerhouse with seven turbine generators, a switchyard and control room, trash rack, and a distribution level power line. The project will permanently impact 0.053 acre of the Monongahela River and its floodway. The project is located along the left descending bank of the Monongahela River (USGS Quadrangle: Braddock, PA; Latitude: 40° 23'21"; Longitude: -79° 51'28"), at river mile 11.3, in West Mifflin Borough, Allegheny County.

#### 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*

**D04-049. FirstEnergy Generation, LLC,** 800 Cabin Hill Drive, Greensburg, PA 15601. FirstEnergy is proposing to modify, operate, and maintain Little Blue Run Dam and the associated Little Blue Run Saddle Dam located across Little Blue Run (TSF) for the purpose of ceasing disposal operations and closing out the impoundment. The existing impoundment area will be capped, covered, and vegetated. Through the closure process, a small settling pool will be maintained adjacent to the dam that will assist conveyance of the spillway design flood. (East Liverpool North, PA Quadrangle Latitude: 40.618, Longitude: -80.513) in Greene Township, **Beaver County.**

## ACTIONS

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Permit Actions

*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>
PA0063118 (Industrial Waste)	Tri-Cel Plastics 1149 Franklin Street Old Forge, PA 18518-1226	Lackawanna County Old Forge Borough	Saint John's Creek (5-A)	Y
PA0061786 (Sewage)	Manwalamink Sewer Company WWTP River Road—Fort Depuy Shawnee On Delaware, PA 18356	Monroe County Smithfield Township	Brodhead Creek (01E)	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>
PA0261254— SEW	Tim Logue 3256 Beans Cove Road Clearville, PA 15535	Bedford County / Southampton Township	Wildcat Run / 13-A	Y
PA0086819— SEW	Donald Collier 1534 Millers Corner Road Clearville, PA 15535-7835	Bedford County / Southampton Township	Wilson Run / 13-A	Y
PA0261181— SEW	Michael & Cynthia Camellerie 150 Corey Place Huntingdon Station, NY 11746	Cumberland County / North Middleton Township	UNT Conodoguinet Creek / 7-B	Y
PA0262170— SEW	Stoneridge Retirement Living 440 East Lincoln Avenue Myerstown, PA 17067	Lebanon County / Jackson Township	UNT Owl Creek / 3-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>
PA0208612 (Sewage)	Ridgebury Township STP Sanitary Sewer Pelton Place Gillette, PA 16925	Bradford County Ridgebury Township	Bentley Creek (4-B)	Y



<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0233668 (Sewage)	William R. Davison SFTF 462 Bullit Run Road Howard, PA 16841	Centre County Howard Township	Bullit Run (9-C)	Y
PAS214802 (Storm Water)	Beavertown Block Inc. 3612 Paxtonville Road Middleburg, PA 17842-0337	Snyder County Franklin Township	Unnamed Tributary of Middle Creek (6-A)	Y
PA0111368 (Sewage)	Jersey Shore Area School District Wastewater Treatment Plant 3490 Rte 287 Highway Jersey Shore, PA 17740	Lycoming County Mifflin Township	Larrys Creek (10-A)	Y

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

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

**NPDES Permit No. PA0057738**, Sewage, **PA DCNR State Parks Bureau**, Pa DCNR Bureau of State Park 11 Lodi Hill Road, Upper Black Eddy, PA 18972-9540.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Delaware Canal State Park to Unnamed Tributary to Delaware River in Watershed 2-E.

**NPDES Permit No. PA0052493**, Sewage, **Coleman Florence**, 168 Cheese Factory Road, Doylestown, PA 18901.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Vintage Grille to Unnamed Tributary of North Branch Neshaminy Creek in Watershed 2-F.

**NPDES Permit No. PA0021741**, Sewage, **Borough of Dublin**, 119 Maple Avenue, P. O. Box 52, Dublin, PA 18917-0052.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Dublin Borough STP to Deep Run in Watershed 2-D.

**NPDES Permit No. PA0055891**, Industrial Waste, **Henderson Road Superfund Site IWOU Technical Steering Committee**, O'Hara Environmental Services, Inc., 95 Dorchester Way, Phoenixville, PA 19460.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit for discharge of treated groundwater from a facility known as Henderson Road Superfund Site to Unnamed Tributary to Schuylkill River (Frog Run) in Watershed 3-F.

**NPDES Permit No. PA0035297**, Storm Water, **Sunoco Partners Marketing & Terminals, LP**, 4041 Market Street, Aston, PA 19014.

This proposed facility is located in Upper Chichester Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated Storm Water from a facility known as Twin Oaks Terminal IWSW to Dutton Run (Tributary to Baldwin Run) in Watershed 3-G.

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

**NPDES Permit No. PA0265896**, Industrial Stormwater, **Fayetteville Contractors Inc.**, 3185 Lincoln Way East, PO Box 610, Fayetteville, PA 17222-0610.

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

Description of Proposed Action/Activity: Authorization to discharge from a facility known as Fayetteville Contractors Asphalt Plant to Muddy Run in Watershed 13-C.

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

**PA0272841**, Sewage, SIC Code 8800, **Shelly Downes**, 14200 Route 19, Waterford, PA 16441. Facility Name: Shelly Downes SRSTP.

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

Description of Proposed Activity: A new NPDES permit for a new discharge of treated domestic sewage of a single family home.



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


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

**WQM Permit No. 4114202**, CAFO, SIC Code 0213, **Smiling Porker Farms, LLC**, Smiling Porker Farm, 2700 Clemens Road, Hatfield, PA 19440.

This proposed facility is located in Pine Township, **Lycoming County**.

Description of Proposed Action/Activity: The construction of a new swine facility consisting of three production buildings with covered deep pit manure storage structures.

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

**WQM Permit No. WQG01561401**, SIC Code 8811, **LCT Energy LP**, 938 Mt Airy Road, Johnstown, PA 15904.

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

Description of Proposed Action/Activity: Construction of a SFTF for a mine bath house and office.

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

**WQM Permit No. 1611401**, Sewage, Amendment, **Washington Township Municipal Authority of Clarion County**, PO Box 124, Fryburg, PA 16326.

This existing facility is located in Washington Township, **Clarion County**.

Description of Proposed Action/Activity: Amendment to existing WQM permit to provide as built information for the clarifier change, alkalinity additior, to aid in the NH3-N removal, and note the addition of a bubbler in the utility water storage tank to add dissolved oxygen to the effluent.

**WQM Permit No. 2514402**, Sewage, **Shelly Downes**, 14200 Route 19, Waterford, PA 16441.

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

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

**WQM Permit No. WQG02251401**, Sewage, **Erie County General Authority**, 5240 Knowledge Parkway, Erie, PA 16510.

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

Description of Proposed Action/Activity: Connect Barrel o' Fun Snack Foods to Waterford Boro STP sewerage.

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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI136131	Union Township Washington County, 3904 Finleyville Elrama Road, Finleyville, PA 15332	Washington	Union Township	Froman Run, Mingo Creek, Monongahela River and Unnamed Tributary to Peters Creek / HQ-TSF, WWF and TSF
PAI136105	North Huntingdon Township 11279 Center Highway, North Huntingdon, PA 15642-2018	Westmoreland	North Huntingdon Township	Long Run, Brush Creek, and Youghioghney River / HQ-TSF, TSF and WWF
<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Summit Township Somerset County	PAG046446	LCT Energy LP 938 Mt Airy Road Suite 200 Johnstown, PA 15904	UNT of Bigby Creek CWF—19-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 4612003(1)	Pennsylvania Turnpike Commission 700 East Eisenhower Boulevard Middletown, PA 17057	Montgomery	Salford Township	Unnamed Tributary to Ridge Valley Creek And Ridge Valley Creek HQ—TSF
PAI01 4613014	Jacksonville Green, LLC 260 West Walnut Lane Philadelphia, PA 19144	Montgomery	Hatboro Borough	Pennypack Creek TSF
PAI01 5114013	Dietz & Watson, Inc. 5701 Tacony Street Philadelphia, PA 19135	Philadelphia	City of Philadelphia	Delaware River WWF

*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>
PAI023912033R	Spring Ridge Crossing, LLC 1750 Walton Road Blue Bell, PA 19422	Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF) Little Lehigh Creek (HQ-CWF, MF)
PAI024513001(1)	Kalahari Resorts, LLC 1305 Kalahari Drive P. O. Box 590 Wisconsin Dells, WI 53965	Monroe	Tobyhanna Township, Pocono Township	Swiftwater Creek (EV) Unnamed Tributaries to Swiftwater Creek (EV)
	Pocono Manor Investors, PT-L1 P. O. Box 38 The Inn at Pocono Manor Pocono Manor, PA 18349			Indian Run (EV) Unnamed Tributaries to Indian Run (EV)
PAI024513001(2)	Kalahari Resorts, LLC 1305 Kalahari Drive, P. O. Box 590 Wisconsin Dells, WI 53965	Monroe	Tobyhanna Township, Pocono Township	Swiftwater Creek (EV) Unnamed Tributaries to Swiftwater Creek (EV)
	Pocono Manor Investors, PT-L1 P. O. Box 38, The Inn at Pocono Manor Pocono Manor, PA 18349			Indian Run (EV) Unnamed Tributaries to Indian Run (EV)
PAI024808021R	Easton Suburban Water Authority 3700 Hartley Avenue P. O. Box 3819 Easton, PA 18043	Northampton	Palmer Township	Bushkill Creek (HQ-CWF, MF)
PAI024808015R	J.G. Petrucci Company, Inc. 171 Route 173, Suite 201 Asbury, NJ 08802	Northampton	Bushkill and Plainfield Townships	UNT to Bushkill Creek (Sobers Run) (EV, MF)
PAI024813016	Green Gables Investment Partners, LP 1370 Armstrong Road Bethlehem, PA 18017	Northampton	Lower Saucon Township	UNT to Cooks Creek (EV, 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>
PAI030613012 Issued	Shillington DPP VIII LLC 9010 Overlook Boulevard Brentwood, TN 37027	Berks	Cumru Township	Wyomissing Creek (HQ-CWF/MF)
PAI032114002 Issued	Charter Homes at Walden, Inc. 1190 Dillerville Road Lancaster, PA 17601	Cumberland	Silver Spring Township	Trindle Spring Run (HQ-CWF, MF) Hogestown Run (CWF, MF)

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


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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).

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


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

*General Permit Type—PAG-02*
*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Durham Township Bucks County	PAG0200 0910061R	Mr. Arnold H. Patterson 1466 Chestnut Ridge Road Upper Black Eddy, PA 18972	Delaware River WWF—MF Rodges Run TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Makefield Township Bucks County	PAG0200 0912076(1)	Lower Makefield Township 1100 Edgewood Road Yardley, PA 19067	Brock Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hilltown Township Bucks County	PAG0200 0914045	Alloy and Stainless Fasteners 521 Schoolhouse Road Telford, PA 18969	East Branch Perkiomen Creek and Delaware River Basin TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Southampton Township Bucks County	PAG0200 0914041	Stackpole Investments, LP 76 Griffith Mile Circle Warminster, PA 18974	Mill Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chalfont Borough Bucks County	PAG0200 0914013	RAP Chalfont, LP 166 Nassau Street Princeton, NJ 08542	Neshaminy Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<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>
Chalfont Borough, New Britain Township and Warrington Township Bucks County	PAG0200 0912034R	North Wales Water Authority 200 West Walnut Street North Wales, PA 19454	North Branch Neshaminy Creek TSF West Branch Neshaminy Creek CWF Little Neshaminy Creek WWF Mill Creek TSF Park Creek WWF Reading Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hilltown Township Bucks County	PAG0200 0909108R	Toll PA XV, L.P. 250 Gibraltar Road Horsham, PA 19044	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511334	Paramount Realty 1195 Route 70, Suite 2000 Lakewood, PA 08701	Tacony and Frankford Creeks WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality &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	PAG02003914007	Julia L. Barto 4954 Shawnee Court Schnecksville, PA 18078-2648	Fell Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Whitehall Township Lehigh County	PAG02003914003	Jerry Fasnacht Grist Mill Development Co., LLC 1013 Brookside Rd. Ste. #202 Wescosville, PA 18106	Coplay Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Jenkins Township Luzerne County	PAG02004010008	Mericle River Road, LLC Lewis Sebia 100 Baltimore Drive Wilkes-Barre, PA 18702	UNT to Susquehanna River (CWF, MF)	Luzerne Conservation District 570-674-7991
Kingston Borough Luzerne County	PAG02004014023	Paul Keating 500 Wyoming Avenue Kingston, PA 18704	Susquehanna River (WWF, MF)	Luzerne Conservation District 570-674-7991
Dallas Township Luzerne County	PAG02004014021	Dallas School District Grant Palfey 2000 Conyngham Avenue Dallas, PA 18612	Tributary to Toby Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Hanover Township Luzerne County	PAG02004014025	Elegant Homes, LLC Andy Kopczyński 51 Sterling Avenue Dallas, PA 18612	Spring Run (CWF, MF)	Luzerne Conservation District 570-674-7991
Palmer and Upper Nazareth Townships Northampton County	PAG02004814002	Venus Partners, LLC Bob McCormick 100 South Wacker Dr. Suite 850 Chicago, IL 60606	Schoeneck Creek (WWF, MF)	Northampton County Conservation District 610-746-1971
Deer Lake Borough West Brunswick Township Schuylkill County	PAG02005410006RR	Schuylkill County Municipal Authority 221 South Centre St. Pottsville, PA 17901	Pine Creek (CWF, MF)	Schuylkill County Conservation District 570-622-3742



## NOTICES

6003

*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Eaton Township  
Wyoming County

PAG02006614006

Morgan Gay  
Skyhaven Airport, Inc.  
17 Runway Road  
Tunkhannock, PA 18657Susquehanna River  
(WWF, MF)Wyoming County  
Conservation District  
570-836-2589*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief,  
717.705.4802**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Liberty Township  
Adams CountyPAG02000114024  
IssuedRobert D. Steinle  
14 Mary Ann Trail  
Fairfield, PA 17320UNT to Flat  
Run/WWFAdams County  
Conservation District  
670 Old Harrisburg Road,  
Suite 201  
Gettysburg, PA 17325  
717.334.0636Liberty Township  
Adams CountyPAG02000114028  
IssuedJoe E. Macharsky  
1605 Tract Road  
Fairfield, PA 17320

Flat Run/WWF

Adams County  
Conservation District  
670 Old Harrisburg Road,  
Suite 201  
Gettysburg, PA 17325  
717.334.0636Logan Township  
Blair CountyPAG02000714008  
IssuedC&C Associates  
3209 Beverly Boulevard  
Altoona, PA 16601UNT Burgoon  
Run/WWF, MF; Mill  
Run/WWF, MFBlair County  
Conservation District  
1407 Blair Street  
Hollidaysburg, PA 16648  
814.696.0877, ext. 5Silver Spring  
Township  
Cumberland CountyPAG02002114025  
IssuedPennDOT District 8-0  
2140 Herr Street  
Harrisburg, PA  
17103-1699Simmons  
Creek/WWF, MFCumberland County  
Conservation District  
310 Allen Road  
Suite 301  
Carlisle, PA 17013  
717.240.5359Derry Township  
Dauphin CountyPAG02002214025  
IssuedHershey Entertainment &  
Resorts Company  
300 Park Boulevard  
Hershey, PA 17033

Spring Creek/WWF

Dauphin County  
Conservation District  
1451 Peter's Mountain  
Road  
Dauphin, PA 17018-9504  
717.921.8100Londonderry  
Township  
Dauphin CountyPAG02002214036  
IssuedThe Vineyard at Hershey  
193 Cedar Street  
Middletown, PA 17057Conewago  
Creek/TSFDauphin County  
Conservation District  
1451 Peter's Mountain  
Road  
Dauphin, PA 17018-9504  
717.921.8100Palmyra Borough  
Lebanon CountyPAG02003814022  
IssuedRoger E. Powl  
325 South Railroad Street  
Palmyra, PA 17078UNT to Spring  
Creek/WWF, MFLebanon County  
Conservation District  
2120 Cornwall Road,  
Suite 5  
Lebanon, PA 17042  
717.272.3908, ext. 4Heidelberg  
Township  
Lebanon CountyPAG02003810004R  
IssuedChad Liskey  
136 Horse Happy Road  
Newmanstown, PA 17073UNT to Middle  
Creek/WWFLebanon County  
Conservation District  
2120 Cornwall Road,  
Suite 5  
Lebanon, PA 17042  
717.272.3908, ext. 4

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Spring Township Berks County	PAG02000613004(1) Issued	La-Z-Boy Furniture Gallery 651 Westminster Road Wilkes-Barre, PA 18702	Tulpehocken Creek/WWF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Muhlenberg Township Berks County	PAG02000614020 Issued	Beller Seth Trust 4717 Norbury Place Raleigh, NC 27614	Laurel Run/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Lower Allen Township Cumberland County	PAG02002114032 Issued	Linlo Properties III, L.P. 1013 Mumma Road, Suite 100 Lemoyne, PA 17043	Cedar Run/CWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.6169
Spring Garden Township York County	PAG02006714014 Issued	York Jewish Community Center 2000 Hollywood Drive York, PA 17403	UNT to Codorus Creek/WWF and UNT to Mill Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County	PAG02006711033R Issued	Defense Distribution Depot Susquehanna PA "S" Avenue and 3rd Street New Cumberland, PA 17070	Yellow Breeches Creek, Susquehanna River/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Carroll Township York County	PAG02006710009R Issued	Pennsylvania DOT District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Dogwood Run/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Warrington Township York County	PAG02006706051R Issued	Harry H. Fox, Jr. 600 Cold Springs Road Dillsburg, PA 17019	Beaver Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
York Township York County	PAG02006709045R Issued	Charter Homes at Chanticleer, Inc. 1190 Dillerville Road Lancaster, PA 17601-3110	UNT of the Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
York Township York County	PAG02006714037 Issued	Michael H. Cromwell 1039 Bridgeton Road Airville, PA 17302	UNT Barshinger Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manchester Township York County	PAG02006714033 Issued	MBC Development, LP 950 East Main Street Schuylkill Haven, PA 17972	Honey Run/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manchester Township York County	PAG02006714008 Issued	West York Area School District George Fike 2605 W. Market Street York, PA 17404	Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

## NOTICES

6005

<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>
Jackson Township York County	PAG02006714040 Issued	Church and Dwight Company, Inc. 5197 Commerce Drive York, PA 17408	Little Conewago Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Windsor Township York County	PAG02006706073R Issued	Kim Moyer 41 Cinema Drive York, PA 17402	UNT to Beaver Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Loganville Borough York County	PAG02006706121R Issued	Kinsley Equities III, LP 6259 Reynolds Mill Road Seven Valleys, PA 17360	UNT—East Branch Codus Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County	PAG02006714018 Issued	Poplar Ridge, LP 4075 Market Street Camp Hill, PA 17011	UNT of Yellow Breeches Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Newberry Township York County	PAG02006709035R Issued	AAA Quality Builders, Inc. James T. Gibson 629 Goose Neck Drive Lititz, PA 18543	Tributary to Susquehanna River/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manheim Township York County	PAG02006714038 Issued	Patricia Kulacki 106 Malek Drive Hanover, PA 17331	UNT to West Branch Codus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Jackson Township York County	PAG02006704019R Issued	Joint Venture, Inc. 570 Carlisle Street Hanover, PA 17362	UNT to Little Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Jackson Township York County	PAG02006703144R Issued	Roths Church Road Partners, LP PO Box 262 Spring Grove, PA 17362	UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Bedford Township Bedford County	PAG02000514004 Issued	Campbell Enterprises P. O. Box 419 Hollidaysburg, PA 16648	Raystown Branch of the Juniata River/TS, MF	Bedford County Conservation District 702 West Pitt Street, Suite 4 Bedford, PA 15522 814.623.8099

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

<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>
Clearfield County Lawrence Township	PAG02001714007	IntegraCare Corp 6600 Brooktree Court Ste 100 Wexford PA 15090	WB Susquehanna River WWF, MF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 (814) 765-2629

*Facility Location:  
Municipality &  
County*

Columbia County  
Town of Bloomsburg

*Permit No.*

PAG02001914005

*Applicant Name &  
Address*

John D Hollenbach  
United Water PA Inc  
4211 E Park Circle  
Harrisburg PA 17111

*Receiving  
Water / Use*

Fishing Creek  
WWF, MF

*Contact Office &  
Phone No.*

Columbia County  
Conservation District  
702 Sawmill Rd  
Ste 204  
Bloomsburg PA 17815  
(570) 784-1310 X 102

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

*Facility Location:  
Municipality &  
County*

Cranberry  
Township  
Butler County

*Permit No.*

PAG02001008003(1)R

*Applicant Name &  
Address*

Pinnacle Resources  
PO Box 445  
Clarion PA 16214

*Receiving  
Water / Use*

Unt Brush Creek  
WWF

*Contact Office &  
Phone No.*

Butler County  
Conservation District  
724-284-5270

Barkeyville  
Borough  
Venango County

PAG02006114001

Speedway LLC  
500 Speedway Drive  
Enon OH 45323

Unt East Branch  
Wolf Creek CWF

Venango Conservation  
District  
814-676-2832

Rockland Township  
Venango County

PAG02006114002

Brandon Maintenance  
Repair Inc  
754 Rails to Trails Drive  
Kennerdell PA 16374

Allegheny River  
WWF

Venango Conservation  
District  
814-676-2832

Plymouth Township  
Luzerne County

PAG02-1140-14-003

PA DEP  
Bureau of Abandoned  
Mine Reclamation  
2 Public Square  
Fifth Floor  
Wilkes-Barre, PA  
18701-0790

Susquehanna River  
(CWF)

PA DEP  
Bureau of Abandoned  
Mine Reclamation  
2 Public Square  
Fifth Floor  
Wilkes-Barre, PA  
18701-0790  
(570) 826-2371

*General Permit Type—PAG-03*

*Facility Location:  
Municipality &  
County*

Great Bend  
Township  
Susquehanna  
County

*Permit No.*

PAR212234

*Applicant Name &  
Address*

Sparks Saw Shop LLC  
358 Westfall Avenue  
Susquehanna, PA  
18847-7889

*Receiving  
Water / Use*

Unnamed Tributary  
#31955 of  
Susquehanna  
River—4-E (CWF)

*Contact Office &  
Phone No.*

DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511

Scranton City  
Lackawanna  
County

PAR602224

Morgan Highway  
Auto Parts Inc.  
400 Morgan Highway  
Scranton, PA 18508

Leach Creek—5-A  
TSF/MF

DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511

North Whitehall  
Township  
Lehigh County

PAR602231

3216 Sandspring  
Associates LLC  
(DBA Auto Recycling)  
3216 Sand Spring Road  
Coplay, PA 18037

Unnamed Tributary  
# 3647 to Coplay  
Creek—2-C (CWF)

DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511

Lebanon County  
Myerstown Borough

PAR203564

T Cast Holdings LLC  
640 South Cherry Street  
Myerstown, PA 17067

Tulpehocken Creek /  
TSF

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707



<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>
York County Lower Windsor Township	PAR603588	Waste Management Recycle America LLC 4555 Mount Pisgah Road York, PA 17402	UNT to Kreutz Creek / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Huntingdon County Dudley Borough	PAR603563	McGhee's Used Cars Inc. PO Box 315 Dudley, PA 16634 <hr/> McGhee's Used Cars 4th Street Dudley, PA 16634	UNT to Shoup Run / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Antis Township	PAR603548	Forshey's Garage & Auto Parts 151 Forshey Street Altoona, PA 16601	Little Juniata River / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County Richmond Township	PAR603542	Village Motors Inc. 53 Walnuttown Road Fleetwood, PA 19522	UNT to Willow Creek / CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Allegheny Township	PAR803586	United Parcel Service Inc. (UPS) 521 North Center Avenue New Stanton, PA 15672 <hr/> UPS—Altoona 3042 Route 764 Duncansville, PA 16635	UNT to Beaverdam Branch / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Snyder Township	PAR603562	Miller Parts & Service Inc. RD 3 Box 140, PO Box 13 Tyrone, PA 16686	Vanscoyoc Run / CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Huntingdon County Morris Township	PAR603555	Shaffer Auto Salvage 3313 Union Furnace Road Tyrone, PA 16686	Sinking Run / CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Logan Township	PAR603561	East End Auto Parts 600 East Sixth Avenue Road Altoona, PA 16602	Spring Run / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Dorrance Township Luzerne County	PAG042237	Alfonso Bellucci STP 685 South Mountain Road Mountain Top, PA 18707	Unnamed Tributary of Big Wapwallopen Creek—5-B CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Gibson Township  
Susquehanna  
County

PAG102318

Williams Field  
Service Co. LLC  
Weiss Pipeline Project  
310 State Route 29  
North Tunkhannock, PA  
18657Unnamed Tributary  
#29862 to Butler  
Creek—4-F, CWFDEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511Adams County /  
Abbottstown  
Borough and  
Penn Township /  
York County

PAG103563

Columbia Gas  
Transmission, LLC  
PO Box 1273,  
1700 MacCorkle Avenue  
SE  
Charlestown, WV 25314Oil Creek / WWF  
and Pine Run /  
WWFDEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707*General Permit Type—MS4 PAG13**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Dravosburg  
Borough  
Allegheny County

PAG136185

Dravosburg Borough  
266 Maple Avenue  
Dravosburg, PA  
15034-0037Monongahela River  
19-CDEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000East Deer Township  
Allegheny County

PAG136229

East Deer Township  
927 Freeport Road  
Muni Bldg  
Creighton, PA 15030-1049Allegheny River,  
Bailey Run, Clarks  
Run, Crawford Run  
and Days Run  
18-ADEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000Elizabeth Borough  
Allegheny County

PAG136191

Elizabeth Borough  
206 Third Avenue  
McKeesport, PA 15037Monongahela River  
and Smiths Run  
19-CDEP Southwest Regional  
Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000Economy Borough  
Beaver County

PAG136266

Economy Borough  
Beaver County  
2856 Conway Wallrose  
Road  
Baden, PA 15005North Fork Big  
Sewickley Creek,  
South Branch  
Legionville Run,  
Unnamed Tributary  
to Big Sewickley  
Creek and Unnamed  
Tributary to Crows  
Run  
20-GDEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000Elizabeth Township  
Allegheny County

PAG136207

Elizabeth Township  
Allegheny County  
522 Rock Run Road  
Elizabeth, PA 15037Douglass Run,  
Unnamed Tributary  
of Youghiogeny  
River, Unnamed  
Tributary to  
Gillespie Run and  
Unnamed Tributary  
to Wylie Run  
19-C and 19-DDEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000

**STATE CONSERVATION COMMISSION  
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES  
PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
M& E Farm 710 Pfoetz Valley Rd Millerstown, PA 17062	Perry	1.0	805.48	Swine	n/a	Approved
Todd Chestnut 910 Bridgewater Road Newville, PA 17241	Cumberland	777.2	1063.31	Chicken- Broilers Beef Swine	NA	Approval
Ideal Family Farms, LLC Farm: 89 BMP Finishing Lane, Beavertown, PA 17813 Office: P O Box 215, Selinsgrove, PA 17870	Snyder	46	1569.76	Swine	NA	Approved 9-2-2014

**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. 1514517, Public Water Supply.**

Applicant	<b>Avondale Borough</b> 126 West State Street Avondale, PA 19311
Borough	Avondale

County **Chester**  
 Type of Facility PWS  
 Consulting Engineer Avondale Borough  
 P. O. Box 247  
 Avondale, PA 19311  
 Permit to Construct Issued September 3, 2014

**Permit No. 1514520, Minor Amendment.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010  
 Township West Bradford  
 County **Chester**  
 Type of Facility PWS  
 Consulting Engineer Gannett Fleming, Inc.  
 P. O. Box 1963  
 Harrisburg, PA 17105  
 Permit to Construct Issued September 3, 2014

**Permit No. 0914503, Minor Amendment.** Public Water Supply.

Applicant **Hilltown Township Water & Sewer Authority**  
 P. O. Box 365  
 Sellersville, PA 18960  
 Township Hilltown  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer Castle Valley Consultants, Inc.  
 10 Beulah Road  
 New Britain, PA 18901  
 Permit to Operate Issued September 2, 2014

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

**Operation Permit No. 3614508 MA** issued to: **New Holland Borough Authority (PWS ID No. 7360099)**, New Holland Borough, **Lancaster County** on 9/4/2014 for facilities approved under Construction Permit No. 3614508 MA.

**Operation Permit No. 3060088** issued to: **Pennsylvania-American Water Company (PWS ID No. 3060088)**, Exeter Township, **Berks County** on 9/4/2014 for facilities approved under Construction Permit No. 0613514 MA.

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

**Permit No. GWR-MA—Operation—Public Water Supply.**

Applicant **Lyman Run State Park**  
 Township/Borough West Branch Township  
 County **Potter**  
 Responsible Official Barry Eppley, P.E.  
 PA DCNR—FDC  
 262 Sizerville Road  
 Emporium, PA 15834

Type of Facility Public Water Supply  
 Consulting Engineer N/A  
 Permit Issued September 8, 2014  
 Description of Action 4-log inactivation of viruses at Entry Point 100 (Well No. 1).

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

**Permit No. 0214519**, Public Water Supply.  
 Applicant **Findlay Township Municipal Authority**  
 1271 Route 30  
 PO Box 409  
 Clinton, PA 15026  
 [Borough or Township] Findlay Township  
 County **Allegheny**  
 Type of Facility Burgettstown water storage tank  
 Consulting Engineer Utility Services Company, Inc.  
 535 Courtney Hodges Blvd.  
 Perry, GA 31069  
 Permit to Construct Issued August 27, 2014

**Permit No. 1114510**, Public Water Supply.  
 Applicant **Patton Municipal Authority**  
 800 4th Avenue  
 PO Box 175  
 Patton, PA 16668  
 [Borough or Township] Patton Borough and Elder Township  
 County **Cambria**  
 Type of Facility Booster pump station  
 Consulting Engineer Keller Engineers, Inc.  
 420 Allegheny Street  
 PO Box 61  
 Hollidaysburg, PA 16648  
 Permit to Construct Issued September 2, 2014

**Permit No. 1114518**, Public Water Supply.  
 Applicant **Patton Municipal Authority**  
 800 4th Avenue  
 PO Box 175  
 Patton, PA 16668  
 [Borough or Township] Patton Borough and Elder Township  
 County **Cambria**  
 Type of Facility Water storage tank with mixer  
 Consulting Engineer Keller Engineers, Inc.  
 420 Allegheny Street  
 PO Box 61  
 Hollidaysburg, PA 16648  
 Permit to Construct Issued September 2, 2014

**Operations Permit** issued to: **Somerset Township Municipal Authority**, PO Box 247, Somerset, PA 15501, (PWSID #4560057) Somerset Township, **Somerset County** on August 26, 2014 for the operation of facilities approved under Construction Permit # 5614503MA.

**Operations Permit** issued to: **Somerset Township Municipal Authority**, PO Box 247, Somerset, PA 15501,



(PWSID #4560057) Somerset Township, **Somerset County** on August 26, 2014 for the operation of facilities approved under Construction Permit # 5614504MA.

**Operations Permit—Rescission: Turner Dairy Farms, Inc.**, 1049 Jefferson Road, Penn Hills, PA 15235, (PWSID #5026263) **Allegheny County** on September 3, 2014 for the operation of a bottled water facility approved under Permit # 5026263.

**Permit No. 3014513MA, Minor Amendment.** Public Water Supply.

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

[Borough or Township] Jefferson and Franklin Townships

County **Greene**

Type of Facility Water system

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

Permit to Construct Issued August 29, 2014

**Permit No. 0214536MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Hopewell and Canton Townships

County **Washington**

Type of Facility Water system

Consulting Engineer Lennon, Smith, Souleret Engineering, Inc.  
846 Fourth Avenue  
Coraopolis, PA 15108

Permit to Construct Issued August 29, 2014

**Permit No. 5020019, Minor Amendment.** Public Water Supply.

Applicant **Hampton Shaler Water Authority**  
PO Box 66  
3101 McCully Road  
Allison Park, PA 15101

[Borough or Township] Hampton and Shaler Townships

County **Allegheny**

Type of Facility Water system

Consulting Engineer

Permit to Operate Issued August 18, 2014

**Permit No. 1114517MA, Minor Amendment.** Public Water Supply.

Applicant **Patton Municipal Authority**  
800 4th Avenue  
PO Box 175  
Patton, PA 16668

[Borough or Township] Patton Borough and Elder Township

County **Cambria**

Type of Facility Waterline and meter vault

Consulting Engineer Keller Engineers, Inc.  
420 Allegheny Street  
PO Box 61  
Hollidaysburg, PA 16648

Permit to Construct Issued September 2, 2014

**Permit No. 0209526GWR-T1, Minor Amendment.** Public Water Supply.

Applicant **Hampton Shaler Water Authority**  
PO Box 66  
3101 McCully Road  
Allison Park, PA 15101

[Borough or Township] Hampton and Shaler Townships

County **Allegheny**

Type of Facility Water system

Consulting Engineer

Permit to Operate Issued August 18, 2014

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

**Operation Permit** issued to **Pennwood Estates, LLC**, PWSID No. 6430021, Lackawannock Township, **Mercer County**. Permit Number 4313507 issued September 4, 2014 for the operation of the new chlorine contact segments at EP 101 and EP 102 for groundwater sources “Well No 1 Front” and “Well No. 2 Back” respectively. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on August 27, 2014.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough</i>	<i>Borough Address</i>	<i>County</i>
Conshohocken	1 West First Avenue, Suite 200 Conshohocken, PA 19428	Montgomery

On August 14, 2014, the Southeast Regional Office approved a revision to the Conshohocken Borough Official Sewage Facilities Plan for the 51 Washington Street Apartments Project. The project is located at 51 Washington Street in Conshohocken Borough, Montgomery County. The revision provides for adequate sewage facilities planning to permit the construction of 310 apartment units.

The project will be connected to the Borough of Conshohocken Authority collection system and will generate 82,425 gallons of sewage per day to be treated at the Borough of Conshohocken Authority Wastewater Treatment Facility.

Complete copies of this Plan are available for review, upon request, at the Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Beaver Township	861 Mount Jackson Road New Castle, PA 16102	Lawrence

*Plan Description:* The approved update provides an evaluation for the extension of the existing sewage collection and conveyance facilities that currently serve the Hickory View, Mt. Jackson/Jackson Knolls and Sunnyside service areas to five study areas in the Township. An Amendment served the purpose of revisiting one of the study areas to include the area of a proposed power plant along North Edinburg Road. The Update and Amendment conclude with three main recommendations. A sewer extension is proposed from the existing Hickory View service area to serve the Mohawk Area School District High School via gravity sewers. A second recommendation involves the extension of sewers to serve existing residences and the proposed power plant. The power plant will be addressing their sewage needs independently, negating the need for this extension. The final recommendation involves the adoption of two ordinances as part of an on-lot management program. The ordinances will apply to all areas of the Township not currently served by public facilities. This Update (with Amendment) also will satisfy the requirements of the July, 2011 Consent Order and Agreement (CO&A) made between the Department, the New Castle Sanitation Authority and the tributary municipalities, of which North Beaver Township is signatory. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## 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:

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

**Kotran Property**, 4715 Main Street, Whitehall, PA 18052, Whitehall Township, **Lehigh County**, Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, has submitted an NIR, and Final Report on behalf of his client, Mr. Dan Kotran, 2463 Victoria Way, Coplay, PA 18037, concerning the remediation of soil as a result of a malfunctioning aboveground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. The intended use of the site will be for residential purposes. A summary of the Notice of Intent to Remediate, and Final Report were published in *The Express Times* on August 16, 2014.

**Poole Property**, 2825 Rockway Road, Lake Township, **Wayne County**, Martin Gilgallon, Pennsylvania Tectonics Inc., 723 Main St. Archbald, PA 18403, has submitted a Final Report on behalf of his client, Mr. Charles and Mrs. Robin Poole, 427 Long Mountain Rd, New Milford, Ct 06776, concerning the remediation of soil found to have been impacted by an unknown amount of #2 fuel oil from a aboveground storage tank being dropped as it was removed. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. The intended use of the site will be for residential purposes. A summary of the Final Report were published in *The Scranton Times* on August 13, 2014.

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

**Mars Chocolate Hydraulic Oil Release**, 295 South Brown Street, Elizabethtown, PA 17022, Borough of Elizabethtown, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Mars Chocolate North American, 295 South Brown Street, Elizabethtown, PA 17022, submitted a Final Report concerning remediation of site soils contaminated with hydraulic oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Lexington Mall Partners / Station Mall**, 17th Street and 9th Avenue, Altoona, PA, City of Altoona, **Blair County**. Mountain Research, LLC, 825 25th Street,

Altoona, PA 16601 on behalf of Lexington Mall Partners, 259 Lakemont Park Boulevard, Altoona, PA 16602, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with Inorganics, PAHs and VOCs. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Hanover Concrete**, 437 South Jefferson Street, Hanover, PA 17331, Conewago Township, **Adams County**. Crawford Environmental Services, LLC, 100 East Benjamin Franklin Highway, Birdsboro, PA 19508, on behalf of Hanover Concrete Company, 2000 Carlisle Pike, Hanover, PA 17331, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Non-Residential Statewide Health Standard.

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

**Windber Development** (former auto junk yard), SR-1033 (Verla Drive) Windber, Paint Township, **Somerset County**. CME Engineering LP, 165 East Union Street, Somerset, PA 15501 on behalf of Somerset County Economic Council, P. O. Box 48, 125 North Center Avenue, Somerset, PA 15501, has submitted a Final Report to concerning site soils contaminated with leaded gasoline and diesel fuel. The Final Report's intent is to demonstrate attainment of the residential Statewide Health Standard. Notice of the Final Report was published in the *Daily American* on August 14, 2014.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

*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.

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

**Woodland Mobile Home Park**, 10287 Circle West, Lot 79, Vernon Township, **Crawford County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Northwestern Rural Electric Cooperative, 22534 State Route 86, Cambridge Springs, PA 16403, submitted a Final Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, polychlorinated biphenyl-1016, polychlorinated biphenyl-1221, polychlorinated biphenyl-1232, polychlorinated biphenyl-1242, polychlorinated biphenyl-1248, polychlorinated biphenyl-1254, and polychlorinated biphenyl-1260. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 29, 2014.

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

**Ambridge 14 Street and North Property**, (14th to north of 16th Street) Ambridge Borough, **Beaver County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of New Economy Business Park, P.P., 700 5th Ave., New Brighton, PA 15066 submitted a Remedial Investigation Addendum and Risk Assessment Report concerning the remediation of site soil contaminated with PCB, lead, heavy metals, poly aromatic hydrocarbons (PAH's), volatile & semi-volatile or-



ganic compounds and groundwater contaminated with lead, heavy metals, VOC's and SVOC's. The report was approved by the Department on August 25, 2014.

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

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

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**Permit No. 101549. Bucks County Resource Recovery, Inc.**, 1 Penn Avenue, Marcus Hook, PA 19061-4604. This permit has been revoked in response to the permittee's request for final closure certification approval and bond release request of permit 101549 for the Bucks County Resource Recovery, Inc. facility (BCRRI), an infectious waste transfer and processing facility, located at 701 Penn Avenue in the Borough of Marcus Hook, **Delaware County**. The final closure certification and revocation of permit was approved by the Southeast Regional Office on September 2, 2014.

**AIR QUALITY**

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP1-67-03072A: Coyne Textile Services** (140 Cortland Avenue, Syracuse, NY 13221) on August 29, 2014, for a 12.553 MMBtu/hr. natural gas-fired boiler, at their facility in West Manchester Township, **York County**.

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

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

**GP9-33-188D: Cone Gathering LLC** (Bowers Road, Punxsutawney, PA 15767) on September 5, 2014, for authorization in change of ownership from CNX Gas Company to Cone Gathering LLC for the use of one (1) diesel or #2 fuel fired internal combustion engine (Cummins Model 500 DFEK) (BAQ-GPA/GP9) in Gaskill Township, **Jefferson County**.

**GP19-43-372A: Integrated Fabrication & Machine, Inc.** (639 Keystone Rd, Greenville, PA 16125) on September 5, 2014, for installation of two (2) dry abrasive blasting operations (BAQ-GPA/GP19) in Hempfield Township, **Mercer County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Southcentral Region: Air Quality Program, 909 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.*

**28-03064A: AJ Stove and Pellet, LLC** (PO Box 152, South Mountain, PA 17261) on August 28, 2014, to construct a 40 MMBtu/hour wood-fired dryer to dry hardwood chips/sawdust as part of their wood pellet production process, at their facility in Antrim Township, **Franklin County**.

**06-05002M: Lehigh Cement Co., LLC—Evansville Cement Plant and Quarry** (537 Evansville Road, Fleetwood, PA 19522-8541) on September 2, 2014, for the ability to combust engineered fuel at their facility in Maidencreek Township, **Berks County**. This is for the authorization to burn an engineered fuel being sourced from, but not limited to, Renewable Fuel, Inc. (RFI) as an alternative fuel in the facility's two long dry kilns (Source ID's 121 & 122).

**07-03002A: Pittsburgh Glass Works, LLC** (4408 East Pleasant Valley Boulevard, Tyrone, PA 16686) on September 4, 2014, to construct two new urethane bonding lines and an autoclave to support their existing automotive safety glass plant in Antis Township, **Blair County**.

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

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

**32-00436A: John A. Lefdahl Funeral Home** (898 Old Route 119 North, Indiana, PA 15701) on September 2, 2014, for construction and temporary operation of one (1) Matthews International-Cremation Division IEB-16 natural gas-fired crematory incinerator for the cremation of animal remains at the John A. Lefdahl Funeral Home in White Township, **Indiana County**.

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

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

**41-00064B: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on September 3, 2014, one 60' x 24' vibrating Grizzly feeder, one 6' x 12' double-deck scalping screen, one Metso C140 primary jaw crusher, one 60' x 35' channel frame conveyor, four 42" x 800' truss/channel conveyors, three 42" x 300' truss/channel conveyors, one 30" x 100' channel frame conveyor, one 30" x 200' channel frame conveyor, six Syntron F480 magnetic feeders, one 8' x 20' triple-deck screen, one 42" x 30' channel frame conveyor, one 30" x 300' channel frame conveyor, one 30" x 450' channel frame conveyor, three 30" x 120' radial stacking conveyors, and one 8' x 8' knockout box in the existing primary plant and three FMC F480 feeders, one Metso GP300 cone crusher, two 36" x 150' truss frame conveyors, five 30" x 100' channel frame conveyors, one 30" x 100' radial stacking conveyor, one 36" x 120' truss frame conveyor, one 30" x 100' truss frame conveyor, two Metso HP4 cone crushers, one 30" x 150' truss frame conveyor, one 36" x 100' channel frame conveyor, one Gentec model 540-14E1 baghouse to replace the existing Cam Corp baghouse equipped with a Meyer 14 x 14 HD airlock and 14' x 35' screw conveyor, one New York Blower fan, one 8' x 8' knockout box, and one Buell GI-120 classifier in the existing secondary plant were proposed to be constructed



and operated at the Hagerman's Run facility located in Armstrong Township, **Lycoming County**.

The particulate matter will be controlled by a water spray dust suppression system.

**12-00013A: Endeavour Operating Corp.** (1125 17th Street, Suite 1525, Denver, CO 80202) on August 28, 2014, to construct a 1,380 bhp Caterpillar G3516B four stroke, ultra lean burn, natural gas-fired compressor engine equipped with an oxidation catalyst at the company's Pad D facility in Shippen Township, **Cameron County**. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 12-00013A, the applicant will subsequently apply for a State Only (Natural Minor) Operating Permit in accordance with 25 Pa. Code Subchapter F.

**12-00014A: Endeavour Operating Corpo.** (1125 17th Street, Suite 1525, Denver, CO 80202) on August 28, 2014, to construct a 1,380 bhp Caterpillar G3516B four stroke, ultra lean burn, natural gas-fired compressor engine equipped with an oxidation catalyst at the company's Pad E facility in Shippen Township, **Cameron County**. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 12-00014A, the applicant will subsequently apply for a State Only (Natural Minor) Operating Permit in accordance with 25 Pa. Code Subchapter F.

**55-00001G: Sunbury Generation, LP** (Old Trail Road, PO Box 517, Shamokin Dam, PA 17876) on September 2, 2014, for modification start-up and shut down scenarios for the natural gas repowering project authorized pursuant to plan approval 55-00001E at their facility in Shamokin Dam Borough, **Snyder County**.

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

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

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

**46-0282: Titan International, Inc.** (301 Lilac Lane, Cinnaminson, NJ 08077) on September 3, 2014, for the operation of two (2) reactor tanks in Pottstown Borough, **Montgomery County**.

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

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

**03-00244: Dominion Transmission, Inc.** (5000 Dominion Blvd.-2NW, Glenn Allen, VA 23060) on September 4, 2014, to extend the period of temporary operation of the Rural Valley Compressor Station in Valley Township, **Armstrong County**. The new expiration date is March 9, 2015.

**63-00979A: Liquid-metal Coatings, LLC** (50 Technology Drive, California, PA 15423) on September 5, 2014, to grant 180 days Plan Approval extension for their abrasive blasting and liquid metal coating operations at their facility in California Borough, **Washington County**.

**03-00253A: Western Allegheny, LLC** (301 Market Street, Kittanning, PA 16201-9642) on September 5, 2014, to extend the period of construction and temporary operation 180 days for the 800,000 tons per year Parkwood Mine Coal Preparation Plant in Plumcreek Township, **Armstrong County**. The new expiration date is April 10, 2015.

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

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

**10-380C: XTO Energy—dba Mountain Gathering LLC—Jefferson Compressor Station** (810 Houston Street, Fort Worth, TX 76102-6203) on September 3, 2014, effective September 30, 2014, will issue a plan approval extension for the modification of facility wide VOC limits, short term VOC and formaldehyde emission limits for sources 101 through 108 and the addition of a Section C condition specifying the equipment authorized for installation at the facility. These modifications were required by the December 3, 2013 Settlement Agreement by and among The Group Against Smog and Pollution, Inc. (GASP), Mountain Gathering LLC (Mountain Gathering) and the Department. This facility is a compressor station, located at 910 Saxonburg Road, Butler, PA 16002, in Jefferson Township, **Butler County**. Upon completion of this project, this facility will be issued a state only operating permit.

**10-381B: XTO Energy—dba Mountain Gathering LLC—Forward Compressor Station** (810 Houston Street, Fort Worth, TX 76102-6203) on September 3, 2014, effective September 30, 2014, will issue a plan approval extension for the modification of facility wide VOC limits, short term VOC and formaldehyde emission limits for sources 101 through 108 and the addition of a Section C condition specifying the equipment authorized for installation at the facility. These modifications were required by the December 3, 2013 Settlement Agreement by and among The Group Against Smog and Pollution, Inc. (GASP), Mountain Gathering LLC (Mountain Gathering) and the Department. This facility is a compressor station, at 275 Powder Mill Road, Renfrew, PA 16053, in Forward Township, **Butler County**. Upon completion of this project, this facility will be issued a state only operating permit.

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**Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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

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

**36-05134: Eurofins Lancaster Laboratories, Inc.** (2425 New Holland Pike, PO Box 12425, Lancaster, PA 17605-2425) on September 2, 2014, for their environmental and pharmaceutical laboratory in Upper Leacock Township, **Lancaster County**. The Title V permit was renewed.

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

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

**04-00471: Marathon Petroleum Company, LLC**, (539 South Main Street Finely, OH, 45480) on September 3, 2014, to renew the Title V Operating Permit for the continued operation of a bulk gasoline transfer terminal, known as the Midland Terminal, in Midland Borough, **Beaver County**.

The facility consists of six “swing” storage tanks, with storage capacities between 84,000 and 3,100,000 gallons (1 barrel petroleum = 42 US gallons), one distillate oil, 3,900,000 gallon, fixed roof tank, two ethanol tanks with capacities of 36,000 gallons and 21,000 gallons, equipment for barge loading and unloading, and gasoline and distillate loading racks. The swing tanks are equipped with internal floating roofs. Emissions from the loading racks are controlled by a Vapor Recovery Unit. (VRU) When the VRU is not available, these emissions are controlled by an off-site, portable Vapor Combustion Unit. (VCU) The swing tanks may include any liquid which produces emissions less than or equal to storage of gasoline.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, and 63 and PA Code Title 25, Article III, Chapters 121 through 145.

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

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

**20-00145: Pittsburgh Glass Works, LLC (PGW) previously PPG Industries, Inc.** (5123 Victory BLVD. Cochranton, PA 16314) on September 3, 2014, to renew a Title V Permit to operate a flat auto glass manufacturing facility in Greenwood Township, **Crawford County**. The facility’s major emission sources include Boiler 1, Boiler 2, Boiler 3, Boiler 4, Glass Melting Furnace 8-1, Glass Melting Furnace 8-2, Wareroom Packers B & C, Wareroom Packers 1, 2, & 3, Cullet Drop 0 Line 1, Cullet Drop 0 Line 2, Raw Material Transfer (Non-Sand), Soda Ash Handling System, Check Scale Line 1, Check Scale Line 2, Wareroom Packer A, EDE L1 Generator, EDE L2 Generator, EDE Boiler Room, EDE L1 Mill Water, EDE L2 Mill Water, EDE Fire Water Pump, EDE City Water Pump, Surface Passivation 1, Surface Passivation 2, Raw Material Transfer (Sand), Soda Ash Silo, Sand Silo (2), Cullet Silo (3), Limestone Silo, Gypsum Silo, W System Line 1, W System Line 2, Batch Mixer Line 1, Batch Mixer Line 2, Parts Cleaner and, Incline Cullet Area. The generators and fire pump engines are subject to 40 CFR Part 63, Subpart ZZZZ. All applicable conditions were included in the previous amendment permit. The Boilers are subject to 40 CFR Part 63, Subpart DDDDD. All applicable conditions of Subpart DDDDD have been included in the renewal permit. PGW is a major facility due to NO<sub>x</sub> and SO<sub>x</sub> emissions more than 100 tons per year and individual HAP (selenium) more than 10 Tons per year. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The emission inventory submitted by the facility for 2013 is as follows: CO—18.1 TPY; NO<sub>x</sub>—1836.40 TPY; PM<sub>10</sub>—312.80 TPY; PM<sub>2.5</sub>—299.60 TPY; SO<sub>x</sub>—342.70 TPY; VOC—20.50 TPY; Selenium—12.90

TPY; Carbon Di Oxide (CO<sub>2</sub>)—163,695.30; Methane (CH<sub>4</sub>)—2.24 TPY and, Nitrous Oxide (N<sub>2</sub>O) 0.2240 TPY.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**15-00074: R. A. Ferris & Co., Inc.** (899 Fern Hill Road, West Chester, PA 19380) on September 3, 2014, for renewal of a State-Only Operating Permit for crematories in West Goshen Township, **Chester County**. This Operating Permit contains all applicable state and federal regulations applicable to the facility including emission limitations, operating restrictions, work practice, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**40-00125: Sunlight Crematory of Wilkes-Barre, LLC** (628 C Nanticoke Street, Hanover Township, PA 18706) on August 26, 2014, for the operation of two (2) crematories in Hanover Township, **Luzerne County**. This is a new State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**40-00111: CEI Anthracite, Inc.** (603 South Church Street, Hazleton, PA 18201) on September, 5, 2014, for operation of a coal processing facility in the City of Hazleton, **Luzerne County**. The sources consist of a crusher, dryer and bagging operation which is controlled by two (2) baghouses. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**40-00038: Lion Brewing Co.** (700 North Pennsylvania Avenue, Wilkes-Barre, PA 18705) on August 26, 2014, for operation of a malt beverage manufacturing facility in the City of Wilkes-Barre, **Luzerne County**. The sources consist of two (2) boilers, parts washer, generator and raw material unloading. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**39-00103: Bosch Rexroth Corp.** (2315 City Line Road, Bethlehem, PA 18017-2131) on August 27, 2014, for operation of a surface coating facility in the City of Bethlehem, **Lehigh County**. The sources consist of four (4) paint booths and (4) four particulate filters for the booths. This is an initial State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.



**39-00103: Bosch Rexroth Corp.** (2315 City Line Road, Bethlehem, PA 18017-2131) on August 27, 2014, for operation of a surface coating facility in the City of Bethlehem, **Lehigh County**. The sources consist of four (4) paint booths and (4) four particulate filters for the booths. This is an initial State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

**36-03195: Mount Joy Wire Corp.** (1000 East Main Street, Mount Joy, PA 17552-9332) on August 28, 2014, for their wire manufacturing facility in Mount Joy Borough, **Lancaster County**.

**36-03126: Sylvin Technologies, Inc.** (84 Denver Road, PO Box 308, Denver, PA 17517) on August 27, 2014, for their PVC pellet manufacturing facility in East Cocalico Township, **Lancaster County**. The State-only permit was renewed.

**06-03010: Brenntag Northeast, Inc.** (81 West Huller Lane, Reading, PA 19605) on August 26, 2014, for their Huller Lane chemical distribution facility in Ontelaunee Township, **Berks County**. The State-only permit was renewed.

**38-05023: Pennsy Supply, Inc.** (1001 Paxton Street, PO Box 3331, Harrisburg, PA 17105-3331) on August 28, 2014, for their hot mix asphalt drum plant in South Lebanon Township, **Lebanon County**. The State-only permit was renewed.

**28-05018: Knouse Foods Cooperative, Inc.** (PO Box 807, Biglerville, PA 17307-0807) on September 3, 2014, for their fruit processing facility in Chambersburg Borough, **Franklin County**. The State-only permit was renewed.

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

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

**55-00024: Conestoga Wood Specialties Corporation** (PO Box 158, East Earl, PA 17519) to issue a renewal state only operating permit for their Beaver Springs facility located in Spring Township, **Snyder County**. The facility is currently operating under State Only Operating Permit 55-00024. The facility's significant emissions source is the various woodworking activities occurring at the facility. The facility has potential emissions of 0.2 ton per year of carbon monoxide, 0.9 ton per year of nitrogen oxides, 3.0 tons per year of sulfur oxides, 49.9 tons per year of particulate matter, 2.8 tons per year of volatile organic compounds, and 916 tons per year of carbon dioxide equivalents (greenhouse gases). 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 Parts 60 and 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.

**47-00005: Geisinger Medical Center** (100 North Academy Avenue, Danville, PA 17822) to issue a renewal state only "synthetic minor" operating permit for their facility located in Mahoning Township, **Montour County**. The facility is currently operating under State Only Operating Permit 47-00005. The significant emissions sources at the Geisinger Medical Center are the boilers and emergency generators located throughout the facility. The facility has potential emissions of 81.3 tons per year of carbon monoxide, 99.9 tons per year of nitrogen oxides, 99.9 tons per year of sulfur oxides, 10.1 tons per year of particulate matter, 13.9 tons per year of volatile organic compounds, 2.6 tons per year of total Hazardous Air Pollutants, and 99,999 tons per year of carbon dioxide equivalents (greenhouse gases). 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 Parts 60 and 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.

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

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

**30-00129: Morgan Technical Services, Inc.** (303 Meadow Ridge Road, Mt. Morris, PA 15349) on September 2, 2014, for a state Only Operating Permit (SOOP) renewal to Morgan Technical Services to authorize the continued operation of their miscellaneous metal parts finishing facility located in Perry Township, **Greene County**.

**56-00302: Lincoln Contracting & Equipment Co.** (2478 Lincoln Highway, Stoytown, PA 15531) on September 5, 2014, a State Only Operating Permit (SOOP) renewal to Lincoln Contracting & Equipment Co. to authorize the continued operation of a metal fabrication and painting operation located in Jenner Township, **Somerset County**.

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

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

**37-00327: R. Cunningham Funeral Home** (2429 Wilmington Road, New Castle, PA 16105) on August 28, 2014, issued a New State Only operating permit for their facility in Neshannock Township, **Lawrence County**. The sources at the facility are 2 natural gas fueled, 2 million Btu/hr cremators. The facility is a Natural Minor.

The conditions of the previous plan approval are incorporated into the new permit. The potential emissions from the facility are as follows: PM, 3.5 tpy; NO<sub>x</sub>, 1.5 tpy; CO, 4.9 tpy; SO<sub>x</sub>, 1.2 tpy; and VOCs, 1.5 tpy. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**15-00041: Eastern Shore Natural Gas Company** (604 Street Rd., Cochranville, PA 19330) for the operation of a four (4) natural gas-fired compressors and one (1) natural gas-fired emergency generator at its Daleville Compressor Station located in Cochranville, Londonderry Twp., in **Chester County**. The Daleville Compressor Station is a natural gas pipeline transmission facility that is part of the Eastern Shore Natural Gas Company's pipeline transmission system.

On September 3, 2014, the issued State Only Operating Permit was administratively amended to incorporate the applicable requirements of Plan Approval 15-0041B.

**09-00009: Quad Graphics, Inc.** (4371 County Line Road, Chalfont, PA 18914-1825) On September 3, 2014, located in New Britain Township, **Bucks County**. Title V Operating Permit Minor Modification issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462. Modification is to reactivate an existing source (Johnston Boiler, Source ID: 032) and incorporate an operating hour restriction condition. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

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

**25-00972: Insul-Board** (2120 Colonial Avenue, PO Box 8103, Erie, PA 16505) on September 3, 2014, issued the renewal of a State Only operating permit for the expanded polystyrene insulation & packing material molding facility located in Millcreek Township, **Erie County**. The sources at the facility include a 5.2 million Btu/hr natural gas fueled boiler, 4 natural gas fueled space heaters each rated less than 500,000 Btu/hr, pre-expanded pellet heating, pre-expanded pellet storage, molding of product, and storage of finished goods. The facility is a Synthetic Minor due to its potential to emit Pentane which is a VOC. The potential emissions from the facility are as follows: NO<sub>x</sub>, 1 tpy; CO, 1 tpy; and VOCs not more than 35 tpy. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

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

**10-00047: BASF Corporation** (1424 Mars-Evans City Road, Evans City, PA 16003) for its facility located in Forward & Adams Township, **Butler County**. The De minimis emission increase is for the proposed manufacture of Lithium Methoxide. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on April 9, 2013.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
11-6-13 (eRFD 4014)	TEAB production increase from 2 to 20 batches per year				0.005	
6-26-14 (eRFD 4404)	TEB to MDEB				0.193	
9-8-14 (eRFD 4675)	Lithium Methoxide				0.016	
Total Reported Increases					0.214	
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility



## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### *Coal Permits Issued*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724.769.1100*

**30841312 and NPDES No. PA0013790. Consolidation Coal Company**, (46226 National Road, St. Clairsville, OH 43950). To revise the permit for the Blacksville Mine No. 2 in Gilmore Township, **Greene County** to add six degasification boreholes. No additional discharges. Surface Acres Proposed 6.6. The application was considered administratively complete on October 9, 2012. Application received July 3, 2012. Permit issued August 28, 2014.

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

**Permit No. 32940105 and NPDES No. PA0212806. CONSOL Mining Company, LLC**, CNX Center, 1000 Energy Drive, Canonsburg, PA 15317, transfer of an existing bituminous surface and auger mine from Keystone Coal Mining Corporation, P. O. Box 219, Shelocta, PA 15774, located in Center Township, **Indiana County**, affecting 180.0 acres. Receiving stream: unnamed tributary to Yellow Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Edison Mission Energy Homer City Generating Station. Application received: January 6, 2014. Permit issued: August 25, 2014.

**Permit No. 3279103 and NPDES No. PA0079791. CONSOL Mining Company, LLC**, CNX Center, 1000 Energy Drive, Canonsburg, PA 15317, transfer of an existing bituminous surface mine from Keystone Coal Mining Corporation, P. O. Box 219, Shelocta, PA 15774, located in Young Township, **Indiana County**, affecting 19.0 acres. Receiving stream: unnamed tributary to Big Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 6, 2014. Permit issued: August 25, 2014.

**Permit No. 32890109 and NPDES No. PA0598640. CONSOL Mining Company, LLC**, CNX Center, 1000 Energy Drive, Canonsburg, PA 15317, transfer of an existing bituminous surface and auger mine from Keystone Coal Mining Corporation, P. O. Box 219, Shelocta, PA 15774, located in Blacklick Township, **Indiana County**, affecting 18.4 acres. Receiving stream: unnamed

tributary to Aultman's Run classified for the following use: trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 6, 2014. Permit issued: August 25, 2014.

**Permit No. 32803010 and NPDES No. PA0124834. CONSOL Mining Company, LLC**, CNX Center, 1000 Energy Drive, Canonsburg, PA 15317, transfer of an existing bituminous surface mine from Keystone Coal Mining Corporation, P. O. Box 219, Shelocta, PA 15774, located in Blacklick Township, **Indiana County**, affecting 89.9 acres. Receiving stream: unnamed tributary to Aultman's Run classified for the following use: trout stocked fishery. The first downstream potable water supply intake from the point of discharge is Saltsburg Borough Indiana County Municipal Waterworks Conemaugh River SWI. Application received: January 6, 2014. Permit issued: August 25, 2014.

**Permit No. 3366BSM84 and NPDES No. PA0248797. Penn Pocahontas Coal Company**, P. O. Box 68, Boswell, PA 15531, renewal of an NPDES permit in Brothersvalley Township, **Somerset County**. Receiving streams: Buffalo Creek and Tubs Run, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 20, 2010. Permit issued: August 20, 2014.

**Permit No. 32090201 and NPDES No. PA0262854. Britt Energies, Inc.**, P. O. Box 515, Indiana, PA 15701, permit renewal for the continued operation and restoration of a bituminous surface coal refuse reprocessing mine in Conemaugh Township, **Indiana County**, affecting 11.9 acres. Receiving streams: unnamed tributaries to/and Sulfur Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 2, 2014. Permit issued: August 27, 2014.

**Permit No. 11970104, MB Energy Inc.**, 175 McKnight Road, Blairsville, PA 15717, permit renewal for reclamation only of a bituminous surface and auger mine in Blacklick and Jackson Townships, **Cambria County**, affecting 449.6 acres. Receiving streams unnamed tributaries to/and South Branch of Blacklick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 17, 2014. Permit issued: September 2, 2014.

**Permit No. 56703107, Hoffman Mining Inc.**, P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 863 acres. Receiving streams: unnamed tributary to Paint Creek, unnamed tributaries to/and Kaufman Run, Stoney Creek and Shade Creek classified for the following uses: cold and warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: June 16, 2014. Permit issued: September 2, 2014. Permit issued: August 25, 2014.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**17060102 and NPDES PA0256331. Strishock, LLC** (220 Hillcrest Drive, DuBois, PA 15801). Revision to an existing bituminous surface mine to revise the post mining land use currently classified as Forestland to Unmanaged Natural Habitat located in Brady Township, **Clearfield County** affecting 140.0 acres. Receiving stream(s): Unnamed Tributary to Beech Run and East

Branch Mahoning Creek classified for the following use(s): High Quality Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 16, 2014. Permit issued: August 27, 2014.

**17120101 and NPDES PA0257893. RES Coal LLC** (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Transfer of a bituminous coal surface mine from Forcey Coal, Inc. located in Lumber City Borough, **Clearfield County** affecting 55.0 acres. Receiving stream(s): Unnamed Tributaries to West Branch Susquehanna River classified for the following use(s) Cold Water Fishes and West Branch Susquehanna River classified for the following use(s): Warm Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 14, 2014. Permit issued: September 3, 2014.

*Noncoal Permits Issued*

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

**Permit No. 05920301 and NPDES No. PA0212261, New Enterprise Stone & Lime Co., Inc.**, P. O. Box 77, Church Street, New Enterprise, PA 16664, renewal of NPDES permit located in Snake Spring Township, **Bedford County**. Receiving streams: Cove Creek and Raystown Branch of the Juniata River classified for the following uses: exceptional value; trout stocked and migratory fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 14, 2014. Permit issued: August 25, 2014.

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

**Permit No. 58130801 and NPDES Permit No. PA0225398. Robert R. Reddon**, (927 Germantown Road, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Harmony Township, **Susquehanna County** affecting 5.0 acres, receiving stream: East Branch Hemlock Creek. Application received: November 14, 2013. Permit issued: September 4, 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*

**08144112. Midstream Explosives LLC** (289 Southside Drive, Newville, PA 17241). Blasting for pipeline located in Asylum Township, **Bradford County** with an expiration date of September 2, 2015. Permit issued: September 5, 2014.

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

**Permit No. 45144103. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Summers Glen in Middle Smithfield Township, **Monroe County** with an expiration date of August 24, 2015. Permit issued: September 3, 2014.

**Permit No. 52144106. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting at 266 Gumbletown Road in Palmyra Township, **Pike County** with an expiration date of August 25, 2015. Permit issued: September 3, 2014.

**Permit No. 67144113. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Addington Reserve in Manchester Township, **York County** with an expiration date of August 27, 2015. Permit issued: September 3, 2014.

**Permit No. 51144001. Controlled Demolition**, (2737 Merrymans Mill Road, Phoenix, MD 31131), blast for demolition of Queen Lane Apartments in the City of Philadelphia, **Philadelphia County** with an expiration date of September 13, 2014. Permit issued: September 4, 2014.

**Permit No. 15144110. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Ewing Tract in West Vincent Township, **Chester County** with an expiration date of September 1, 2015. Permit issued: September 4, 2014.

**Permit No. 35144107. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Valley View Business Park in Archbald and Jessup Boroughs, **Lackawanna County** with an expiration date of August 29, 2015. Permit issued: September 4, 2014.

**Permit No. 36144148. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Green Park Development in Rapho Township, **Lancaster County** with an expiration date of August 30, 2015. Permit issued: September 4, 2014.

**Permit No. 36144149. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Weaverland Mennonite Church in East Earl Township, **Lancaster County** with an expiration date of December 30, 2014. Permit issued: September 4, 2014.

**Permit No. 40144110. Maurer & Scott Sales, Inc.**, (122 Thomas Street, Coopersburg, PA 18036), construction blasting at Camp Kresge in Dennison Township, **Luzerne County** with an expiration date of April 30, 2015. Permit issued: September 4, 2014.

**Permit No. 40144111. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Center Point in Pittston and Jenkins Townships, **Luzerne County** with an expiration date of September 30, 2015. Permit issued: September 4, 2014.

**Permit No. 66144107. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for CHK McDonough pad and access road in Meshoppen Township, **Wyoming County** with an expiration date of December 31, 2014. Permit issued: September 4, 2014.

**FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A.



§§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

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**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

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

To construct and maintain a sludge storage tank and associated piping and to maintain a concrete block control building, a concrete block U.V. Building, and Sequencing Batch Reactor (S.B.R.) tanks all located within the floodplains of the Juniata River (WWF-MF) and the Cocolamus Creek (TSF-MF). The project proposes to affect 0.093 acre of floodplain. The permit was issued on August 1, 2014. The permit was issued effective August 1, 2014.

**E67-912: Transcontinental Gas Pipe Line Company, LLC**, 2800 Post Oak Road, Level 17, Houston, TX 77056 in Lower Chanceford Township, **York County**, U.S. Army Corps of Engineers, Baltimore District

To modify and maintain an existing gas line facility that will temporally impact 0.38 acre of PEM/PSS wetlands and temporarily impact 0.29 acre of floodway of the Susquehanna River (WWF, MF) for the purpose of improving pipe line safety. The project is located east of River Road approximately 1.6 miles south of Route

372/Holtwood Road (Holtwood, PA Quadrangle, Latitude: 39°47'51.2"N, Longitude: 76°18'26.0"W) in Lower Chanceford Township, York County. Wetland impacts are temporary and wetland replacement is not required. The permit was issued effective 8/29/14.

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

**E02-1694. Orchard Hill Church**, 2551 Brandt School Road, Wexford, PA 15090; Franklin Park Borough, **Allegheny County**; ACOE Pittsburgh District.

Has been given consent to place and maintain fill in a de minimus amount of wetland (approx. 0.03 acre of PEM wetland), for the purpose of constructing a parking lot, in association with constructing building additions, at the Orchard Hill Church, located on the west side of Brandt School Road, approximately 2,500.0 feet south from the intersection of Brandt School Road and Wexford Road (Emsworth, PA quadrangle, N: 19.88 inches; W: 12.95 inches; Latitude: 40° 36' 34"; Longitude: -80° 5' 36"), in Franklin Park Borough, Allegheny County.

**E56-375. Pennsylvania Department of Transportation District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648; Conemaugh Township, **Somerset County**; ACOE Pittsburgh District.

Has been given consent to remove the existing SR 4016, single lane, 15 ft width, single span bridge having a total span length of 44 ft, and having a minimum underclearance of 5.0 ft; and to construct and maintain a single span, two lane, 35.4 ft width replacement bridge having a total span length of 50 ft, and having a minimum underclearance of 5.25 ft, shifted approximately 10 ft on center upstream over South Fork Bens Creek (HQ-CWF) with a drainage area of 17.0 square miles. In addition the project includes a de minimis 0.016 acre of EV/PEM wetland fill; temporary impacts to 225 linear feet of South Fork Bens Creek and 0.019 acre of EV/PEM wetland for construction and demolition; and encroachments associated with modification or replacement of stormwater facilities from the road alignment adjustment and new bridge. The PennDOT improvement and relocation project is in Conemaugh Township, north of Jerome, PA (Hooversville Quadrangle; N: 19.2 inches; W: 14.8 inches; Latitude 40° 13' 51.37"; Longitude -78° 58' 54") in Somerset County.

**E63-651. Wayne & Cheryl Griffith**, 10 Hillman Street, Bentleyville, PA 15314; West Bethlehem Township, **Washington County**; ACOE Pittsburgh District.

Has been given consent to construct and maintain a bridge with a span of 20 feet, clearance of 5.25 feet and a width of approximately 16 feet in Little Daniels Run (WWF), for the purpose of providing access to a single family home. The project is located off of Marianna-Lone Pine Road, approximately 2600' northwest of its intersection with Scenery Hill Road (Ellsworth, PA Quadrangle; N: 6.74 inches; W: 13.75 inches; Latitude: 40° 2' 13.56"; Longitude: -80° 5' 53.73"), in West Bethlehem Township, Washington County.

**E63-656. Brayman Construction Corporation**, 1000 John Roebing Way, Saxonburg, PA 16059; Speers Borough, **Washington County**; ACOE Pittsburgh District.

Has been given consent to construct and maintain a temporary concrete casting bed approximately 115.0 feet in length x 50.0 feet in width on the left bank of the Monongahela River (WWF) for the purpose of pouring precast concrete structures in support of the US Army

Corps of Engineers' construction of the Charleroi Lock and Dam 4. The project is located at the existing Magavitt Barge Docks at River Mile 41.5, approximately 1,500.0 feet downstream from the Interstate 70 Bridge (USGS Quadrangle: Monongahela, PA; Latitude: 39° 07' 39.98"; Longitude: -79° 53' 03.12"), in Speers Borough, Washington County.

*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E0829-089: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Terry and Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,336 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'22", Longitude: -76°20'14");

2. a 6 inch diameter natural gas line and a timber mat bridge impacting 125 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'22", Longitude: -76°20'15");

3. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 222 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'24", Longitude: -76°20'34");

4. a 6 inch diameter natural gas line and a timber mat bridge impacting 120 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'30", Longitude: -76°20'34");

5. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 3,077 square feet of a Palustrine Emergent and Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'30", Longitude: -76°20'35");

6. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 9,221 square feet of a Palustrine Emergent and Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'34", Longitude: -76°20'40");

7. a temporary timber mat bridge impacting 5,371 square feet of a Palustrine Emergent and Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'36", Longitude: -76°20'43");

The project will result in 245 linear feet or 2,095 square feet of temporary stream impacts and impacts 9,262 square feet (0.21 acre) of temporary PEM and 9,965 square feet (0.23 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Terry and Wilmot Township, Bradford County. The permittee will provide 0.46 acre of wetland enhancement mitigation at the Wilmot Mitigation Site (Colley, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°17'28").

**E0829-090: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. an 8 inch diameter natural gas line and a temporary timber mat bridge impacting 206 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) and impacting 118 square feet of an adjacent Palustrine

Forested Wetland (Colley, PA Quadrangle, Latitude: 41°35'33", Longitude: -76°19'14");

The project will result in 206 linear feet or 4,761 square feet of temporary stream impacts and impacts 118 square feet (0.01 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County. The permittee will provide 0.36 acre of wetland enhancement mitigation at the Wilmot Mitigation Site (Colley, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°17'28").

**E5829-069. Ararat, Gibson, and Jackson Townships**, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Ararat, Gibson, and Jackson Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 104 linear feet of an unnamed tributary to Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 12" Lat., W -75° 33' 40" Long.),

2) a 16-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 89 linear feet of an unnamed tributary to Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 22" Lat., W -75° 33' 32" Long.),

3) a 16-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 4,020 square feet (0.09 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 49' 01" Lat., W -75° 33' 49" Long.),

4) a 16-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 21,132 square feet (0.49 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 48' 54" Lat., W -75° 33' 54" Long.),

5) a 16-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 81 linear feet of an unnamed tributary to Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 48' 49" Lat., W -75° 33' 54" Long.),

6) a 16-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 1,214 square feet (0.03 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 48' 49" Lat., W -75° 33' 54" Long.),

7) a 16-inch diameter natural gas pipeline crossing impacting 98 square feet (0.01 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 48' 24" Lat., W -75° 34' 09" Long.),

8) a 16-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 14,565 square feet (0.33 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 48' 21" Lat., W -75° 34' 08" Long.),

9) a 16-inch diameter natural gas pipeline crossing impacting 27 linear feet of an unnamed tributary to Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 48' 26" Lat., W -75° 34' 04" Long.),

10) a 16-inch diameter natural gas pipeline crossing impacting 6 linear feet of an unnamed tributary to Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 48' 30" Lat., W -75° 34' 00" Long.),

11) a 16-inch diameter natural gas pipeline crossing impacting 85 square feet (0.01 acre) of a PSS wetland (Thompson, PA Quadrangle; N 41° 48' 30" Lat., W -75° 34' 00" Long.).



The project consists of constructing approximately 13,950 lineal feet (2.7 miles) of 16" natural gas gathering line, within a maintained 50 to 75 foot permanent right of way located in Ararat, Gibson, and Jackson Townships, Susquehanna County. The project will result in 280 lineal feet of temporary stream impacts, and 0.94 acre of temporary wetland impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Attn: David Fromell, Environmental Program Manager; P. O. Box 69205, Harrisburg, PA 17106.*

**EA1010-002. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, P. O. Box 69205, Harrisburg, PA 17106. Abandoned Mine Land Reclamation Project, in Clay Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 3,560 linear feet of dangerous highwalls. The project will include the backfilling of 0.46 acre of open water and less than 0.09 acre of wetlands with poor water quality that have developed within the open surface mine pits. (Mount Chestnut Quadrangle 40° 58' 5.07" N, 79° 54' 16.54" W).

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued. Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania 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 # ESX12-015-0171 (01)  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford County  
Township(s) Overton Township  
Receiving Stream(s) and Classification(s) UNT to Millstone Creek, UNT to Deep Hollow Creek (HQ);

Secondary: Schrader Creek (HQ-CWF/MF), Millstone Creek (Trib to Schrader Creek)

ESCGP-2 # ESX29-117-14-0013  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga County  
Township(s) Chatham Township  
Receiving Stream(s) and Classification(s) Losey Creek (WWF/MF), UNT to Crooked Creek (WWF/MF);  
Secondary: Tioga River

ESCGP-2 # ESX29-115-14-0056  
Applicant Name Williams Field Services Company, LLC  
Contact Person Julie Nicholas  
Address 310 State Route 29 North  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna County  
Township(s) Middletown Township  
Receiving Stream(s) and Classification(s) North Branch Wyalusing Creek (CWF/MF)

ESCGP-2 # ESX29-131-14-0012  
Applicant Name Cabot Oil & Gas  
Contact Person Bart Roberts  
Address Five Penn Center West, Suite 401  
City, State, Zip Pittsburgh, PA 15276  
County Wyoming county  
Township(s) Nicholson Township  
Receiving Stream(s) and Classification(s) Tunkhannock Creek #4043 (TSF/MF)

ESCGP-2 # ESX29-015-14-0063  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 IST Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Towanda Township  
Receiving Stream(s) and Classification(s) Towanda Creek, French Run (CWF/MF)

ESCGP-2 # ESX29-015-14-0061  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruska  
Address 50 Pennwood Place  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township  
Receiving Stream(s) and Classification(s) UNT to North Branch Towanda Creek (CWF/MF);  
Secondary: North Branch Towanda Creek

ESCGP-2 # ESG29-035-14-0005  
Applicant Name Regency Marcellus Gas Gathering  
Contact Person Kevin Roberts  
Address 101 West Third Street  
City, State, Zip Williamsport, PA 17701  
County Clinton County  
Township(s) Gallagher Township  
Receiving Stream(s) and Classification(s) Craig Fork (EV/MF), Chatham Run (HQ-CWF/MF);  
Secondary: West Branch Susquehanna River (WWF/MF)

ESCGP-2 # ESG29-081-14-0028  
Applicant Name Range Resources—Appalachia, LLC  
Contact Person Mary C. Patton  
Address 100 Throckmorton Street, Suite 100  
City, State, Zip Fort Worth, TX 76102  
County Lycoming County  
Township(s) Mifflin Township

Receiving Stream(s) and Classification(s) UNT Larry's Creek, Larry's Creek (EV);  
Secondary: West Branch Susquehanna River (WWF)

ESCGP-2 # ESX29-015-14-0062  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruska  
Address 50 Pennwood Place  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Granville Township  
Receiving Stream(s) and Classification(s) North Branch Towanda Creek (TSF/MF);  
Secondary: Towanda Creek (TSF/MF)

ESCGP-2 # ESX29-033-14-0001  
Applicant Name Campbell Oil & Gas, Inc.  
Contact Person W. E. Wood  
Address 625 Kolter Drive, Suite 6  
City, State, Zip Indiana, PA 15701  
County Clearfield County  
Township(s) Jordan Township  
Receiving Stream(s) and Classification(s) Comfort Run and McDonald Run (CWF);  
Secondary: North Witmer Run

ESCGP-2 # ESX29-015-14-0060  
Applicant Name Chief Oil & Gas, LLC  
Contact Person Jeffrey Deegan  
Address 6051 Wallace Road Ext., Suite 300  
City, State, Zip Wexford, PA 15090  
County Bradford County  
Township(s) Stevens and Pike Townships  
Receiving Stream(s) and Classification(s) UNT to Rockwell Creek (WWF);  
Secondary: Rockwell Creek

ESCGP-2 # ESCP 08-09-811 (01)  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Joseph Katruska  
Address 50 Pennwood Place  
City, State, Zip Warrendale, PA 15086  
County Bradford County  
Township(s) Troy Township  
Receiving Stream(s) and Classification(s) UNT to North Branch Towanda Creek (CWF/MF);  
Secondary: Towanda Creek

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

ESCGP-2 No: ESX14-007-0006  
Applicant Name: ABARTA Oil & Gas Co Inc  
Contact Person Mr John J Emmerling  
Address: 200 Alpha Drive  
City: Pittsburgh State: PA Zip Code: 15238  
County: Beaver Township: Franklin  
Receiving Stream(s) And Classifications: UNTs to Camp Run (WWF), Slippery Rock Creek Watershed; Other WWF

ESCGP-2 No.: ESX14-059-0039  
Applicant Name: Chevron Appalachia LLC  
Contact Person: Mr Branden Weimer  
Address: 800 Mountain View Drive  
City: Smithfield State: PA Zip Code: 15478  
County: Greene Township(s): Dunkard  
Receiving Stream(s) and Classifications: Meadow Run and UNT to Meadow Run—All are designated WWF, in Ch 93.

ESCGP-2 No.: ESX14-125-0019 Major Revision  
Applicant Name: EQT Production Company  
Contact Person: Mr Todd Klaner  
Address: 455 Racetrack Road Suite 101  
City: Washington State: PA Zip Code: 15301  
County: Washington Township(s): Peters/Union  
Receiving Stream(s) and Classifications: UNTs Peters Creek (TSF)/Middle Monongahela River; Other TSF

ESCGP-2 No.: ESX14-125-0004  
Applicant Name: Noble Energy Inc  
Contact Person: Mr Christopher London  
Address: 333 Technology Drive Suite 116  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): West Finley  
Receiving Stream(s) and Classifications: 2 UNTs to Enlow Fork/Wheeling Creek; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESG14-059-0002  
Applicant Name: EQT Gathering LLC  
Contact Person: Ms Hanna E McCoy  
Address: 625 Liberty Avenue Suite 1700  
City: Pittsburgh State: PA Zip Code: 15222  
COUNTY Greene Township(s): Center  
Receiving Stream(s) and Classifications: West Run, Scott Run, Browns Creek, all HQ-WWF; HQ; Other High Quality Warm Water Fishes

ESCGP-2 No.: ESG13-063-0008  
Applicant Name: CNX Gas Company LLC  
Contact Person: Mr Jonathan Madill  
Address: 280 Indian Springs Road Suite 333  
City: Indiana State: PA Zip Code: 15701  
County: Indiana Township(s): North Mahoning  
Receiving Stream(s) and Classifications: Little Mahoning Creek; HQ

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## SPECIAL NOTICES

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### DRINKING WATER STATE REVOLVING FUND Special Notice

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#### Special Notice Under the federal Safe Drinking Water Act (SDWA); 42 U.S.C. 300f, et. seq.

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Blacklick Valley Municipal Authority	PO Box 272 Twin Rocks, PA 15960	Cambria

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project.

This water system improvements project consists of approximately 10,687 LF of 8 inch diameter water main, internal treatment systems to reduce disinfection byproducts in the existing 365,000 and 300,000 gallon capacity water storage tanks (Pindleton and Vintondale), 856 water service meters, tank control equipment and related appurtenances. Total project cost is calculated to be \$1,998,000.00. The project will add 21 customers and existing customers along State Route 271 and Cardiff Road, all in Blacklick Township and Vintondale Borough who have inadequate water pressure and fire flow. A PennVest planning consultation was held on August 20, 2013.

The new and replacement water main follows the alignment of existing roads. The existing land use will not be significantly altered by the proposed project. No buildings are to be disturbed.

[Pa.B. Doc. No. 14-1962. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Nutrient Credit Trading Program; Certification Requests

The Department of Environmental Protection (Department) provides notice of the following certification requests that have been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

#### *Credit Certification Requests*

The following requests are being reviewed by the Department. The Department will accept written comments on these proposed pollutant reduction activities for 20 days.

<i>Applicant</i>	<i>Pollutant Reduction Activity Description</i>
Municipal Authority of Ralpho Township (Northumberland County) (NPDES Permit No. PA-0023738)	This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of the township's installed wastewater treatment process.
City of Lebanon Wastewater Treatment Plant (Lebanon County) (NPDES Permit No. PA-002736)	This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of the township's installed wastewater treatment process.

#### *Written Comments*

Interested persons must submit written comments on these credit certification requests by October 10, 2014. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Jay Braund, Department of Environmental Protection, Bureau of Point and Non-Point Source Management, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-5636, jbraund@pa.gov.

For further information about these certification requests or the Trading Program contact Jay Braund, at the previously listed address or phone number, or visit the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keywords: "Nutrient Trading").

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1963. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Public Listening Session; Clean Power Plan

The Department of Environmental Protection (Department) will hold a listening session to obtain input on the United States Environmental Protection Agency (EPA) proposed Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (Clean Power Plan) under section 111(d) of the Federal Clean Air Act (42 U.S.C.A. § 7411(d)). The listening session will be held on September 25, 2014, at 9 a.m. in the Honors Suite, 333 Market Street, Harrisburg, PA 17101. The EPA proposed the Clean Power Plan at 79 FR 34830 (June 18, 2014). Comments are due to the EPA by October 16, 2014.

Prior to finalizing the Department's comments on the proposed Clean Power Plan, the public is invited to present their position and comments on the Clean Power Plan at the September 25, 2014, listening session. To ensure that an opportunity is provided to speak during this session, interested parties should register with the Department by September 22, 2014. Registered speakers will be allowed no more than 15 minutes to present their position and comments on the EPA's proposed Clean Power Plan. The Department may then ask the speaker clarifying questions, if necessary. Prior to the end of the session, a brief period will be allotted for input from unregistered speakers. Speakers should provide three copies of their written comments to the Department during the listening session.

To register for the listening session, contact Tammy Adams at (717) 772-2725 or [taadams@pa.gov](mailto:taadams@pa.gov) no later than September 22, 2014.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1964. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Reclamation Fee O&M Trust Account; Notice of Availability of Draft Fiscal Year Report

The Department of Environmental Protection (Department) announces the availability of a draft Fiscal Year Report for the Reclamation Fee O&M Trust Account. This account was established to provide the money for the operation and maintenance of mine drainage treatment facilities at mine sites with post-mining discharges at ABS Legacy Sites as defined in 25 Pa. Code § 86.1 (relating to definitions). This report is required by 25 Pa. Code § 86.17 (relating to permit and reclamation fees). The report contains a financial analysis of the revenue and expenditures from the account for Fiscal Year (FY) 2013-2014 and provides projections for the FY 2014-2015. The report and any comments provided will be reviewed with the Mining and Reclamation Advisory Board at its October 23, 2014, meeting.

The report is available for review on the Department's web site at [www.portal.state.pa.us/portal/server.pt/community/reports/20866](http://www.portal.state.pa.us/portal/server.pt/community/reports/20866).

Comments and questions regarding the report should be directed to William S. Allen, Jr., Bureau of Mining Programs, Rachel Carson State Office Building, P. O. Box 8461, Harrisburg, PA, 17105-8461, (717) 787-5103, [wallen@pa.gov](mailto:wallen@pa.gov). Persons with a disability may contact the Department by using the Pennsylvania AT&T Relay Service at



(800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Comments will be accepted through October 17, 2014.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1965. Filed for public inspection September 19, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of PinnacleHealth Hospital (Weight Loss Clinic @ Silver Spring) for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that PinnacleHealth Hospital (Weight Loss Clinic @ Silver Spring, 21 Waterford Drive, Mechanicsburg) has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 3.1-3.6.1, 3.1-3.6.6, 3.1-3.6.7, 3.1-3.6.9, 3.1-6.2.5 and 3.1-7.2.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1966. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Brookside HealthCare and Rehabilitation Center  
2630 Woodland Road  
Roslyn, PA 19001  
FAC ID # 181502

Schuylkill Medical Center—South Jackson Street Transitional Care Unit  
420 South Jackson Street  
Pottsville, PA 17901  
FAC ID # 42100201

Weston Rehabilitation & Nursing Center  
1896 Leithsville Road  
Hellertown, PA 18055  
FAC ID # 390202

The following long-term care nursing facility is seeking exceptions to 28 Pa. Code §§ 201.17 and 205.38(b) (relating to location; and toilet facilities):

LifeCare Hospitals of Pittsburgh SNF Unit—Penn Avenue Campus  
225 Penn Avenue  
Pittsburgh, PA 15221  
FAC ID # 23980201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Riverstreet Manor  
440 North River Street  
Wilkes-Barre, PA 18702  
FAC ID # 185302

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. 14-1967. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Task Force on Lyme Disease and Related Tick-Borne Diseases Meeting

The Department of Health (Department) will be holding a public meeting on Wednesday, September 24, 2014, from 10 a.m. to 3 p.m. This is the initial meeting of the Task Force on Lyme Disease and Related Tick-Borne Diseases. The meeting purpose includes making recommendations to the Department regarding the surveillance and prevention of Lyme disease and related tick-borne illnesses; raising awareness about the effects of the misdiagnosis of Lyme disease; and developing a program of general public and health care professional information and education.



The meeting will be held at the Dixon University Center, 2986 North Second Street, Administration Building, Room AB, Harrisburg, PA 17110-1201.

For additional information contact Keri-Ann Faley, Program Officer, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5900.

Individuals with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Terry L. Walker, Administrative Officer at (717) 787-6214 by 4 p.m. on Monday, September 22, 2014.

This meeting is subject to cancellation without notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1968. Filed for public inspection September 19, 2014, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Payment for Nursing Facility Services Provided by County Nursing Facilities; Pay for Performance Incentive Payments to County Nursing Facilities in Fiscal Year 2014-2015

This announcement provides advance notice that the Department of Public Welfare (Department) intends to continue to make pay for performance incentive payments to qualified county nursing facilities in Fiscal Year (FY) 2014-2015.

#### *Background*

For FY 2006-2007 through 2013-2014 the Department provided pay for performance incentive payments to qualified county nursing facilities. The qualifying criteria and formula used to determine those payments is in the Commonwealth's approved State Plan.

The Department intends to continue the pay for performance incentive payments to qualifying county nursing facilities for FY 2014-2015. To qualify for these payments, a county nursing facility must be a county nursing facility at the time of payment and its Medical Assistance (MA) case-mix index (CMI) for the picture date within the pay for performance payment period must be higher than its facility MA CMI for the previous picture date. To determine the payments, the Department will ascertain the total quarterly funds available for the performance incentive payments and divide that amount by the total MA days for all county nursing facilities meeting the qualifying criteria. The MA days used for each county nursing facility will be the paid MA days identified on the most recent PROMISE data file used to determine eligibility for disproportionate share payments.

To authorize the continuation of the payments for FY 2014-2015 the Department will submit a State Plan Amendment (SPA) to the Federal Centers for Medicare and Medicaid Services (CMS).

Contingent upon the approval by the CMS of the SPA, the Department will continue pay for performance incentive payments to qualified county nursing facilities for FY 2014-2015. The first payment for 2014-2015 will not be made prior to the second quarter of FY 2014-2015. The

payments will be made quarterly to qualified county nursing facilities according to the criteria and formula in the Commonwealth's approved State Plan.

#### *Fiscal Impact*

The payments are estimated to cost the Department \$6.271 million (\$3.021 million in State funds) in FY 2014-2015.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-902. (1) General Fund; (2) Implementing Year 2014-15 is \$3,021,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$820,409,000; 2012-13 Program—\$770,903,000; 2011-12 Program—\$737,356,000; (7) MA—Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-1969. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Payments to Nonpublic and County Nursing Facilities; Final Rates for State Fiscal Year 2014-2015

This notice announces the Department of Public Welfare's (Department) final annual case-mix per diem payment rates for State Fiscal Year (FY) 2014-2015 for nonpublic and county nursing facilities that participate in the Medical Assistance (MA) Program.

#### *Nonpublic Nursing Facility Per Diem Rates*

As required by the case-mix payment methodology in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting), the Department annually sets an annual MA per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate is comprised of four components: resident care; other resident related; administrative; and capital. For each quarter of FY 2014-2015, the Department will adjust the resident care component of each facility's rate by multiplying the resident care component by the facility's MA case-mix index (CMI) for the appropriate picture date.

The Federal Centers for Medicare and Medicaid Services (CMS) approved State Plan Amendment (SPA) 13-022 on November 7, 2013, which includes the budget adjustment factor (BAF) formula the Department will use for nonpublic nursing facilities in FY 2014-2015. SPA 13-022 states that the BAF will limit the estimated Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the average payment rate in effect for the fiscal year is limited to the amount permitted by the funds appropriated by the General Appropriations Act for the fiscal year. For FY 2014-2015, the Department calcu-

lated a base BAF for nonpublic nursing facilities for July, October and January rates. The formula the Department used to determine a base BAF equals the target rate divided by the acuity-adjusted weighted average rate. For the April BAF, the weighted average April rate will be compared to the April target rate. If the difference between the weighted average April rate and the April target rate is more than \$0.25, a BAF for the April-June 2015 calendar quarter will be determined by dividing the April target rate by the weighted average April rate at 100%. For the 2014-2015 rate year, July, October and January rates, the base BAF is 0.84265. The BAF for the April-June 2015 calendar quarter will be in the April 2015 rate file that will be posted on the Department's web site prior to April 1.

#### *County Nursing Facility Per Diem Rates*

As required by the rate methodology in 55 Pa. Code Chapter 1189, Subchapter D (relating to rate setting), the Department annually sets an annual MA per diem rate for each county nursing facility provider. As stated in 55 Pa. Code § 1189.91(b) (relating to per diem rates for county nursing facilities), for each rate year beginning on or after July 1, 2007, the per diem rate paid to a county nursing facility for a rate year will be the facility's prior rate year per diem multiplied by a BAF.

In addition, as required by 55 Pa. Code § 1189.91(d), the Department followed the formula set forth in the Commonwealth's approved State Plan to determine that the BAF for FY 2014-2015 for county nursing facilities is 1.017. The CMS approved the SPA 13-021 on November 7, 2013, which includes the BAF formula the Department will use for county nursing facilities in FY 2014-2015.

The SPA 13-021 states that for rate setting year 2014-2015, the BAF shall limit the estimated Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the average payment rate is limited to the amount permitted by the funds appropriated by the General Appropriations Act. The BAF as it applies to county nursing facilities is 1.017.

The final annual per diem rates for FY 2014-2015 rate year are available on the Department's web site at [www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm) and at local county assistance offices (CAO) throughout this Commonwealth or by contacting Marilyn Yocum, Department of Public Welfare, Office of Long-Term Living at (717) 772-2549. As they become available, the adjusted quarterly rates will be accessible on the Department's web site, at CAOs or by contacting Marilyn Yocum.

#### *Public Process*

The Department published a notice announcing its proposed case-mix per diem payment rates for nonpublic and county nursing facilities for FY 2014-2015 at 44 Pa.B. 3821 (June 21, 2014) and invited interested persons to submit comments. No comments were received by the Department in response to the proposed rate notice.

#### *Appeals*

Following publication of this notice, the Department will send rate letters to each MA nursing facility to notify the facilities of their final rates for FY 2014-2015. The rate letter will also advise each facility that it may file an administrative appeal if the facility believes that the Department made any errors or otherwise disagrees with its final rates for FY 2014-2015. A provider's appeal must be in writing and filed with the Department's Bureau of

Hearings and Appeals, 2330 Vartan Way, 2nd Floor, Harrisburg, PA 17110-9721, within 33 days of the date of the Department's letter notifying the facility of its final rates. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals) and to the Department's regulations in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures) for more detail regarding their appeal rights and the requirements related to written appeals.

#### *Fiscal Impact*

The change in payment rates will result in an estimated cost of \$43.772 million (\$20.903 million in State funds) for per diem rate payments to nonpublic nursing facilities and an estimated cost of \$8.579 million (\$4.097 million in State funds) for per diem rate payments for county nursing facilities' FY 2014-2015 rates compared to the facilities' FY 2013-2014 per diem rates. Funding for these changes has been included in the MA Long-Term Care appropriation.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-904. (1) General Fund; (2) Implementing Year 2014-15 is \$25,000,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$27,273,000; (4) 2013-14 Program—\$820,409,000; 2012-13 Program—\$770,903,000; 2011-12 Program—\$737,356,000; (7) MA—Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-1970. Filed for public inspection September 19, 2014, 9:00 a.m.]

### **Peer Groups, Peer Group Medians and Peer Group Prices for Nonpublic Nursing Facilities Including Hospital-Based Nursing Facilities and Special Rehabilitation Facilities for Fiscal Year 2014-2015**

The purpose of this notice is to announce the Department of Public Welfare's (Department) peer groups, peer group medians and peer group prices for nonpublic nursing facilities including hospital-based nursing facilities and special rehabilitation facilities (SRF) codified at 55 Pa. Code Chapter 1187, Appendix B (relating to medians and prices) under 55 Pa. Code § 1187.95(a)(4) (relating to general principles for rate and price setting). The Department used the peer groups, peer group medians and peer group prices to determine case-mix rates for nonpublic nursing facilities for State Fiscal Year (FY) July 1, 2014, through June 30, 2015. The Department calculated the peer groups, peer group medians and peer group prices announced in this notice in accordance with 55 Pa. Code Chapter 1187 (relating to nursing facility

services). The data that the Department used to determine the peer group medians and prices is available on the web site for the Department at [www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm).

To establish the database for the calculation of peer group medians and prices, the Department used each nursing facility's three most recent audited cost reports that were issued by the Department on or before March 31, 2014, and indexed the costs for each report forward to the common date of December 31, 2014, using the Federal Centers for Medicare and Medicaid Services Nursing Home Without Capital Market Basket Index. The following is a listing, by group, of the number of nursing facilities with a particular year-end and the inflation factor used to roll the costs of each facility forward to the common date of December 31, 2014.

**Nonpublic Nursing Facilities  
(other than hospital-based and special  
rehabilitation facilities)**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2007	2	1.1872
December 31, 2007	2	1.1693
June 30, 2008	8	1.1440
December 31, 2008	10	1.1264
June 30, 2009	41	1.1178
December 31, 2009	324	1.1093
June 30, 2010	214	1.0964
December 31, 2010	342	1.0883
June 30, 2011	188	1.0715
December 31, 2011	331	1.0646
June 30, 2012	212	1.0510
December 31, 2012	18	1.0410

**Hospital-Based Nursing Facilities**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2010	13	1.0964
June 30, 2011	13	1.0715
June 30, 2012	13	1.0510

**Special Rehabilitation Facilities**

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
December 31, 2009	2	1.1093
June 30, 2010	6	1.0964
December 31, 2010	2	1.0883
June 30, 2011	6	1.0715
December 31, 2011	2	1.0646
June 30, 2012	6	1.0510

\* As a result of using the three most recent audited cost reports, the "Number of Facilities" column reflects a number in excess of actual enrolled nursing facilities.

After the database was inflated using the inflation values, the Department grouped the facilities in the correct geographic and bed size groupings. In accordance with 55 Pa. Code § 1187.94 (relating to peer grouping for price setting), to establish peer groups, the Department used the Metropolitan Statistical Areas (MSA) group classification published in the Federal Office of Management and Budget Bulletin No. 99-04, regarding revised statistical definitions of Metropolitan Areas and guidance on uses of Metropolitan Area definitions, to classify each nursing facility into one of three MSA groups or one non-MSA group. The Department then used the bed complement of the nursing facility on the final day of the

reporting period of the most recent audited MA-11 used in the Nursing Information System database to classify nursing facilities into one of three bed complement groups. These groups are 3—119 beds, 120—269 beds, and 270 beds and over. Peer groups 7 and 10 have been collapsed in accordance with 55 Pa. Code § 1187.94(1)(iv). Peer group 13 is designated for SRFs only and peer group 14 is designated for hospital-based nursing facilities only, regardless of geographic location or bed-size.

After the database was established and the peer groups determined, the Department calculated the medians and prices for each peer group. For peer group 13, the Department arrayed the SRFs classified on or before July 1, 2000, to set the peer group median and prices for those facilities. The Department arrayed any SRFs classified after July 1, 2000, with all other SRFs to set their peer group medians and prices.

To calculate the resident care cost medians, the Department divided the inflated audited allowable resident care costs for each cost report by the total facility case-mix index from the available February 1 picture date closest to the midpoint of the cost report period to obtain case-mix neutral total resident care cost for the cost report year. The Department then divided the case-mix neutral total resident care cost for each cost report by the total audited actual resident days for the cost report year to obtain the case-mix neutral resident care cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the case-mix neutral resident care cost per diem for each nursing facility to obtain the average case-mix neutral resident care cost per diem of each facility. The Department arrayed the average case-mix neutral resident care cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the other resident related cost medians, the Department first divided the inflated audited allowable other resident related costs for each cost report by the total audited actual resident days for the cost report year to obtain the other resident related cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the other resident related cost for each nursing facility to obtain the average other resident related cost per diem of each facility. The Department arrayed the average other resident related cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the administrative cost medians, the Department adjusted, as appropriate, the total audited actual resident days for each cost report to a minimum 90% occupancy in accordance with 55 Pa. Code § 1187.23 (relating to nursing facility incentives and adjustments). The Department then divided the inflated audited allowable administrative cost for each cost report by the total audited actual resident days, adjusted to 90% occupancy, if applicable, to obtain the administrative cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the administrative cost for each nursing facility to obtain the average administrative cost per diem of each facility. The Department arrayed the average administrative cost per diem for each nursing facility within the respective peer groups to determine a median for each peer group.

After the medians were determined for each peer group, the Department set prices using the medians. To set peer group prices, the Department multiplied the resident care cost median of each peer group by 1.17 to obtain the



resident care cost peer group price; multiplied the other resident related cost median of each peer group by 1.12 to obtain the other resident related peer group price; and multiplied the administrative cost median of each peer group by 1.04 to obtain the administrative cost peer group price.

The peer groups, peer group medians and peer group prices for nonpublic nursing facilities including hospital-based and SRFs for Year 20 are in the list of Medians and Prices for 2014-2015.

A Medical Assistance nursing facility provider may file an administrative appeal if the facility believes that the Department made any errors or the provider otherwise disagrees with the Year 20 peer group prices that the Department established for its peer group. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of this notice. If a provider chooses to appeal, the provider will be afforded the opportunity for a de novo hearing before the Bureau of Hearings and Appeals. The peer group prices applied in setting the facility's rates may be changed as a result of the final adjudication of the facility's peer group price appeal.

Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals), and to the Department's regulations in 55 Pa.Code Chapter 41 (relating to Medical Assistance provider appeal procedures), for more detail regarding their appeal rights and the requirements related to their written appeals.

*Fiscal Impact*

There is no fiscal impact associated with this change in FY 2014-2015.

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-903. No fiscal impact; (8) recommends adoption.

**Appendix B**

**MEDIANS AND PRICES FOR 2014-2015**

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
1	ABRAMSON RESIDENCE	6/30/2012	6/30/2011	6/30/2010
1	BROOMALL REHAB AND NURSING CENTER	12/31/2011	12/31/2010	12/31/2009
1	CARE PAVILION NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
1	IMMACULATE MARY HOME	6/30/2012	6/30/2011	6/30/2010
1	SAINT FRANCIS COUNTRY HOUSE	6/30/2012	6/30/2011	6/30/2010
1	ST JOHN SPECIALTY CARE CENTER	6/30/2012	6/30/2011	6/30/2010
1	ST JOSEPH'S MANOR (DBA ENTITY OF HRHS)	6/30/2012	6/30/2011	6/30/2010
<i>PG1 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$166.74	\$53.26	\$27.98	
<i>PG1 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$195.09	\$59.65	\$29.10	
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	ANDORRA WOODS HEALTHCARE CENTER	12/31/2012	12/31/2011	12/31/2010
2	ASBURY HEALTH CENTER	12/31/2011	12/31/2010	12/31/2009
2	ATTLEBORO NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
2	BALA NURSING AND RETIREMENT CENTER	6/30/2012	6/30/2011	6/30/2010
2	BALDOCK HEALTH CARE CENTER	6/30/2012	6/30/2011	6/30/2010



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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	BALDWIN HEALTH CENTER	6/30/2012	6/30/2011	6/30/2010
2	BAPTIST HOMES OF WESTERN PENNSYLVANIA	6/30/2012	6/30/2011	6/30/2010
2	BEAVER VALLEY NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	BRANDYWINE HALL	6/30/2012	6/30/2010	6/30/2009
2	BRIARCLIFF PAVILION HEALTH AND REHAB CTR	12/31/2011	12/31/2010	12/31/2009
2	BRIARLEAF NURSING AND CONVAL CENTER	6/30/2012	6/30/2011	6/30/2010
2	BROOKSIDE HEALTHCARE AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
2	BROOMALL MANOR	12/31/2011	12/31/2010	12/31/2009
2	BROOMALL PRESBYTERIAN VILLAGE	12/31/2011	12/31/2010	12/31/2009
2	BRYN MAWR EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
2	BUCKINGHAM VALLEY REHAB AND NURSING CTR	6/30/2012	6/30/2011	6/30/2010
2	CARING HEART REHAB AND NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
2	CARING HEIGHTS COMMUNITY CARE & REHAB	12/31/2011	12/31/2010	12/31/2009
2	CATHEDRAL VILLAGE	6/30/2012	6/30/2011	6/30/2010
2	CENTENNIAL HEALTHCARE & REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
2	CHAPEL MANOR	6/30/2012	6/30/2010	6/30/2009
2	CHARLES M. MORRIS NURSING AND REHAB CTR	6/30/2012	6/30/2011	6/30/2010
2	CHELTENHAM NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	CHERRY TREE NURSING CENTER	12/31/2011	12/31/2010	12/31/2009
2	CHESTER VALLEY REHAB AND NURSING CENTER	12/31/2011	6/30/2008	6/30/2007
2	CHESTNUT HILL LODGE HEALTH AND REHAB CTR	12/31/2012	12/31/2011	12/31/2010
2	CLIVEDEN NSG & REHAB CTR	6/30/2011	6/30/2010	6/30/2009
2	CONCORDIA LUTHERAN HEALTH AND HUMAN CARE	6/30/2012	6/30/2011	6/30/2010
2	CONSULATE HEALTH CARE OF CHESWICK	12/31/2011	12/31/2010	12/31/2009
2	COUNTRY MEADOWS OF SOUTH HILLS	12/31/2011	12/31/2010	12/31/2009
2	CRANBERRY PLACE	6/30/2012	6/30/2011	6/30/2010
2	CRESTVIEW CENTER	6/30/2012	6/30/2010	6/30/2009
2	DEER MEADOWS RETIREMENT COMMUNITY	6/30/2012	6/30/2011	6/30/2010
2	ELKINS CREST HEALTH AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	EVANGELICAL MANOR	12/31/2011	12/31/2010	12/31/2009
2	FAIRVIEW CARE CENTER OF BETHLEHEM PIKE	6/30/2012	6/30/2010	6/30/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	FAIRVIEW CARE CENTER OF PAPERMILL ROAD	6/30/2012	6/30/2010	6/30/2009
2	FORBES CENTER FOR REHAB & HEALTHCARE LLC	12/31/2010	12/31/2009	12/31/2008
2	GARDEN SPRING CENTER	6/30/2012	6/30/2010	6/30/2009
2	GERMANTOWN HOME	6/30/2012	6/30/2011	6/30/2010
2	GLENDALE UPTOWN HOME	12/31/2011	12/31/2010	12/31/2009
2	GOLDEN LIVINGCENTER-DOYLESTOWN	12/31/2011	12/31/2010	12/31/2009
2	GOLDEN LIVINGCENTER-LANSDALE	12/31/2011	12/31/2010	12/31/2009
2	GOLDEN LIVINGCENTER-MONROEVILLE	12/31/2011	12/31/2010	12/31/2009
2	GOLDEN LIVINGCENTER-MT LEBANON	12/31/2011	12/31/2010	12/31/2009
2	GOLDEN LIVINGCENTER-MURRYSVILLE	12/31/2011	12/31/2010	12/31/2009
2	GOLDEN LIVINGCENTER-PHOENIXVILLE	12/31/2011	12/31/2010	12/31/2009
2	GOLDEN LIVINGCENTER-UNIONTOWN	12/31/2011	12/31/2010	12/31/2009
2	GREENERY SPECIALTY CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	GREENLEAF NURSING HOME AND CONVAL CENTER	6/30/2012	6/30/2011	6/30/2010
2	GREENSBURG CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	GWYNEDD SQUARE CTR FOR NSG & CONVAL CARE	6/30/2012	6/30/2011	6/30/2010
2	HARMAR VILLAGE CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	HARSTON HALL	6/30/2012	6/30/2010	6/30/2009
2	HEMPFIELD MANOR	12/31/2011	12/31/2010	12/31/2009
2	HIGHLAND PARK CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	HILLCREST CENTER	6/30/2012	6/30/2010	6/30/2009
2	HUMBERT LANE NURSING AND REHAB CENTRE	6/30/2012	6/30/2011	6/30/2010
2	IVY HILL REHABILITATION AND NURSING CTR	6/30/2012	6/30/2011	6/30/2010
2	LAFAYETTE-REDEEMER (DBA ENTITY OF HRHS)	6/30/2012	6/30/2011	6/30/2010
2	LANGHORNE GARDENS REHAB AND NURSING CTR	6/30/2012	6/30/2011	6/30/2010
2	LGAR HEALTH AND REHABILITATION CENTER	12/31/2011	12/31/2010	12/31/2009
2	LIFEQUEST NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
2	LITTLE FLOWER MANOR	6/30/2012	6/30/2011	6/30/2010
2	LOYALHANNA CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	LUTHER WOODS CONVALESCENT CENTER	12/31/2011	12/31/2010	12/31/2009
2	MAJESTIC OAKS	6/30/2012	6/30/2011	6/30/2010
2	MANATAWNY MANOR INC	12/31/2011	12/31/2010	12/31/2009

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	MANORCARE HEALTH SVCS-BETHEL PARK	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-GREEN TREE	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-HUNTINGDON VALLEY	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-KING OF PRUSSIA	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-LANSDALE	12/31/2012	12/31/2011	12/31/2010
2	MANORCARE HEALTH SVCS-MERCY FITZGERALD	6/30/2012	6/30/2011	6/30/2010
2	MANORCARE HEALTH SVCS-MONROEVILLE	12/31/2012	12/31/2011	12/31/2010
2	MANORCARE HEALTH SVCS-NORTH HILLS	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-PETERS TOWNSHIP	12/31/2012	12/31/2011	12/31/2010
2	MANORCARE HEALTH SVCS-PITTSBURGH	6/30/2012	6/30/2011	6/30/2010
2	MANORCARE HEALTH SVCS-POTTSTOWN	12/31/2012	12/31/2011	12/31/2010
2	MANORCARE HEALTH SVCS-SHADYSIDE	6/30/2012	6/30/2011	6/30/2010
2	MANORCARE HEALTH SVCS-WHITEHALL BOROUGH	12/31/2011	12/31/2010	12/31/2009
2	MANORCARE HEALTH SVCS-YARDLEY	12/31/2012	12/31/2011	12/31/2010
2	MANORCARE HEALTH SVCS-YEADON	12/31/2011	12/31/2010	12/31/2009
2	MAPLEWOOD NURSING AND REHABILITATION CTR	6/30/2011	6/30/2010	6/30/2009
2	MARIAN MANOR CORPORATION	6/30/2012	6/30/2011	6/30/2010
2	MASONIC VILLAGE AT SEWICKLEY	12/31/2011	12/31/2010	12/31/2009
2	MOUNT MACRINA MANOR NURSING HOME	6/30/2012	6/30/2011	6/30/2010
2	MOUNTAINVIEW SPECIALTY CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	OAKWOOD HEALTHCARE & REHABILITATION CTR	6/30/2012	6/30/2011	6/30/2010
2	OXFORD HEALTH CENTER	12/31/2011	12/31/2010	12/31/2009
2	PASSAVANT RETIREMENT AND HEALTH CENTER	6/30/2012	6/30/2011	6/30/2010
2	PAUL'S RUN	12/31/2011	12/31/2010	12/31/2009
2	PEMBROOKE HEALTH AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	PENN CENTER FOR REHABILITATION AND CARE	6/30/2012	6/30/2011	6/30/2010
2	PENNSBURG MANOR	6/30/2012	6/30/2010	6/30/2009
2	PHILADELPHIA PROTESTANT HOME	12/31/2011	12/31/2010	12/31/2009
2	PHOEBE RICHLAND HCC	6/30/2012	6/30/2011	6/30/2010

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	PINE RUN HEALTH CENTER	6/30/2012	6/30/2011	6/30/2010
2	POWERBACK REHABILITATION 1526	6/30/2012	6/30/2010	6/30/2009
2	POWERBACK REHABILITATION 1700	6/30/2012	6/30/2010	6/30/2009
2	POWERBACK REHABILITATION 3485	6/30/2012	12/31/2010	12/31/2009
2	PROSPECT PARK HEALTH AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	PROVIDENCE CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	QUAKERTOWN CENTER	6/30/2012	12/31/2010	12/31/2009
2	REGINA COMMUNITY NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
2	REHAB & NURSING CTR GREATER PITTSBURGH	12/31/2011	12/31/2010	12/31/2009
2	RENAISSANCE HEALTHCARE & REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	RIVER'S EDGE NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
2	RIVERSIDE CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	ROCHESTER MANOR	12/31/2011	12/31/2010	12/31/2009
2	SAINT ANNE HOME	6/30/2012	6/30/2011	6/30/2010
2	SAINT JOHN NEUMANN NURSING HOME	6/30/2012	6/30/2011	6/30/2010
2	SAINT MARTHA MANOR	6/30/2012	6/30/2011	6/30/2010
2	SAINT MARY'S MANOR	6/30/2012	6/30/2011	6/30/2010
2	SANATOGA CENTER	6/30/2012	6/30/2010	6/30/2009
2	SAUNDERS HOUSE	6/30/2012	6/30/2011	6/30/2010
2	SENECA PLACE	6/30/2012	6/30/2011	6/30/2010
2	SILVER LAKE CENTER	6/30/2012	6/30/2011	6/30/2010
2	SILVER STREAM CENTER	6/30/2012	6/30/2010	6/30/2009
2	SIMPSON HOUSE, INC	12/31/2011	12/31/2010	12/31/2009
2	SOMERTON CENTER	6/30/2012	6/30/2010	6/30/2009
2	SOUTHMONT OF PRESBYTERIAN SENIORCARE	12/31/2012	12/31/2011	12/31/2010
2	SQUIRREL HILL CTR FOR REHAB AND HEALING	12/31/2011	12/31/2010	12/31/2009
2	ST. BARNABAS NURSING HOME	12/31/2011	12/31/2010	12/31/2009
2	ST. IGNATIUS NURSING & REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	ST. MONICA MANOR	6/30/2012	6/30/2011	6/30/2010
2	STERLING HEALTH CARE AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	SUBURBAN WOODS HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
2	TEL HAI RETIREMENT COMMUNITY	6/30/2012	6/30/2011	6/30/2010
2	THE BELVEDERE CENTER, GENESIS HEALTHCARE	6/30/2012	6/30/2010	6/30/2009
2	TOWNE MANOR EAST	12/31/2011	12/31/2010	12/31/2009



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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	TUCKER HOUSE NSG & REHAB CTR	6/30/2011	6/30/2010	6/30/2009
2	TWIN PINES HEALTH CARE CENTER	12/31/2011	12/31/2010	12/31/2008
2	UPMC HERITAGE PLACE	6/30/2012	6/30/2011	6/30/2010
2	VALLEY MANOR NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	VILLA SAINT JOSEPH OF BADEN INC.	6/30/2012	6/30/2011	6/30/2010
2	VILLAGE AT PENNWOOD	6/30/2012	12/31/2010	12/31/2008
2	VINCENTIAN HOME	6/30/2012	6/30/2011	6/30/2010
2	WALLINGFORD NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	WESLEY ENHANCED LIVING AT STAPELY	6/30/2012	6/30/2011	6/30/2010
2	WEST HAVEN MANOR	6/30/2012	6/30/2010	6/30/2009
2	WEST HILLS HEALTH AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
2	WEXFORD HEALTHCARE CENTER	6/30/2012	6/30/2011	6/30/2010
2	WILLIAM PENN CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	WILLOW TERRACE	12/31/2011	6/30/2010	6/30/2009
2	WILLOWS OF PRESBYTERIAN SENIORCARE, THE	12/31/2012	12/31/2011	12/31/2010
2	WOODHAVEN CARE CENTER	12/31/2011	12/31/2010	12/31/2009
2	YORK NURSING AND REHABILITATION CENTER	6/30/2011	6/30/2010	6/30/2009

<i>PG2 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$140.55	\$43.94	\$24.85

<i>PG2 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$164.44	\$49.21	\$25.84

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	AMBLER EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
3	ARTMAN LUTHERAN HOME	6/30/2012	6/30/2011	6/30/2010
3	BARCLAY FRIENDS	12/31/2011	12/31/2010	12/31/2009
3	BEAVER ELDER CARE AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
3	BELAIR HEALTH AND REHABILITATION CENTER	6/30/2012	6/30/2011	6/30/2010
3	BELLE HAVEN SKILLED NURSING & REHAB CTR	12/31/2011	12/31/2010	12/31/2009
3	BETHLEN HM OF THE HUNGARIAN RFRMD FED	12/31/2011	12/31/2010	12/31/2009
3	BRINTON MANOR	6/30/2012	12/31/2010	12/31/2009
3	CANTERBURY PLACE	12/31/2011	12/31/2010	12/31/2009
3	CEDARS OF MONROEVILLE, THE	12/31/2011	12/31/2010	12/31/2009
3	CHANDLER HALL HEALTH SERVICES INC	12/31/2011	12/31/2010	12/31/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	CHICORA MEDICAL CENTER	6/30/2012	6/30/2011	6/30/2010
3	CHRIST'S HOME RETIREMENT CENTER	6/30/2012	6/30/2011	6/30/2010
3	CONNER-WILLIAMS NURSING HOME	6/30/2012	6/30/2011	6/30/2010
3	CONSULATE HEALTH CARE OF NORTH STRABANE	12/31/2011	12/31/2010	12/31/2009
3	COVENTRY MANOR HEALTH AND REHAB CTR	12/31/2011	12/31/2010	12/31/2009
3	DOCK TERRACE	6/30/2012	6/30/2011	6/30/2010
3	DRESHER HILL HEALTH AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
3	EDGEHILL NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
3	ELDERCREST NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
3	ELM TERRACE GARDENS	6/30/2012	6/30/2011	6/30/2010
3	EVERGREEN HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
3	FAIR WINDS MANOR	6/30/2012	6/30/2011	6/30/2010
3	FREDERICK LIVING - CEDARWOOD	12/31/2011	12/31/2010	12/31/2009
3	FRIENDSHIP VILLAGE OF SOUTH HILLS	12/31/2011	12/31/2010	12/31/2009
3	GOLDEN LIVINGCENTER-ROSEMONT	12/31/2011	12/31/2010	12/31/2009
3	GOLDEN LIVINGCENTER-SOUTH HILLS	12/31/2011	12/31/2010	12/31/2009
3	GOLDEN LIVINGCENTER-STENTON	12/31/2011	12/31/2010	12/31/2009
3	HARMON HOUSE CARE CENTER	12/31/2011	12/31/2010	12/31/2009
3	HAVENCREST NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
3	HENRY CLAY VILLA, LP	6/30/2012	6/30/2011	12/31/2009
3	HICKORY HOUSE NURSING HOME	12/31/2011	12/31/2010	12/31/2009
3	HOLY FAMILY HOME	12/31/2011	12/31/2010	12/31/2009
3	HOPKINS CENTER	6/30/2012	12/31/2010	12/31/2009
3	JEFFERSON HILLS MANOR	12/31/2011	12/31/2010	12/31/2009
3	KADE HEALTH AND REHABILITATION CENTER	12/31/2011	12/31/2010	12/31/2009
3	KEARSLEY REHAB AND NURSING CENTER	6/30/2011	6/30/2010	6/30/2008
3	LAFAYETTE MANOR, INC	12/31/2011	12/31/2010	12/31/2009
3	LATROBE HEALTH AND REHABILITATION CENTER	12/31/2011	6/30/2009	6/30/2008
3	LAUREL RIDGE CENTER	6/30/2012	6/30/2010	6/30/2009
3	LAWSON NURSING HOME, INC.	12/31/2011	12/31/2010	12/31/2009
3	LITTLE SISTERS OF THE POOR	12/31/2011	12/31/2010	12/31/2009
3	LUTHERAN COMMUNITY AT TELFORD	6/30/2012	6/30/2011	6/30/2010
3	MANORCARE HEALTH SERVICES - NORTHSIDE	6/30/2012	6/30/2011	6/30/2010
3	MARWOOD REST HOME, INC	6/30/2012	6/30/2011	6/30/2010

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	MASONIC VILLAGE AT LAFAYETTE HILL	12/31/2011	12/31/2010	12/31/2009
3	MASONIC VILLAGE AT WARMINSTER	12/31/2011	12/31/2010	12/31/2009
3	MCMURRAY HILLS MANOR	6/30/2012	6/30/2011	6/30/2010
3	MEADOWCREST NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
3	MEADOWS AT MARTINS RUN, THE	12/31/2011	12/31/2010	12/31/2009
3	MON VALLEY CARE CENTER	12/31/2011	12/31/2010	12/31/2009
3	NAAMANS CREEK COUNTRY MANOR	6/30/2012	6/30/2011	6/30/2010
3	NORTH HILLS HEALTH AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
3	OAK HILL NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
3	OAKMONT CENTER FOR NURSING AND REHAB	12/31/2011	12/31/2010	12/31/2009
3	PENNYPACK CENTER	6/30/2012	12/31/2010	12/31/2009
3	PETER BECKER COMMUNITY	6/30/2012	6/30/2011	6/30/2010
3	PHOEBE WYNCOTE	6/30/2012	6/30/2011	6/30/2010
3	PICKERING MANOR HOME	6/30/2012	6/30/2011	6/30/2010
3	PLATINUM RIDGE CTR FOR REHAB & HEALING	6/30/2012	6/30/2011	6/30/2010
3	REDSTONE HIGHLANDS HEALTH CARE CENTER	6/30/2012	6/30/2011	6/30/2010
3	REFORMED PRESBYTERIAN HOME	12/31/2011	12/31/2010	12/31/2009
3	RICHBORO REHAB AND NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
3	ROCKHILL MENNONITE COMMUNITY	6/30/2012	6/30/2011	6/30/2010
3	RYDAL PARK OF PHILADELPHIA PRSBYTR HOMES	12/31/2011	12/31/2010	12/31/2009
3	SAINT JOSEPH VILLA	6/30/2012	6/30/2011	6/30/2010
3	SAXONY HEALTH CENTER	12/31/2011	12/31/2010	12/31/2009
3	SCOTTDALE MANOR REHABILITATION CENTER	12/31/2011	12/31/2010	12/31/2009
3	SHERWOOD OAKS	6/30/2012	6/30/2011	6/30/2010
3	SOUDERTON MENNONITE HOMES	6/30/2012	6/30/2011	6/30/2010
3	SOUTH FAYETTE NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
3	SOUTHWESTERN NURSING CARE CENTER	6/30/2012	6/30/2011	6/30/2010
3	SPRINGS AT THE WATERMARK, THE	12/31/2011	12/31/2010	12/31/2009
3	STATESMAN HEALTH AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
3	TOWNE MANOR WEST	12/31/2011	12/31/2010	12/31/2009
3	TOWNVIEW HEALTH AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
3	TRANSITIONS HEALTHCARE AUTUMN GROVE	6/30/2012	6/30/2011	6/30/2010

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	VALENCIA WOODS AT ST BARNABAS	12/31/2011	12/31/2010	12/31/2009
3	VINCENTIAN DE MARILLAC	6/30/2012	6/30/2011	6/30/2010
3	WAYNE CENTER	6/30/2012	6/30/2011	6/30/2010
3	WESLEY ENHANCED LIVING-DOYLESTOWN	12/31/2011	12/31/2010	12/31/2009
3	WESTGATE REHABILITATION AND NURSING CTR	12/31/2011	6/30/2008	6/30/2007
3	WILLOWBROOKE COURT AT BRITTANY POINTE	12/31/2011	12/31/2010	12/31/2009
<i>PG3 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$138.99	\$46.97	\$26.13	
<i>PG3 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$162.62	\$52.61	\$27.18	
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4	ALLIED SERVICES SKILLED NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
4	CAMBRIA CARE CENTER	12/31/2011	12/31/2010	12/31/2009
4	COLONIAL MANOR NURSING HOME	12/31/2011	12/31/2010	12/31/2009
4	CONESTOGA VIEW	12/31/2011	12/31/2010	12/31/2009
4	CROSS KEYS VILLAGE-BRETHREN HM COMM, THE	6/30/2012	6/30/2011	6/30/2010
4	GOLDEN LIVINGCENTER-WEST SHORE	12/31/2011	12/31/2010	12/31/2009
4	LACKAWANNA HEALTH AND REHAB CENTER	12/31/2009	12/31/2008	12/31/2007
4	MASONIC VILLAGE AT ELIZABETHTOWN	12/31/2011	12/31/2010	12/31/2009
4	MOUNTAIN CITY NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
4	MOUNTAIN VIEW, A NURSING AND REHAB CTR	12/31/2011	12/31/2010	12/31/2009
4	PHOEBE HOME, INC	6/30/2012	6/30/2011	6/30/2010
4	SPRING CREEK REHAB AND HEALTH CARE CTR	12/31/2011	12/31/2010	12/31/2009
<i>PG4 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$158.09	\$54.22	\$22.42	
<i>PG4 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$184.97	\$60.73	\$23.32	
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	ABINGTON MANOR	6/30/2012	12/31/2010	12/31/2009
5	BERKSHIRE CENTER	6/30/2012	6/30/2010	6/30/2009
5	BERWICK RETIREMENT VILLAGE NRSNG CTR II	6/30/2012	6/30/2011	6/30/2010



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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	BIRCHWOOD NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
5	BLOOMSBURG HEALTH CARE CENTER	6/30/2012	6/30/2011	6/30/2010
5	BRETHREN VILLAGE	6/30/2012	6/30/2011	6/30/2010
5	COLONIAL PARK CARE CENTER	12/31/2011	12/31/2010	12/31/2009
5	CORRY MANOR	12/31/2011	12/31/2010	12/31/2009
5	EASTON HEALTH AND REHABILITATION CENTER	12/31/2011	12/31/2010	12/31/2009
5	EDINBORO MANOR	12/31/2011	12/31/2010	12/31/2009
5	EPHRATA MANOR	12/31/2011	12/31/2010	12/31/2009
5	FAIRVIEW MANOR	12/31/2011	12/31/2010	12/31/2009
5	FELLOWSHIP MANOR	6/30/2012	6/30/2011	6/30/2010
5	FREY VILLAGE	12/31/2011	12/31/2010	12/31/2009
5	GOLDEN LIVINGCENTER-EAST MOUNTAIN	12/31/2011	12/31/2010	12/31/2009
5	GOLDEN LIVINGCENTER-LANCASTER	12/31/2011	12/31/2010	12/31/2009
5	GOLDEN LIVINGCENTER-READING	12/31/2011	12/31/2010	12/31/2009
5	GOLDEN LIVINGCENTER-SCRANTON	12/31/2011	12/31/2010	12/31/2009
5	GOLDEN LIVINGCENTER-SUMMIT	12/31/2011	12/31/2010	12/31/2009
5	GOLDEN LIVINGCENTER-TUNKHANNOCK	12/31/2011	12/31/2010	12/31/2009
5	GOLDEN LIVINGCENTER-WESTERN RESERVE	12/31/2011	12/31/2010	12/31/2009
5	HANOVER HALL	12/31/2011	12/31/2010	12/31/2009
5	HARRISON SENIOR LIVING OF CHRISTIANA	12/31/2011	12/31/2010	12/31/2009
5	HIGHLAND MANOR NURSING AND CONVAL CENTER	6/30/2012	6/30/2011	6/30/2010
5	HOLY FAMILY MANOR	12/31/2011	12/31/2010	12/31/2009
5	HOMEWOOD AT PLUM CREEK	12/31/2011	12/31/2010	12/31/2009
5	JEWISH HOME OF EASTERN PENNSYLVANIA	12/31/2011	12/31/2010	12/31/2009
5	JEWISH HOME OF GREATER HARRISBURG	6/30/2012	6/30/2011	6/30/2010
5	KUTZTOWN MANOR	6/30/2012	6/30/2011	6/30/2010
5	LANCASHIRE HALL	12/31/2011	12/31/2010	12/31/2009
5	LAUREL CENTER	6/30/2012	12/31/2010	12/31/2009
5	LEHIGH CENTER	6/30/2012	6/30/2010	6/30/2009
5	LIBERTY NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
5	LITTLE FLOWER MANOR OF DIOCESE SCRANTON	12/31/2011	12/31/2010	12/31/2009
5	LUTHERAN HOME AT TOPTON	12/31/2011	12/31/2010	12/31/2009
5	MAHONING VALLEY NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	MANORCARE HEALTH SERVICES - ERIE	6/30/2012	6/30/2011	6/30/2010
5	MANORCARE HEALTH SVCS-ALLENTOWN	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-BETHLEHEM (2021)	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-BETHLEHEM (2029)	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-CAMP HILL	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-CARLISLE	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-DALLASTOWN	12/31/2012	12/31/2011	12/31/2010
5	MANORCARE HEALTH SVCS-EASTON	12/31/2012	12/31/2011	12/31/2010
5	MANORCARE HEALTH SVCS-KINGSTON	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-KINGSTON COURT	6/30/2012	6/30/2011	6/30/2010
5	MANORCARE HEALTH SVCS-LANCASTER	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-LAURELDALE	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-LEBANON	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-SINKING SPRING	12/31/2011	12/31/2010	12/31/2009
5	MANORCARE HEALTH SVCS-WEST READING NORTH	12/31/2012	12/31/2011	12/31/2010
5	MANORCARE HEALTH SVCS-YORK NORTH	6/30/2012	6/30/2011	6/30/2010
5	MANORCARE HEALTH SVCS-YORK SOUTH	6/30/2012	6/30/2011	6/30/2010
5	MEADOWS NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
5	MENNONITE HOME, THE	6/30/2012	6/30/2011	6/30/2010
5	MESSIAH LIFEWAYS AT MESSIAH VILLAGE	6/30/2012	6/30/2011	6/30/2010
5	MIFFLIN CENTER	6/30/2012	12/31/2010	12/31/2009
5	MORAVIAN MANOR	12/31/2011	12/31/2010	12/31/2009
5	MOUNTAIN VIEW CARE CENTER	6/30/2012	6/30/2011	6/30/2010
5	OLD ORCHARD HEALTH CARE CENTER	12/31/2011	12/31/2010	12/31/2009
5	ORANGEVILLE HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
5	PHOEBE BERKS HEALTH CARE CENTER, INC	6/30/2012	6/30/2011	6/30/2010
5	PLEASANT VIEW RETIREMENT COMMUNITY	12/31/2011	12/31/2010	12/31/2009
5	PRESQUE ISLE REHAB & NURSING CENTER	12/31/2011	12/31/2010	12/31/2009

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	QUARRYVILLE PRESBYTERIAN RETIREMENT COMM	6/30/2012	6/30/2011	6/30/2010
5	REST HAVEN-YORK	6/30/2012	6/30/2011	6/30/2010
5	RIVER RUN REHAB AND NURSING CENTER	12/31/2011	12/31/2010	12/31/2009
5	RIVERSIDE REHABILITATION AND NURSING CTR	12/31/2011	12/31/2010	12/31/2009
5	RIVERSTREET MANOR	6/30/2012	12/31/2010	12/31/2009
5	SAINT ANNE'S RETIREMENT COMMUNITY	6/30/2012	6/30/2011	6/30/2010
5	SAINT MARY'S EAST	12/31/2011	12/31/2010	12/31/2009
5	SHIPPENSBURG HEALTH CARE CENTER	12/31/2011	12/31/2010	12/31/2009
5	SLATE BELT NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
5	SPRUCE MANOR NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
5	STONERIDGE TOWNE CENTRE	12/31/2011	12/31/2010	12/31/2009
5	SUSQUEHANNA VALLEY NURSING AND REHAB CTR	12/31/2011	12/31/2010	12/31/2009
5	THE MANOR AT PERRY VILLAGE	12/31/2011	12/31/2010	12/31/2009
5	THE MANOR AT SUSQUEHANNA VILLAGE	12/31/2011	12/31/2010	12/31/2009
5	THE PAVILION AT ST LUKE VILLAGE	12/31/2011	12/31/2010	12/31/2009
5	TIMBER RIDGE HEALTH CENTER	12/31/2011	12/31/2010	12/31/2009
5	WEATHERWOOD NURSING HOME AND REHAB CTR	12/31/2011	12/31/2009	12/31/2008
5	WESLEY VILLAGE	12/31/2011	12/31/2010	12/31/2009

<i>PG5 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$133.86	\$40.42	\$22.72
<i>PG5 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$156.62	\$45.27	\$23.63

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	ABINGTON CREST NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
6	AUDUBON VILLA HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
6	BALANCED CARE BLOOMSBURG	12/31/2011	12/31/2010	12/31/2009
6	BALL PAVILION, THE	6/30/2012	6/30/2011	6/30/2010
6	BARBARA J. EGAN NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
6	BELLE REVE HEALTH CARE CENTER	12/31/2011	12/31/2010	12/31/2009
6	BETHANY VILLAGE RETIREMENT CENTER	12/31/2011	12/31/2010	12/31/2009
6	BONHAM NURSING CENTER	12/31/2011	12/31/2010	12/31/2009
6	BUTLER VALLEY MANOR HLTH AND REHAB CTR	12/31/2011	12/31/2010	12/31/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	CALVARY FELLOWSHIP HOMES, INC	6/30/2012	6/30/2011	6/30/2010
6	CARBONDALE NURSING AND REHAB CENTER	12/31/2012	12/31/2011	12/31/2010
6	CHAPEL POINTE AT CARLISLE	12/31/2011	12/31/2010	12/31/2009
6	CHURCH OF GOD HOME, INC	12/31/2011	12/31/2010	12/31/2009
6	CORNWALL MANOR	12/31/2011	12/31/2010	12/31/2009
6	COUNTRY MEADOWS NURSING CENTER-BETHLEHEM	12/31/2011	12/31/2010	12/31/2009
6	COUNTRYSIDE CHRISTIAN COMMUNITY	12/31/2011	12/31/2010	12/31/2009
6	COURTYARD GARDENS NURSING AND REHAB CTR	12/31/2011	12/31/2010	12/31/2009
6	CREEKSIDE HEALTH AND REHABILITATION CTR	6/30/2012	6/30/2011	6/30/2010
6	CUMBERLAND CROSSINGS RETIREMENT COMM	12/31/2011	12/31/2010	12/31/2009
6	DENVER HEALTH AND REHABILITATION CENTER	12/31/2011	12/31/2010	12/31/2009
6	DUNMORE HEALTH CARE CENTER	12/31/2011	12/31/2010	12/31/2009
6	ELMWOOD GARDENS	12/31/2011	12/31/2010	12/31/2009
6	FAIRMOUNT HOMES	6/30/2012	6/30/2011	6/30/2010
6	FOREST PARK HEALTH CENTER	12/31/2011	12/31/2010	12/31/2009
6	FORESTVIEW	12/31/2011	12/31/2010	12/31/2009
6	GOLDEN LIVINGCENTER-BLUE RIDGE MOUNTAIN	12/31/2011	12/31/2010	12/31/2009
6	GOLDEN LIVINGCENTER-CAMP HILL	12/31/2011	12/31/2010	12/31/2009
6	GOLDEN LIVINGCENTER-WALNUT CREEK	12/31/2011	12/31/2010	12/31/2008
6	GREEN RIDGE CARE CENTER	12/31/2010	12/31/2009	12/31/2008
6	GUARDIAN ELDER CARE CENTER	12/31/2011	12/31/2010	12/31/2009
6	HAMILTON ARMS CENTER	6/30/2012	6/30/2010	6/30/2009
6	HAMPTON HOUSE	6/30/2012	6/30/2011	6/30/2010
6	HOLY FAMILY RESIDENCE	12/31/2011	12/31/2010	12/31/2009
6	HOMELAND CENTER	6/30/2012	6/30/2011	6/30/2010
6	HOMESTEAD VILLAGE, INC	6/30/2012	6/30/2011	6/30/2010
6	KEPLER CENTER FOR NURSING AND REHAB	12/31/2011	12/31/2010	12/31/2009
6	KINDRED TRANSITIONAL CARE - WYOMISSING	12/31/2011	12/31/2010	12/31/2009
6	KINGSTON HEALTH CARE CENTER, LLC	12/31/2011	12/31/2010	12/31/2009
6	KINKORA PYTHIAN HOME	6/30/2012	6/30/2011	6/30/2010
6	LAKESIDE HEALTH AND REHABILITATION CTR	12/31/2011	12/31/2010	12/31/2009
6	LANDIS HOMES	6/30/2012	6/30/2011	6/30/2010
6	LEBANON VALLEY BRETHREN HOME	12/31/2011	12/31/2010	12/31/2009
6	LEBANON VALLEY HOME THE	12/31/2011	12/31/2010	12/31/2009



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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	LINWOOD NURSING AND REHABILITATION CTR	6/30/2012	6/30/2011	6/30/2010
6	LUTHER ACRES MANOR	12/31/2011	12/31/2010	12/31/2009
6	LUTHER CREST NURSING FACILITY	12/31/2011	12/31/2010	12/31/2009
6	LUTHERAN NRSG AND REHAB CTR-SPRENKLE DR	12/31/2011	12/31/2010	12/31/2009
6	MANCHESTER COMMONS	12/31/2011	12/31/2010	12/31/2009
6	MANORCARE HEALTH SVCS-ELIZABETHTOWN	12/31/2011	12/31/2010	12/31/2009
6	MAPLE FARM	6/30/2012	6/30/2011	6/30/2009
6	MERCY CENTER NURSING UNIT, INC	12/31/2011	12/31/2010	12/31/2009
6	MID VALLEY HEALTH CARE CENTER	12/31/2011	12/31/2010	12/31/2009
6	MILFORD SENIOR CARE AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
6	MILLCREEK MANOR	6/30/2012	6/30/2011	6/30/2010
6	MILLVILLE HEALTH AND REHABILITATION CTR	12/31/2011	12/31/2010	12/31/2009
6	MISERICORDIA NURSING & REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
6	MORAVIAN HALL SQ. HLTH AND WELLNESS CTR	6/30/2012	6/30/2011	6/30/2010
6	MOSSER NURSING HOME	6/30/2012	6/30/2011	6/30/2010
6	MOUNT HOPE NAZARENE RETIREMENT COMMUNITY	6/30/2012	6/30/2011	6/30/2010
6	MOUNTAIN TOP SENIOR CARE AND REHAB CTR	12/31/2011	6/30/2009	6/30/2008
6	NEW EASTWOOD HEALTHCARE AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
6	NORMANDIE RIDGE	12/31/2011	12/31/2010	12/31/2009
6	PALMYRA HEALTH AND REHABILITATION CTR	12/31/2011	12/31/2010	12/31/2009
6	PRAXIS ALZHEIMER'S FACILITY	12/31/2011	12/31/2010	12/31/2009
6	RHEEMS NURSING AND REHABILITATION CENTER	12/31/2011	12/31/2010	12/31/2009
6	SAINT MARY'S AT ASBURY RIDGE	12/31/2011	12/31/2010	12/31/2009
6	SAINT MARY'S VILLA NURSING HOME, INC	12/31/2011	12/31/2010	12/31/2009
6	SARAH A TODD MEMORIAL HOME	12/31/2011	12/31/2010	12/31/2009
6	SARAH REED SENIOR LIVING	6/30/2012	6/30/2011	6/30/2010
6	SCRANTON HEALTH CARE CENTER	12/31/2011	12/31/2010	12/31/2009
6	SKILLED CARE CENTER AT UTZ TERRACE	12/31/2011	12/31/2010	12/31/2009
6	SMITH HEALTH CARE, LTD	6/30/2012	6/30/2011	6/30/2010
6	SPANG CREST MANOR	12/31/2011	12/31/2010	12/31/2009
6	ST. LUKE'S VILLA	6/30/2012	6/30/2011	6/30/2010
6	STONEBRIDGE HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	STONERIDGE POPLAR RUN	12/31/2011	12/31/2010	12/31/2009
6	SWAIM HEALTH CENTER	12/31/2011	12/31/2010	12/31/2009
6	THE MANOR AT ST LUKE VILLAGE	12/31/2011	12/31/2010	12/31/2009
6	THORNWALD HOME	12/31/2011	12/31/2010	12/31/2009
6	TWIN OAKS HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
6	UNITED ZION RETIREMENT COMMUNITY	12/31/2011	12/31/2010	12/31/2009
6	VILLAGE AT LUTHER SQUARE	12/31/2011	12/31/2010	12/31/2009
6	WESTMINSTER VILLAGE	12/31/2011	12/31/2010	12/31/2009
6	WESTON REHABILITATION AND NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
6	ZERBE SISTERS NURSING CENTER, INC.	6/30/2012	6/30/2011	6/30/2010
<i>PG6 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$144.80	\$46.20	\$24.61	
<i>PG6 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$169.42	\$51.74	\$25.59	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	ALTOONA CENTER FOR NURSING CARE	12/31/2011	12/31/2010	12/31/2009
8	ARBUTUS PARK MANOR	6/30/2012	6/30/2011	6/30/2010
8	CHURCH OF THE BRETHREN HOME	6/30/2012	6/30/2011	6/30/2010
8	GARVEY MANOR	12/31/2011	12/31/2010	12/31/2009
8	GOLDEN LIVINGCENTER-HILLVIEW	12/31/2011	12/31/2010	12/31/2009
8	HEARTHSIDE REHAB AND NURSING CENTER, THE	12/31/2011	12/31/2010	12/31/2008
8	HOMEWOOD AT MARTINSBURG PA INC	12/31/2011	12/31/2010	12/31/2009
8	LAUREL WOOD CARE CENTER	12/31/2011	12/31/2010	12/31/2009
8	MANORCARE HEALTH SVCS-JERSEY SHORE	12/31/2011	12/31/2010	12/31/2009
8	MANORCARE HEALTH SVCS-WILLIAMSPORT NORTH	12/31/2012	12/31/2011	12/31/2010
8	MEADOW VIEW NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
8	MORRISONS COVE HOME	12/31/2011	12/31/2010	12/31/2009
8	ORCHARD MANOR, INC	6/30/2012	6/30/2011	6/30/2010
8	ROSE VIEW CENTER	6/30/2012	6/30/2010	6/30/2009
8	SAINT PAUL HOMES	12/31/2011	12/31/2010	12/31/2009
8	SIEMONS' LAKEVIEW MANOR NSG AND REHAB	6/30/2011	6/30/2010	6/30/2009
8	SYCAMORE MANOR HEALTH CENTER	12/31/2011	12/31/2010	12/31/2009
8	VALLEY VIEW NURSING CENTER	12/31/2011	12/31/2010	12/31/2009

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	WHITE CLIFF HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
8	WILLIAMSPORT HOME, THE	12/31/2011	12/31/2010	12/31/2009
8	WINDY HILL VILLAGE OF PRESBYTERIAN HOMES	12/31/2011	12/31/2010	12/31/2009
<i>PG8 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$126.76	\$45.37	\$21.18	
<i>PG8 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$148.31	\$50.81	\$22.03	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9	AVALON SPRINGS NURSING CENTER	12/31/2011	12/31/2010	12/31/2009
9	CLEPPER MANOR	12/31/2011	12/31/2010	12/31/2009
9	COUNTRYSIDE CONVAL HOME LTD PARTNERSHIP	6/30/2012	6/30/2011	6/30/2010
9	EPWORTH MANOR	12/31/2011	12/31/2010	12/31/2009
9	GOLDEN LIVINGCENTER-HAIDA	12/31/2011	12/31/2010	12/31/2009
9	GOLDEN LIVINGCENTER-MEYERSDALE	12/31/2011	12/31/2010	12/31/2009
9	GOLDEN LIVINGCENTER-RICHLAND	12/31/2011	12/31/2010	12/31/2009
9	GROVE MANOR	6/30/2012	6/30/2011	6/30/2010
9	HOSPITALITY CARE CENTER OF HERMITAGE INC	12/31/2011	12/31/2010	12/31/2009
9	JOHN XXIII HOME	12/31/2011	12/31/2010	12/31/2009
9	LAUREL VIEW VILLAGE	6/30/2012	6/30/2011	6/30/2010
9	LUTHERAN HOME AT HOLLIDAYSBURG, THE	12/31/2011	12/31/2010	12/31/2009
9	LUTHERAN HOME AT JOHNSTOWN, THE	12/31/2011	12/31/2010	12/31/2009
9	MANORCARE HEALTH SVCS-WILLIAMSPORT SOUTH	12/31/2011	12/31/2010	12/31/2009
9	MAPLE WINDS CARE CENTER	12/31/2011	12/31/2010	12/31/2009
9	NUGENT CONVALESCENT HOME	12/31/2011	12/31/2010	12/31/2009
9	PRESBYTERIAN HOME OF GREATER JOHNSTOWN	12/31/2011	12/31/2010	12/31/2009
9	PRESBYTERIAN HOMES-PRESBYTERY-HUNTINGDON	12/31/2011	12/31/2010	12/31/2009
9	THE PATRIOT, A CHOICE COMMUNITY	12/31/2011	12/31/2010	12/31/2009
9	TRINITY LIVING CENTER	6/30/2012	6/30/2011	6/30/2010
<i>PG9 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$110.56	\$42.62	\$19.63	
<i>PG9 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$129.36	\$47.73	\$20.42	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	BEACON RIDGE, A CHOICE COMMUNITY	12/31/2011	12/31/2010	12/31/2009
11	BRADFORD MANOR	12/31/2011	12/31/2010	12/31/2009
11	BROAD ACRES HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
11	BROAD MOUNTAIN NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
11	CHRIST THE KING MANOR	6/30/2012	6/30/2011	6/30/2010
11	CLARVIEW NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
11	DUBOIS NURSING HOME	6/30/2012	6/30/2011	6/30/2010
11	ELK HAVEN NURSING HOME	6/30/2012	6/30/2011	6/30/2010
11	ELLEN MEMORIAL HEALTH CARE CENTER	6/30/2012	6/30/2011	6/30/2010
11	FOREST CITY NURSING AND REHAB CENTER	12/31/2012	12/31/2011	12/31/2010
11	GOLDEN HILL NURSING AND REHAB	6/30/2012	6/30/2011	6/30/2010
11	GOLDEN LIVINGCENTER-SHIPPENVILLE	12/31/2011	12/31/2010	12/31/2009
11	GOLDEN LIVINGCENTER-STROUD	12/31/2011	12/31/2010	12/31/2009
11	GOLDEN LIVINGCENTER-WILLIAM PENN	12/31/2011	12/31/2010	12/31/2009
11	GRANDVIEW HEALTH HOMES, INC	6/30/2012	6/30/2011	6/30/2010
11	GREEN HOME, INC, THE	6/30/2012	6/30/2011	6/30/2010
11	HIGHLANDS CARE CENTER, THE	12/31/2011	12/31/2010	12/31/2009
11	HOMETOWN NURSING AND REHAB CENTER	12/31/2012	12/31/2010	12/31/2009
11	JEFFERSON MANOR HEALTH CENTER	6/30/2012	6/30/2011	6/30/2010
11	JULIA POUND CARE CENTER	12/31/2011	12/31/2010	12/31/2009
11	JULIA RIBAUDO EXTENDED CARE CENTER	6/30/2010	6/30/2009	6/30/2008
11	KITTANNING CARE CENTER	12/31/2011	12/31/2010	12/31/2009
11	MANORCARE HEALTH SVCS-CHAMBERSBURG	12/31/2011	12/31/2010	12/31/2009
11	MANORCARE HEALTH SVCS-POTTSVILLE	12/31/2011	12/31/2010	12/31/2009
11	MANORCARE HEALTH SVCS-SUNBURY	12/31/2011	12/31/2010	12/31/2009
11	MENNO-HAVEN, INC.	12/31/2011	12/31/2010	12/31/2009
11	MILTON NURSING AND REHABILITATION CENTER	6/30/2011	6/30/2010	6/30/2009
11	MOUNT CARMEL NURSING AND REHAB CENTER	12/31/2012	12/31/2010	12/31/2009
11	MOUNTAIN LAUREL NRC	6/30/2012	6/30/2011	6/30/2010
11	NOTTINGHAM VILLAGE	12/31/2011	12/31/2010	12/31/2009
11	OAKWOOD HEIGHTS	12/31/2011	12/31/2010	12/31/2009
11	OHESON MANOR	12/31/2011	12/31/2010	12/31/2009



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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	ORWIGSBURG CENTER	6/30/2012	6/30/2010	6/30/2009
11	PENNKNOLE VILLAGE	12/31/2011	12/31/2010	12/31/2009
11	QUINCY RETIREMENT COMMUNITY	12/31/2011	12/31/2010	12/31/2009
11	RIDGEVIEW ELDER CARE REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
11	RIVERWOODS	12/31/2011	12/31/2010	12/31/2009
11	ROLLING FIELDS, INC	12/31/2011	12/31/2010	12/31/2009
11	ROLLING MEADOWS	6/30/2012	6/30/2011	6/30/2010
11	SCHUYLKILL CENTER	6/30/2012	6/30/2010	6/30/2009
11	SENA-KEAN MANOR	12/31/2011	12/31/2010	12/31/2009
11	SETON MANOR INC	6/30/2012	6/30/2011	6/30/2010
11	SHENANDOAH MANOR NURSING CENTER	12/31/2012	12/31/2010	12/31/2009
11	SUGAR CREEK STATION SKILLED NSG & REHAB	12/31/2011	12/31/2010	12/31/2009
11	SWEDEN VALLEY MANOR	12/31/2011	12/31/2010	12/31/2009
11	THE MANOR AT PENN VILLAGE	12/31/2011	12/31/2010	12/31/2009
11	TRANSITIONS HEALTHCARE GETTYSBURG	12/31/2010	12/31/2009	12/31/2008
11	TREMONT HEALTH AND REHABILITATION CENTER	6/30/2012	6/30/2011	6/30/2010
11	VALLEY VIEW HAVEN, INC	12/31/2011	12/31/2010	12/31/2009
11	WARREN MANOR	12/31/2011	12/31/2010	12/31/2009
11	WATSONTOWN NURSING AND REHAB CENTER	6/30/2011	6/30/2010	6/30/2009
11	WAYNE WOODLANDS MANOR	6/30/2012	6/30/2011	6/30/2010
11	WESBURY UNITED METHODIST COMMUNITY	12/31/2011	12/31/2010	12/31/2009
11	WOODLAND RETIREMENT COMMUNITY	12/31/2011	12/31/2010	12/31/2009
<i>PG11 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$122.26	\$40.89	\$20.28	
<i>PG11 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>	
	\$143.04	\$45.80	\$21.09	

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	AVALON NURSING CENTER	6/30/2012	6/30/2011	6/30/2010
12	BRADFORD ECUMENICAL HOME, INC	12/31/2011	12/31/2010	12/31/2009
12	BROOKLINE MANOR AND REHABILITATIVE SRVCS	12/31/2011	12/31/2010	12/31/2009
12	BROOKMONT HEALTHCARE CENTER LLC	12/31/2011	12/31/2010	12/31/2009
12	BUFFALO VALLEY LUTHERAN VILLAGE	12/31/2011	12/31/2010	12/31/2009
12	CAMBRIDGE SPRINGS REHAB & NURSING CENTER	12/31/2011	12/31/2010	12/31/2009

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	CARING PLACE, THE	6/30/2012	6/30/2011	6/30/2010
12	CARLETON SENIOR CARE AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
12	DARWAY ELDER CARE REHABILITATION CENTER	12/31/2011	12/31/2010	12/31/2009
12	DONAHOE MANOR	6/30/2012	6/30/2011	6/30/2010
12	DR ARTHUR CLIFTON MCKINLEY HEALTH CENTER	6/30/2012	6/30/2011	6/30/2010
12	EDISON MANOR NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
12	EMMANUEL CENTER FOR NURSING AND REHAB	12/31/2011	12/31/2010	12/31/2009
12	FRIENDLY NURSING HOME - PITMAN	6/30/2012	6/30/2011	6/30/2010
12	GETTYSBURG CENTER	6/30/2012	6/30/2010	6/30/2009
12	GETTYSBURG LUTHERAN NURSING REHAB	12/31/2011	12/31/2010	12/31/2009
12	GOLDEN LIVINGCENTER-CLARION	12/31/2011	12/31/2010	12/31/2009
12	GOLDEN LIVINGCENTER-GETTYSBURG	12/31/2011	12/31/2010	12/31/2009
12	GOLDEN LIVINGCENTER-KINZUA	12/31/2011	12/31/2010	12/31/2009
12	GOLDEN LIVINGCENTER-MANSION	12/31/2011	12/31/2010	12/31/2009
12	GOLDEN LIVINGCENTER-OIL CITY	12/31/2011	12/31/2010	12/31/2009
12	GOLDEN LIVINGCENTER-TITUSVILLE	12/31/2011	12/31/2010	12/31/2009
12	GOLDEN LIVINGCENTER-WAYNESBURG	12/31/2011	12/31/2010	12/31/2009
12	GOLDEN LIVINGCENTER-YORK TERRACE	12/31/2011	12/31/2010	12/31/2009
12	GUY AND MARY FELT MANOR, INC	6/30/2012	6/30/2011	6/30/2010
12	HAVEN CONVALESCENT HOME, INC	12/31/2011	12/31/2010	12/31/2009
12	HIGHLAND VIEW CARE CENTER	12/31/2011	12/31/2010	12/31/2009
12	HILLSDALE REHABILITATION AND NURSING CTR	12/31/2011	12/31/2010	12/31/2007
12	HUNTINGDON NURSING AND REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
12	JAMESON CARE CENTER	12/31/2011	12/31/2010	12/31/2009
12	LAKEVIEW SENIOR CARE AND LIVING CENTER	12/31/2011	12/31/2010	12/31/2009
12	LAUREL CARE NURSING AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
12	LOCUST GROVE RETIREMENT VILLAGE	12/31/2011	12/31/2010	12/31/2009
12	LUTHERAN HOME AT KANE, THE	12/31/2011	12/31/2010	12/31/2009
12	MALTA HOME	12/31/2011	12/31/2010	12/31/2009

NOTICES

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	MEADOW VIEW SENIOR LIVING CENTER	12/31/2011	12/31/2010	12/31/2009
12	MEADVILLE REHABILITATION & NURSING CTR	12/31/2011	12/31/2010	12/31/2009
12	MULBERRY SQUARE	12/31/2011	12/31/2010	12/31/2009
12	OVERLOOK HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
12	PAVILION AT BRMC	6/30/2012	6/30/2011	6/30/2010
12	PENN HALL AT MENNO HAVEN	12/31/2011	12/31/2010	12/31/2009
12	RICHFIELD SENIOR LIVING AND REHAB CENTE	12/31/2011	12/31/2010	6/30/2009
12	RIDGEVIEW HEALTHCARE & REHAB CENTER, LLC	12/31/2010	12/31/2009	12/31/2008
12	ROLLING HILLS MANOR	12/31/2011	12/31/2010	12/31/2009
12	SAYRE HEALTH CARE CENTER, LLC	6/30/2011	6/30/2010	6/30/2009
12	SCENERY HILL MANOR	12/31/2011	12/31/2010	12/31/2009
12	SHENANGO PRESBYTERIAN SENIORCARE	12/31/2011	12/31/2010	12/31/2009
12	SHOOK HOME, THE	12/31/2011	12/31/2010	12/31/2009
12	SILVER OAKS HEALTH AND REHAB CENTER	12/31/2011	12/31/2010	12/31/2009
12	SNYDER MEMORIAL HEALTH CARE CENTER	12/31/2011	12/31/2010	12/31/2009
12	SUGAR CREEK REST	6/30/2012	6/30/2011	6/30/2010
12	WESTMINSTER WOODS AT HUNTINGDON	12/31/2011	12/31/2010	12/31/2009

<i>PG12 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$114.88	\$39.66	\$20.63
<i>PG12 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$134.41	\$44.42	\$21.46

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	ARISTACARE AT MEADOW SPRINGS	6/30/2012	6/30/2011	6/30/2010
13	FOX SUBACUTE AT CLARA BURKE	12/31/2011	12/31/2010	12/31/2009
13	FOX SUBACUTE AT MECHANICSBURG	6/30/2012	6/30/2011	6/30/2010
13	FOX SUBACUTE CENTER	12/31/2011	12/31/2010	12/31/2009
13	GOOD SHEPHERD HOME RAKER CENTER	6/30/2012	6/30/2011	6/30/2010
13	GOOD SHEPHERD HOME-BETHLEHEM	6/30/2012	6/30/2011	6/30/2010
13	INGLIS HOUSE	6/30/2012	6/30/2011	6/30/2010
13	MARGARET E. MOUL HOME	6/30/2012	6/30/2011	6/30/2010

<i>PG13 Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
		\$221.24	\$78.32	\$50.38
<i>PG13 Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
		\$258.85	\$87.72	\$52.40
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	GOOD SHEPHERD HOME RAKER CENTER	6/30/2012	6/30/2011	6/30/2010
13	GOOD SHEPHERD HOME-BETHLEHEM	6/30/2012	6/30/2011	6/30/2010
13	INGLIS HOUSE	6/30/2012	6/30/2011	6/30/2010
13	MARGARET E. MOUL HOME	6/30/2012	6/30/2011	6/30/2010
<i>PG13 Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
		\$213.43	\$90.38	\$42.52
<i>PG13 Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
		\$249.71	\$101.23	\$44.22
<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
14	BARNES-KASSON COUNTY HOSPITAL SNF	6/30/2012	6/30/2011	6/30/2010
14	BERWICK RETIREMENT VILLAGE NRSNG CTR I	6/30/2012	6/30/2011	6/30/2010
14	BUCKTAIL MEDICAL CENTER	6/30/2012	6/30/2011	6/30/2010
14	CHARLES COLE MEMORIAL HOSPITAL ECF	6/30/2012	6/30/2011	6/30/2010
14	FULTON COUNTY MEDICAL CENTER LTCU	6/30/2012	6/30/2011	6/30/2010
14	HAVEN SKILLED REHABILITATION AND NURSING	6/30/2012	6/30/2011	6/30/2010
14	MEMORIAL HOSPITAL INC SNU	6/30/2012	6/30/2011	6/30/2010
14	PINECREST MANOR	6/30/2012	6/30/2011	6/30/2010
14	ST LUKE'S REHABILITATION AND NURSING CTR	6/30/2012	6/30/2011	6/30/2010
14	SUMMIT AT BLUE MOUNTAIN NURSING & REHAB	6/30/2012	6/30/2011	6/30/2010
14	SUNBURY COMMUNITY HEALTH & REHAB CENTER	6/30/2012	6/30/2011	6/30/2010
14	SUSQUEHANNA HLTH SKILLED NSG & REHAB CTR	6/30/2012	6/30/2011	6/30/2010
14	WILLOWCREST	6/30/2012	6/30/2011	6/30/2010
<i>PG14 Median</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
		\$152.54	\$61.15	\$25.25
<i>PG14 Price</i>		<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
		\$178.47	\$68.49	\$26.26

[Pa.B. Doc. No. 14-1971. Filed for public inspection September 19, 2014, 9:00 a.m.]



## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by Tussey Landscaping, LLC, 8583 Woodbury Pike, Hollidaysburg, PA seeking to lease highway right-of-way located at 8583 Woodbury Pike, Hollidaysburg, Freedom Township, Blair County, 1,450 square feet ±, adjacent to SR 0036, Section 006 for purposes of a landscaping display.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Thomas A. Prestash, PE, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

Questions regarding this application or the proposed use may be directed to Joseph Tagliati, Property Manager, 1620 North Juniata Street, Hollidaysburg, PA 16648, (814) 696-7215.

BARRY J. SCHOCH, PE,  
*Secretary*

[Pa.B. Doc. No. 14-1972. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by Tussey Mountain Mulch, 8599 Woodbury Pike, Hollidaysburg, PA seeking to lease highway right-of-way located at 8599 Woodbury Pike, Hollidaysburg, Freedom Township, Blair County, 18,617 square feet ±, adjacent to SR 0036, Section 006 for purposes of storing material.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Thomas A. Prestash, PE, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

Questions regarding this application or the proposed use may be directed to Joseph Tagliati, Property Manager, 1620 North Juniata Street, Hollidaysburg, PA 16648, (814) 696-7215.

BARRY J. SCHOCH, PE,  
*Secretary*

[Pa.B. Doc. No. 14-1973. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Public-Private Partnerships Board Meeting

The Public-Private Partnerships Board will hold a meeting on September 29, 2014, from 11 a.m. to 1 p.m. in the Public Utility Commission Hearing Room 1, Common-

wealth Keystone Building, Harrisburg, PA. For more information contact Kathryn Tartaglia at (717) 214-7222 or katartagli@pa.gov.

BARRY J. SCHOCH, PE,  
*Secretary*

[Pa.B. Doc. No. 14-1974. Filed for public inspection September 19, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, September 4, 2014, and announced the following:

*Regulation Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective September 3, 2014*

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors #16A-6921: Qualifications for Licensure (amends 49 Pa. Code §§ 47.12c, 48.13 and 49.13)

*Action Taken—Regulations Approved:*

Department of Drug and Alcohol Programs #74-2: Drug and Alcohol Facilities and Services (amends 28 Pa. Code §§ 701.1, 701.3 and 701.13)

Department of Drug and Alcohol Programs #74-1: Standards for Licensure of Freestanding Treatment Facilities (amends 28 Pa. Code (§ 709.21))

Department of Transportation #18-431: Roadside Rest Areas (amends 67 Pa. Code Chapter 443)

Philadelphia Parking Authority #126-9: Annual Filing Requirements (amends 52 Pa. Code Sections 1001.43, 1011.3, 1011.4, 1051.3 and 1051.4)

### Approval Order

Public Meeting Held  
September 4, 2014

*Commissioners Voting:* John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Department of Drug and Alcohol Programs—  
Drug and Alcohol Facilities and Services;  
Regulation No. 74-2 (#3060)*

On July 8, 2014, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Drug and Alcohol Programs (DDAP). This rulemaking amends 28 Pa. Code §§ 701.1, 701.3 and 701.13. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking amends 28 Pa. Code Part V (Drug and Alcohol Facilities and Services) to update and clarify that DDAP is the Commonwealth agency responsible for the coordination and administration of drug and alcohol treatment and abuse prevention efforts. Act 50 of 2012 transferred these powers, duties and functions from the Department of Health to DDAP.

We have determined this regulation is consistent with the statutory authority of DDAP (71 P. S. § 613.1(9)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting Held  
September 4, 2014

*Commissioners Voting:* John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Department of Drug and Alcohol Programs—  
Standards for Licensure of Freestanding  
Treatment Facilities;  
Regulation No. 74-1 (#3049)*

On February 26, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Drug and Alcohol Programs (DDAP). This rulemaking amends 28 Pa. Code (§ 709.21). The proposed regulation was published in the March 8, 2014 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 8, 2014.

This regulation incorporates certain Department of Health interpretive guidelines relating to free-standing treatment activities, and removes certain redundant or outdated requirements relating to personnel, governance and reporting.

We have determined this regulation is consistent with the statutory authority of the DDAP (71 P. S. § 613.1(9)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting Held  
September 4, 2014

*Commissioners Voting:* George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Department of Transportation—  
Roadside Rest Areas;  
Regulation No. 18-431 (#2960)*

On July 17, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation (Department). This rulemaking amends 67 Pa. Code Chapter 443. The proposed regulation was published in the July 28, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 16, 2014.

This regulation updates the list of prohibited activities and actions at roadside rest areas and welcome centers under the Department's jurisdiction.

We have determined this regulation is consistent with the statutory authority of the Department (36 P. S. § 478.18) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting Held  
September 4, 2014

*Commissioners Voting:* George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Philadelphia Parking Authority—  
Annual Filing Requirements;  
Regulation No. 126-9 (#3058)*

On April 29, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Philadelphia Parking Authority. This rulemaking amends 52 Pa. Code Sections 1001.43, 1011.3, 1011.4, 1051.3 and 1051.4. The proposed regulation was published in the May 10, 2014 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 31, 2014.

This regulation clarifies existing provisions for annual rights renewal processes.

We have determined this regulation is consistent with the statutory authority of the Philadelphia Parking Authority (53 Pa.C.S.A. §§ 5722 and 5742) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN F. MIZNER, Esq.,  
Chairperson

[Pa.B. Doc. No. 14-1975. Filed for public inspection September 19, 2014, 9:00 a.m.]

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**Notice of Comments Issued**

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
#16A-4943	State Board of Medicine Prosthetists, Orthotists, Pedorthists and Orthotic Fitters 44 Pa.B. 4364 (July 12, 2014)	08/11/14	09/10/14

**State Board of Medicine  
Regulation #16A-4943 (IRRC #3062)**

**Prosthetists, Orthotists, Pedorthists and Orthotic  
Fitters**

**September 10, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the July 12, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the State Board of Medicine (Board) to respond to all comments received from us or any other source.

**1. Conforms to the intention of the General Assembly; Compliance with the RRA.**

The Board states in the Preamble and responses to the Regulatory Analysis Form (RAF) that extensive discussions were held with stakeholders regarding the proposed regulation. The Board identifies the stakeholders to include the Independent Regulatory Review Commission (IRRC). IRRC was not a stakeholder, and as such, IRRC did not participate in the drafting of the proposed regulation. We ask the Board to revise the Preamble and RAF of the final-form regulation to ensure that the information provided is accurate.

A commentator, the Pennsylvania Orthotic Prosthetic Society, states that it was not included as a stakeholder, and therefore, there was not an equitable exchange among stakeholders. Section 2 of the RRA, pertaining to legislative intent, provides the following direction: "To the greatest extent possible, this act is intended to encourage the resolution of objections to a regulation and the reaching of a consensus among the commission, the standing committees, interested parties and the agency." 71 P. S. § 745.2(a). We ask the Board to work with the regulated community to resolve as many concerns as possible prior to submitting the final regulation.

**2. Comments of the House Professional Licensure Committee.**

In a letter dated August 28, 2014, Representative Julie Harhart, Majority Chair of the House Professional Licensure Committee (Committee), and Representative Harry Readshaw, Minority Chair of the Committee, submitted comments on behalf of the Committee pertaining to the Board's statutory authority for graduate permits, clinical residency and provisional licenses for prosthetist and orthotics, and the need for clarification of certain sections. We will review the Board's response as part of our determination of whether the final regulation is in the public interest.

**3. Section 16.13. Licensure, certification, examination and registration fees.—Economic or fiscal impact; Reasonableness of requirements; Acceptable data.**

The Board provided Fee Report Forms in support of all of the fees proposed to be added to Subsections (n)

(relating to prosthetists), (o) (relating to orthotist license), (p) (relating to pedorthists) and (q) (relating to orthotic fitters). However, the Fee Report Form for the biennial renewal fee, which is provided for under each of these subsections, omits the "Fee-Related Activities and Costs" calculation that was provided to support the amount of all of the other proposed fees.

We ask the Board to provide its costs for biennial renewal of these licenses, including the "Fee-Related Activities and Costs," in support of the amount of the fee in the final regulation.

**4. Section 18.802. Definitions.—Conforms with the intention of the General Assembly; Clarity and lack of ambiguity; Need for the regulation; Reasonableness of requirements.**

*CAAHEP, NCOPE*

Act 90 of 2012 (Act 90) provides for the Institute for Credentialing Excellence (ICE) and the National Commission for Certifying Agencies (NCAA) regarding credentialing and certifying entities. The Board, however, also defines the Commission on Accreditation of Allied Health Education Programs (CAAHEP) and the National Commission on Orthotic and Prosthetic Education (NCOPE), and references these entities throughout the regulation in providing requirements for qualification for licensure.

A commentator asserts that requiring credentialing/certification by entities which were not provided for in Act 90 creates restrictions on individuals and educational programs which were not intended by the General Assembly. We ask the Board to explain how designating these additional accreditation and certification programs is necessary and reasonable as relates to qualification for licensure for prosthetists, orthotists, pedorthists and orthotic fitters.

*Custom-designed device*

Act 90 defines a "custom-fabricated device" and a "custom-fitted device." In addition to these terms, the proposed regulation defines a "custom-designed device." A commentator asserts that this category is not recognized in the industry, and, therefore, creates ambiguity. We ask the Board to explain the need for this term and to ensure that use of the term does not create ambiguity for the regulated community.

*Licensed prescribing practitioner, Orthotic fitter, Orthotist, Pedorthist, Prosthetist*

The Board defines differently the licensure of a licensed prescribing practitioner ("licensed by the practitioner's respective licensing board"), orthotic fitter ("licensed by the Board"), orthotist ("licensed by the Board"), pedorthist ("licensed under the [Medical Practice Act of 1985 (Act)]") and prosthetist ("licensed under the [Act]"). We ask the Board to review these definitions and make the definitions consistent.

*Prefabricated orthotic devices*

The devices encompassed by this term in the proposed regulation are defined in Act 90 as prefabricated orthosis.



Since the proposed regulation includes definitions for the term “orthosis” and “over-the-counter orthoses,” we question why the Board deviated from the term provided for in Act 90? Since “orthotic device” is not defined in the regulation, we recommend that the Board use the Act 90 term to ensure clarity and lack of ambiguity for the regulated community.

**5. Section 18.811. Graduate permit.**

**Section 18.812. Clinical residency.**

**Section 18.813. Provisional prosthetist license.**

**Section 18.814. Prosthetist license.—Statutory authority; Protection of the public health, safety and welfare; Clarity and lack of ambiguity.**

Under these sections, the Board establishes qualifications for licensure as a graduate prosthetist, a provisionally-licensed prosthetist or a prosthetist. In order to ensure that the public, who would be receiving prosthetic services, can clearly understand the level of qualification of the person providing the service, we ask the Board to consider including provisions related to the titles that the holder of a permit or provisional license may or may not use.

We ask the Board to address these same concerns related to orthotists, pedorthists and orthotic fitters.

**6. Section 18.814. Prosthetist license.—Clarity and lack of ambiguity; Need for the regulation.**

Paragraph (b)(3) states, “In meeting the requirement of this paragraph, an applicant may present documentation from the applicant’s employer or supervisor and the director of the applicant’s clinical residency in prosthetics or prosthetics/orthotics.” Is this language necessary? We note in the Preamble that the Board states that Section 18.816 (relating to demonstration of qualifications) provides information about the type of documentation that will be required by the Board for an applicant to demonstrate the qualifications in Act 90 and Chapter 18. We also note that parallel provisions related to orthotists, pedorthists and orthotic fitters do not contain this language. We ask the Board to include this language in Section 18.816 or explain why it is needed in this section.

**7. Section 18.815. Alternate pathway for prosthetist license.—Need for the regulation.**

This section of the regulation expired on July 7, 2014. We ask the Board to remove this section and any other related provisions which are no longer applicable or relevant, or to explain the need for keeping it in the final-form regulation.

This same comment applies to Sections 18.825 (relating to alternate pathway to orthotist license), 18.834 (relating to alternate pathway for pedorthist license) and 18.844 (relating to alternate pathway for orthotic fitter license).

**8. Section 18.816. Demonstration of qualifications.—Conforms to the intention of the General Assembly; Clarity and lack of ambiguity; Reasonableness of requirements.**

In the Preamble, the Board states that this section provides information about the type of documentation that will be required by the Board for an applicant to demonstrate the qualifications in Act 90 and Chapter 18.

Based on the Board’s description, this section pertains to applicants for a graduate permit, a provisional license or full licensure. However, Paragraph (3) under this section is not applicable for applicants for graduate permits or provisional licenses, and Paragraph (5) could

only apply to a limited number of applicants. We ask the Board to amend this section to ensure that the intent and any requirements are clear and reasonable. If the requirement in Paragraph (5) is kept in the final-form regulation, we ask the Board to explain how this requirement conforms to the intent of the General Assembly and is a reasonable requirement.

We ask the Board to address these same concerns related to Sections 18.826 (relating to demonstration of qualifications), 18.835 (relating to demonstration of qualifications) and 18.845 (relating to demonstration of qualifications).

**9. Section 18.823. Provisional orthotist license.—Clarity and lack of ambiguity.**

Subsection (a) states that a provisional license authorizes the individual to provide direct patient care under “supervision” as defined in Section 18.822(a) (relating to clinical residency). However, Section 18.822(a) defines “direct supervision.” [Emphasis added.] Section 18.813 (relating to provisional prosthetist license), which is a parallel provision for prosthetists, states that a provisional license authorizes the individual to provide direct patient care under *direct* supervision. [Emphasis added.] We ask the Board to clarify that a provisional orthotist must practice under “direct supervision.”

**10. Section 18.831. Temporary practice permit.—Clarity and lack of ambiguity; Need for the regulation.**

Subsection (d) states, “A temporary practice permit automatically expires if the permit holder fails the examination.” What examination does this provision reference? How will this provision be enforced? Can the individual immediately apply for another temporary practice permit? If the permit is valid for a maximum of one year and is nonrenewable, is this provision necessary? We ask the Board to clarify the intent of Subsection (d), and to explain why this specific provision of Subsection (d) is necessary.

These concerns also apply to Section 18.841(d) (relating to temporary practice permit).

**11. Section 18.842. Orthotic fitting care experience.**

**Section 18.843. Orthotic fitter license.—Conforms to the intention of the General Assembly; Clarity and lack of ambiguity; Need for the regulation; Reasonableness of requirements.**

Subsection (a) of Section 18.842 states that “a graduate orthotic fitter with a temporary practice permit shall practice only under the *direct supervision* of an orthotist. . . .” [Emphasis added.] Paragraph (b)(3) of Section 18.843 requires an applicant to have completed “a minimum of 1,000 hours of *documented supervised* orthotic fitting care experience.” [Emphasis added.] However, Section 13.5(a)(2)(iv) of Act 90 requires orthotic fitters to successfully complete “a minimum of 1,000 hours of documented patient care.” 63 P. S. § 422.13e(a)(2)(iv). We ask the Board to explain how these provisions conform to the intent of the General Assembly, and why it is reasonable and necessary for the experience to have been supervised. Additionally, we ask the Board to ensure that explicit requirements are clear in all instances where individuals are required to work under supervision.

**12. Section 18.851. Scope and standards of practice.—Clarity and lack of ambiguity; Reasonableness of requirements.**



Subsection (d) states that a prosthetist, orthotist, pedorthist or orthotic fitter may not accept a prescription and referral or order when the prosthetist, orthotist, pedorthist or orthotic fitter “knows, or has good cause to believe, that the device cannot be furnished within a *reasonable period of time*.” [Emphasis added.] What is considered to be a reasonable period of time? A regulation has the full force and effect of law; however, this language does not set a binding norm. The Board should revise this subsection to set clear compliance standards.

**13. Section 18.852. Delegation.—Statutory authority; Conforms to the intention of the General Assembly; Clarity and lack of ambiguity.**

In the Preamble regarding this section, the Board states that the regulated community employs assistants to provide support services and to complete simple tasks that do not require the education and training of a licensee. In this section, the Board provides the conditions under which a prosthetist or orthotist may delegate to an “orthotic and prosthetic assistant” or “orthotic and prosthetic technician,” and a pedorthist may delegate to “pedorthic support personnel.” The Board defines “orthotic and prosthetic assistant,” “orthotic and prosthetic technician,” and “pedorthic support personnel” in Section 18.802 (relating to definitions). We have several concerns related to delegation.

While we recognize the authority of the Board under the Act to adopt regulations as are reasonably necessary to carry out the purposes of the Act, we note that Section 13.5(j) (relating to practice by unregistered persons) of Act 90 states, “Any person who is not licensed as a prosthetist, orthotist, pedorthist or orthotic fitter shall not practice prosthetics, orthotics, pedorthics or orthotic fitting. . . .” 63 P. S. § 422.13e(j). We further note that Act 90 does not provide for assistants, technicians or support personnel. Commentators assert that Act 90 clearly prohibits the delegation of patient care to non-licensed individuals. We ask the Board to explain how Section 18.852 implements Act 90, particularly as relates to Section 13.5(j), and how the regulation conforms to the intent of the General Assembly.

Regarding the conditions for delegation, Paragraph (a)(6) requires that “the practitioner provides direct, onsite supervision of the tasks performed by a delegatee.” Senator Michael Stack and others comment that the regulation should allow for indirect supervision of non-licensed professionals in the area of basic orthotic fittings, particularly diabetic shoes and inserts. These members of the regulated community assert that the proposed requirements are not realistic and would negatively impact employment for those non-licensed professionals who perform these basic tasks. Did the Board consider the economic or fiscal impacts on those in the regulated community who would not desire or qualify for licensure? Did the Board consider the economic or fiscal impacts on entities which would be required to have a licensed prosthetist, orthotist or pedorthist present to provide direct supervision? We ask the Board to explain its consideration of this segment of the regulated community, and to revise its responses to the RAF to address the impact on this segment of the regulated community.

As a point of clarity regarding Paragraph (a)(6), which addresses “the practitioner,” we note that the other paragraphs under Subsection (a) address “the practitioner *delegating the task*.” [Emphasis added.] We ask the Board to clarify that this paragraph also addresses “the practitioner delegating the task.”

**14. Section 18.853. Unprofessional and immoral conduct.—Clarity and lack of ambiguity.**

Subsection (a) states, “A licensee under this subchapter is subject to refusal of license or permit or disciplinary action under [S]ections 22 and 41 of the [Act] (63 P. S. §§ 422.22 and 422.41).” Subsections (b) and (c) list what is considered unprofessional or immoral conduct. Subsection (a) does not reference unprofessional or immoral conduct, nor does the Board state a direct connection between Subsection (a) and Subsections (b) and (c). We recognize that Section 41(8)(ii) of the Act authorizes the Board to promulgate regulations which define the accepted standard of care related to unprofessional and immoral conduct. We recommend that the Board amend Subsections (b) and (c) to reference Section 41(8) of the Act to ensure that the connection between Subsection (a) and Subsections (b) and (c) is clear for the regulated community.

We recommend that the Board further amend Subsections (b) and (c) to include a reference to the Board’s existing regulation at 49 Pa. Code § 16.61 (relating to unprofessional and immoral conduct). The Board should state that Subsections (b) and (c) are supplemental to Section 16.61, and make clear which provisions take precedence in the event of inconsistencies between Section 16.61 and Subsections (b) and (c).

Finally, Subsection (b)(13) consists of a single sentence that uses the word “or” seven times without any punctuation to provide guidance to the reader. We ask the Board to clarify this provision, particularly with respect to the final phrase: “or those of another practitioner.” What does “those” refer to?

**15. Section 18.861. Biennial renewal of license.—Clarity and lack of ambiguity.**

Subsection (b)(5) addresses continuing education requirements for prosthetists, orthotists, pedorthists and orthotic fitters. The provision references continuing education mandated by Section 13.5(g)(1) of the Act. However, Section 13.5(g)(1) only provides requirements for a prosthetist and an orthotist. The Board should add a reference to Section 13.5(g)(2), which provides requirements for a pedorthist and an orthotic fitter.

**16. Miscellaneous clarity.**

*Types of certification*

The Board of Certification/Accreditation International (BOC) asserts that the regulation inconsistently identifies the type of certification the Board requires. We ask the Board to review the regulation to ensure that all requirements for certification in the final regulation are clear for the regulated community.

*References for disciplinary action*

As noted in Comment 13, Section 18.853(a) states, “A licensee under this subchapter is subject to refusal of license or permit or disciplinary action under [S]ections 22 and 41 of the [Act] (63 P. S. §§ 422.22 and 422.41).” In Section 18.811(c) and throughout the regulation, the Board states that it may deny an application for disciplinary action in “section 41 of the [Act] (63 P. S. § 422.41) or § 18.853 (relating to unprofessional and immoral conduct).” Since Section 18.853 references Section 41 of the Act, is it necessary to cite the Act in each of the provisions related to disciplinary action?

*Consistency of parallel provisions*

Various parallel provisions throughout the regulation are inconsistently worded. For example,

- Section 18.811(b) refers to “a graduate permit to practice as a prosthetist” and Section 18.821(b) refers to “a graduate permit to practice as an orthotist.” [Emphasis added.] However, parallel provisions in Sections 18.831(b) and 18.841(b) refer to “a temporary practice permit” without the “to practice as . . .” phrase.

- Relating to graduate permits, Section 18.811(c) refers to “an application for a graduate permit” whereas Section 18.821(c) refers to “an application for licensure as an orthotist.” [Emphasis added.]

- Section 18.831(c) refers to “an application for a temporary practice permit as a graduate pedorthist,” whereas Section 18.841(c) refers to “an application for a temporary practice permit.” [Emphasis added.]

- Section 18.813(c) refers to “an application for a provisional license,” whereas Section 18.823(c) refers to “an application for a provisional license as an orthotist.” [Emphasis added.]

We ask the Board to ensure the language is consistent throughout the final regulation.

JOHN F. MIZNER, Esq.  
Chairperson

[Pa.B. Doc. No. 14-1976. Filed for public inspection September 19, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of OneBeacon Insurance Company, Potomac Insurance Company, OneBeacon America Insurance Company and The Employers’ Fire Insurance Company; Conclusion of Public Comment Period

The Insurance Department (Department) published notice of receipt of the application of Trebuchet US Holdings, Inc. (Trebuchet) requesting approval to acquire control of OneBeacon Insurance Company, a domestic stock casualty insurance company and Potomac Insurance Company, a domestic stock casualty insurance company. The notice afforded persons the opportunity to provide written comments on the filing to the Department for a period that expired on April 24, 2013 (see 43 Pa.B. 1157 (February 23, 2013)). Through subsequent notices, additional public comment periods were announced (see 43 Pa.B. 2970 (May 25, 2013) and 43 Pa.B. 5778 (September 28, 2013)). The application was amended by Trebuchet on June 25, 2014, to include the acquisition of OneBeacon America Insurance Company, a domestic stock casualty insurance company and The Employers’ Fire Insurance Company, a domestic stock casualty insurance company. Additionally, a public informational hearing was held on July 23, 2014. The Department subsequently reopened the public comment period on July 26, 2014, for an indefinite period (see 44 Pa.B. 5159 (July 26, 2014)). The purpose of this notice is to announce that the Department will close the public comment period on October 17, 2014.

The filing and related materials are available on the Department’s web site at [www.insurance.pa.gov](http://www.insurance.pa.gov).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Department on or before October 17, 2014. Each written statement must include the name, address and telephone number of

the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [syerger@pa.gov](mailto:syerger@pa.gov).

MICHAEL F. CONSEDINE,  
Insurance Commissioner

[Pa.B. Doc. No. 14-1977. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured’s automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department’s regional office in Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Deborah Maier; file no. 14-115-167649; Atlantic States Insurance Company; Doc. No. P14-08-026; October 16, 2014, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party’s case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to

participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1978. Filed for public inspection September 19, 2014, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-14-001, Dated August 4, 2014. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Pennsylvania Liquor Enforcement Association, Liquor Law Enforcement Unit. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2011 through June 30, 2015.

#### *Governor's Office*

Manual No. M110.1—2015-16 Budget Instructions, Amended August 14, 2014.

Management Directive No. 505.2—Salary Complement Management and Control, Amended August 7, 2014.

Administrative Circular No. 14-12—Availability—Commonwealth Telephone Directory, Dated August 20, 2014.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 14-1979. Filed for public inspection September 19, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Competitive Local Exchange Carrier Services

**A-2014-2441958. Talk America Services, LLC.** Application of Talk America Services, LLC for approval to provide competitive local exchange carrier services to the public in the service territory of The United Telephone Company of Pennsylvania, d/b/a CenturyLink; Consolidated Communications of Pennsylvania Company, LLC; Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company; and Windstream Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 6, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

*Applicant:* Talk America Services, LLC

*Through and By Counsel:* Thomas T. Niesen, Esquire, Charles E. Thomas, III, Esquire, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 600, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1980. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 7, 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-2014-2404945. (Revised) Manito Transportation Services, Inc.** (7564 Browns Mill Road, Chambersburg, Franklin County, PA 17202-9252) persons in paratransit, from points in the Counties of Berks, Cumberland, Franklin, Montgomery and York, to points in Pennsylvania, and return.

**A-2014-2426783. Hartman Hauling & Logging, LLC** (646 Preserve Road, Danville, Montour County, PA 17821) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Columbia, Lycoming, Montour and Northumberland, to points in Pennsylvania, and return.

**A-2014-2429869. Special Event EMS, Inc., t/a Mid-State Mobile Health Partners** (12 Long Lane, Mechanicsburg, PA 17050) for temporary authority, to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Cumberland and Lycoming, and within the airline distance of 50 statute miles of said counties, to points in Pennsylvania, and return; *So as to permit transportation*



of persons in paratransit/wheelchair van service, ill or injured to and from health care facilities and physician's offices. *Attorney:* David Martineau, Esquire, 354 Alexander Spring Road, Suite 1, Carlisle, PA 17015.

**A-2014-2431891. Good Shepherd Transportation, Inc.** (137 Circle Drive, Catasauqua, PA 18032) for the right to begin to transport as a common carrier, by motor vehicle, persons in limousine service, from points in Lehigh County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2434078. Classy Cab Company, Inc.** (Sheraton Hotel/Northwest, 910 Sheraton Drive, Mars, Butler County, PA 16046) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Lawrence, Washington and Westmoreland, to points in Pennsylvania, and return. *Attorney:* William A. Gray, Esquire, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

**A-2014-2434081. Thomas J. McElhinney** (4284 Highway 173, Cochranon, Crawford County, PA 16314) persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Crawford, Erie and Mercer Counties, to points in Pennsylvania, and return.

**A-2014-2434083. Sharitz Bus Service, Inc.** (P. O. Box 396, Shamokin Dam, Snyder County, PA 17876) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Snyder County, to points in Pennsylvania, and return.

**A-2014-2434626. Plum Emergency Medical Services, Inc.** (4545 New Texas Road, Pittsburgh, Allegheny County, PA 15239) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Plum Borough, Allegheny County, to points in Pennsylvania, and return.

**A-2014-2436235. Haines Transportation Services, Inc., t/a Michael's Classic Limousine** (P. O. Box 206, Leesport, Berks County, PA 19533) for the right to begin to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in Berks County, to the Philadelphia International Airport.

**Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.***

**A-2014-2430720. Baker's Transportation Service, Inc.** (1400 West 1st Street, Oil City, Venango County, PA 16301) discontinuance of service and cancellation of its certificate, as a common carrier, persons upon call or demand, in the Townships of Cranberry, Cornplanter, Sandycreek, and in the Borough of Sugarcreek, all in Venango County, as more thoroughly described in the issuing paragraphs at A-00100359, F. 2-AMD and A-00100359, F. 2-AME.

**A-2014-2432832. Irma J. Fryer** (151 Old Stagecoach Road, Lewistown, Mifflin County, PA 17044) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, from

points in the County of Mifflin, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1981. Filed for public inspection September 19, 2014, 9:00 a.m.]

## Telecommunications

**A-2014-2441188. Verizon North, LLC and Onvoy, LLC.** Joint petition of Verizon North, LLC and Onvoy, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Onvoy, LLC by its counsel, filed on August 29, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Onvoy, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1982. Filed for public inspection September 19, 2014, 9:00 a.m.]

## Telecommunications

**A-2014-2441223. Verizon Pennsylvania, LLC and Onvoy, LLC.** Joint petition of Verizon Pennsylvania, LLC and Onvoy, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Onvoy, LLC by its counsel, filed on August 29, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Onvoy, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.



The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 14-1983. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Transfer of Customers

**A-2014-2442004 and A-2014-2442005. Teleconnect Long Distance Services and Systems Company, d/b/a Telecom\*USA and MCI Communications Services, Inc., d/b/a Verizon Business Services.** Joint application of Teleconnect Long Distance Services and Systems Company, d/b/a Telecom\*USA and MCI Communications Services, Inc., d/b/a Verizon Business Services for approval of the transfer of customers from Teleconnect Long Distance Services and Systems Company, d/b/a Telecom\*USA to MCI Communications Services, Inc., d/b/a Verizon Business Services.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 6, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

*Joint Applicants:* Teleconnect Long Distance Services and Systems Company, d/b/a Telecom\*USA; MCI Communications Services, Inc., d/b/a Verizon Business Services

*Through and By:* Robin Norton, Consultant to MCI and Teleconnect, Technologies Management, Inc., 2600 Maitland Center Parkway, Suite 300, Maitland, FL 32751

Gail Carey, Senior Consultant, MCI Communications Services, Inc., d/b/a Verizon Business Services, 6415-6455 Business Center Drive, Highlands Ranch, CO 80130

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 14-1984. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Transfer of Residential Customer Base

**A-2014-2441823; A-2014-2441885; A-2014-2441886. Cavalier Telephone Mid-Atlantic, LLC, Windstream Communications, Inc. and Windstream D&E Systems, Inc.** Joint general rule application of Cavalier Telephone Mid-Atlantic, LLC, Windstream Communications, Inc. and Windstream D&E Systems, Inc. for approval of the transfer of their residential customer base to Talk America Services, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 6, 2014. The documents filed in support of the application are available for

inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

*Joint Applicants:* Cavalier Telephone Mid-Atlantic, LLC, Windstream Communications, Inc., Windstream D&E Systems, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Charles E. Thomas, Esquire, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 600, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 14-1985. Filed for public inspection September 19, 2014, 9:00 a.m.]

### Wastewater Service

**A-2014-2441953. Pennsylvania American Water Company—Wastewater Division.** Application of Pennsylvania American Water Company—Wastewater Division, for approval of: 1) the transfer, by sale, substantially all of Shippenville Borough's properties and rights related to its wastewater system to Pennsylvania American Water Company; and 2) the right of Pennsylvania American Water Company—Wastewater Division to begin to offer or furnish wastewater service to the public in Shippenville Borough, and a portion of Elk Township, Clarion County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 6, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov, and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company—Wastewater Division

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 14-1986. Filed for public inspection September 19, 2014, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's requests concerning the indicated accounts.

The hearings will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

October 14, 2014	Lynn D. Wilson (D) Change Retirement Option Selection	1 p.m.
October 23, 2014	Susan J. Griesemer Multiple Service Election	1 p.m.

Parties in each respective case 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 4 Pa. Code § 250.1 (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.

DAVID E. DURBIN,  
*Secretary*

[Pa.B. Doc. No. 14-1987. Filed for public inspection September 19, 2014, 9:00 a.m.]



