



Volume 43 (2013)

Pennsylvania Bulletin
Repository

11-23-2013

November 23, 2013 (Pages 6873-7000)

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: https://digitalcommons.law.villanova.edu/pabulletin_2013

Recommended Citation

Pennsylvania Legislative Reference Bureau, "November 23, 2013 (Pages 6873-7000)" (2013). *Volume 43 (2013)*. 47.

https://digitalcommons.law.villanova.edu/pabulletin_2013/47

This November is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 43 (2013) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

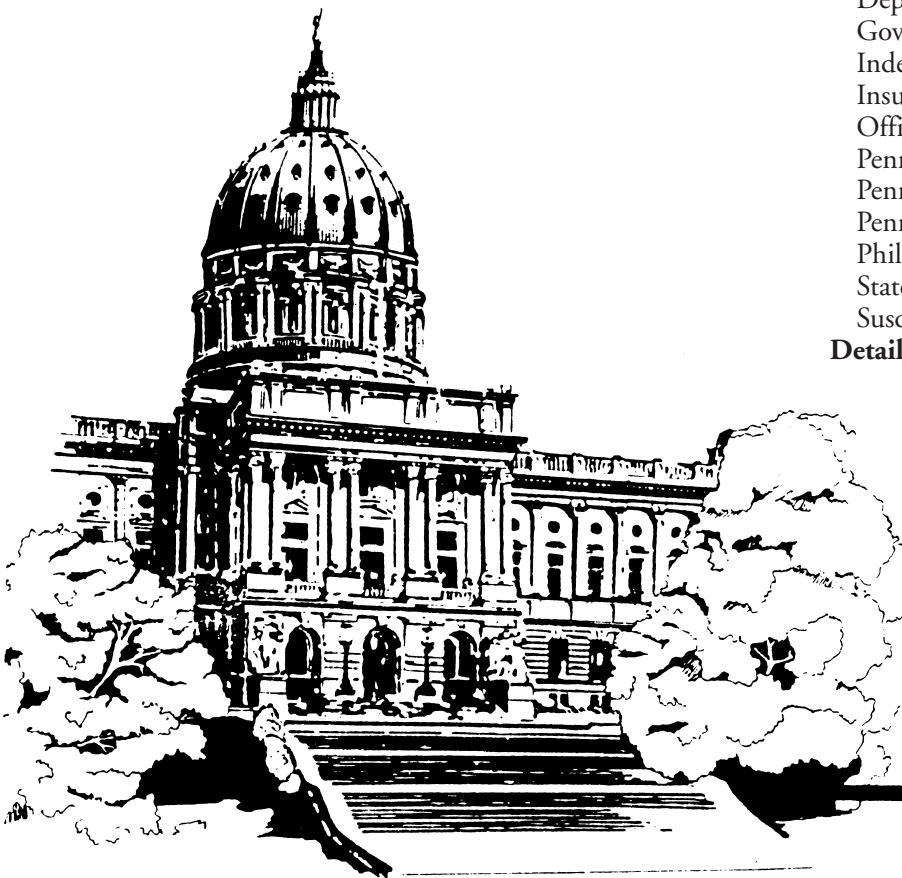
PENNSYLVANIA BULLETIN

Volume 43
Saturday, November 23, 2013 • Harrisburg, PA
Number 47
Pages 6873—7000

Agencies in this issue

The Courts
Delaware River Basin Commission
Department of Banking and Securities
Department of Education
Department of Environmental Protection
Department of Labor and Industry
Department of Public Welfare
Department of Transportation
Governor's Office
Independent Regulatory Review Commission
Insurance Department
Office of Open Records
Pennsylvania Convention Center Authority
Pennsylvania Gaming Control Board
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
State Employees' Retirement Board
Susquehanna River Basin Commission

Detailed list of contents appears inside.



**Latest Pennsylvania Code Reporters
(Master Transmittal Sheets):**

No. 468, November 2013

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE/NEW SUBSCRIPTION

If information on mailing label is incorrect, please make changes in space provided below and mail to:

**FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198**

CUSTOMER NUMBER (6 digit number above name)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

Copyright © 2013 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 W. Church Road, Mechanicsburg, Pennsylvania 17055-3198.

CONTENTS

THE COURTS

LOCAL COURT RULES

Washington County

Local criminal rule 141—audio tape of testimony
from preliminary hearings; no. 1-2013..... 6882

EXECUTIVE AGENCIES

DELAWARE RIVER BASIN COMMISSION

Notices

Public hearing and business meeting..... 6917

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications..... 6921

DEPARTMENT OF EDUCATION

Notices

Application of Peter G. Weindorfer for reinstatement of teaching certificates; doc. no. RE 13-02 6921

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices..... 6922
Revision of general permit number WMGR097 for research and development of the beneficial uses of municipal and residual waste..... 6986

DEPARTMENT OF LABOR AND INDUSTRY

Notices

Current Prevailing Wage Act debarments..... 6986

DEPARTMENT OF PUBLIC WELFARE

Notices

Pharmacy prior authorization..... 6986

DEPARTMENT OF TRANSPORTATION

Rules and Regulations

Delivery of certificates of title 6892
Intrastate motor carrier safety requirements 6893

Notices

Bureau of Maintenance and Operations; access route approval (2 documents)..... 6987

GOVERNOR'S OFFICE

Statements of Policy

Executive orders, management directives and other issuances of the Directives Management System indexed for reference purposes..... 6901

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Action taken by the Commission..... 6988
Notice of filing of final rulemakings..... 6989

INSURANCE DEPARTMENT

Notices

The Hospital and Healthsystem Association of Pennsylvania; appeal..... 6990
Pennsylvania Medical Society; appeal..... 6990

OFFICE OF OPEN RECORDS

Notices

Hearing in the matter of Paul Peirce and *The Pittsburgh Tribune-Review* v. Pennsylvania Office of Administration 6991

PENNSYLVANIA CONVENTION CENTER AUTHORITY

Notices

Statements; net position; revenues, expenses and changes in net position..... 6991

PENNSYLVANIA GAMING CONTROL BOARD

Rules and Regulations

Six-Card Fortune Pai Gow Poker; temporary regulations..... 6883

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Proposed Rulemaking

Household goods in use carriers and property carriers..... 6894

Notices

Ronald Cab, Inc., t/a Community Cab, et al. v. OGED, Inc.; doc. nos. C-2010-2167828 and M-2013-2381012 6992
Service of notice of motor carrier applications..... 6994

PHILADELPHIA PARKING AUTHORITY

Notices

Motor carrier medallion transfer application for service in the city of Philadelphia (4 documents) 6994, 6995
Motor carrier stock transfer application for taxicab service in the city of Philadelphia..... 6995
Waiver petition received..... 6995

STATE EMPLOYEES' RETIREMENT BOARD

Notices

Hearing scheduled 6996

SUSQUEHANNA RIVER BASIN COMMISSION

Notices

Commission meeting..... 6998

Now Available Online at <http://www.pabulletin.com>

READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND 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.

Source Notes give you the history of the documents. 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.

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.

**SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

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 such 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; and that the fiscal note shall provide 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 five 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 five 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.

Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

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 2013.

4 Pa. Code (Administration)		288	4858
Proposed Rules		299	4858
405	1850	806	872
Statements of Policy		901	4740, 5995
1	6901	1021	2591
9	220, 875, 1084, 1283, 1863, 2610, 3113, 3510, 4101, 4601, 5599, 6006, 6512	Statements of Policy	
58	1731	16	4103
67a	877	28 Pa. Code (Health)	
7 Pa. Code (Agriculture)		Adopted rules	
Adopted Rules		1001	6093
143	216	1003	6093
144	216	1005	6093
Proposed Rules		1007	6093
107	6366	1009	6093
137b	4344	1011	6093
10 Pa. Code (Banking and Securities)		1013	6093
Proposed Rules		1015	6093
5	5455	1021	6093
12 Pa. Code (Commerce, Trade and Local Government)		1023	6093
Proposed Rules		1025	6093
149	3110	1027	6093
17 Pa. Code (Conservation and Natural Resources)		1029	6093
Adopted Rules		1031	6093
45	4077	1033	6093
Proposed Rules		31 Pa. Code (Insurance)	
45	1419	Adopted Rules	
22 Pa. Code (Education)		124	6345
Adopted Rules		161	2816
4	4079	163	2819
19	3337	Proposed Rules	
31	2436	25	5996
Proposed Rules		124	1269
121	6368	34 Pa. Code (Labor and Industry)	
25 Pa. Code (Environmental Protection)		Adopted Rules	
Adopted Rules		63	2438
78	526	65	4730
93	4080	37 Pa. Code (Law)	
105	967	Proposed Rules	
121	806	79	2589
123	806, 2140	40 Pa. Code (Liquor)	
139	806	Adopted Rules	
901	830	5	3946, 5817
Proposed Rules		15	12
78	5457	Proposed Rules	
127	677	7	5825
208	2587, 5819	11	2040, 5826
271	4858	49 Pa. Code (Professional and Vocational Standards)	
272	4858	Adopted Rules	
273	4858	5	4850
284	4858	13	2033
285	4858	16	2142, 3347, 4329
287	4858	18	2142, 2145, 4329
		25	2147, 4336
		36	3098
		42	2991, 3350

Proposed Rules

1	1279
3	1854
6	2041
7	1855
13	2044
15	1859
16	6212
18	6212
27	2439
33	1857
36	5827
45	2042, 5828
47	1281, 6382
48	6382
49	6382

Statements of Policy

13	1422, 6515
33	6385

51 Pa. Code (Public Officers)

Proposed Rules

53	3009
----	------

52 Pa. Code (Public Utilities)

Adopted Rules

1	5593
5	5593
33	2820
59	4586, 5705
62	1413
111	3473
1005	2992

Proposed Rules

1	1273, 2602
3	2602, 6894
5	1273, 2602, 6894
23	2602, 6894
29	2602, 6203
31	6894
32	2602, 6894
41	6894
53	2602, 6503
54	2602
57	2602
59	2602
62	2602
65	870
121	6206
1001	6373
1011	1725, 6373
1013	6674
1015	1725
1017	1720, 1725, 6373
1019	6373
1021	1725, 6373
1027	1725
1051	1725
1053	1725
1055	1720
1057	1725
1059	1725

Statements of Policy

41	2852
69	6518

55 Pa. Code (Public Welfare)

Adopted Rules

52	833
5230	2572

Proposed Rules

1187	4599, 4855, 5822
1189	4855, 5822

Statements of Policy

51	878
5200	4355
5210	4355
5320	4355
6000	1732
6400	222

58 Pa. Code (Recreation)

Adopted Rules

29	2714
51	4214
65	3232, 5451, 5452
69	4214
75	5453
93	4214
113	4214
139	2999, 3006
141	3006
143	3007
147	2311
401a	660, 4096
403a	660
405a	660
407a	660
437a	4096
441a	4096
461a	660
471a	660
491a	660
493a	660
494a	660
495a	660
497a	660
499a	660
501a	660
511a	660
581	3495
583	3495
585	3495
587	4971
588	6883

Proposed Rules

51	5462
53	3238
61	3237
63	3235, 5466
65	2034, 2035
69	5467
75	15, 3233
93	5463
101	3238
105	3238
137	2039
139	1712, 1718, 2037
141	1710
143	2037, 4741
421a	2152, 6764
421b	2152
423a	6764
425a	6764

427a	6764
429a	6764
431a	6764
433a	6764
435a	6764
437a	6764
439a	2152
440a	6764
441a	6764
461a	834, 6764
465a	834, 2152, 2827, 6764
481a	2152
501a	2152
503a	2152
503b	2152
513a	2152
525	834
575	834
577	834
579	834
603a	834, 2152
605a	2312
609a	834, 6764
623a	834, 6764
627a	834
629a	834
631a	834
633a	834, 2152, 6764
635a	834
637a	834
639a	2312, 2827
641a	2312, 2827
643a	2312, 2827, 6764
645a	2827, 6764
647a	2312, 2827
649a	834, 2827
653a	2312, 2827
655a	2312, 2827
657a	2312, 2827
659a	834
661a	834
663a	834
665a	834

Statements of Policy

57	5469
439b	1733
461b	4744

61 Pa. Code (Revenue)

Adopted Rules

7	532
117	535
119	535
121	535
901	532

67 Pa. Code (Transportation)

Adopted Rules

23	6892
175	6349
231	6893

Proposed Rules

231	3010
-----	------

101 Pa. Code (General Assembly)

Statements of Policy

31	17
303	878

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

1	2988
7	3327
19	3223

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29	6489, 6490
71	2559
81	1173, 6641, 6762
83	1173
303	3655

Proposed Rules

71	1699
81	1997
83	4967
303	431

207 Pa. Code (Judicial Conduct)

Proposed Rules

51	2269
----	------

210 Pa. Code (Appellate Procedure)

Adopted Rules

1	2007
2	2007
3	2423, 3327
5	2423
9	3327
11	3223
15	3327
17	2271, 3223
19	2810
21	2007, 2704, 5589
25	964, 2007
31	5394, 5989
33	3223, 3470
37	3225
63	514, 3227
65	298

Proposed Rules

3	3082
9	3082
11	3082
19	1700, 3084, 5393
21	3082
25	5393
40	1700

225 Pa. Code (Rules of Evidence)

Adopted Rules

Article I	620
Article II	620
Article III	620
Article IV	620
Article V	620
Article VI	620
Article VII	620
Article VIII	620
Article IX	620
Article X	620

Proposed Rules

Article VIII	210
--------------	-----

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200	525, 6648
1000	1835
1300	2135

1900 3932
 1910 801, 2272, 5701
 1915 2559, 3936, 3937, 4702
 1930 3329
 3000 2136
 Part II 1836

Proposed Rules

1900 5448
 1910 3932, 5449
 Part II 2010, 6321

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

1 652, 6649, 6654
 2 652, 6649
 4 654, 4323
 5 2560, 2704, 3330, 4062, 4715
 6 2704, 3330
 7 1702
 8 4715
 10 2560, 2704, 4062, 6657

Proposed Rules

5 210, 4210
 6 2304, 6490
 8 801

237 Pa. Code (Juvenile Rules)

Adopted Rules

1 3938, 3941
 2 3938
 6 1551, 3938
 11 3941, 6658
 12 6658
 16 6658

Proposed Rules

1 2306, 6192
 11 2306, 6192, 6492
 12 6492
 13 6192, 6492
 14 6492
 15 6492
 16 6492
 18 6192

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules

200 4967, 5589
 300 5989
 400 4967, 5989
 1000 4969

Proposed Rules

200 8, 2136
 300 3470, 5701
 400 8
 500 3085, 3470
 1000 3085

249 Pa. Code (Philadelphia Rules)

Unclassified 657, 658, 1078, 2138, 4064, 4212

252 Pa. Code (Allegheny County Rules)

Unclassified 2711, 3229, 5702

255 Pa. Code (Local Court Rules)

Unclassified 9, 11, 212, 214, 299, 658, 964, 1173, 1175, 1176, 1408, 1410, 1551, 1842, 2139, 2308, 2309, 2424, 2435, 2563, 2989, 3088, 3230, 3332, 3942, 3943, 4065, 4067, 4070, 4071, 4213, 4326, 4327, 4723, 4724, 4726, 4839, 4845, 4848, 4970, 5395, 5450, 5590, 5703, 5797, 5798, 5799, 5804, 5991, 5993, 6201, 6344, 6666, 6667, 6673, 6762, 6882

THE COURTS

Title 25—LOCAL COURT RULES

WASHINGTON COUNTY

Local Criminal Rule 141—Audio Tape of Testimony from Preliminary Hearings; No. 1-2013

Order

And Now, this 5th day of November, 2013; *It Is Hereby Ordered* that the previously-captioned Local Criminal Rule is rescinded effective December 31, 2013.

All tapes in the possession of the Court Administrator's Office at the effective date of this Rule will be retained for a period of three (3) months after which they may be destroyed. Notice will be sent to the Commonwealth and defense prior to destruction.

This Rule will be effective 30 days after publication in the *Pennsylvania Bulletin*.

DEBBIE O'DELL SENECA,
President Judge

[Pa.B. Doc. No. 13-2187. Filed for public inspection November 22, 2013, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CH. 588]

Six-Card Fortune Pai Gow Poker; Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 13A03(b) (relating to temporary table game regulations) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), adds Chapter 588 (relating to Six-Card Fortune Pai Gow Poker) to read as set forth in Annex A.

Explanation of Chapter 588

Section 588.1 (relating to definitions) contains the definitions for terms used in Six-Card Fortune Pai Gow Poker. Section 588.2 (relating to Six-Card Fortune Pai Gow Poker table; physical characteristics; shaker) contains all of the requirements pertaining to the tables and other equipment used in the play of the game.

Section 588.3 (relating to cards; number of decks) addresses the number of decks that are used in Six-Card Fortune Pai Gow Poker and the frequency with which the decks are to be changed. Sections 588.4 and 588.5 (relating to opening of the table for gaming; and shuffle and cut of the cards; procedures for determining the starting position for dealing cards) set forth the procedures for the inspection, shuffling and cutting of the cards before they are dealt.

Sections 588.6 and 588.7 (relating to Six-Card Fortune Pai Gow Poker rankings; and wagers) set forth the rank of the cards for the purpose of determining a winning hand and specify which wagers are authorized for use at the game and when those wagers are to be placed.

Sections 588.8—588.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) specify the procedures for the dealing of the cards to each patron and the dealer. Section 588.11 (relating to procedures for completion of each round of play) addresses how the dealer is to evaluate whether a patron's hand is a winning hand. This section also addresses the procedures for collecting cards, collecting losing wagers and paying out winning wagers.

Section 588.12 (relating to payout odds; Envy Bonus; rate of progression) addresses the payout odds for all permissible wagers and § 588.13 (relating to irregularities; invalid roll of dice) specifies how irregularities in the play of the game are to be handled.

Affected Parties

This temporary rulemaking will allow certificate holders additional options on how to conduct table games at their licensed facilities.

Fiscal Impact

Commonwealth. The Board does not expect that this temporary rulemaking will have fiscal impact on the Board or other Commonwealth agencies. Internal control procedures submitted by certificate holders related to table games Rules Submissions will be reviewed by existing Board staff.

Political subdivisions. This temporary rulemaking will not have direct fiscal impact on political subdivisions of the Commonwealth. Eventually, host municipalities and counties will benefit from the local share funding that is mandated by the act of January 7, 2010 (P. L. 1, No. 1).

Private sector. This temporary rulemaking will give certificate holders some additional flexibility as to how they conduct table games. It is anticipated that this temporary rulemaking will have an impact only on certificate holders, which are not small businesses.

General public. This temporary rulemaking will not have direct fiscal impact on the general public.

Paperwork Requirements

If a certificate holder elects to offer new games for play at the licensed facility, the certificate holder will be required to submit an updated rules submission reflecting the changes.

Effective Date

This temporary rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

Public Comments

While this temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how this temporary rulemaking might be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Susan A. Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation #125-177.

Contact Person

The contact person for questions about this temporary rulemaking is Susan A. Yocum, Assistant Chief Counsel, (717) 346-8300.

Regulatory Review

Under 4 Pa.C.S. § 13A03(b), the Board's authority to adopt temporary regulations governing the rules of new table games does not expire. Additionally, temporary regulations adopted by the Board are not subject to sections 201—205 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201—1205), known as the Commonwealth Documents Law (CDL), the Regulatory Review Act (71 P. S. §§ 745.1—745.12) and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (71 P. S. §§ 732-204(b) and 732-301(10)). These temporary regulations expire 2 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 13A03(b), the temporary regulations are exempt from the requirements of the Regulatory Review Act, sections 201—205 of the CDL and sections 204(b) and 301(10) of the Commonwealth Attorney Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa. Code Chapter 588, are amended by adding §§ 588.1—588.13 to read as set forth in Annex A.

(2) The temporary regulations are effective November 23, 2013.

(3) The temporary regulations will be posted on the Board's web site and published in the *Pennsylvania Bulletin*.

(4) The temporary regulations are subject to amendment as deemed necessary by the Board.

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

WILLIAM H. RYAN, Jr.,
Chairperson

Fiscal Note: 125-177. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 58. RECREATION****PART VII. GAMING CONTROL BOARD****Subpart K. TABLE GAMES****CHAPTER 588. SIX-CARD FORTUNE PAI GOW POKER**

Sec.	Definitions.
588.1.	588.2.
588.3.	588.4.
588.4.	588.5.
588.5.	588.6.
588.6.	588.7.
588.7.	588.8.
588.8.	588.9.
588.9.	588.10.
588.10.	588.11.
588.11.	588.12.
588.12.	588.13.

§ 588.1. Definitions.

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

Envy Bonus—An additional fixed sum payout made to a player who placed a Qualifying Wager when another player at the Six-Card Fortune Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—

(i) For purposes of the Fortune Bonus Wager, a player's hand with a rank of a full house or better formed from the six cards dealt to a player.

(ii) For purposes of the Progressive Payout Wager, a player's hand with a rank of a four-of-a-kind or better formed from the six cards dealt to a player.

High hand—The five-card hand that is formed from the six cards dealt so as to rank equal to or higher than the low hand.

Low hand—The one-card hand that is formed from the six cards dealt so as to rank equal to or lower than the high hand.

Qualifying Wager—A Fortune Bonus or Progressive Payout Wager of at least \$5 which may entitle a player to an Envy Bonus.

Setting the hands—The process of forming a high hand and low hand from the six cards dealt.

§ 588.2. Six-Card Fortune Pai Gow Poker table; physical characteristics; shaker.

(a) Six-Card Fortune Pai Gow Poker shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Six-Card Fortune Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

(1) The name or logo of the certificate holder.

(2) A separate betting area designated for the placement of the Six-Card Fortune Pai Gow Poker Wager for each player.

(3) Two separate areas designated for the placement of the high and low hands of each player.

(4) Two separate areas designated for the placement of the high and low hands of the dealer.

(5) If the certificate holder offers the Double Down Wager authorized under § 588.7(e)(1) (relating to wagers), a separate area designated for the placement of the Double Down Wager for each player.

(6) If the certificate holder offers the optional Fortune Bonus Wager authorized under § 588.7(e)(2), a separate area designated for the placement of the Fortune Bonus Wager for each player.

(7) If the certificate holder offers the optional Insurance Wager authorized under § 588.7(e)(3), a separate area designated for the placement of the Insurance Wager for each player.

(8) If the certificate holder offers the optional Progressive Payout Wager authorized under § 588.7(e)(4), a separate area designated for the placement of the Progressive Payout Wager for each player.

(9) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Six-Card Fortune Pai Gow Poker table.

(c) If the certificate holder offers the optional Progressive Payout Wager in accordance with § 588.7(e)(4), the Six-Card Fortune Pai Gow Poker table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table game systems) for the placement of Progressive Payout Wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the placement of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

(d) To determine the starting position for the dealing or delivery of the cards, Six-Card Fortune Pai Gow Poker may be played with:

(1) A Pai Gow Poker shaker, approved in accordance with § 601a.10(a), which shall be designed and constructed to maintain the integrity of the game. The Pai Gow Poker shaker shall be the responsibility of the dealer, may not be left unattended while at the table and must:

(i) Be capable of housing three dice that when not being shaken must be maintained within the Pai Gow Poker shaker. Dice that have been placed in a Pai Gow Poker shaker for use in gaming may not remain on a table for more than 24 hours.

(ii) Be designed to prevent the dice from being seen while being shaken.

(iii) Have the name or logo of the certificate holder imprinted or impressed thereon.

(2) A computerized random number generator which shall be submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use.

(e) Each Six-Card Fortune Pai Gow Poker table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(f) Each Six-Card Fortune Pai Gow Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 588.3. Cards; number of decks.

(a) Except as provided in subsection (b), Six-Card Fortune Pai Gow Poker shall be played with one deck of cards that are identical in appearance and two cover cards. The deck of cards used to play Six-Card Fortune Pai Gow Poker must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for gaming.

(b) If an automated card shuffling device is utilized, Six-Card Fortune Pai Gow Poker may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design but the backs of the cards in one deck must be of a different color than the cards in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks of cards shall be continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck shall be placed in the discard rack at any given time.

(c) The decks of cards used in Six-Card Fortune Pai Gow Poker shall be changed at least every:

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

§ 588.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) If the deck of cards used by the certificate holder contains two jokers, the dealer and a floorperson shall ensure that only one joker is utilized and that the other joker is torn in half and placed in the box, envelope or container that the deck came from. After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence and include the one joker.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 588.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards).

(d) If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c).

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 588.5. Shuffle and cut of the cards; procedures for determining the starting position for dealing cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by the floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, determine the starting position in accordance with subsection (i), then deal the cards in accordance with § 588.8, § 588.9 or § 588.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually, cut the cards in accordance with the procedures in subsections (c)—(e).

(c) Upon completion of a manual shuffle, the dealer shall place the stack of cards on top of one of the cover cards. The dealer shall offer the stack of cards to be cut,

with the backs facing away from the dealer, to the player determined under subsection (d). If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(e) The player or dealer making the cut shall place the second cover card in the stack at least ten cards from the top or the bottom of the deck. Once the second cover card has been inserted, the dealer shall take the second cover card and all the cards on top of the second cover card and place them on the bottom of the stack. The dealer shall then remove the first cover card and place it on the bottom of the stack. The dealer shall remove one of the cover cards and either place it in the discard rack or use it as an additional cover card to be inserted four cards from the bottom of the deck. The dealer shall then determine the starting position in accordance with subsection (i) and deal the cards in accordance with § 588.8, § 588.9 or § 588.10.

(f) After the cards have been cut and before the cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut either by the player who last cut the cards, or by the next person entitled to cut the cards, as determined under subsection (d).

(g) If there is no gaming activity at a Six-Card Fortune Pai Gow Poker table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards:

(1) If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section.

(2) If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The deck of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the deck of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt, if the automated card shuffling device stores a single deck of shuffled cards inside the shuffler in a secure manner.

(h) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (b)—(g) do not apply.

(i) To determine the starting position for the dealing of cards, the certificate holder shall use one of the following:

(1) A Pai Gow Poker shaker in accordance with the following procedures:

(i) The dealer shall shake the Pai Gow Poker shaker at least three times to cause a random mixture of the dice.

(ii) The dealer shall then remove the lid covering the Pai Gow Poker shaker and place the uncovered shaker on the designated area of the table layout. The dealer shall then total the dice and announce the total.

(iii) To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the total of the three dice.

(iv) After the dealing procedures required under § 588.8, § 588.9 or § 588.10 have been completed, the dealer shall place the cover on the Pai Gow Poker shaker and shake the shaker once. The Pai Gow Poker shaker shall then be placed to the right of the dealer.

(2) A computerized random number generator to select and display a number from 1 to 7. To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner until the count matches the number displayed by the random number generator.

(j) After the starting position for a round of play has been determined, a certificate holder may mark that position with an additional cover card, flat button or similar object.

§ 588.6. Six-Card Fortune Pai Gow Poker rankings.

(a) The rank of the cards used in Six-Card Fortune Pai Gow Poker, in order of highest to lowest, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: queen, king, ace, 2 and 3). The joker shall be used and ranked as an ace or may be used as any card to complete a straight or a flush.

(b) The permissible five-card high hands at the game of Six-Card Fortune Pai Gow Poker, in order of highest to lowest rank, shall be:

(1) Five aces consisting of four aces and a joker.

(2) A royal flush consisting of an ace, king, queen, jack and 10 of the same suit or a king, queen, jack and 10 of the same suit and a joker.

(3) A straight flush consisting of five cards of the same suit in consecutive ranking, with ace, 2, 3, 4 and 5 being the highest ranking straight flush; king, queen, jack, 10 and 9 being the second highest ranking straight flush; and 2, 3, 4, 5 and 6 being the lowest ranking straight flush.

(4) A four-of-a-kind consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind.

(5) A full house consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(6) A flush consisting of five cards of the same suit. When comparing two flushes, the hand which contains the highest ranking card, as provided in subsection (a), which is not in the other hand, shall be considered the higher ranking hand.

(7) A straight consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight; an ace, 2, 3, 4 and 5 being the second highest ranking straight; and a 2, 3, 4, 5 and 6 being the lowest ranking straight.

(8) A three-of-a-kind containing three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind.

(9) Two pair containing two pairs, with two aces and two kings being the highest ranking two pair hand and two 3s and two 2s being the lowest ranking two pair hand.

(10) A pair consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

(c) When comparing two high hands or two low hands that are of identical hand rank under subsection (b), or contain none of the hands listed in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not in the other hand, shall be considered the higher ranking hand. If a player uses a joker as the low hand, the player's hand shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this section, the dealer's hand shall be considered the higher ranking hand.

§ 588.7. Wagers.

(a) Wagers at Six-Card Fortune Pai Gow Poker shall be made by placing value chips, plaques or other Board-approved wagering instruments on the appropriate areas of the Six-Card Fortune Pai Gow Poker layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Six-Card Fortune Pai Gow Poker table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) Except the Double Down Wager, all wagers at Six-Card Fortune Pai Gow Poker shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 588.8, § 588.9 or § 588.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except the Double Down Wager, a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) To participate in a round of play and compete against the dealer's high and low hands, a player shall place a Six-Card Fortune Pai Gow Poker Wager.

(e) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Six-Card Fortune Pai Gow Poker Wager, in accordance with subsection (d), the option of placing the following additional wagers:

(1) A Double Down Wager equal to the Six-Card Fortune Pai Gow Poker Wager that both the player's high and low hands will beat the dealer's high and low hands.

(2) A Fortune Bonus Wager that the six cards dealt to the player will form a five-card Poker hand with a rank of

a three-of-a-kind or better as described in § 588.6(b) (relating to Six-Card Fortune Pai Gow Poker rankings).

(3) An Insurance Wager that the six cards dealt to the player will form a five-card Poker hand with a rank of a king-high or less.

(4) A Progressive Payout Wager that the six cards dealt to the player will form a five-card Poker hand with a rank of a straight or better as described in § 588.6(b).

(f) If specified in its Rules Submission under § 601a.2, a certificate holder may permit a player to wager on two adjacent betting areas at a Six-Card Fortune Pai Gow Poker table. If a certificate holder permits a player to wager on adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

§ 588.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 588.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce "no more bets" and:

(1) If the Fortune Bonus Wager or Progressive Payout Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) The dealer shall determine the starting position for dealing the cards using one of the procedures authorized under § 588.5(i).

(d) The dealer shall then deal the first card to the starting position as determined in subsection (c) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has six cards. Each card dealt shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed face down on the appropriate area of the layout with the opposite hand.

(e) After 6 cards have been dealt to each position and the dealer, the dealer shall remove the stub from the

manual dealing shoe and determine whether 11 cards are left by spreading them face down on the layout. The cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(f) If more or less than 11 cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than six cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 588.9. Procedures for dealing the cards from the hand.

(a) If the cards are dealt from the dealer's hand, the following requirements shall be observed:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 588.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the dealer shall place the deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand when holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce "no more bets" and:

(i) If the Fortune Bonus or Progressive Payout Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall then determine the starting position for dealing the cards using one of the procedures authorized under § 588.5(i).

(c) The dealer shall then deal the first card to the starting position as determined in subsection (b) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has six cards.

(d) After 6 cards have been dealt to each position and the dealer, the dealer shall determine whether 11 cards are left by spreading them face down on the layout. The

11 cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than 11 cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than six cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 588.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures under § 588.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce "no more bets" and:

(i) If the Fortune Bonus or Progressive Payout Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall determine the starting position for delivering the stacks of cards using one of the procedures authorized under § 588.5(i).

(c) After the starting position for delivering the cards has been determined, the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to that position. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other positions, regardless of whether there is a wager at the position, and the dealer.

(d) After 6 cards have been dispensed and delivered to each position and the dealer, the dealer shall remove the remaining cards from the shoe and determine whether 11 cards are left by spreading them face down on the layout. The 11 cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than 11 cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than six cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 588.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 588.8, § 588.9 or § 588.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at a Six-Card Fortune Pai Gow Poker table shall be responsible for setting his own hands and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player. If a player requests assistance in the setting of his hands, the dealer shall inform the player of the manner in which the certificate holder requires the hands to be set.

(2) Each player shall keep his six cards in full view of the dealer at all times.

(3) Once each player has set a high and low hand and placed the two hands face down on the appropriate area of the layout, the player may not touch the cards again.

(b) Each player shall set his hands by arranging the cards into a high hand and a low hand. When setting the two hands, the five-card high hand must be equal to or higher in rank than the one-card low hand.

(c) After all players have examined their cards, the dealer shall offer each player the option to place an additional Double Down Wager equal to the player's Six-Card Fortune Pai Gow Poker Wager.

(d) After all players have set their hands and placed the cards on the table, the six cards of the dealer shall be turned over and the dealer shall arrange his cards into a high and low hand in accordance with the following requirements:

(1) The dealer may not break any sets as described in § 588.6(b) (relating to Six-Card Fortune Pai Gow Poker rankings) to play a higher card in the dealer's low hand. Once the dealer has played the set, the dealer shall use the highest-ranking card in his low hand. Notwithstanding the following requirements:

(i) If the dealer has two three-of-a-kinds in his hand, the dealer shall play the lower ranking set as the three-of-a-kind and the higher one as a pair to play the higher card in the low hand.

(ii) If the dealer has three pairs, the dealer shall play the two lower ranking pairs as the high hand and the highest ranking card of the third pair as the low hand.

(2) If the dealer has a Six-Card Fortune straight, Six-Card Fortune flush or a Six-Card Fortune straight flush, the dealer shall play the lowest possible straight, flush or straight flush and place the highest ranking card in the low hand.

(3) If the dealer has both a straight and a flush, the dealer shall set the flush as the dealer's high hand.

(4) If the dealer has both a straight and a straight flush, the dealer shall set the straight flush as the dealer's high hand.

(5) If the dealer has both a Six-Card Fortune flush and a straight flush, the dealer shall play the straight flush as the high hand and the remaining card as the dealer's low hand.

(6) If the dealer does not have pairs, straights or flushes, the dealer shall play the highest ranking card, in accordance with § 588.6(a), in the dealer's high hand, the second highest ranking card as the dealer's low hand and the remaining four cards in the dealer's high hand.

(e) After the dealer has set a high hand and a low hand, the dealer shall reveal both hands of each player, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall compare the high and low hand of each player to the high and low hand of the dealer and shall announce if the Six-Card Fortune Pai Gow Poker Wager of that player wins, loses or is a tie.

(f) A Six-Card Fortune Pai Gow Poker Wager will:

(1) Lose and will immediately be collected if:

(i) The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer.

(ii) The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is identical in rank to the low hand of the dealer.

(iii) The high hand of the player is identical in rank to the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer.

(iv) The high and low hands of the player are identical in rank to the high and low hands of the dealer.

(v) The high hand of the player was not set so as to rank equal to or higher than the low hand of that player.

(2) Tie and will be returned to the player if:

(i) The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is lower in rank than the low hand of the dealer.

(ii) The high hand of the player is lower in rank than the high hand of the dealer, but the low hand of the player is a joker or is higher in rank than the low hand of the dealer.

(3) Win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is a joker or is higher in rank than the low hand of the dealer. The dealer shall pay the winning Six-Card Fortune Pai Gow Poker Wager in accordance with the payout odds in § 588.12(a) (relating to payout odds; Envy Bonus; rate of progression).

(g) After settling the player's Six-Card Fortune Pai Gow Poker Wager, the dealer shall settle the player's optional Double Down Wager as follows:

(1) If the dealer's hand contains a pair of eights or better, as described in § 588.6(b), the Double Down Wager shall win, lose or tie in accordance with subsection (f).

(2) If the dealer's hand does not contain a pair of eights or better, the Double Down Wager shall be returned to the player.

(h) If a player has placed a Fortune Bonus, Insurance or Progressive Payout Wager, the dealer shall rearrange the six cards of any player who placed an optional wager to form the highest ranking hand. If any player at the table has placed a Qualifying Wager, the dealer shall rearrange the cards of all players regardless of whether

the player placed a Fortune Bonus or Progressive Payout Wager. After rearranging the player's six cards, the dealer shall:

(1) Settle the player's Fortune Bonus Wager as follows:
 (i) If a player:

(A) Placed a Six-Card Fortune Pai Gow Poker Wager but does not have a three-of-a-kind or higher, as described in § 588.6(b), the dealer shall collect the Fortune Bonus Wager.

(B) Placed a Six-Card Fortune Pai Gow Poker Wager and has a three-of-a-kind or higher, the dealer shall pay the winning Fortune Bonus Wager in accordance with § 588.12(b). If the player has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(C) Did not place a Fortune Bonus Wager but has an Envy Bonus Qualifying Hand, and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Fortune Bonus Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 588.12(b) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Six-Card Fortune Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(2) Settle the player's Insurance Wager. If a player has a hand ranked:

(i) Better than a king-high, the dealer shall collect the Insurance Wager.

(ii) A king-high or less, the dealer shall pay the winning Insurance Wager in accordance with § 588.12(c).

(3) Settle the player's Progressive Payout Wager as follows:

(i) If a player:

(A) Placed a Progressive Payout Wager but does not have a straight or better, as described in § 588.6(b), the dealer shall collect the Progressive Payout Wager and place the cards of the player in the discard rack.

(B) Placed a Progressive Payout Wager and has a straight or better, the dealer shall:

(I) Verify that the hand is a winning hand.

(II) Verify that the appropriate light on the progressive table game system has been illuminated.

(III) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(IV) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 588.12(d)(1). If a player has won a progressive payout that is a percentage of the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the

table inventory, the cards of that player shall remain on the table until the necessary documentation has been completed.

(C) Has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Progressive Payout Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 588.12(d)(4) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Six-Card Fortune Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(i) The dealer shall settle all of the player's optional wagers before placing the player's cards in the discard rack.

(j) All cards removed from the table shall be placed in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 588.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Six-Card Fortune Pai Gow Poker and Double Down Wager at odds of 1 to 1.

(b) The certificate holder shall pay out winning Fortune Bonus Wagers and Envy Bonus payouts at the odds and amounts in the following paytables:

(1) *Fortune Bonus Payout.*

<i>Hand</i>	<i>Payout</i>
Five aces	1,000 to 1
Royal flush	250 to 1
Straight flush	100 to 1
Four-of-a-kind	50 to 1
Full house	15 to 1
Flush	10 to 1
Straight	8 to 1
Three-of-a-kind	5 to 1

(2) *Envy Bonus Payouts.* Envy Bonus Payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Fortune Bonus Wager placed by the player receiving the Envy Bonus:

\$1 Fortune Bonus Wager

<i>Hand</i>	<i>Envy Bonus</i>
Five aces	\$1,000
Royal flush	\$200
Straight flush	\$50
Four-of-a-kind	\$15
Full house	\$5

\$5 Fortune Bonus Wager

<i>Hand</i>	<i>Envy Bonus</i>
Five aces	\$5,000
Royal flush	\$1,000
Straight flush	\$250
Four-of-a-kind	\$75
Full house	\$25

(c) The certificate holder shall pay out winning Insurance Wagers at the odds and amounts in the following payable:

<i>Hand</i>	<i>Payout</i>
Eight-high	100 to 1
Nine-high	30 to 1
Ten-high	10 to 1
Jack-high	7 to 1
Queen-high	4 to 1
King-high	3 to 1

(d) The certificate holder shall pay out winning Progressive Payout Wagers and Envy Bonus Payouts in accordance with the following:

(1) The certificate holder shall pay out winning Progressive Payout Wagers at the odds in the following payable:

<i>Hand</i>	<i>Payout</i>
Five aces	100% of meter
Royal flush	10% of meter
Straight flush	300 for 1
Four-of-a-kind	150 for 1
Full house	15 for 1
Flush	6 for 1
Straight	3 for 1

(2) The initial and reset amount must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions) and be at least \$5,000.

(3) Winning Progressive Payout Wagers shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 588.11(h)(3) (relating to procedures for completion of each round of play) irrespective of the amount that was on the meter when the player placed the wager or when the dealer dealt the player's cards.

(4) Envy Bonus Payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

\$1 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Five aces	\$100
Royal flush	\$50
Straight flush	\$10
Four-of-a-kind	\$5

\$5 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Five aces	\$500
Royal flush	\$250
Straight flush	\$50
Four-of-a-kind	\$25

§ 588.13. Irregularities; invalid roll of dice.

(a) If the dealer uncovers the Pai Gow Poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a "no roll" and reshake the dice.

(b) If the dealer uncovers the Pai Gow Poker shaker and a die or dice fall out of the shaker, the dealer shall call a "no roll" and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the first card to the wrong position, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If the dealer exposes any of the cards dealt to a player, the player may void the hand. The player shall make the decision to either play out the hand or to void the hand without looking at the unexposed cards.

(e) If a card or cards in the dealer's hand are exposed, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(f) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(g) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(h) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(i) If the dealer does not set his hands in accordance with § 588.11(d) (relating to procedures for completion of each round of play), the hands shall be reset in accordance with § 588.11(d) and the round of play shall be completed.

(j) If a card is exposed while the dealer is dealing the seven stacks in accordance with § 588.10 (relating to procedures for dealing the cards from an automated dealing shoe), all wagers shall be returned to the players and the cards shall be reshuffled.

(k) If any player position or the dealer is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(l) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(m) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

(n) If an automated shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

[Pa.B. Doc. No. 13-2188. Filed for public inspection November 22, 2013, 9:00 a.m.]

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 23]

Delivery of Certificates of Title

The Department of Transportation (Department), under the authority in 75 Pa.C.S. §§ 1107, 1151.1 and 6103 (relating to delivery of certificate of title; program; and promulgation of rules and regulations by department), amends Chapter 23 (relating to delivery of certificates of title) to read as set forth in Annex A.

Purpose of this Chapter

The purpose of Chapter 23 is to specify the manner of delivery of encumbered certificates of title and certificates of title which are issued by the Department free of a lien or encumbrance, as provided by 75 Pa.C.S. § 1107.

Purpose of this Final-Form Rulemaking

The purpose of this final-form rulemaking is to include electronic transmission of certificates of title consistent with the system developed under 75 Pa.C.S. § 1151 (relating to electronic media system for vehicle titles (expired)). The amendments also correct typographical errors.

Summary of Comments

The proposed rulemaking was published at 41 Pa.B. 6088 (November 12, 2011). The proposed rulemaking was submitted to the Independent Regulatory Review Commission (IRRC) and the House and Senate Transportation Committees. Comments or objections were not received from the public, the Committees or IRRC. Consequently, additional changes have not been made to §§ 23.2 and 23.3 (relating to general rule; and exceptions).

Persons and Entities Affected

The final-form rulemaking will affect the Department in the delivery of a certificate of title and a lienholder who may receive an encumbered certificate of title.

Fiscal Impact

Implementation of this final-form rulemaking will not require the expenditure of significant additional funds by the Commonwealth or local municipalities. Minimal additional effort or paperwork will be required to validate the identity of the person performing the verification.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 1, 2011, the Department submitted a copy of the notice of proposed rulemaking, published at 41 Pa.B. 6088, to IRRC and the Chairpersons of the House and Senate Transportation Committees for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 9, 2013, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective October 9, 2013.

Sunset Provisions

This final-form rulemaking is effective upon publication. The Department is not establishing a sunset date for these regulations since these regulations are needed to administer provisions required under 75 Pa.C.S. (relating to Vehicle Code). The Department, however, will continue to closely monitor these regulations for their effectiveness.

Contact Person

The contact person for this final-form rulemaking is Penni Bernard, Customer Service Division, 3rd Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, pbernard@state.pa.us.

Order

The Department of Transportation orders that:

(a) The regulations of the Department, 67 Pa. Code Chapter 23, are amended by amending §§ 23.2 and 23.3 to read as set forth in Annex A.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to legality and form as required by law.

(c) The Secretary shall certify this Order and Annex A and deposit the same with the Legislative Reference Bureau, as required by law.

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

BARRY J. SCHOCH, P.E.,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 43 Pa.B. 6988 (November 23, 2013).)

Fiscal Note: Fiscal Note 18-423 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE II. TITLE

CHAPTER 23. DELIVERY OF CERTIFICATES OF TITLE

§ 23.2. General rule.

(a) *Unencumbered titles.* Except as provided in § 23.3 (relating to exceptions), the Department of Transportation, upon issuing a certificate of title which is free and clear of a lien or encumbrance, will mail the certificate to the owner named thereon.

(b) *Encumbered titles.* Every certificate of title issued by the Department of Transportation containing a lienholder or encumbrancer will be either mailed or electronically transmitted to the first named lienholder or encumbrancer.

§ 23.3. Exceptions.

(a) *Dealer titles.* The Department of Transportation, at its offices, will deliver to a dealer licensed by the State Board of Motor Vehicle Manufacturers, Dealers and Salespersons and other dealers governed by this title, or their authorized representatives, a certificate of title issued in the name of the dealer, if the vehicle is free and clear of a lien or encumbrance. Identification satisfactory to the

Department of Transportation will be required of the dealer or its authorized representative prior to delivery of the certificate of title.

(b) *Other*: The Director of the Bureau of Motor Vehicles or his designees may, at his discretion, deliver a certificate of title, if it is free and clear of a lien or encumbrance, to the owner or a person authorized by the owner showing good cause to be entitled to receive the certificate of title. The discretion shall be reserved for circumstances demonstrating exceptional or unusual need and may include, but not be limited to requests for the title for immediate resale of the vehicle, for shipment of a vehicle overseas, and for use of the title as collateral for a loan after submission to the Department of Transportation for correction of an error. Identification satisfactory to the Department of Transportation shall be required of the owner or the person authorized by the owner prior to delivery of the certificate of title.

[Pa.B. Doc. No. 13-2189. Filed for public inspection November 22, 2013, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 231]

Intrastate Motor Carrier Safety Requirements

The Department of Transportation, under the authority in 75 Pa.C.S. §§ 4704 and 6103 (relating to inspection by police or Commonwealth personnel; and promulgation of rules and regulations by department), amends § 231.8 (relating to additions or modifications to 49 CFR).

Purpose of Chapter

The purpose of Chapter 231 (relating to intrastate motor carrier safety requirements) is to prescribe the minimum requirements and qualifications for drivers, vehicles and other matters relating to the intrastate operation of commercial vehicles. In April 2010, the Department amended the intrastate motor carrier safety regulations to comply with the Federal motor carrier safety regulations.

Purpose of the Final-Form Rulemaking

The purpose of this final-form rulemaking is to provide the Governor with greater flexibility to waive specified provisions of the regulation and retain other provisions as effective in dealing with circumstances warranting a declaration of emergency.

Summary of Comments

The proposed rulemaking was published at 43 Pa.B. 3010 (June 1, 2013). The proposed rulemaking was submitted to the Independent Regulatory Review Commission (IRRC) and to the House and Senate Transportation Committees of the General Assembly.

Comments or objections were not received from the public, the Committees or IRRC. Consequently, changes have not been made to § 231.8 and this final-form rulemaking is adopted as proposed.

Persons and Entities Affected

This final-form rulemaking will affect commercial drivers when circumstances prompt a declaration of emergency by the Governor.

Fiscal Impact

Implementation of this final-form rulemaking will not require the expenditure of additional funds by the Com-

monwealth or local municipalities. This final-form rulemaking will not impose additional costs on the regulated community.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 22, 2012, the Department submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 3010, to IRRC and the Chairpersons of the House and Senate Transportation Committees for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 9, 2013, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective October 9, 2013.

Effective Date and Sunset Provisions

This final-form rulemaking is effective upon publication. The Department is not establishing a sunset date since this regulation is needed to administer provisions required under 75 Pa. Code (relating to Vehicle Code). The Department, however, will continue to closely monitor the regulation for its effectiveness.

Contact Person

The contact person for technical questions about the final-form rulemaking is Daryl St. Clair, 400 North Street, 6th Floor, Commonwealth Keystone Building, Harrisburg, PA 17105, (717) 214-1883, DSTCLAIR@pa.gov.

Order

The Department orders that:

(a) The regulations of the Department, 67 Pa. Code Chapter 231, are amended by amending § 231.8 to read as set forth at 43 Pa.B. 3010.

(b) The Secretary of the Department shall submit this order and 43 Pa.B. 3010 to the Office of General Counsel and the Office of Attorney General for approval as to legality and from, as required by law.

(c) The Secretary shall certify this order and 43 Pa.B. 3010 and deposit the same with the Legislative Reference Bureau as required by law.

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

BARRY J. SCHOCH, P.E.,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 43 Pa.B. 6988 (November 23, 2013).)

Fiscal Note: Fiscal Note 18-432 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 13-2190. Filed for public inspection November 22, 2013, 9:00 a.m.]

PROPOSED RULEMAKING

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CHS. 3, 5, 23, 31, 32 AND 41]

[L-2013-2376902]

Household Goods in Use Carriers and Property Carriers

The Pennsylvania Public Utility Commission (Commission), on September 12, 2013, adopted a proposed rulemaking order amending existing regulations governing household goods carriers, eliminating the requirement that applications for authority establish a public demand or need for the proposed service and modifying insurance requirements.

Executive Summary

The Pennsylvania Public Utility Commission is vested with jurisdiction over common carriers, including household goods carriers, operating within Pennsylvania. Due to increased competition in this industry, the Commission proposes modifying its current regulations governing household goods carriers.

The evidentiary criteria governing applications for household goods in use authority are found at 52 Pa. Code § 41.14. In light of the competitive nature of the industry, we believe that it is appropriate to eliminate the requirement that an applicant for household goods in use authority establish that approval of the application will serve a useful public purpose, responsive to a public demand or need. 52 Pa. Code § 41.14(a). Further, the Commission would not consider the effect that a new carrier in the household goods industry might have on existing carriers. 52 Pa. Code § 41.14(c).

As a corollary to the proposed elimination of public demand or need in the application process, we propose modifying our tariff regulations governing household goods carriers. 52 Pa. Code § 23.67. Additionally, we will no longer restrict a carrier to a jurisdictional operating territory, unless that carrier would indicate it desired such a limitation. Existing household goods carriers would be deemed to have statewide authority, unless they would advise the Commission otherwise.

The remaining criteria set forth at 52 Pa. Code § 41.14 will remain in force. Household goods applicants will be required to establish that they have the technical and financial ability to provide the proposed service safely and legally.

Our insurance requirements provide for \$300,000 minimum liability coverage for property and household goods carriers. 52 Pa. Code § 32.12. We believe this minimum is insufficient and propose raising the minimum to \$750,000 for carriers operating commercial motor vehicles (vehicles weighing over 10,000 pounds). This coverage is consistent with federal requirements as well as numerous other states. Finally, we propose delineating more clearly the minimum insurance coverage for loss and damage to consumers' goods. This information is provided to prospective consumers in the required "Information for Shippers" form prescribed by our regulations. 52 Pa. Code § 31.121.

Public Meeting held
September 12, 2013

Commissioners Present: Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; Wayne E. Gardner; James H. Cawley; Pamela A. Witmer

Proposed Rulemaking Amending 52 Pa. Code Chapters 3, 5, 23, 31, 32, and 41; Household Goods in Use Carriers and Property Carriers; Doc No. L-2013-2376902

Proposed Rulemaking Order

By the Commission:

Pursuant to Section 1101 of the Public Utility Code (Code), 66 Pa.C.S. § 1101, a public utility must obtain a certificate of public convenience from the Commission in order to offer, render, furnish, or supply public utility service in Pennsylvania. Section 1103 of the Code, 66 Pa.C.S. § 1103, establishes the procedure to obtain a certificate of public convenience. That provision provides, *inter alia*, that "[A] certificate of public convenience shall be granted by order of the commission, only if the commission shall find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public."

Pursuant to Section 102 of the Code, 66 Pa.C.S. § 102, common carriers by motor vehicle are public utilities. The Commission recognizes distinct types of common carriers in its regulations. 52 Pa. Code Chapters 21, 29, and 31. One of these common carrier types is the household goods in use carrier, which is defined as a "motor common carrier or contract carrier that transports household goods in use." 52 Pa. Code § 21.1.¹

The evidentiary criteria governing applications for household goods in use authority are found at 52 Pa. Code § 41.14.² As part of our continuing effort to

¹ "Household goods in use" is defined at 52 Pa. Code § 21.1, as:

(i) As used in connection with transportation, the term means personal effects and property used or to be used in a dwelling, when a part of the equipment or supply of the dwelling, and similar property if the transportation of the effects or property is arranged and paid for by either the householder or by another party.

(ii) The term does not include:

(A) A motor carrier when the motor carrier provides transportation of household goods in containers or trailers that are entirely packed, loaded, unloaded or unpacked by an individual other than an employee or agent of the motor carrier.

(B) Transportation of property from a factory or store when the property is purchased by the householder with the intent to use it in the householder's dwelling.

² 52 Pa. Code § 41.14 provides:

§ 41.14. Evidentiary criteria used to decide motor common carrier applications—Statement of Policy

(a) An applicant seeking motor common carrier authority has a burden of demonstrating that approval of the application will serve a useful public purpose, responsive to a public demand or need.

(b) An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service. In addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally. In evaluating whether a motor carrier applicant can satisfy these fitness standards, the Commission will ordinarily examine the following factors, when applicable:

(1) Whether an applicant has sufficient capital, equipment, facilities and other resources necessary to serve the territory requested.

(2) Whether an applicant and its employees have sufficient technical expertise and experience to serve the territory requested.

(3) Whether an applicant has or is able to secure sufficient and continuous insurance coverage for all vehicles to be used or useful in the provision of service to the public.

(4) Whether the applicant has an appropriate plan to comply with the Commission's driver and vehicle safety regulations and service standards contained in Chapter 29 (relating to motor carriers of passengers).

(5) An applicant's record, if any, of compliance with 66 Pa.C.S. (relating to the Public Utility Code), this title and the Commission's orders.

(6) Whether an applicant or its drivers have been convicted of a felony or crime of moral turpitude and remains subject to supervision by a court or correctional institution.

(c) The Commission will grant motor common carrier authority commensurate with the demonstrated public need unless it is established that the entry of a new carrier into the field would endanger or impair the operations of existing common carriers to an extent that, on balance, the granting of authority would be contrary to the public interest.

(d) Subsections (a) and (c) do not apply to an applicant seeking authority to provide motor carrier of passenger service under §§ 29.331–29.335 (relating to limousine service).

ensure that our regulatory requirements are necessary and appropriate, we have considered whether the evidentiary criteria at § 41.14 should be applied, in total, to applicants for household goods in use authority. In light of the increased competition in this industry, we believe that it is appropriate to eliminate the requirement that an applicant for household goods in use authority establish that approval of the application will serve a useful public purpose, responsive to a public demand or need. 52 Pa. Code § 41.14(a). Rather than determining public need by means of an administrative process, competition among these carriers in regard to price, quality and reliability as well as the experienced demand for their services by consumers who may freely choose among those competing carriers, will determine whether a given carrier's service is needed by the public. Further, the Commission would not consider the effect that a new carrier in the household goods industry might have on existing carriers. 52 Pa. Code § 41.14(c). In a competitive market with low barriers to entry, the Commission finds no reason to continue to protect, by an administrative process, carriers whose services are no longer demanded by consumers who have chosen other carriers. We believe these proposed changes are reflective of and consistent with the competitive environment that characterizes the household goods industry. Indeed, lowering these outdated barriers to entry will further promote competition in this industry, which will, in turn, provide consumers with more choices and more competition among carriers as to price, quality and reliability.

We note that our authority to eliminate the public need requirement has been considered and affirmed by the Pennsylvania Supreme Court. *Elite Industries, Inc. v. Pa. P.U.C.*, 832 A.2d 428 (Pa. 2003). In *Elite*, the Court posited:

Allowing the applicant to meet a less stringent evidentiary burden makes expansion of the market possible. This situation falls squarely within the PUC's area of expertise and is best left to the commission's discretion. (432)

The Court found that an agency may revise its policies and amend its regulations in interpreting its statutory mandates. Citing *Seaboard Tank Lines v. Pa. P.U.C.*, 502 A.2d 762 (Pa. Cmwlth. 1985), the Court reiterated that an agency's past interpretation of a statute, though approved by the judiciary, does not bind that agency to that particular interpretation. Moreover, the Court in *Elite* cited, with approval, the *Seaboard* description of the Commission's scope of authority, as follows:

The PUC's mandate with respect to the granting of certificates of public convenience is a broad one: "a certificate of public convenience shall be granted by order of the commission, only if the commission shall find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public." The legislature, however, provided no definition of specifically what the criteria were to be in determining the propriety of granting a certificate, leaving the formulation of such criteria to the PUC

Id. at 432 Accordingly, the *Elite* and *Seaboard* cases hold that the various and specific factors, to be considered in determining whether to grant a certificate of public convenience to an applicant for motor carrier authority, beyond those expressly stated in the statute, are matters left to the administrative expertise, sound discretion, and good judgment of the Commission.

Other jurisdictions, such as New York (New York Transportation Law Article 9), New Jersey (N.J. Statutes 45:14D-1 et seq.), Maryland, and Ohio (O.R.C. Chapter 4921), as well as the Federal Motor Safety Administration, do not require household goods applicants to establish a public demand or need as a prerequisite to certification. We believe that at this juncture, it is appropriate and in the public interest to eliminate the need requirement from the household goods application process. This will foster further competition in this market.

As a corollary to the proposed elimination of public demand or need in the application process, we envision an industry that will grow even more competitive. Competition drives market pricing, obviating the need to engage in traditional ratemaking processes geared toward monopoly markets. Chapter 23 of our regulations, 52 Pa. Code Chapter 23, governs tariffs and ratemaking procedures for common carriers. Specifically, 52 Pa. Code § 23.67 provides that household goods carriers, with gross intrastate operating revenues of less than \$200,000, and with operating ratios of no less than 93%, need not file substantiating data to support changes in rates. By order entered October 14, 2011, we waived the \$200,000 threshold, on a case by case basis as appropriate, and increased it to \$500,000.³ Petition of Tristate Household Goods Tariff Conference, Inc. Docket No. P-2011-2257808. We now propose eliminating the threshold amount completely, permitting all household goods carriers, with qualifying operating ratios, to change rates without filing supporting financial justification.

Another consequence of eliminating the public need requirement for household goods applicants is that the current territorial restrictions that accompany a carrier's certificate will no longer be necessary. Therefore, we will no longer restrict a carrier to a jurisdictional operating territory, unless that carrier would indicate it desired such a limitation.⁴ Also, existing household goods carriers would be deemed to have statewide authority, unless they would advise the Commission otherwise.

Given the elimination of the public need requirement for applicants as well as the statewide authorization for all household goods carriers, we believe that the regulatory provisions providing for Emergency Temporary Authority (ETA) and Temporary Authority (TA) are no longer applicable to household goods carriers. 52 Pa. Code §§ 3.383—3.385. The regulations governing ETA and TA are designed to meet emergency situations when there is an immediate need for service that cannot be met by existing carriers. These provisions would not be relevant in a competitive market served by carriers that are not constrained by artificial territorial restrictions. To the extent an emergency would arise requiring service, we believe that our regulations governing Emergency Relief in general, would suffice. 52 Pa. Code §§ 3.1—3.12.

We stress that the remaining criteria set forth at 52 Pa. Code § 41.14 will remain in force.⁵ Household goods

³ Of the 278 currently certificated household goods carriers, only 38 have revenues above the \$500,000 threshold.

⁴ A carrier may wish to limit its operating territory due to operational concerns, insurance costs, etc.

⁵ Protests to household goods applications will be limited to these criteria. Given the limited scope of any protests, the provisions providing for restrictive amendments to applications for motor carrier authority would be no longer applicable to applications for household goods authority. See 52 Pa. Code § 5.235.

applicants will be required to establish that they have the technical and financial ability to provide the proposed service safely and legally. Toward this end, we believe that applicants should have at least two (2) years of experience with a household goods carrier, or the equivalent. This requirement would ensure that only those applicants who are familiar with the industry would be eligible to operate. An applicant could satisfy this requirement by hiring managers with the necessary experience. We note that, notwithstanding this requirement, each application will be considered on its own merits. Additionally, we propose that all applicants who do not have a satisfactory safety rating by the United States Department of Transportation be required to successfully complete a Safety Fitness Review conducted by Commission staff. This requirement is currently in place for property carriers. 52 Pa. Code § 3.381(f). In addition to the Safety Fitness Review, we also propose that, after 18 months of operation, new carriers must successfully complete a Household Goods Audit conducted by Commission staff. The Audit ensures ongoing compliance and identifies any deficiencies of a carrier.

We also note that in our review of regulations governing household goods carriers, our insurance requirements provide for \$300,000 minimum liability coverage. 52 Pa. Code § 32.12. We believe this minimum is insufficient and propose raising the minimum to \$750,000 for carriers operating commercial motor vehicles (vehicles weighing over 10,000 pounds). This coverage is consistent with federal requirements as well as numerous other states. The proposed increase would apply to both property carriers and household goods carriers.

Finally, we propose delineating more clearly the minimum insurance coverage for loss and damage to consumers' goods. This information is provided to prospective consumers in the required "Information for Shippers" form prescribed by our regulations. 52 Pa. Code § 31.121. The minimum base coverage, provided as default coverage, is 60 cents per pound, per article. This is consistent with federal requirements. Additional coverage may be secured by the consumer for a fee, if requested. We believe that given the potential inadequacy of the default rate, the "Information for Shippers" form should be modified to better alert consumers of this issue.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 17, 2013, the Commission submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Consumer Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Conclusion

In sum, while we are eliminating certain outdated barriers to entry for household goods carriers, applicants

will continue to be required to demonstrate their technical and financial fitness to provide the proposed service, including adequate training and experience, capitalization and insurance coverage. Moreover, we intend to remain vigilant as to consumer protection and will not hesitate to bring enforcement actions against carriers that fail to maintain proper levels of insurance, fail to operate safely or lawfully, fail to be transparent in their prices and contract terms with consumers, fail to adequately protect consumers' household goods in transit, or otherwise fail to meet their fundamental duty to provide safe, reasonable, and adequate service to the public. 66 Pa.C.S. § 1501.

Annex A, proposed regulations, is permitted by sections 501, 1102, and 1103 of the Public Utility Code. Accordingly, under section 501 of the Public Utility Code (66 Pa.C.S. § 501), and the Commonwealth Documents Law (45 P. S. §§ 1201 et seq.), and regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2 and 7.5, we amend our regulations as set forth in Annex A; *Therefore,*

It Is Ordered That:

1. The Secretary shall submit this order and Annex A to the Office of Attorney General for preliminary review as to form and legality.

2. The Secretary shall submit this order and Annex A, to the Governor's Budget Office for review of fiscal impact.

3. The Secretary shall submit this order and Annex A for review and comment by the designated standing committees of both Houses of the General Assembly, and for review and comment by the Independent Regulatory Review Commission.

4. The Secretary shall duly certify this order and Annex A and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

5. Within thirty (30) days of this order's publication in the *Pennsylvania Bulletin*, an original of any comments concerning this order should be submitted to the Office of the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA, 17105-3265. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau at (717) 772-4597 or through the AT&T Relay Center at (800) 654-5988. The contact person is John Herzog, Assistant Counsel, Law Bureau, (717) 783-3714.

ROSEMARY CHIAVETTA,
Secretary

Fiscal Note: 57-298. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 3. SPECIAL PROVISIONS

Subchapter E. MOTOR TRANSPORTATION PROCEEDINGS

§ 3.381. Applications for transportation of property, household goods in use and persons.

* * * * *

(c) Protests.

(1) *Applications for passenger or household goods in use authority.*

(i) *Content and effect.*

(A) A person objecting to the approval of an application shall file with the Secretary and serve upon the applicant and the applicant's attorney, if any, a written protest which shall contain the following:

* * * * *

(VI) A statement of any restrictions to the application which would protect the protestant's interest, including a concise statement of any amendment which would result in a withdrawal of the protest. **This provision is not applicable to applications for household goods in use authority.**

(VII) A protest to a household goods in use application is limited to challenging the fitness of the applicant, including whether the applicant possesses the technical and financial ability to provide the proposed service and whether the applicant lacks a propensity to operate safely and legally.

(B) Upon the filing of a timely protest, the protestant will be allowed to participate in the proceeding as a party intervenor.

* * * * *

(iii) *Failure to file protests.* If no protest is filed with the Commission on or before the date specified in the *Pennsylvania Bulletin* or if all protests have been withdrawn at or prior to the hearing, the Commission may take either of the following actions:

(A) Consider the application without holding an oral hearing if it deems the facts are sufficient as in the application or as determined from additional information as the Commission may require of the applicant. An application processed under this section, without oral hearing, will be determined on the basis of verified statements submitted by the applicant and other interested parties.

* * * * *

(IV) There will be the following extensions of time to file verified statements. When extenuating circumstances exist, the Commission will grant up to 45 days to file verified statements. Requests for extensions of time may be granted by the Commission based upon a written request giving reasons for the extension.

(V) Verified statements of supporting parties are not required for applications for household goods in use authority.

(B) Schedule the unprotested application for oral hearing at a time, date and place to be set, thereafter notifying the applicant by letter of the scheduling.

* * * * *

(d) *Hearings on protested applications and applications for motor carrier of property authority when safety issues are raised.*

(1) *Applications for passenger or household goods in use authority.*

(i) *Scheduling hearings.*

(A) Applications for passenger authority. The applications to which timely protests were filed will not be acted on by the Commission for 20 days after the closing date for filing of protests, to permit the applicant to make restrictive amendments leading to the withdrawal of

protests. If all protests are withdrawn upon amendment, the Commission may dispose of the application in accordance with subsection (c). If the application is still subject to protest, then after the expiration of the 20-day waiting period, the Commission will set the application for hearing and will notify all parties thereof. Absent good cause shown, no further amendments to the application will be considered after expiration of the 20-day period or the commencement of hearings.

(B) Applications for household goods in use authority. Applications for household goods in use authority to which timely protests were filed will be set for hearing with notice to the parties.

(ii) *Requests for postponements.* If any scheduled hearing is postponed for any reason prior to the date thereof, notice of postponement and the date, time and place of the continued hearing will be given by the presiding officer of the Commission to all parties. Requests for hearing postponements shall be submitted in writing to the Secretary of the Commission and the presiding officer with copies to parties of record, no later than 5 days prior to hearing. Hearings will not be postponed absent good cause.

* * * * *

(e) *Compliance: conditions for approval for passenger and household goods in use authority.* When the Commission approves operation by a motor common carrier of passengers or household goods in use, forwarder, broker or motor contract carrier of passengers or household goods in use, the applicant will be notified of the approval by registered or certified mail. The applicant shall file with the Commission within 60 days of receipt of the notice, a certificate of insurance or other security required by this title, relating to insurance and security for the protection of the public. In addition, motor common carriers of passengers or household goods in use shall file tariffs of their applicable rates and charges, and contract carriers of passengers or household goods in use shall file schedules of actual charges. When all of these requirements have been met, the Commission will issue the certificate, permit or license as the case may be. Failure by an applicant to comply with this section within the 60-day period may result in the dismissal of the application and rescission of prior approval, unless the Commission has, upon written request demonstrating good cause, extended the time for compliance.

(1) An applicant for household goods in use authority that does not possess a current satisfactory safety rating issued by the United States Department of Transportation or by a state with safety regulations comparable to the Commonwealth shall complete a safety fitness review conducted by Commission staff. The safety fitness review must be scheduled and completed within 180 days of the date of approval of the application. If the applicant fails to attain a satisfactory safety evaluation within the 180-day period, the applicant will be given an additional 90 days to correct the deficiencies. Failure to achieve a satisfactory evaluation within the 90-day period will result in immediate suspension of the certificate of public convenience and in proceedings to revoke the certificate.

(2) Safety fitness reviews shall take place at the applicant's primary place of business in this Commonwealth. Out-of-State carriers without facilities in this Commonwealth shall have reviews con-

ducted at the nearest Commission office. Out-of-State carriers shall provide Commission enforcement officers with sufficient records to enable meaningful examination of the applicant's safety related programs.

(3) In the course of a safety fitness review, Commission enforcement staff will examine an applicant's management policies, records and equipment to ensure that the applicant understands and will comply with Chapter 37 (relating to safety code for transportation of property and passengers).

(f) Compliance: conditions for approval for motor common carrier property authority. If the Bureau of Transportation and Safety determines that a hearing is not required, as provided in subsection (d)(2), the Commission will act on applications as follows:

* * * * *

§ 3.382. Evidentiary guidelines for applications for passenger and household goods in use of authority.

(a) Service request evidence. Evidence of requests received by an applicant for passenger [or household goods in use] service may be offered by the applicant in a transportation application proceeding relevant to the existence of public necessity for the proposed service. The credibility and demeanor of a witness offering evidence will be considered in evaluating the evidence. The weight which will be attributed to the evidence will depend upon the extent to which the alleged requests are substantiated by evidence such as the following:

* * * * *

§ 3.383. Applications for temporary authority and emergency temporary authority.

* * * * *

(b) Definitions and applicability.

(1) The following words and terms, when used in relation to applications for temporary authority and emergency temporary authority, have the following meanings:

Carrier—Includes motor common carriers of passengers [or household goods in use] and motor contract carriers of passengers [or household goods in use], brokers and forwarders.

ETA—Emergency temporary authority—Limited duration operating authority issued under 66 Pa.C.S. §§ 1103(d) and 2509 to authorize the transportation of passengers [or household goods in use] to meet an emergency situation and when time or circumstances do not reasonably permit the filing and processing of an application for TA.

TA—Temporary authority—Limited duration operating authority issued under 66 Pa.C.S. §§ 1103(d) and 2509 to authorize the transportation of passengers [or household goods] to meet an emergency situation.

(2) ETA and TA are not available to motor common carriers of property and household goods in use.

* * * * *

§ 3.384. Disposition of applications for ETA and TA.

(a) General. Initial determination of ETA and TA applications will be made by the Bureau of [Transportation and Safety] Technical Utility Services with the approval of the Commission.

(b) Standards for determination of need.

(1) General. Grants of TA or ETA shall be made upon the establishment of an immediate need for the transportation of passengers [or of household goods in use]. Requests involving service to cities, counties, townships or other defined areas warrant approval when supported by evidence that there is a need for service to or from a representative number of points in each city, county, township or areas and that there is a reasonable certainty that the service will be used.

* * * * *

(3) Failure to provide equipment. TA or ETA may be granted when existing authorized carriers are unable or refuse to furnish equipment necessary to move passengers [or household goods in use] to meet an immediate transportation need.

* * * * *

CHAPTER 5. FORMAL PROCEEDINGS

Subchapter B. HEARINGS

SETTLEMENT AND STIPULATIONS

§ 5.235. Restrictive amendments to applications for motor carrier of passenger [and household goods in use] authority.

(a) Parties to motor carrier applications for passenger [and household goods in use] authority may stipulate as to restrictions or modifications to proposed motor carrier rights. Stipulations in the form of restrictive amendments or modifications must:

* * * * *

Subpart B. CARRIERS OF PASSENGERS OR PROPERTY

CHAPTER 23. TARIFFS FOR COMMON CARRIERS

NOTICE OF CHANGES IN FARES

§ 23.67. Financial data.

(a) The Commission will not [, on or after the effective date of this section,] permit a tariff filing increasing rates by a common carrier of household goods in use [with gross annual intraState revenues of \$200,000 or more,] or making a general increase in rates published by a rate bureau, conference or similar organization of carriers, which will increase gross annual revenues by more than 1%, unless financial justification in support of the proposed increase is filed with the tariff.

(b) Household goods in use carriers [referred to in subsection (a),] shall be governed by the following procedures in the filing of tariffs or tariff supplements:

* * * * *

(c) Common carriers of household goods in use [, with gross annual intraState revenues of less than \$200,000, and] with operating ratios of no less than 93%, before income taxes,* need not file substantiating data required by subsection (b)(2), but shall submit a statement with the tariff, or tariff supplement, stating that [gross annual intraState revenues did not exceed \$200,000 in the 12-month period preceding the tariff filing together with a statement that] its operating ratio before income taxes for the same period is no less than 93%. The tariffs, or tariff supplements, shall

be published to become effective on no less than 30 days' notice. Nothing in this subsection precludes the Commission from requiring supporting financial data in instances when increases in rates appear to be excessive.

* Operating ratio is operating expenses, excluding income taxes, divided by operating revenue.

CHAPTER 31. MOTOR CARRIER PROPERTY AND HOUSEHOLD GOODS TRANSPORTATION

TRANSPORTATION OF HOUSEHOLD GOODS IN USE

§ 31.121. Information for shippers.

(a) When a prospective shipper requests moving service and before an order for service is prepared, the household goods carrier shall furnish the prospective shipper with the following Commission supplied form entitled "Information for Shippers":

INFORMATION FOR SHIPPERS

* * * * *

LOSS AND DAMAGE COVERAGE

If you sustain a loss or damage to your goods, you are protected only up to but not exceeding 60 cents per pound, per article. **THIS MINIMUM COVERAGE MAY NOT BE ADEQUATE PROTECTION.** If you desire protection greater than 60 cents per pound, per article, you may secure increased coverage by paying a higher tariff rate applicable to the coverage you desire. You may also protect yourself to the full valuation of your goods by taking out a policy of transit insurance with an insurance agent.

* * * * *

CHAPTER 32. MOTOR CARRIER INSURANCE

Subchapter B. INSURANCE REQUIREMENTS

§ 32.12. Property carrier and household goods in use carrier insurance.

(a) No common carrier or contract carrier of property or household goods in use may engage in intrastate commerce and no certificate will be issued, or remain in force, except as provided in § 32.15 (relating to applications to self-insure), until there has been filed with and approved by the Commission, a certificate of insurance by an insurer authorized to do business in this Commonwealth, to provide for the payment of valid accident claims against the insured for bodily injury to or the death of persons, or the loss or damage to property of others resulting from the operation, maintenance or use of a motor vehicle in the insured authorized service. The liability of the insurance company on each motor vehicle operated in common or contract carrier service shall be in amounts not less than \$300,000 per accident for a vehicle with a manufacturer's gross vehicle weight rating of 10,000 pounds or less, in the case of a single vehicle, or a manufacturer's gross combination weight rating of 10,000 pounds or less, in the case of an articulated vehicle. The liability of the insurance company on each motor vehicle operated in common or contract carrier service shall be in amounts not less than \$750,000 per accident for a vehicle with a manufacturer's gross vehicle weight rating over 10,000 pounds, in the case of a single

vehicle, or a manufacturer's gross combination weight rating over 10,000 pounds, in the case of an articulated vehicle.

* * * * *

(c) Insurance coverage of motor carriers of property and household goods in use shall meet the requirements of 75 Pa.C.S. §§ [1701—1798] 1701—1799.7 (relating to Motor Vehicle Financial Responsibility Law).

§ 32.13. Cargo liability insurance.

(a) A common carrier of property or household goods in use by motor vehicle shall file with the Commission, in addition to the public liability and property damage certificate of insurance required by § 32.12 (relating to property carrier insurance), certificates of insurance in an amount satisfactory to the Commission, but not less than \$5,000 to provide payment for loss or damage to cargo carried on a motor vehicle. No motor vehicle may be operated unless the insurance policy or other approved method of protection is in effect at the time of operation. This section may not be modified or abrogated by tariff filings. The Commission may approve another method of cargo protection in specific cases.

* * * * *

CHAPTER 41. GENERAL ORDERS, POLICY STATEMENT AND GUIDELINES ON TRANSPORTATION UTILITIES TRANSPORTATION

§ 41.14. Evidentiary criteria used to decide motor common carrier applications—statement of policy.

* * * * *

(b) An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service. In addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally. In evaluating whether a motor carrier applicant can satisfy these fitness standards, the Commission will ordinarily examine the following factors, when applicable:

* * * * *

(2) Whether an applicant and its employees have sufficient technical expertise and experience to serve the territory requested. **For an applicant requesting authority to provide household goods service, the applicant is required to have a minimum of 2 years of experience with a licensed household goods carrier or the equivalent.**

* * * * *

(6) Whether an applicant or its drivers have been convicted of a felony or crime of moral turpitude and remains subject to supervision by a court or correctional institution.

(7) An applicant for household goods authority that does not have a satisfactory safety rating issued by the United States Department of Transportation or by a state with safety regulations comparable to the Commonwealth shall successfully complete a Safety Fitness Review conducted by Commission staff.

(8) After 18 months of operation, a new household goods carrier shall successfully complete a Household Goods Audit conducted by Commission

staff. Failure to pass the audit may result in proceedings to revoke the carrier's certificate.

(c) The Commission will grant motor common carrier authority commensurate with the demonstrated public need unless it is established that the entry of a new carrier into the field would endanger or impair the operations of existing common carriers to an extent that, on balance, the granting of authority would be contrary to the public interest.

(d) Subsections (a) and (c) do not apply to an applicant seeking authority to provide motor carrier of passenger service under §§ 29.331—29.335 (relating to limousine service) **or household goods in use service under §§ 31.121—31.134 (relating to transportation of household goods in use).**

[Pa.B. Doc. No. 13-2191. Filed for public inspection November 22, 2013, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

GOVERNOR’S OFFICE

[4 PA. CODE CH. 1]

Executive Orders, Management Directives and Other Issuances of the Directives Management System Indexed for Reference Purposes

The Index of Issuances is being updated to reflect changes since 42 Pa.B. 5506 (August 25, 2012). This amendment adds new issuances, amends and rescinds others. Recipients of publications listed in this index should be kept informed of the status of these publications.

KELLY POWELL LOGAN,
Secretary of Administration

(Editor’s Note: This Index of Issuances is published under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code). This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

This manual provides a complete listing of issuances, specified in Title 4 of the *Pennsylvania Code* § 1.2, from the Governor’s Office and from agencies under the Governor’s jurisdiction, except proclamations and press releases, that are intended for distribution to two or more agencies following the procedures for publication of issuances in Management Directive 210.1, Directives Management System.

Effective January 2010, this manual is updated semi-annually for publication on the Office of Administration’s website. The manual will be amended to reflect the latest issuances, and published annually in Title 4 of the *Pennsylvania Code* § 1.4 at the end of each fiscal year.

This amendment updates the index for all executive orders, management directives, and manuals issued, amended, and rescinded between July 1, 2012 and June 30, 2013.

Individuals should subscribe to receive e-Alerts to receive notification of published issuances. For questions regarding the Directives Management System, contact OA, EB-DMS.

Office of Administration
Office of Enterprise Records Management
613 North Street
Room 221, Finance Building
Harrisburg, PA 17120-0400
www.oa.state.pa.us

This manual replaces, in its entirety, Manual 210.3 dated July 31, 2012. This manual includes all new and amended issuances through June 30, 2013.

How to Use Index:

- o Executive orders are by year of issuance.
- o Management directives and manuals are numbered in sequence by category (e.g., Financial Management) and subcategory (e.g., Payroll).
- o All documents preceded by the letter “M” are manuals.
- o Documents that have been rescinded are indicated as rescinded.
- o Amendments are presented as complete documents that incorporate all changes since the last issuance.
- o Revisions which generally affect older issuances are pen and ink changes or replacement pages and affect only those parts of an issuance being changed. Therefore the issuance changed by a revision will be in more than one document because there will be original issuance and any revision.

Fiscal Note: 2013-210.3. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR’S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter A. DIRECTIVES MANAGEMENT SYSTEM

§ 1.4 Index of Issuances.

		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
<i>Executive Orders</i>			
1973-9	Environmental Protection By State Agencies	7/13/1973	
1974-11	Governor’s Interdepartmental Council on Seasonal Farmworkers	11/2/1978	
1975-5	Commitment Toward Equal Rights	9/19/1978	
1975-6	Preservation of Historic Resources	5/6/1975	
1977-4	Compliance with Section 504 of the Rehabilitation Act of 1973 (P. L. 93-112)	8/3/1977	
1977-5	Implementation of Act No. 1976-101	9/27/1977	
1978-4	Flood Plain Management	3/1/1978	
1978-9	Public Information Policies and Practices	5/23/1978	
1978-19	Access by Handicapped Individuals to Meeting Locations	12/19/1978	

		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
<i>Executive Orders</i>			
1979-10	Commonwealth Child Development Committee.....	7/25/1979	
1979-13	Governor's Office of Policy and Planning.....	9/18/1979	
1980-3	Life Cycle Costing	2/8/1980	
1980-4	Golden Keystone Discount Card Program.....	2/27/1980	
1980-5	Task Force on Employment Services to Displaced Homemakers	2/28/1980	
1980-7	Small Business Service Center.....	2/29/1980	
1980-18	Code of Conduct	5/16/1984... 1-3	(4 Rescinded)
1980-20	Pennsylvania Coastal Zone Management Program.....	9/22/1980	
1981-3	Scheduling of Bond and Note Issue Sales	1/30/1981	
1981-4	Federal Program Coordination.....	2/9/1981	
1981-6	Pennsylvania Department of Health Advisory Board of Arthritis.....	5/22/1981	
1981-13	Governor's Committee on Employment of the Handicapped	10/19/1981	
1983-1	Transfer of Cresson Center to the Bureau of Correction.....	1/4/1983	
1984-3	Accounting and Financial Reporting.....	10/11/1984	
1986-1	Commonwealth Single Audit Coordinator	2/24/1986	
1986-2	Task Force on Special Supplemental Food Program for Women, Infants, and Children (WIC).....	4/22/1986	
1986-5	Standby Allocations of the Volume Cap Under the Tax Reform Act of 1986 ...	10/2/1986	
1986-7	Liquor Control Board Sunset: Privatization of State Liquor Monopoly; Transfer of Liquor Control Board Functions	12/1/1986	
1987-1	1987 Allocations of the Unified Volume Cap Under the Tax Reform Act of 1986.....	1/7/1987	
1987-2	Permanent Transfer of Retreat State Hospital to the Department of Corrections.....	1/16/1987	
1987-3	Transfer of Waynesburg Youth Development Center to the Department of Corrections.....	Rescinded by EO2013-02—3/18/2013	
1987-7	State Inspector General	4/6/1987	
1987-8	Pennsylvania Emergency Response Commission.....	4/20/1987	
1987-9	Allocation of State Low-Income Housing Credit Authority Under the Internal Revenue Code of 1986.....	4/22/1987	
1987-10	Highway Safety.....	11/25/1992	
1987-12	Cultural Advisor to the Governor.....	5/27/1987	
1987-19	Delegation to Department of Environmental Resources in Compliance with Federal Low-Level Radioactive Waste Policy Amendments Act	12/21/1987	
1988-4	Coordination of Food and Nutrition Programs; Appointment of the Advisor to the Governor on Food and Nutrition Programs and the Inter-Agency Council on Food and Nutrition	4/7/1988.....	1
1988-8	Pennsylvania State Data Center	7/12/1988	
1988-11	Motor Carrier Advisory Committee.....	11/18/1988.....	1-2-3
1989-3	Master Leasing Program	3/2/1989	
1989-8	Municipal Waste Reduction and Planning Program.....	10/17/1989	
1990-1	Municipal Waste Transportation Enforcement Program.....	3/14/1990	
1990-3	Contractor Responsibility Program	6/29/1990	
1990-4	UNITED STATES BRIG NIAGARA—"Flagship of Pennsylvania".....	8/17/1990	
1990-7	Interagency River Island Task Force	10/17/1990	1
1991-5	Environmental Training Partnership	4/22/1991	
1992-1	Records Management	1/8/1992	
1993-2	Civil Disorder and Emergency	4/9/1993	

<i>Executive Orders</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
1993-3	State Land Use Planning—Goals and Objectives for Commonwealth Agencies	8/31/1993	
1993-4	State Center for Health Statistics and Research.....	10/13/1993	
1994-1	State Commission on National and Community Service.....	1/28/1994	
1994-2	Governor’s Office of PennPORTS.....	3/29/1994	
1994-4	Governor’s Committee on Education Standards and Assessment.....	5/18/1994	
1994-5	Nursing Home Loan Agency’s Authorization to Sell Loans.....	11/4/1994	
1995-1	Judicial Appointments.....	2/27/1995	
1995-2	Drug Policy Planning Coordination.....	12/19/1997	
1995-4	Monitoring Supplies of Petroleum Products.....	7/10/1995	
1995-5	Money-Back Guarantee Permit Review Program for the Department of Environmental Protection.....	Rescinded by EO2012-11—7/24/2012	
1995-6	Governor’s Community Partnership for Safe Children.....	9/14/1995	
1995-7	Governor’s Executive Council on Recycling Development and Waste Reduction.....	10/11/1995	
1995-8	Governor’s Advisory Commission on Public School Finance.....	10/11/1995	
1995-10	Governor’s Sports and Exposition Facilities Task Force.....	10/27/1995	
1996-1	Regulatory Review and Promulgation.....	2/6/1996	
1996-2	Implementation of the IMPACCT Commission Recommendations.....	4/19/1996	
1996-5	Municipal Waste Facilities Review Program.....	8/29/1996	
1996-6	Governor’s Advisory Commission on Academic Standards.....	9/30/1996	
1996-7	Pennsylvania Center for Environmental Education.....	12/20/1996	
1996-10	State Employee Assistance Program.....	12/20/1996	
1996-13	Commonwealth of Pennsylvania’s Policy on Substance Abuse in the Workplace.....	12/20/1996	
1997-1	Governor’s Travel and Tourism Council.....	3/17/1997	
1997-2	Developmental Disabilities Council.....	5/30/1997	
1997-5	Governor’s Advisory Council on Physical Fitness and Sports.....	9/24/1997	
1998-1	Governor’s Green Government Council.....	3/25/1998	
1998-3	The Pennsylvania Greenways Partnership Commission.....	8/16/2001	
1999-1	Land Use Planning.....	1/7/1999	
1999-4	Pennsylvania Justice Network (JNET) Governance Structure.....	6/8/1999	
1999-5	Rescission of Executive Order 1980-13.....	12/9/1999	
2000-2	Pennsylvania Workforce Investment Board.....	2/14/2000	
2001-1	Directives Management System.....	2/13/2001	
2001-2	State Employee Combined Appeal.....	2/14/2001	
2001-4	Economic and Community Development Partnership.....	Rescinded by EO2011-03—5/3/2011	
2002-2	Governor’s Task Force on Early Childhood Care and Education.....	7/15/2002	
2002-4	Prohibition of Sexual Harassment in the Commonwealth.....	5/3/2002	
2002-5	Disability-Related Policy.....	5/3/2002	
2002-6	PA Open for Business.....	6/6/2002	
2002-7	Integrating Mediation Into State Government.....	6/14/2002	
2002-8	Governor’s Interagency Task Force on Energy.....	7/18/2002	
2002-13	Proposed Keystone Opportunity Improvement Sub-zones.....	12/31/2002	
2003-1	Commonwealth’s Health Care Reform Agenda.....	1/21/2003	
2003-2	Agricultural Land Preservation Policy.....	3/20/2003	

<i>Executive Orders</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
2003-3	Management and Productivity Improvement Initiative	Rescinded by EO2012-04—3/22/2012	
2003-4	Workplace Policy for HIV/AIDS	5/5/2003	
2003-5	Upper Delaware Federal Scenic River	6/22/2003	
2003-6	Pennsylvania Commission for Women	Rescinded by EO2012-06—4/30/2012	
2003-7	Governor’s Advisory Commission on African American Affairs	Rescinded by EO2012-08—4/30/2012	
2003-8	Governor’s Advisory Commission on Asian American Affairs	Rescinded by EO2012-07—4/30/2012	
2003-9	Governor’s Advisory Commission on Latino Affairs	Rescinded by EO2012-10—7/9/2012	
2003-10	Equal Employment Opportunity	7/28/2003	
2003-12	Governor’s Cabinet on Children and Families	9/18/2003	
2003-13	Governor’s Advisor for Hunting, Fishing and Conservation; Governor’s Advisory Council for Hunting, Fishing and Conservation; Governor’s Youth Council for Hunting, Fishing and Conservation	Rescinded by EO2012-02—2/15/2012	
2004-1	Governor’s Invasive Species Council	9/18/2006	
2004-2	Utilization of Commonwealth-Owned and Leased Space	2/18/2004	
2004-3	Pennsylvania Business Tax Reform Commission	3/4/2004	1
2004-4	Anti-Sweatshop Procurement Policy	3/18/2004	
2004-5	Pennsylvania Energy Development Authority	4/8/2004	
2004-6	Minority and Women-Owned Business Opportunities	1/17/2011	
2004-7	Financial Education and Literacy	4/29/2004	
2004-8	Enterprise Information Technology Governance Board	Rescinded by EO2011-05—7/27/2011	
2004-9	Economic Development Committee of the Cabinet	Rescinded by EO2011-08—10/6/2011	
2004-11	Pennsylvania Election Reform Task Force	12/13/2004	
2004-12	Energy Management and Conservation in Commonwealth Facilities	12/15/2004	
2005-4	Proposed Economic Development District	7/14/2005	
2005-8	Governor’s Renewable Agricultural Energy Council	9/20/2005	
2006-1	Commonwealth Continuity of Government Steering Committee	Rescinded by EO2012-05—4/30/2012	
2006-2	Contract Compliance	1/31/2006	
2006-3	Commonwealth Business License Information Exchange Program	Rescinded by EO2011-06—9/15/2011	
2006-6	The Pennsylvania Abraham Lincoln Bicentennial Commission	Terminated 12/31/2009	
2006-7	Governor’s Pandemic Advisory Council	7/27/2006	
2006-8	Contractor Social Responsibility and Offshore Services	9/14/2006	
2006-9	Governor’s Cabinet for People with Disabilities—Governor’s Advisory Committee for People with Disabilities	11/21/2006	
2006-10	Strategic Development Areas	12/22/2006	
2006-11	Governor’s Dog Law Advice Group	12/22/2006	
2007-01	Strategic Development Area, Butler County	4/24/2007	
2007-02	Strategic Development Area, Westmoreland County	4/30/2007	
2007-03	Commonwealth Automotive Fleet Efficiency Initiative	5/9/2007	
2007-04	Office of Health Equity	5/21/2007	

<i>Executive Orders</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
2007-05	Chronic Care Management, Reimbursement and Cost Reduction Commission	5/21/2007	
2007-06	Registered Family Child Care Providers	6/14/2007	
2007-07	Subsidized Child Care Providers Exempt From Certification or Regulation ...	6/14/2007	
2007-08	Strategic Development Area, Lehigh County	9/6/2007	
2007-09	Governor's Advisory Council On Rural Affairs	10/2/2007	
2007-10	Pennsylvania Homeland Security and Emergency Preparedness Organizational Structure	Rescinded by EO2012-03—2/22/2012	
2008-02	Sustainable Water Infrastructure Task Force	4/28/2008	
2008-03	Pennsylvania Health Information Exchange (PHIX) Governance Structure ...	Rescinded by EO2011-04—7/27/2011	
2008-04	Pennsylvania All-Hazard Incident Management (PA-IMT3)	5/13/2008	
2008-05	Transition Period for the Pennsylvania Health Care Cost Containment Council	Terminated 6/30/2009	
2008-06	Office of Diversity Management	4/15/2010	
2008-07	Early Learning Council	9/11/2008	
2008-08	Early Learning Investment Commission	7/27/2010	
2008-09	Governor's Food Safety Council	Rescinded/Obsolete 1/24/2012	
2009-01	Pennsylvania Stimulus Oversight Commission	Terminated 9/30/2011	
2009-02	Creating Opportunities for Small and Disadvantaged Businesses in the Expenditure of Federal Stimulus Monies	Terminated 9/30/2011	
2010-01	Governor's Census 2010 Advisory Panel	Terminated 3/1/2011	
2010-02	Creation of the Commonwealth Health Care Reform Implementation Committee and the Commonwealth Health Care Reform Implementation Advisory Committee	7/20/2010	
2010-03	Pennsylvania-Produced Agricultural Products Program	9/14/2010	
2010-04	Consumer-Directed Home Care Providers	Rescinded 12/1/2010	
2010-05	Leasing of State Forest and State Park Land for Oil and Gas Development ..	10/26/2010	
2011-01	Creation of Governor's Marcellus Shale Advisory Commission	Terminated 7/22/2011	
2011-02	Governor's Transportation Funding Advisory Commission	Terminated 8/1/2011	
2011-03	Public Private Partnership	5/3/2011	
2011-04	Pennsylvania eHealth Collaborative	7/27/2011	
2011-05	Enterprise Information Technology Governance	7/27/2011	
2011-06	Commonwealth Licensee Tax Responsibility Program	9/15/2011	
2011-07	Pennsylvania Dairy Leadership Council	9/28/2011	
2011-08	Interagency Coordination Advisory Group for Economic Development	10/6/2011	
2011-09	Small Business Procurement Initiative	11/21/2011	
2011-10	Veteran-Owned Small Business Procurement Initiative	12/7/2011	
2011-11	Office of City Receiver—Harrisburg	12/12/2011	
2012-01	Advisory Commission on Postsecondary Education	Terminated 11/15/2012	
2012-02	Governor's Advisory Council for Hunting, Fishing and Conversation	2/15/2012	
2012-03	Pennsylvania Homeland Security	2/22/2012	
2012-04	Governor's Innovation Office	3/22/2012	
2012-05	Commonwealth Continuity of Government	4/30/2012	
2012-06	Pennsylvania Commission for Women	4/30/2012	
2012-07	Governor's Advisory Commission on Asian American Affairs	4/30/2012	
2012-08	Governor's Advisory Commission on African American Affairs	4/30/2012	

		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
<i>Executive Orders</i>			
2012-09	Sunset Task Force	Terminated 5/11/2013	
2012-10	Governor’s Advisory Commission on Latino Affairs	7/9/2012	
2012-11	Permit Decision Guarantee for the Department of Environmental Protection .	7/24/2012	
2012-12	Pennsylvania Military Community Protection Commission	9/17/2012	
2012-13	Extension of Deadline for Absentee Ballot Applications for General Election of 2012.....	Terminated 11/16/2012	
2012-14	Extension of Deadline for Completion and Receipt of Absentee Ballots	Terminated 11/16/2012	
2012-15	Restoration of Electrical Power to all Facilities Providing Critical Services to the Homeless and Displaced Commonwealth Citizens from the Effects of Hurricane Sandy	Terminated 11/16/2012	
2012-16	Absentee Ballot Procedures for Emergency Responders	Terminated 11/16/2012	
2013.01	As Amended - The Pennsylvania Alzheimer’s Disease Planning Committee ...	3/30/2013	
2013.02	Rescission of Executive Order 1987-3 Transfer of Waynesburg Youth Development Center to the Department of Corrections	3/18/2013	
<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>

BUDGET

General

105.1	Allocation and Allotment of Funds for ICS Transactions	10/22/1984	
105.2	Contingent Commitments	7/2/1985	
105.4	Allocation and Allotment of Funds for Non-ICS Transactions.....	10/22/1984	
105.5	Use of the Determination of Tax-Exempt Category for Capital Projects Form .	9/12/1991	

Budget Preparation

110.2	Request for Approval of Federal Funds	1/14/1985	
110.3	Budgeting and Accounting for Federal Appropriations	5/29/1985	

Manuals.

M110.1	2013-14 Budget Instructions	8/15/2012	
--------	-----------------------------------	-----------	--

MANAGEMENT/ADMINISTRATIVE SUPPORT

General

205.2	Powers and Duties of Policing Forces.....	Rescinded/Obsolete 8/20/2010	
205.4	Delegation of Authority to Sign and Delegation to Authorize SAP Payments ..	5/11/2009	
205.6	Defense of Suits Against Commonwealth Employees.....	9/30/1986	
205.9	Code of Conduct Statement of Financial Interest-Filing.....	1/4/2011	
205.10	Financial Disclosures Required by the Public Official and Employee Ethics Act, 65 Pa.C.S. §§ 1101—1113	1/4/2011	
205.10AB	Abridged Version of MD205.10	Rescinded by MD205.10—1/4/2011	
205.12	Financial Disclosures Required of Former Employees by the Public Official and Employee Ethics Act, 65 Pa.C.S. §§ 1101—1113.....	1/4/2011	
205.14	Prohibition of Activities Not Specifically or Directly Connected With the Official Business of the Commonwealth on Commonwealth Property.....	11/21/2011	
205.15	Memberships in Associations, Organizations, or Societies	2/9/2006	
205.16	Compliance With the Whistleblower Law, Act 1986-169	11/22/1995	
205.18	Ballot Question Advocacy by Executive Branch Employees, Appointees, and Officials.....	4/11/1988	
205.19	Smoking in Commonwealth Buildings and Facilities.....	Rescinded/Obsolete 10/13/2010	
205.20	Documents and Evidence Relating to Asbestos in Commonwealth Buildings ..	Rescinded/Obsolete 3/20/2013	

STATEMENTS OF POLICY

6907

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
205.21	Commonwealth Child Care Program	4/8/2013	
205.22	Recycling, Waste Reduction and Procurement of Environmentally Preferable Products	8/29/2007	
205.23	Submission of Commonwealth Publications to the State Library for Distribution to Other Designated Libraries	7/13/2012	
205.24	Display of Flags on Commonwealth Buildings and Grounds	10/12/2011	
205.25	Disability-Related Employment Policy	2/13/2009	
205.26	The Americans With Disabilities Act of 1990, Title II, Subtitle A, Nondiscrimination in State and Local Government Services	7/22/1992	
205.27	Implementation of Act 194-1990, Asbestos Occupations Accreditation and Certification Act	6/20/2011	
205.30	Personal Use of Promotions and Offers	Rescinded by MD230.10—11/1/2011	
205.31	Pro Bono Publico Legal Services	2/11/1999	
205.32	Hiring Sign Language Interpreters/Transliterators	1/29/2010	
205.33	Workplace Violence	6/22/1999	
205.34	Commonwealth of Pennsylvania Information Technology Acceptable Use Policy	11/17/2011	
205.35	Information Reporting From the Commonwealth's Enterprise SAP Business Information Warehouse System	5/2/2011	
205.36	Right-to-Know Law Compliance	3/18/2010	
205.37	Role Assignment, Security, and Internal Control Maintenance	3/25/2013	
205.38	Emergency Evacuation and Safe Assembly	2/23/2011	
205.39	Use of Complete Physical Street Addresses For Department of General Services Owned or Administered Buildings	4/13/2010	
205.40	Commonwealth Branding	5/15/2012	
205.41	Commonwealth of Pennsylvania Continuity of Operations (COOP) Program ..	2/16/2011	
205.42	Social Media	2/6/2012	
Management Programs			
210.1	Directives Management System	5/2/2011	
210.4	Central Microfilm Management	11/18/2002	
210.5	The Commonwealth of Pennsylvania State Records Management Program ..	7/29/2010	
210.6	Selection, Acquisition and Use of Filing Equipment	9/16/2002	
210.8	Micrographics Procedures to be Used in Conjunction With Central Microfilm Management	11/18/2002	
210.11	Acceptance of Imaged Documents	6/16/1997	
210.12	Electronic Commerce Initiatives and Security	12/23/2010	
210.13	Retention and Disposition of Records Created on Electronic Mail (E-mail) Systems	Rescinded by MD210.5—12/30/2008	
210.14	Retention and Disposition of Records Upon Departure of Senior Management Employees	Rescinded by MD210.5—12/30/2008	
210.15	Instant Messaging	Rescinded by MD205.34—11/17/2011	
Manuals.			
M210.1	The Commonwealth of Pennsylvania Employee Records Management Manual	5/20/2010	
M210.3	Index of Issuances	7/2/2013	
M210.4	Forms Management	8/16/1983.....	1-2

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
M210.5	Standard (STD) Forms Management	9/15/1998	
M210.6	Publications Management	8/1/1984.....	1
M210.7	State Records Management Manual	6/8/2004	
M210.8	Vital Records Disaster Planning	5/9/1995	
M210.9	The Commonwealth of Pennsylvania General Records Retention and Disposition Schedule	12/21/2010	
Contracts Management			
215.8	Contractor Integrity Provisions for Commonwealth Contracts	6/17/2010	
215.9	Contractor Responsibility Program	10/25/2010	
215.12	Provisions Concerning The Americans With Disabilities Act	10/14/2011	
215.13	Contract Provision for Donation of Excess Prepared Food	10/12/2011	
215.16	Contract Compliance Program	9/1/2010	
Manuals.			
M215.3	Field Procurement Handbook	(Current publication available at: http://www.portal.state.pa.us/ portal/server.pt/community/ procurement_handbook/1277)	
Central Services			
220.1	Commonwealth Media Services	1/14/2008	
220.3	Mail Delivery Between Harrisburg and the Philadelphia and Pittsburgh State Office Buildings	Rescinded/Obsolete	2/4/2010
220.9	Graphic Design, Typesetting, Reproduction, and Printing Services	6/4/1987	
220.11	Preservation of Commonwealth Deeds	3/7/2013	
Travel and Expenses			
230.6	Travel Expenses of Job Applicants	11/1/2011	
230.7	Remittance of Witness Fees	8/6/2010	
230.9	Acquisition and Payment of Travel Services	Rescinded by MD230.10—7/1/2009	
230.10	Commonwealth Travel Policy	11/1/2011—Effective 1/1/2012	
230.13	Commonwealth Corporate Card Program	Rescinded by MD230.10—7/1/2009	
230.14	Foreign Areas Subsistence Allowances	Rescinded by MD230.10—7/1/2009	
230.15	Continental United States High Cost Subsistence Allowances	Rescinded by MD230.10—7/1/2009	
230.17	Commonwealth Office of Travel Operations	Rescinded by MD230.10—11/1/2011	
Manual.			
M230.1	Commonwealth Travel Procedures Manual	11/1/2011—Effective 1/1/2012	
Information Technology Management			
240.7	Submission of Changes to the Commonwealth Telephone Directory	8/18/2008	
240.11	Commonwealth Wireless Communication Device Policy	4/11/2012	
240.12	Commonwealth of Pennsylvania Mobile Devices Security Policy	12/29/2008	
245.12	Implementation of the Data Center Project Plan	Rescinded/Obsolete 4/30/2012	
245.13	Strategic Direction for Information Technology Investments	2/8/2006	
245.14	Wireless Antenna Tower Management	Rescinded by MD245.15—6/24/2010	
245.15	Pennsylvania Statewide Radio Network	6/24/2010	

STATEMENTS OF POLICY

6909

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
245.16	Pennsylvania Justice Network (JNET) Governance Structure	3/7/2006	
245.17	Commonwealth of Pennsylvania Public Safety Communications Council	Rescinded by MD245.15—6/24/2010	
245.18	IT Administrator Acceptable Use, Auditing and Monitoring, Incident Notification, and Response Policies and Procedures.....	2/7/2006	
245.19	Enterprise Technology Security Council.....	5/3/2006	
Public Information Programs			
250.1	Advertisement of Public Meetings	2/14/2013	
Organization and Space Management			
260.1	Reorganization Requests	6/21/2013	
260.2	Reorganization Plans for Transfers of Functions Between Agencies	Rescinded by MD260.1—11/8/2012	
Manual.			
M260.1	Manual For Space Utilization.....	3/11/2004	
FINANCIAL MANAGEMENT			
General			
305.2	Standard Check Endorsement Procedure	5/22/2009	
305.3	Responsibilities of Comptroller Operations.....	12/15/2010	
305.4	Payments to Counties	10/3/2012	
305.5	Cash Management	5/22/2009	
305.6	Withholding Payments to Municipalities (Act No. 166 of 1978)	5/1/1997	
305.7	Interest Penalties for Late Payments	5/11/2009	
305.8	Commonwealth Bank Accounts and Special Banking Services	6/11/1997	
305.9	Use of Forms STD-419/419L, Refund of Expenditures, and STD-420/C420/420L, Transmittal of Revenue, When Unaccompanied by Remittances	Rescinded by MD305.11—5/22/2009	
305.10	Receipt of Federal Funds by Wire Transfer	1/23/1989	
305.11	Depositing Checks, Money Orders and Cash	4/23/2012	
305.12	Accounting, Reporting, and Cash Management of Federal Grants and Contracts	1/25/1999	
305.13	Use of Forms STD-419/419L, Refund of Expenditures, and STD-420/C420/420L, Transmittal of Revenue, When Accompanied by Remittances	Rescinded by MD305.11—5/22/2009	
305.15	Processing and Distributing Returned Checks.....	8/30/1989	
305.16	Lobbying Certification and Disclosure	7/3/2003	
305.17	Preparation and Use of Form STD-417, Adjustment Memorandum From Department of Revenue to Treasury Department.....	Rescinded by MD305.11—5/22/2009	
305.19	Identification of Boards, Commissions, and Councils.....	8/15/1997	
305.20	Grant Administration	5/26/2000	
305.21	Payments to Local Governments and Other Subrecipients	9/23/2005	
305.22	Commonwealth Licensee Tax Responsibility Program.....	11/14/2011	
Accounting			
310.1	Fiscal Guidelines for Federal Reimbursement of Disaster Related Expenditures	1/5/1983	
310.3	Encumbering and Lapsing of Appropriations.....	5/4/1998..... 1	
310.8	Postage Due Procedures	Rescinded/Obsolete 5/17/2011	
310.9	Purpose and Use of Restricted Receipt and Restricted Revenue Accounts.....	4/8/2013	

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
310.10	Collection, Referral, and Compromise, or Write-Off of Delinquent Claims	11/18/2011	
310.11	Payment and Financial Reporting Requirements for Non-Preferred Appropriations.	1/19/1982.	1
310.12	Refunding Erroneously Collected Fees and Charges	4/30/1982	
310.13	Responsibilities for Comprehensive Annual Financial Reporting	12/21/2012	
310.14	General Capital Asset and Other Fixed Asset Accounting and Reporting in SAP	2/3/2003	
310.15	Agency Federal ID Numbers	6/7/1996	
310.16	Advancement Account Balances	Rescinded/Obsolete	1/3/2012
310.19	Accounting for Disbursement of Funds for Interagency Agreements, Memorandums of Understanding, and Notifications of Subgrant.	10/27/2010	
310.20	Charging Equipment Expenditures to Federal Programs	8/31/1994	
310.21	Master Lease Tracking System.	Rescinded/Obsolete	10/6/2010
310.23	Commonwealth Purchasing Card Program	4/5/2013	
310.24	Accepting Debit/Credit Cards for Commonwealth Revenues	9/3/2008	
310.25	Transfers of Revenue or Expenses in SAP	1/10/2011	
310.26	Vendor Data Management Unit (VDMU) for Agencies Using SAP	9/18/2009	
310.27	Month-End Closing Processes	12/14/2005	
310.28	Use of One-Time Vendor Records in SAP	6/16/2006	
310.29	Using Value (Service) Date in SAP	6/10/2009	
310.30	Pennsylvania Electronic Payment Program (PEPP)	5/22/2009	
310.31	Purchase Order Receiving, Invoice Processing and Invoice Reconciliation Processes	5/11/2009	
310.32	Voyager Fleet Card Invoice Processing for Agencies Using SAP	7/20/2009	
310.33	Processing Electronic Invoices in SAP	8/21/2009	
310.34	Use of Agency-Level Dun & Bradstreet Data Universal Numbering System (DUNS) Numbers in Applications for Federal Grants and Cooperative Agreements	9/18/2009	
310.36	Identifying, Recording, and Reporting Computer Software as a Capital Asset.	12/10/2009	
310.37	Approving, Monitoring, and Accounting for New Information Technology Application Projects	7/20/2012	
Manuals.			
M310.1	Agency Operated Advancement Accounts	8/11/1999	
M310.2	Definitions of Major and Minor Objects of Expenditures	8/26/1998.	1
M310.3	Manual of Accounting	7/17/1996	
Payroll			
315.1	Calculation and Payment of Statutory Salaries.	1/3/2011	
315.6	Employees' Requests for State or Federal Income Tax Withholding	5/24/2011	
315.7	Employee Payroll Deductions for Credit Unions	Rescinded/Obsolete	5/17/2011
315.8	Restitution of Overpayments.	10/1/1997	
315.9	Withholding of Delinquent Local Taxes from Employees' Paychecks	8/30/2011	
315.11	Distribution and Retention of Payroll Deduction Authorization Documents . . .	Rescinded/Obsolete	8/6/2012
315.13	Payments of Wages, Salary, Benefits, and Travel Expenses to Survivors of Deceased Employees	8/19/1996	
315.14	Maintenance Charges for Employees Residing or Subsisting in Commonwealth Facilities	1/6/2011	
315.15	Withholding of Pennsylvania Higher Education Assistance Agency Loans from Employee Pay	8/30/2011	
315.16	Payment of Annuitant Medical and Hospital Benefits	6/21/2013	

STATEMENTS OF POLICY

6911

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
315.17	Direct Deposit of Pay and Travel Reimbursement	3/11/2013	
315.18	Delivery of Payroll Checks to Employees.	Rescinded/Obsolete	6/22/2011
315.19	Check Distribution Codes.	Rescinded/Obsolete	10/29/2010
315.20	Taxability of the Use of State-Provided Vehicles	5/1/2013	
315.21	Deductions for U.S. Savings Bonds	Rescinded/Obsolete	12/16/2010
315.22	Preparation and Filing of Federal Forms 1099 and 1096	1/3/1995	
315.23	Processing Employee's Withholding Allowance Certificate (W-4)	Rescinded/Obsolete	6/22/2011
315.25	Pennsylvania Personal Income Tax	11/22/2011	
315.26	Backup Withholding on Missing and/or Incorrect Taxpayer Identification Numbers	1/24/1994.....	1
315.27	Recoupment of Conversion Pay Amounts.	5/4/1992	
315.28	Taxability of State-Provided Parking	2/1/2011	
315.29	Mailing SAP-Generated Checks	Rescinded/Obsolete	5/10/2011
Audits			
325.2	Audit Inquiry Relative to Agency Litigation, Claims, and Assessments	9/12/2008	
325.3	Performance of Audit Responsibilities	1/10/2011	
325.4	Agency Annual Audit Plan	Rescinded/Obsolete	5/10/2010
325.5	State Level Single Audit Costs	8/17/2009	
325.6	Auditing Computer-Based Systems	1/10/2011	
325.7	Implementation of the Commonwealth's State-Level Single Audit Process	8/20/2009	
325.8	Remedies for Recipient Noncompliance with Audit Requirements	8/17/2009	
325.9	Processing Audits of Federal Pass-Through Funds	8/20/2009	
325.10	Review of Auditor General, Treasury, Legislative Budget and Finance Committee, and Other Audit Reports	8/27/2009	
325.11	Evaluating Agency Internal Controls and Financial Risk through Self Assessment	5/17/2012	
EQUAL EMPLOYMENT OPPORTUNITY (EEO)			
Equal Employment Opportunity Programs			
410.10	Guidelines for Investigating and Resolving Internal Discrimination Complaints	12/5/2012	
410.11	Commonwealth's Equal Employment, Outreach, and Employment Counseling Program	5/8/1997	
Manual.			
M410.3	Guidelines for Equal Employment Opportunity Plans and Programs	12/18/2007	
EMPLOYEE DEVELOPMENT AND UTILIZATION			
General			
505.1	Employee Furlough Policy	2/16/2006	
505.2	Salaried Complement Management System	12/1/2006	
505.4	Salaried Complement Control	2/18/1982.....	1
505.7	Personnel Rules	11/9/2010	
505.8	Transmittal of Personnel Action Notifications	4/2/1998	
505.9	Standard Abbreviations for Use With the Compensation Plan and SAP R/3 System	3/11/2004	
505.11	Emergency Assignments of Employees During Emergencies	6/17/1998	
505.12	Annual List of Employees	Rescinded by	MD505.18—7/26/2010

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
505.15	Employee Mobility Information Program	4/12/2012	
505.18	Maintenance, Access, and Release of Employee Information	5/29/2012	
505.20	Wage Complement Management and Control	12/27/2011	
505.21	Office Hours	1/19/2000	
505.22	State Employee Assistance Program	4/2/2003	
505.23	Employee Recognition Program	7/31/2012	
505.25	Substance Abuse in the Workplace	11/29/2004	
505.26	HIV/AIDS and Other Bloodborne Infections/Diseases in the Workplace	3/18/2005	
505.27	The Worker and Community Right to Know Act (P. L. 734, No. 159)	8/3/1993	
505.28	Family Care Account Program	10/11/2005	
505.30	Prohibition of Sexual Harassment in Commonwealth Work Settings	6/19/2002	1
505.31	Domestic Violence and the Workplace	5/31/2004	
505.32	Governor's Awards for Excellence	11/17/2010	
505.33	Working From Home During Emergencies Including a Pandemic Influenza Event	8/20/2007	
Manuals.			
M505.2	Personnel Management Review	7/9/1997	
M505.3	State Employee Assistance Program	11/29/2004	
M505.4	Personnel Records Retention and Disposition Schedule	12/7/1998	
M505.5	Commercial Driver License Drug and Alcohol Testing and Licensing Requirements Administrative Manual	5/30/2002	
M505.6	An Agency Guide to Workplace Violence Prevention and Response	5/28/2002	
Employment			
515.2	Transfer of Employees From One Agency to Another	6/16/2000	
515.3	Classified Service Emergency Appointments	9/3/2008	
515.4	Seniority Rights of Commonwealth Employees	7/12/2006	
515.10	Selection and Appointment to Non-Civil Service Positions	2/16/2006	
515.12	Confidential Employees	9/28/2004	
515.15	Identification, Employment, and Education Verification Checks	6/13/1997	
515.16	Appointment to Senior Level Positions	2/14/2006	
515.18	Supplementary Employment	3/7/2013	
515.20	Reemployment of Commonwealth Annuitants	2/21/2002	
515.21	Commonwealth School-to-Work Program	2/14/2006	
Classification			
520.3	Unclassified Codes	7/10/2012	
520.4	Position Classification Post-Audits	11/21/2011	
520.5	Centralized Job Control System	3/25/2013	
520.6	Position Classification	4/15/2013	
520.7	Development and Validation of Job Standards	6/12/2012	
520.8	Pay Action Effective Dates for Changes to Position Classifications and the Commonwealth's Classification and Compensation Plan	11/2/2012	
520.9	Appointments Above the Minimum	3/5/1998	
Pay			
525.4	Temporary Assignment in Higher Classification	5/3/2013	
525.6	Advances on Salaries or Wages Earned	8/29/1996	
525.11	Dual Employment	2/10/1997	

STATEMENTS OF POLICY

6913

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
525.12	Payment of Back Pay Due to Reinstatement of a Separated Employee or Reduction of Disciplinary Suspension	8/9/2012	
525.13	Maintenance of Weighted Salaries	Rescinded/Obsolete	5/22/2012
525.15	Overtime	2/10/1997	
525.16	Physicians and Related Occupations Quality Assurance Program	2/14/2006	
525.17	Internal Revenue Service Levies on Wages, Salary, and Other Income or Payments	6/28/1991	
525.20	Implementation & Maintenance of Local Service Tax	10/10/2008	
Benefits			
530.1	Agency Benefit Coordinators	1/2/2013	
530.2	Sick Leave Without Pay, Parental Leave Without Pay, and Family Care Leave Without Pay	3/12/2008	
530.3	State Employee Combined Appeal for New Employees and Employees on Inter-Agency Transfers	Rescinded/Obsolete	11/8/2010
530.4	State Paid Benefits While on Sick, Parental, or Family Care Leave Without Pay	3/11/2008	
530.8	Motor Vehicle Financial Responsibility Law	7/22/1997	
530.9	Social Security Records	10/9/1997	
530.10	Administrative Leave to Compete in International and World Championships	7/20/2010	
530.11	Benefit Rights of Permanent and Temporary Employees	7/25/2006	
530.15	Disability Benefits, Related Pay Status Options, and Retired Employee Health Program (REHP) Effective Dates	7/8/1997	
530.17	Partial and Full Day Closings of State Offices	5/25/2010	
530.18	Benefit Rights of Furloughed Employees	8/27/2009	
530.20	State Paid Benefits While on Cyclical Leave Without Pay	Rescinded/Obsolete	9/21/2012
530.21	Paid Absence for Blood Donation	4/8/2010	
530.22	Unemployment Compensation, Noncovered Employment—"Major Nontenured Policymaking or Advisory Positions"	11/20/1996	
530.23	State Employee Combined Appeal	2/17/2012	
530.24	Retired Employees Health Program Eligibility Requirements	12/30/2010	
530.26	Military Leaves of Absence	9/3/2008	
530.27	Leave Related Policies for Employees Excluded From Earning Leave and Leave Service Credit	2/7/1997	
530.28	Pennsylvania Employees Benefit Trust Fund (PEBTF)	Rescinded/Obsolete	9/20/2012
530.29	Commuter Benefits Program	5/20/2009	
530.30	Sick, Parental and Family Care Absence Policy	12/14/2007	
530.31	Workplace Safety and Health Program	1/2/2013	
Manuals.			
M530.2	Injury Leave Manual	11/29/2001	1
M530.3	Group Life Insurance Program Administrative Manual	6/26/2001	
M530.4	Commonwealth of Pennsylvania Highlights of State Employee Benefits	Rescinded/Obsolete	2/21/2012
M530.7	Absence Program	4/23/2009	
M530.9	Unemployment Compensation Insurance	12/7/1998	
M530.14	Unemployment Compensation and the Supervisor	Rescinded/Obsolete	12/27/2011
M530.15	Pennsylvania State Police Administrative Manual Health Benefits Program	7/20/2010	
M530.16	Temporary Clerical Pool Agency User Manual	10/1/1999	
M530.17	Temporary Clerical Pool Employee Handbook	10/1/1999	

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
M530.18	The Benefits of a "Healthy" Sick Leave Balance	Rescinded/Obsolete	3/5/2012
M530.21	State Employee Combined Appeal Procedures Manual	2/17/2012	
Training			
535.1	Employee Training and Development	2/9/2000	
535.2	Physicians and Related Occupations Specialty Board Certification Payments	2/21/2006	
535.3	Out-Service Training	11/16/1999	
535.4	Use of State Work Program Trainee, County Work Program Trainee, Public Services Trainee and County Public Services Trainee Classes	7/19/2012	
535.5	Use of Trainee Classes in the Classified Service	10/8/2004	
535.6	Commonwealth Management Development Program	2/9/2000	
535.7	Annual Agency Training Plan and Report	7/8/1999	
535.9	Physical and Information Security Awareness Training	10/3/2006	
Performance Evaluations			
540.7	Performance Management Program	5/2/2011	
Retirement			
570.1	State Employees' Retirement System, Duties of Departments and Agencies ..	5/8/2006	
570.5	Employer Contributions Required on the Purchase of Previously Uncredited State Service	4/9/2006	
570.6	Optional Membership in State Employees' Retirement System	2/22/2006	
570.8	Reinstatement of Dismissed or Furloughed Employees Into the State Employees' Retirement System	4/3/2006	
570.9	Reinstatement Into the State Employees' Retirement System of Employees Furloughed or Otherwise Terminated and Reemployed	2/17/2006	
570.11	Changes to Retirement and Personnel/Payroll System and Collection of Arrears Balances	3/23/2006	
570.12	Refusal of Recall From Furlough-Termination of Interest on Retirement Contributions	2/17/2006	
570.13	State Employees' Retirement System, Regional Field Offices	5/30/2007	
570.14	Deferred Compensation Program	3/25/2005	
570.15	Public Employee Pension Forfeiture Act No. 1978-140	6/6/2006	
Civil Service			
580.2	Civil Service Availability Survey/Interview Notice	1/21/2009	
580.6	Tabulation of Classified Service Employees	6/16/2006	
580.8	Classified Service Probationary Periods	6/14/2013	
580.10	Rights of Certified Eligibles in the Classified Service	5/16/1986	
580.11	Documentation of Classified Service Personnel Actions	6/27/2006	
580.12	Recruitment for Classified Service Positions	3/28/2007	
580.13*	Report of Personnel Transactions for Non-State Employees	9/16/2011	
580.15	Selective Certification of Classified Service Eligibles	4/11/2012	
580.16	Provisional Employment in the Classified Service	11/16/2006	
580.18	Pennsylvania Residency Requirements for the Classified Service	8/31/2011	
580.19	Promotion in the Classified Service Without Examination	8/31/2009	
580.21	Veterans' Preference on Classified Service Employment Certifications	2/16/2011	
580.23	Resignation From and Reinstatement to the Classified Service	3/12/1990	
580.24	Promotion of Employees in Unskilled Positions Into the Classified Service ...	9/14/2006	
580.25	Political Activities of Classified Service Employees	10/7/2011	
580.26	Transfer or Reassignment of Classified Service Employees	6/29/2010	

STATEMENTS OF POLICY

6915

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
580.27	Limited Appointments to Positions Exempted from the Classified Service Pursuant to Section 3(c)(4), Civil Service Act.	10/28/2009	
580.28	Reallocation to a Lower Class in the Classified Service	3/30/2011	
580.30	Civil Service Leave of Absence and Return Rights	9/7/2010	
580.31	Classified Service Temporary Appointments.....	8/14/2006	
580.32	Substitute Employment in the Classified Service.....	10/24/2006	
580.33	Reproductions of Documents for Classified Service Personnel Actions	4/30/2009	
580.34	Removal of Eligibles for Certification or Appointment in the Classified Service	3/19/2010	
580.35	Employees Placed in the Classified Service by Position Reallocation	8/29/2011	
580.37	Promotion by Appointment and Temporary Higher-Level Assignment of Unclassified Service Employees into the Classified Service	7/26/2012	
580.38	Use of Intern Job Titles in the Classified Service.....	10/8/2004	
Manuals.			
M580.1	Certification of Eligibles for the Classified Service.....	4/7/1997	
M580.2	Furlough of Classified Service Employees Not Covered by Labor Agreements.	6/22/2007	

***Special Distribution**

Labor Relations

590.1	Labor Relations.....	11/27/2007
590.2	Confidential Positions and Employees	3/8/2006
590.3	Deduction of Union Dues/Fair Share Fees	5/22/2006
590.5	Guidelines to be Followed During Legal or Illegal Strikes.....	5/25/2006
590.7	Labor Relations-Grievance Administration.....	6/8/2006
590.8	Classification Grievance Processing	7/9/2012

SUPPLIES, SERVICES, AND EQUIPMENT

Supplies and Equipment Acquisition/Disposition

610.4	Procedures for Purchasing Goods and Services Not Exceeding \$1,500 Through Advancement Accounts	Rescinded/Obsolete 1/3/2012
-------	---	-----------------------------

Automotive Services

615.1	Commonwealth Temporary Transportation Vehicles	2/27/2013
615.2	Motor Vehicle Liability Insurance and Accident Reporting.....	Rescinded by MD615.16—11/10/2011
615.3	Rates and Billing for Motor Vehicles of the Commonwealth Automotive Fleet.	Rescinded by MD615.16—11/10/2011
615.6	License Plates for Commonwealth-Owned Vehicles	Rescinded by MD615.16—11/10/2011
615.7	Repairs, Maintenance, and Payment for Services.....	Rescinded by MD615.16—11/10/2011
615.8	Use of State Automobiles	Rescinded by MD615.16—11/10/2011
615.9	Permanent Assignment of Commonwealth Automotive Fleet Vehicles	Rescinded by MD615.16—11/10/2011
615.12	Motor Vehicle Authorization List	Rescinded by MD615.16—11/10/2011
615.13	Emission Control Program—Commonwealth Automotive Fleet Vehicles	Rescinded by MD615.16—11/10/2011
615.15	Vehicle Parking License Agreements	10/26/2006
615.16	Commonwealth Fleet Policy	11/10/2011

Manuals.

<i>Management Directives and Manuals</i>		<i>Date of Original Or Latest Amendment</i>	<i>Current Revisions</i>
M615.3	Commonwealth Fleet Procedures Manual	11/10/2011	
Commodity Standards			
620.1	Coal Sampling and Reporting	10/4/2005	
Buildings, Property, and Real Estate			
625.1	Repairs, Alterations, and Improvements to Commonwealth Buildings Under the Direct Supervision of the Department of General Services	10/4/2004	
625.2	Inventory of Commonwealth Real Property	9/16/2008	
625.3	Moving Employee Household Goods and Commonwealth Property	3/14/1996	
625.4	Enforcement of Fire and Panic Regulations	3/27/1991	
625.5	Reporting Surplus Real Property	5/6/1996	
625.6	Leasehold Improvements	5/1/2009	
625.7	Use of Form STD-291, Request for Lease Action and Budget Approval	11/6/1997	
625.8	Contracting for Bargaining Unit Work	2/25/1994	
625.9	Payment of Contractors and Design Professionals for Agency-Funded Construction Projects Undertaken by the Department of General Services . . .	Rescinded by MD310.9—4/8/2013	
625.10	Card Reader and Emergency Response Access to Certain Capitol Complex Buildings and Other State Office Buildings	6/29/2012	
Bonds and Insurance			
630.1	Agency Insurance Coordinators	Rescinded/Obsolete 2/7/2013	
630.2	Reporting of Employee Liability Claims	5/15/2013	
COMMONWEALTH PROGRAMS			
Protection and Safety			
720.2	Wage Standards Picketing	2/3/1977	
720.3	Emergency Evacuation Plans at Commonwealth Facilities	Rescinded by MD205.38—7/31/2009	
720.4	Safety and Loss Prevention Program	Rescinded/Obsolete 2/7/2013	
720.5	Energy Conservation and Electrical Devices in Commonwealth-Owned or Leased Buildings	7/25/2008	
720.6	Call Trace Procedures for Threatening, Harassing, and Nuisance Telephone Calls	9/28/2005	
720.7	Bomb Threats and Suspicious Packages	7/29/2010	

[Pa.B. Doc. No. 13-2192. Filed for public inspection November 22, 2013, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Tuesday, December 3, 2013, and a conference session and business meeting will be held on Wednesday, December 4, 2013. The hearing, conference session and business meeting are open to the public and will be held at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.

Public hearing. The public hearing on December 3, 2013, will begin at 1:30 p.m. Hearing items will include draft dockets for the withdrawals, discharges and other water-related projects listed as follows. Written comments on draft dockets scheduled for hearing on December 3, 2013, will be accepted through the close of the hearing that day. After the hearing on all scheduled matters has been completed, the meeting will include an opportunity for public dialogue.

The public is advised to check the Commission's web site at www.drbc.net periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review.

Draft dockets are posted on the Commission's previously listed web site 10 days prior to the hearing date. Additional public records relating to the hearing items may be examined at the Commission's offices. Contact Project Review Section assistant Victoria Lawson at (609) 883-9500, Ext. 216 with any questions concerning these items.

1. *Coaldale-Lansford-Summit Hill Sewer Authority, D-1964-027 CP-2.* An application to renew the approval of the applicant's 1.65 million gallon per day (mgd) Coaldale-Lansford-Summit Hill Sewer Authority wastewater treatment plant (WWTP) and its discharge and to add the WWTP to the Comprehensive Plan. The WWTP will continue to discharge to Panther Creek, a tributary of the Little Schuylkill River, which is a tributary of the Schuylkill River, at River Mile 92.5—99.0—22.0—2.4 (Delaware River—Schuylkill River—Little Schuylkill River—Panther Creek), in the Borough of Coaldale, Schuylkill County, PA.

2. *Womelsdorf Sewer Authority, D-1967-084 CP-3.* An application to renew the approval of the applicant's 0.475 mgd Womelsdorf Sewer Authority WWTP and its discharge. The WWTP will continue to discharge treated wastewater effluent to the Tulpehocken Creek at River Mile 92.47—76.5—24.1 (Delaware River—Schuylkill River—Tulpehocken Creek), in Heidelberg Township, Berks County, PA.

3. *Horsehead Corporation, D-1967-196-3.* An application to renew approval of the applicant's Horsehead Corporation Palmerton—East Plant industrial wastewater treatment plant (IWTP) and its discharges. The IWTP will continue to discharge noncontact cooling water (NCCW) and boiler blow-down generated by the Electric

Arc Furnace Dust processing facilities from Outfall No. 004 (0.15 mgd average flow) and Outfall No. 005 (0.31 mgd). The previous docket approval (D-1967-196-2) included discharges from metal recovery zones (MRZs) associated with the Palmerton Cinderbank by means of three outfalls (Outfall Nos. 015, 019 and 022); however, the docket holder no longer owns nor is responsible for these outfalls or the discharges from these outfalls. This docket does not include the Commission approval of the discharges from the MRZs associated with the Palmerton Cinderbank by means of Outfall Nos. 15, 19 and 22. The IWTP will continue to discharge to Aquashicola Creek, a tributary of the Lehigh River, at River Mile 183.6—36.3—1.0 (Delaware River—Lehigh River—Aquashicola Creek), in Palmerton Borough, Carbon County, PA. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

4. *Milford Borough, D-1968-100 CP-3.* An application to renew the approval of the applicant's 0.4 mgd Milford Borough WWTP and its discharge. The WWTP will continue to discharge treated effluent to Harihokake Creek at River Mile 167.2—0.01 (Delaware River—Harihokake Creek) by means of Outfall No. 001 in Milford Borough, Hunterdon County, NJ. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

5. *General Chemical Corporation, D-1969-038-3.* An application to renew the approval of the applicant's 3.1 mgd IWTP and its discharge. Treated effluent will continue to be discharged to Water Quality Zone 5 of the Delaware River at River Mile 78.2, in Claymont, New Castle County, DE.

6. *Pennsylvania Fish and Boat Commission, D-1980-032 CP-4.* An application to renew the approval of the applicant's existing groundwater withdrawal (GWD) of up to 21.39 million gallons per month (mgm) from February 15 through June 15 to supply the Pleasant Mount Fish Cultural Station from existing Wells Nos. 1—3, completed in the Catskill Formation in the West Branch Lackawaxen River Watershed. The requested allocation is not an increase from the previous allocation. The project is located in Mount Pleasant Township, Wayne County, PA, within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

7. *United States Department of Justice, D-1983-007 CP-4.* An application to renew the approval of the applicant's existing GWD of up to 9.61 mgm to supply the applicant's Federal correctional institution from existing Wells Nos. PW-1, PW-2 and ES-1 completed in the glacial outwash sands and gravels of the Basher Kill aquifer. The requested allocation is not an increase from the previous allocation. The project is located in the Town of Deerpark, Orange County, NY within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

8. *Summit Hill Water Authority, D-1984-003 CP-4*. An application to renew the approval of the applicant's existing GWD of up to 9.8 mgm to supply the applicant's public water system from existing Wells Nos. 1—4, completed in the Mauch Chunk Formation. The total allocation approved by this docket is a reduction in the previous allocation of 13.8 mg/30 days contained in its prior approval. The wells are located in the White Bear Creek Watershed in Summit Hill Borough, Carbon County, PA, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

9. *Catasauqua Borough, D-1987-060 CP-4*. An application to renew the approval of the applicant's existing GWD of up to 41.33 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 1, 2 and 4, completed in the Epler Formation. The requested allocation is not an increase from the previous allocation. The wells are located in the Catasauqua Creek Watershed in Catasauqua Borough, Lehigh County, PA, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

10. *Orwigsburg Borough, D-1992-005 CP-3*. An application to renew the approval of the applicant's existing GWD of up to 11.8 mgm to supply the applicant's public water system from existing Wells Nos. 1—4, which are completed in the Hamilton Group. The total allocation provided by this docket is a slight reduction in the allocation of 12.0 mgm (11.6 mg/30 days) contained in its prior approval. The wells are located in the Manhannon Creek Watershed in Orwigsburg Borough, Schuylkill County, PA.

11. *Grand View Hospital, D-1992-063 CP-3*. An application to renew the approval of the applicant's existing GWD of up to 4.464 mgm to supply the applicant's hospital facility from existing Wells Nos. 3—5 in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's designated Ground Water Protected Area (GWPA) in the East Branch Perkiomen Creek Watershed in West Rockhill Township, Bucks County, Pennsylvania.

12. *Sinking Spring Borough, D-1994-031 CP-3*. An application to renew the approval of the applicant's 1.25 mgd Sinking Spring WWTP and its discharge. The WWTP will continue to discharge to Cacoosing Creek, which is a tributary of Tulpehocken Creek, a tributary of the Schuylkill River, at River Mile 92.47—76.8—4.0—3.4 (Delaware River—Schuylkill River—Tulpehocken Creek—Cacoosing Creek) in Spring Township, Berks County, PA.

13. *Jim Thorpe Borough, D-1996-019 CP-2*. An application to renew the approval of the applicant's Jim Thorpe Borough 1.0 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Lehigh River at River Mile 183.66—47.0 (Delaware River—Lehigh River) by means of Outfall No. 001, in the Borough of Jim Thorpe, Carbon County, PA, within the drainage area of the section of the nontidal river known as the Lower Delaware, which has been classified by the Commission as Special Protection Waters.

14. *Upper Bern Township, D-2001-002 CP-3*. An application to renew the approval of the applicant's 0.155 mgd Upper Bern Township WWTP and its discharge. The docket holder does not propose any modifications to the existing WWTP. The WWTP will continue to discharge

treated effluent to Wolf Creek, above the Blue Marsh Reservoir, at River Mile 92.47—76.8—15.6—5.1—2.3 (Delaware River—Schuylkill River—Tulpehocken Creek—Northkill Creek—Wolf Creek) by means of Outfall No. 001, in Upper Bern Township, Berks County, PA.

15. *Rivercrest Homeowners Association, D-2001-045 CP-3*. An application to renew approval of the applicant's 0.112 mgd Rivercrest WWTP and its seasonal discharges to surface water and by means of spray irrigation. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of the Schuylkill River at River Mile 92.47—36.3—0.8 (Delaware River—Schuylkill River—UNT Schuylkill River), in Upper Providence Township, Montgomery County, PA.

16. *Westfall Township Municipal Authority, D-2002-023 CP-5*. An application to renew the approval of the applicant's 0.374 mgd Westfall Township Municipal Authority WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Delaware River in Water Quality Zone 1C at River Mile 252.5 in Westfall Township, Pike County, PA, within the drainage area of the section of the nontidal river known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

17. *Strausser Enterprises, Inc., D-2002-043-2*. An application to renew the approval of the applicant's existing GWD of up to 9.31 mgm to irrigate the applicant's golf course from existing Wells Nos. ITW-1—ITW-4 completed in the Allentown and Leithsville Formations. The requested allocation is not an increase from the previous allocation. The wells are located in the Delaware River Watershed in Forks Township, Northampton County, PA, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

18. *Bedminster Municipal Authority, D-2004-002 CP-2*. An application to renew the approval of the applicant's existing GWD of up to 11.062 mgm to supply the applicant's public water supply system from existing Wells Nos. 2, 9, A and E in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Southeastern Pennsylvania GWPA in the Deep Run Watershed in Bedminster Township, Bucks County, PA.

19. *East Greenville Borough, D-2004-003 CP-2*. An application to renew the approval of the applicant's existing GWD and surface water withdrawal (SWWD) of up to 10.85 mgm to supply the applicant's public water supply distribution system from existing Well No. 1 and a surface water intake located on Perkiomen Creek. Well No. 1 is completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The well is located within the GWPA in the Perkiomen-Macoby Creek Watershed in Upper Hanover Township, Montgomery County, PA.

20. *Northampton Borough Municipal Authority, D-2004-006 CP-2*. An application to renew the approval of the applicant's existing SWWD of up to 248.0 mgm to supply the applicant's public water supply distribution system from existing surface water intakes located on the Lehigh River and at the Spring Mill Dam in Whitehall Township, Lehigh County, PA. The requested allocation is not an increase from the previous allocation. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

21. *Stony Creek Anglers, Inc., D-2004-012-2.* An application to renew the approval of the applicant's existing GWD of up to 5.373 mgm to supply the applicant's trout fishery from existing Wells Nos. 1 and 2 in the Stockton Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the GWPA in the Stony Creek Watershed, in West Norriton Township, Montgomery County, PA.

22. *West Bradford Township, D-2004-022 CP-2.* An application to renew the approval of the applicant's DuPont Estate/Stock Grange Farm residential development (DuPont Property) WWTP and its discharge by means of spray irrigation. The WWTP will continue to discharge treated effluent to two existing spray fields located in the West Branch Brandywine Creek watershed, in West Bradford Township, Chester County, PA.

23. *Borough of Bryn Athyn, D-2008-013 CP-4.* An application to renew the approval of the applicant's 0.08 mgd New Church WWTP and its discharge. The WWTP will continue to discharge treated effluent to a UNT of Huntingdon Valley Creek at River Mile 109.75—12.02—1.11—0.17 (Delaware River—Pennypack Creek—Huntingdon Valley Creek—UNT) by means of Outfall No. 001, within the GWPA in Bryn Athyn Borough, Montgomery County, PA.

24. *Parkland School District, D-2009-007 CP-2.* An application to renew the approval of the applicant's 0.0336 mgd Orefield Middle School WWTP and its discharge. Treated effluent will continue to be discharged to Jordan Creek at River Mile 183.66—16.25—11.4 (Delaware River—Lehigh River—Jordan Creek) by means of Outfall No. 001 in South Whitehall Township, Lehigh County, PA. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

25. *Lower Milford Township, D-2009-010 CP-2.* An application to renew the approval of the applicant's 0.035 mgd Village of Limeport WWTP and its discharge. Treated effluent will continue to discharge to Saucon Creek at River Mile 183.66—9.43—14.64 (Delaware River—Lehigh River—Saucon Creek) by means of Outfall No. 001 in Lower Milford Township, Lehigh County, PA. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

26. *Essroc Cement Corporation, D-2009-016-2.* An application to renew the approval of the applicant's discharge of up to 0.264 mgd of NCCW. Untreated NCCW will continue to be discharged to a UNT of Shoeneck Creek at River Mile 184.03—5.85—4.1—0.15 (Delaware River—Bushkill Creek—Shoeneck Creek—UNT) by means of Outfall No. 002 in Upper Nazareth Township, Northampton County, PA. The project is located within, the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

27. *Green Top Management, LLC, D-2010-002 CP-2.* An application to renew the approval of the applicant's Green Top Mobile Home Park WWTP and its discharge and to renew the approval of an upgrade and expansion of the WWTP from 0.012 mgd to 0.018 mgd. The WWTP will continue to discharge to a UNT of Tohickon Creek, which is upstream of Lake Nockamixon, at River Mile 157.0—

10.8—6.5—3.1—4.1 (Delaware River—Tohickon Creek—Lake Nockamixon—Tohickon Creek—UNT to Tohickon Creek) in West Rockhill Township, Bucks County, PA. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

28. *Rohm and Haas Chemicals, LLC, D-1989-002-3.* An application to renew the approval of the applicant's 3.7 mgd IWTP and its discharge by means of Outfall No. 009. The applicant has also requested approval to continue to discharge NCCW from Outfalls Nos. 003 and 008. Treated effluent will continue to be discharged to Water Quality Zone 2 at River Mile 117.0—0.3 (Delaware River—Hog Run Creek) by means of Outfall No. 009. NCCW will continue to be discharged to Water Quality Zone 2 at or near River Mile 118.87—0.3 (Delaware River—Otter Creek) by means of Outfalls Nos. 003 and 008. All three outfalls are located in Bristol Township, Bucks County, PA.

29. *Kutztown Borough, D-1989-039 CP-3.* An application to renew the approval of the applicant's 1.5 mgd Kutztown Borough WWTP and its discharge and the construction of upgrades/additions previously approved under the existing docket. In addition the application requests the approval of the construction of a new 24-inch outfall. The WWTP will continue to discharge treated domestic wastewater effluent to the Sacony Creek, a tributary of the Maiden Creek, which is a tributary of the Schuylkill River at River mile 92.47—86.2—11.3—7.1 (Delaware River—Schuylkill River—Maiden Creek—Sacony Creek) in Maxatawny Township, Berks County, PA.

30. *Rock Tenn Company, D-2006-041-2.* An application to renew and approve a modification and expansion of the applicant's Rock Tenn IWTP and its treated process wastewater and NCCW discharge. The modifications consist of replacing the biological portion (the fixed film bioreactor) of the IWTP's existing treatment system with a new complete mix activated sludge treatment process and expanding the monthly average flow of the IWTP from 0.027 mgd to 0.060 mgd. The treated IWTP effluent will continue to be mixed with a monthly average flow of 0.2866 mgd of NCCW prior to discharging to Brodhead Creek, at River Mile 213—1.1 (Delaware River—Brodhead Creek) in Smithfield Township, Monroe County, PA. The project discharge is located within the drainage area of the section of the non-tidal Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

31. *Village of Liberty, D-2013-002 CP-1.* An application to approve the applicant's existing SWWD and GWD project to supply a total of up to 24.9 mgm of surface water from Lily Pond and groundwater from the Elm Street Well to the applicant's public water supply system. The applicant is restricted to a GWD of up to 7.75 mgm from the Elm Street Well until it has received approval from the Commission Executive Director. The SWWD is located in the Beaver Kill Watershed in the Town of Liberty, Sullivan County, NY and the GWD is located in the Upper Walton Formation in the Monguap River Watershed in the Village of Liberty, Sullivan County, NY. The project is located within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

32. *Wenonah Borough, D-2013-003 CP-1.* An application to approve the applicant's existing GWD of up to 15.5 mgm to supply the applicant's public water supply system from existing Wells Nos. 1 and 2. The project wells are completed in the Potomac/Raritan/Magothy Aquifer and located in the Mantua Creek Watershed in the Borough of Wenonah, Gloucester County, NJ. The project will be incorporated into the Comprehensive Plan. Future activities for the project will be regulated by New Jersey Department of Environmental Protection (NJDEP) in accordance with Section IV.C.4 of the Administrative Agreement between NJDEP and the Commission.

33. *Lehigh Valley Zoo, D-2013-006 CP-1.* An application to approve the applicant's 0.021 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Jordan Creek at River Mile 183.66—16.25—18.0 (Delaware River—Lehigh River—Jordan Creek) by means of Outfall No. 001, in North Whitehall Township, Lehigh County, PA. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

34. *Parkland School District, D-2013-007 CP-1.* An application to approve the applicant's 0.0324 mgd Parkland High School WWTP and its discharge. The WWTP will continue to discharge treated effluent to Jordan Creek at River Mile 183.66—16.25—8.6 (Delaware River—Lehigh River—Jordan Creek) by means of Outfall No. 001, in South Whitehall Township, Lehigh County, PA. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

35. *Pennsylvania State Department of Conservation and Natural Resources, D-2013-008 CP-1.* An application to approve the applicant's 0.025 mgd Beltzville State Park WWTP and its discharge. The WWTP will continue to discharge treated effluent to Pohopoco Creek at River Mile 183.66—40.76—4.9 (Delaware River—Lehigh River—Pohopoco Creek) by means of Outfall No. 001, in Franklin Township, Carbon County, PA. The project is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

36. *Lehigh County Authority, D-2010-001 CP-3.* Revisions to the Special Protection Waters grandfathered load for the existing 0.06 mgd Wynnewood Terrace WWTP that were included in the docket approved on September 12, 2013. Treated effluent will continue to discharge to the Lehigh River at River Mile 183.66—28.14 (Delaware River—Lehigh River) by means of Outfall No. 001, in North Whitehall Township, Lehigh County, PA, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

Be advised that project details commonly change in the course of the Commission's review, which is ongoing.

Public meeting. The conference session and business meeting on December 4, 2013, will begin at 12:15 p.m. The conference session will include presentations by staff on: (a) new interactive mapping capability; and (b) the updated PCB criterion formally proposed by the Commission in August 2013. The business meeting will include

the following items: adoption of the minutes of the Commission's September 12, 2013, business meeting; announcements of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of items for which a hearing has been completed or is not required. In addition to those items for which the public hearing is completed on December 3, 2013, the Commissioners may consider action on revised water quality criteria for PCBs and pH, for which public hearings were completed on September 10 and October 24, 2013, respectively.

There will be no opportunity for additional public comment at the December 4, 2013, business meeting on items for which a hearing was completed on December 3, 2013 or a previous date. Commission consideration on December 4, 2013, of items for which the public hearing is closed may result in either approval of the item (docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date or they may take additional time to consider the input they have already received without requesting further public input. Deferred items will be considered for action at a public meeting of the Commission on a future date.

Advance sign-up for oral comment. Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally during the public dialogue portion of the meeting are asked to sign up in advance by contacting Paula Schmitt of the Commission staff at (609) 883-9500, Ext. 224 or paula.schmitt@drbc.state.nj.us.

Addresses for written comment. Written comment on items scheduled for hearing may be delivered by hand at the public hearing or submitted in advance of the hearing date to Commission Secretary, P. O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628, fax (609) 883-9522 or paula.schmitt@drbc.state.nj.us. If submitted by e-mail in advance of the hearing date, written comments on a docket should also be sent to William Muszynski, Manager, Water Resources Management at william.muszynski@drbc.state.nj.us.

Accommodations for special needs. Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the informational meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711 to discuss how the Commission can accommodate their needs.

Updates. Items scheduled for hearing are occasionally postponed to allow more time for the Commission to consider them. Other meeting items also are subject to change. Check the Commission's web site closer to the meeting date for changes that may be made after the deadline for filing this notice.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 13-2193. Filed for public inspection November 22, 2013, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; 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 November 12, 2013.

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

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-6-2013	<p><i>From:</i> Armstrong County Building and Loan Association of Ford City, PA Ford City Armstrong County</p> <p><i>To:</i> Armstrong County Building and Loan Association of Ford City, PA Ford City Armstrong County</p> <p>Application for approval to convert from a Pennsylvania State-chartered savings and loan association to a Pennsylvania State-chartered savings bank.</p>	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-22-2013	<p>New Life Community Development Credit Union Philadelphia Philadelphia County</p> <p>Conversion from a Pennsylvania State-chartered credit union to a Federal-chartered credit union to be known as New Life Federal Credit Union, Philadelphia.</p>	Effective

The Department's web site at www.dobs.state.pa.us includes public notices for more recently filed applications.

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 13-2194. Filed for public inspection November 22, 2013, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Peter G. Weindorfer for Reinstatement of Teaching Certificates; Doc. No. RE 13-02

Notice of Hearing

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1a—2070.18a), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Peter G. Weindorfer for reinstatement of his teaching certificates.

On or about July 15, 2013, Peter G. Weindorfer filed an application for reinstatement of his teaching certificates

under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on October 15, 2013, opposed the application.

In accordance with the act and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties who wish to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code

§§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice. Persons with a

disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate should contact Suzanne Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,
Executive Director

[Pa.B. Doc. No. 13-2195. Filed for public inspection November 22, 2013, 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.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS212202 (Storm Water)	Berks Products Corporation Allentown Ready Mix Plant 5050 Crackersport Road Allentown, PA 18104	Lehigh County South Whitehall Township	Unnamed Tributary to Little Cedar Creek (2-C)	Y
PA0043044 (Sewage)	Municipal Authority of the Borough of Ringtown South Center and Spring Streets Ringtown, PA 17967	Schuylkill County Ringtown Borough	Dark Run (5-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0087921— Sew	Berwick Township 85 Municipal Road Hanover, PA 17331	Adams County / Berwick Township	UNT Pine Run / 7F	Y
PA0261131— Sew	Tamarack Mobile Home Park Frederick W. Steudler 502 Cedar Lane New Providence, PA 17560	Lancaster County / Providence Township	UNT Huber Run / 7K	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0216950 Industrial Waste	Creswell Heights Joint Authority 3961 Jordan Street South Heights, PA 15081-0301	Beaver County South Heights Borough	Ohio River	Y
PA0028126 Industrial Waste	PA American Water Hays Mine Beck Run Complex Pittsburgh, PA 15210	Allegheny County City of Pittsburgh	Glass Run	Y
PA0000302 Industrial Waste	PA American Water 1034 Waterworks Road Indiana, PA 15701	Indiana County White Township		Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0100650 (Sewage)	Forrest Brooke MHP 7224 West Market Street, Mercer, PA 16137	Mercer County Lackawannock Township	Unnamed Tributary to Magargee Run (20-A)	Y
PA0030317 (Sewage)	Clarion Limestone High School 4091 C-L School Road Strattanville, PA 16258-9720	Clarion County Clarion Township	Unnamed Tributary to Little Piney Creek (17-B)	Y
PA0101745 (Sewage)	Clairview Nursing Rehabilitation Center 14663 Route 68 Sligo, PA 16255	Clarion County Piney Township	Unnamed Tributary to Licking Creek (17-B)	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.

PA0070254, Sewage, SIC Code 4952, **Lehigh County Authority**, 1053 Spruce Road, Allentown, PA 18106-0348. Facility Name: Lynn Township Wastewater Treatment Plant. This existing facility is located in Lynn Township, **Lehigh County**.

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

The receiving stream(s), Ontelaunee Creek, is located in State Water Plan watershed 3-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.08 MGD interim and a proposed 0.16 MGD expansion final.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual	Minimum	Average Monthly	Weekly Average	
Flow (MGD) (Final)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.) (Final)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen (Final)	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (Final)	XXX	XXX	XXX	0.3	XXX	0.7
CBOD ₅						
May 1 - Oct 31 (Interim)	10.0	XXX	XXX	15.0	25.0	30.0
Nov 1 - Apr 30 (Interim)	16.7	XXX	XXX	25.0	40.0	50.0
May 1 - Oct 31 (Final)	20.0	33.4	XXX	15.0	25.0	30.0
Nov 1 - Apr 30 (Final)	33.4	53.4	XXX	25.0	40.0	50.0
BOD ₅						
Raw Sewage Influent (Final)	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
(Interim)	20.0	XXX	XXX	30.0	45.0	60.0
(Final)	40.0	60.0	XXX	30.0	45.0	60.0
Total Suspended Solids						
Raw Sewage Influent (Final)	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids (Final)	Report	7,306.0	XXX	XXX	XXX	XXX
	Total Mo	Total Annual				
Total Dissolved Solids (Final)	Report	XXX	XXX	1,000	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30 (Final)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30 (Final)	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N (Final)	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Total Nitrogen (Final)	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Ammonia-Nitrogen						
May 1 - Oct 31 (Interim)	2.7	XXX	XXX	4.0	XXX	8.0
Nov 1 - Apr 30 (Interim)	8.0	XXX	XXX	12.0	XXX	24.0
May 1 - Oct 31 (Final)	5.3	XXX	XXX	4.0	XXX	8.0
Nov 1 - Apr 30 (Final)	16.0	XXX	XXX	12.0	XXX	24.0
Total Kjeldahl Nitrogen (Final)	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg					
Total Phosphorus (Final)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Final)	Report	244.0	XXX	XXX	XXX	XXX
	Total Mo	Total Annual				

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

- 60 Day notification before plant expansion to 0.16 MGD
- Subject to Lake Ontelaunee's Total Suspended Solids and Total Phosphorous TMDL Limitations.

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.

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

PA0232432, SIC Code 4953, PA DOT Engineering District 2-0, P. O. Box 342, Clearfield, PA 16830.

Facility Name: I-99 ARD Treatment Facility.

This existing facility is located in Huston Township, Centre County.

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

The receiving stream, Unnamed Tributary to Bald Eagle Creek, is located in State Water Plan watershed 9-C and is classified for Trout Stock Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Total Aluminum	0.25	0.25	XXX	0.75	0.75	0.75
Total Cadmium	0.001	0.002	XXX	0.003	0.006	0.007
Free Available Cyanide	0.02	0.04	XXX	0.06	0.12	0.15
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total Iron	0.50	1.00	XXX	1.50	3.00	3.75
Total Lead	Report	Report	XXX	Report	Report	XXX
Total Manganese	0.33	0.66	XXX	1.00	2.00	2.50
Total Selenium	Report	Report	XXX	Report	Report	XXX
Sulfate	Report	Report	XXX	Report	Report	XXX
Total Thallium	0.001	0.002	XXX	0.003	0.006	0.007
Total Zinc	0.31	0.63	XXX	0.95	1.90	2.37
Chloride	Report	Report	XXX	Report	Report	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

Northwest Regional Office: Regional Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.

PA0272663, Industrial Waste, SIC Code 1311, **Titusville Oil & Gas Associates Inc.**, 16899 Jerusalem Corners Road, Pleasantville, PA 16341. Facility Name: Seaton Products WWTP. This proposed facility is located in Allegheny Township, **Venango County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of centralized waste treatment wastewater from on and off-site stripper wells.

The receiving stream, Pithole Creek, is located in State Water Plan watershed 16-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 0.00926 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
BOD ₅	XXX	XXX	XXX	53	163	163
Total Suspended Solids	XXX	XXX	XXX	61.3	216	216
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Cadmium	0.0025	0.005	XXX	0.033	0.07	0.08
Total Copper	XXX	XXX	XXX	0.76	0.87	1.9
Sulfate	XXX	XXX	XXX	Report	XXX	XXX
Total Uranium (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	0.42	0.5	1.05
o-Cresol	XXX	XXX	XXX	0.56	1.92	1.92
2,4,6-Trichlorophenol	XXX	XXX	XXX	0.11	0.16	0.27
Phenol	XXX	XXX	XXX	1.1	3.65	3.65
Acetone	XXX	XXX	XXX	8	30.2	30.2
Acetophenone	XXX	XXX	XXX	0.056	0.114	0.14
Benzene	0.08	0.15	XXX	1	2	2.5
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Bromide	XXX	XXX	XXX	Report	XXX	XXX
2-Butanone	XXX	XXX	XXX	1.85	4.81	4.81
p-Cresol	XXX	XXX	XXX	0.2	0.7	0.7
Pyridine	XXX	XXX	XXX	0.18	0.37	0.46
Gross Alpha (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX
Radium 226/228, Total (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX

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

- Electronic Discharge Monitoring Reporting requirement
- Radiation Protection Plan development

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 1491404 T-5, Sewage, **James D. Watkins**, 188 Greens Run Rd, Howard, PA 16841.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant (SRSTP). The applicant is applying for an NPDES and WQM Permit Transfer.

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

WQM Permit No. 3388401, Sewage, **Amanda R. & Kenneth M. Leonard**, 3384 Church Street, Reynoldsville, PA 15851-5908.

This existing facility is located in Winslow Township, **Jefferson County**.

Description of Proposed Action/Activity: Transfer of existing WQM permit for a Single Residence Sewage Treatment Plant.

WQM Permit No. WQG01251320, Sewage, **Michael L. Stempka**, 10224 Oliver Road, McKean, PA 16426.

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

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

WQM Permit No. WQG01251321, Sewage, **Robert W. Kazmaier**, 9635 Sampson Road, Erie, PA 16509.

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

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

WQM Permit No. 2003416, Sewage, Transfer, **Pamela L & Paula R Davis**, 23435 Creek Road North, Springboro, PA 16435.

This existing facility is located in Spring Township, **Crawford County**.

Description of Proposed Action/Activity: Transfer of an existing WQM permit for a Small Flow Treatment Facility.

WQM Permit No. 6113401, Sewage, Amendment No. 1, **J. Thomas & Karen L. Chatham, P. O. Box 242, Polk, PA 16342**.

This proposed facility is located in Frenchcreek Township, **Venango County**.

Description of Proposed Action/Activity: Amendment to replace recirculating sand filter system with Norweco Singulair Green System for proposed Single Residence Sewage Treatment Plant.

IV. NPDES Applications for Stormwater Discharges from MS4

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

PAI132237, MS4, **Forks Township**, 1606 Sullivan Trail, Easton, PA 18040-8332. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Forks Township, **Northampton County**. The receiving streams, Bushkill Creek and Unnamed Tributary to Delaware River, are located in State Water Plan watershed 1-F and are classified for High Quality Waters—Cold Water Fishes, Migratory Fishes and Warm Water Fishes, Migratory Fishes respectively.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

PAI132228, MS4, **Lower Nazareth Township North**, 306 Butztown Road, Bethlehem, PA 18017. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Lower Nazareth Township, **Northampton County**. The receiving stream(s), East Branch Monocacy Creek, Monocacy Creek and Unnamed Tributary to Shoeneck Creek, is located in State Water Plan watershed 1-F and 2-C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

PAI132229, MS4, **Wind Gap Borough**, 29 Mechanic Street, Wind Gap, PA 18091-1320. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Wind Gap Borough, **Northampton County**. The receiving stream, an Unnamed Tributary to Little Bushkill Creek, is located in State Water Plan watershed 1-F and 3-F and is classified for High Quality Cold Water Fishes, and Migratory Fishes.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913012	Thomas A. Yorie, Jr. 1221 Cherry Blossom Dr. Hazle Township, PA 18202	Lehigh	Upper Macungie Township	Iron Run (HQ-CWF, MF)

Luzerne County Conservation District, 325 Smiths Pond Road, Shavertown PA 18708

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024013006	PennDOT c/o Debbie Noone 55 Keystone Industrial Park Dunmore, PA 18512	Luzerne	Dorrance Township	Balliet Run (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024513013	Trap Enterprises, LLC 41 Mountain View Dr. Tannersville, PA 18372	Monroe	Pocono Township	Scot Run (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033613012	John Smith 555 Mountain Home Rd Sinking Spring PA 19608	Lancaster	Mount Joy Township	UNT Donegal Creek (CWF, EV Wetlands)

VII. List of NOIs for NPDES and/or Other General Permit Types

PAG-12 CAFOs

STATE CONSERVATION COMMISSION

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

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

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

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

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

APPLICATIONS

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Lamar High 920 W. Matterstown Road Millersburg, PA 17061	Dauphin	43.4	315	Layers	NA	Transfer

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. WA-156-B Public Water Supply
 Applicant **Pennsylvania American Water Company, Norristown**
 Borough Norristown Borough
 County **Montgomery**
 Responsible Official Stan Szczepanek, Supervisor
 300 W. Washington Street
 Norristown, PA 19401-4694
 Type of Facility PWS
 Consulting Engineer Mark Bowen, P.E.
 Klein Schmidt Associates
 400 Historic Drive
 Strasburg, PA 17579
 Application Received Date September 9, 2013
 Description of Action Renewal application for a water allocation permit to withdrawal water from the Schuylkill River.

Permit No. 4613509 Public Water Supply
 Applicant **Aqua Pennsylvania, Inc.**
 Township Perkiomen
 County **Montgomery**
 Responsible Official Michael J. Pickel
 Senior Manager, Environmental Affairs
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010-3489

Type of Facility PWS
 Consulting Engineer Brennan Kelly, P.E.
 Senior Engineer
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010-3489

Application Received Date October 10, 2013

Description of Action Replacement of existing Well No. 2 with new Well No. 3 at the Rahn's Well Station.

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 3613512, Public Water Supply.

Applicant **Mount Joy Borough Authority**

Municipality Mount Joy Borough

County **Lancaster**

Responsible Official John D Leaman, Authority Manager
 21 East Main Street
 PO Box 25
 Mount Joy, PA 17552

Type of Facility Public Water Supply

Consulting Engineer Ran Liu Ph.D, P.E.
 ARRO Consulting, Inc.
 108 West Airport Road
 Lititz, PA 17543

Application Received: 10/28/2013

Description of Action Church street replacement booster pump station.

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

Application No. 0213537, Public Water Supply.

Applicant **Monroeville Municipal Authority**
 219 Speelman Lane
 Monroeville, PA 15146

[Township or Borough] Borough of Monroeville

Responsible Official John Capor, General Manager
 Monroeville Municipal Authority
 219 Speelman Lane
 Monroeville, PA 15146

Type of Facility Water system

Consulting Engineer Chester Engineers
 1555 Coraopolis Heights Road
 Moon Township, PA 15108

Application Received Date November 7, 2013

Description of Action Installation of chlorination and chloramination at the Park water storage tank; and installation of chlorination, chloramination and fluoridation at the Haymaker Road Pump Station.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

Application No. 3486375

Applicant **Primo Refill, LLC**

[Township or Borough] **Northampton County**

Responsible Official David Mills, VP of Finance
 Primo Refill, LLC
 104 Cambridge Plaza Drive
 Winston, NC 27104

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date November 4, 2013

Description of Action Application for installation of a Primo Refill Drinking Water system at Wal-Mart Super Center No. 2145 located in Whitehall, PA.

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

Application No. 4560006-T2, Minor Amendment.

Applicant **Stonebridge Gardens, Inc.**
 Box 117
 Friedens, PA 15541

[Township or Borough] **Quemahoning Township**

Responsible Official James D. Foust, Jr.
 Stonebridge Gardens, Inc.
 Box 117
 Friedens, PA 15541

Type of Facility Water system

Consulting Engineer

Application Received Date October 30, 2013

Description of Action Transfer of the Gordon's MHP to Stonebridge Gardens MHP.

Application No. 5613510MA, Minor Amendment.

Applicant **Somerset County General Authority**
 300 North Center Avenue
 Somerset, PA 15501

[Township or Borough] **Lincoln Township**

Responsible Official Lladel Lichty, Chairman
 Somerset County General Authority
 300 North Center Avenue
 Somerset, PA 15501

Type of Facility Water system

Consulting Engineer Somerset Planning and Engineering Services, LLC
 222 West Main Street
 Suite 100
 Somerset, PA 15501

Application Received Date October 30, 2013
 Description of Action Installation of an inlet standpipe in the Historical Center water storage tank.

Application No. 0213537MA, Minor Amendment.

Applicant **Monroeville Municipal Authority**
 219 Speelman Lane
 Monroeville, PA 15146

[Township or Borough] Borough of Monroeville

Responsible Official John Capor, General Manager
 Monroeville Municipal Authority
 219 Speelman Lane
 Monroeville, PA 15146

Type of Facility Water system

Consulting Engineer Chester Engineers
 1555 Coraopolis Heights Road
 Moon Township, PA 15108

Application Received Date November 7, 2013

Description of Action Relocation of waterline along SR 0286.

Application No. 0213538MA, Minor Amendment.

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

[Township or Borough] Union Township

Responsible Official David R. Kaufman, P.E.
 Vice President—Engineering
 Pennsylvania American Water Company
 800 West Hersheypark Drive
 Hershey, PA 17033

Type of Facility Water system

Consulting Engineer

Application Received Date November 7, 2013

Description of Action Construction of a second 42-inch diameter waterline to convey water to the treatment facilities.

Application No. 3013513MA, Minor Amendment.

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

[Township or Borough] Jefferson Township

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

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 PO Box 200
 Indianola, PA 15051

Application Received Date November 7, 2013
 Description of Action Installation of approximately 9,184 feet of 12-inch diameter waterline along SR 088 and SR-0188.

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 appro-

priate 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:

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

Graymont (PA), Inc.—PleasantGap Facility, 965 East College Avenue, Spring Township, **Centre County**. Steven J. Treschow, Letterle & Associates, 629 East Rolling Ridge Drive, Bellefonte, Pa 16823, on behalf of Graymont Inc., submitted a Notice of Intent to Remediate. Diesel fuel was spilled over time in the process of filling a small above-ground storage tank. The diesel fuel potentially impacted site soil. The proposed future use of the property will be non-residential for limestone manufacturing, processing and distributing. The Notice of Intent to Remediate was published the *Centre Daily Times* on October 9, 2013.

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

N. H. Weidner, Inc., Ross Township, **Allegheny County**. CORE Environmental Services, Inc., 4068 Mt. Royal Boulevard, Gamma Building, Suite 225, Allison Park, PA 15241 on behalf of N.H. Weidner, Inc. has submitted a Notice of Intent to Remediate on November 8, 2013 to meet the Site Specific concerning the remediation of soils and groundwater contaminated with chlorinated volatile compounds. The notification of the NIR was published on November 4, 2013 in the *Pittsburgh Post-Gazette*.

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

Wellington Estate, Intersection of Gibbs Road & Bristol Pike, Bensalem Township, **Bucks County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 901 South Bolmar Street, Suite B, West Chester, PA 19382, Guenter K. Miller, Leggett, Brashear & Graham, Inc., 901 South Bolmar Street, Suite B, West Chester, PA 19382 on behalf of Vincent G. Deluca, DeLucas Homes, 370 East Maple Avenue, Suite 101, Langhorne, PA 19047 has submitted a Notice of Intent to Remediate. The site contamination is the result of release(s) from upgradient property that impacted groundwater at the site. The proposed future use of the property will be for residential dwellings. The Notice of Intent to Remediate was published in the *Willow Grove Guide* on August 25, 2013. PF675096.

3225 Advance Lane, 3225 Advance Land Hatfield Township, **Montgomery County**. Mark Fortan DeVal Soil & Environmental Consultants, Sky Run II, Suite AL, 4050 Skyrion Drive, Doylestown, PA 18902, James McCusker, McCusker Realty Enterprise, GP, 104 Bethlehem Pike, P. O. Box 285, Colmar, PA 18915 on behalf of Gary Santabarbara, DGG Investments, LLC, 3225 Advance Lane, Colmar, PA 18915 has submitted a Notice of Intent to Remediate. The arsenic impacted soil in the area of the former waste oil AST/UST will be exhumed and property disposed off site. Petroleum impacted soil and concentrations of volatile organic compound, including 1, 3, 5-Trimethylbenzene. The future use of the site will remain the same. PF769841

Wellness Center, 2108-44 Cecil B. Moore Avenue, City of Philadelphia **Philadelphia County**. Richard S. Wer-

ner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Janet Stearns, MPower Development Corporation, 1551 Fairmount Avenue, Philadelphia, PA 19130 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of inorganics. The future use of the subject property will be a wellness center. PF769620

State Road Land Partners LP Parcel B, 2215 (aka 2233) State Road, Bensalem Township, **Bucks County**. Jeffrey K. Walsh, P.G., Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, David J. Jackson, Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933 on behalf of Arnold Boyer, State Road Land Partners LP, 2310 Terwood Drive, Huntingdon Valley, PA 19006 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of vocs, svoc, pesticides, pcbs and metals. The future use of the property is anticipated to transition to residential use. PF 620175

515 South Bolmar Street, 515 South Bolmar Street, West Goshen Township **Chester County**. Scott Smith, P.E. LEEP AP, EnviroSure, Inc., 10 3 South Bolmar Street, West Chester, PA 19383, Thomas Lloyd, EnviroSure, Inc., 10 3 South Bolmar Street, West Chester, PA 19383 on behalf of Michael L. Houseknecht, Houseknecht Family, L.P., 140 Hawbaker Industrial Drive, Suite 1, West Chester, PA 19382 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted with the release of heating oil, leaded, unleaded and diesel fuel. No remediation is required based on the finding and the future use of the site. The Notice of Intent to Remediate was published in the *Daily Local News* on September 12, 2013. F769617

Zipperlen Residence, 13 Washington Lane, City of Coatesville **Chester County**. Michael A. Haney, P.G., Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Carole Zipperlen, 13 Washington Lane, Coatesville, PA 19320 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the property will continue to be as a residential structure. PF 769625

CVS Pharmacy, 2132-2146 South Street & 2139-2147, City of Philadelphia, **Philadelphia County**. Justin Lauterbach, RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301, Christene Lee, RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 1531 on behalf of John Coga, Pennsylvania CVS Pharmacy, LLC, 210 South Maple Avenue, Suite 100, Ambler, PA 19002 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of polycyclic aromatic hydrocarbons and metals. The proposed future use of the property will be commercial. The Notice of Intent to Remediate was published in the *South Philly Review* on September 12, 2013.

Village at Valley Forge, 401 North Gulph Road, Upper Merion Borough, **Montgomery County**. Donald Bowman, Maser Consulting P.A., 190 Brodhead Road, Suite 210, Bethlehem PA 18017, Brian Bennett, Northwestern Mutual, 720 East Wisconsin Avenue, N16SW, Milwaukee WI 53202 on behalf of Paul Fry, Realen Valley Forge Greenes Associates, 1000 Chesterbrook Boulevard, Suite 100, Berwyn PA 19312 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of vocs. The intended future use of the property is a commercial/residential

mixed use. The Notice of Intent to Remediate was published in the *Main Line Times* on August 4, 2013. PF766154

Philadelphia Gun Club, 3051 State Road, Bensalem Township, **Bucks County**. William F. Schmidt, P.E., Pennoni Associates, Inc. 3001 Market Street, Suite 200, Philadelphia, PA 19105, Darryl D. Borrelli, Manko, Gold, Katcher & Fox LLP, 40 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Jordan Irving, Philadelphia Gun Club, 3051 State Road, Bensalem, PA 19020 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of lead. The proposed future use of the property will continue to be recreational and used as a gun club. The Notice of Intent to Remediated was published in the *Philadelphia Daily News* on October 21, 2013. PF770790

Plaza Allegheny, 236-38 & 240-56 West Allegheny Avenue, City of Philadelphia, **Philadelphia County**. Mark Irani, Land Recycling Solutions, LLC, 3101 Mount Carmel Avenue, Suite 3, Glenside, PA 19038, David Groverman, Groverpete, L.P., Plaza Allegheny, 50 Greenfield Avenue, Suite 201, Ardmore, PA 19003 on behalf of Pete Paik, P & H Group. Inc., 1382 Uxbridge Way, North Wales, PA 19454 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of lead, inorganic's, pcbs, and pahs. The planned future use of the site is non-residential, retail commercial and will include re-development with multiple leased tenant buildings. A Notice of Intent to Remedial was published in the *Star* on October 7, 2013. PF770760

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

PAD0000453084. Bethlehem Apparatus Company, Inc., 935 Bethlehem Drive, Bethlehem, PA 18017. A permit modification to add a mercury amalgamation process at this Hazardous Waste facility located in the City of Bethlehem, **Northampton County**. The application was received by the Regional Office on October 2, 2013.

RESIDUAL WASTE GENERAL PERMITS

Application received for Registration under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

General Permit Application No. WMGR017SW001. Somerset County General Authority, Somerset County (Quemahoning) Water System, 458 Mastillo Road, Holsopple, PA 15935 in Jenner Township, **Somerset County**. Application for coverage under a residual waste general permit for the beneficial use of water treatment residual as (i) a soil additive by land application upon agricultural, agronomic, horticultural, and

silvicultural lands and (ii) land application on disturbed lands to facilitate re-vegetation for land reclamation purposes was submitted to the Regional Office. The application was deemed administratively complete on November 7, 2013.

General Permit Application No. WMGR017SW002. Highland Sewer and Water Authority, Beaverdam Water Treatment Plant, 1819 Shawnee Road, Sidman, PA 15955 in Summerhill Township, **Cambria County**. Application for coverage under a residual waste general permit for the beneficial use of water treatment residual as (i) a soil additive by land application upon agricultural, agronomic, horticultural, and silvicultural lands and (ii) land application on disturbed lands to facilitate re-vegetation for land reclamation purposes was submitted to the Regional Office. The application was deemed administratively complete on November 8, 2013.

Persons interested in reviewing the general permit or obtaining more information about the general permit application may contact the DEP Southwest Regional Office Regional Files at 412-442-4000. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGR097R024. Green 'N Grow Compost, LLC. 300 Douts Hill Road, Holtwood, PA 17532, **Lancaster County**, has applied for a research and development permit for the composting of pre-consumer packaged food waste. The R&D application proposes to compost the food prior to de-packaging. The packaging materials which are not degraded as part of the composting process will be screened out of the finished compost and disposed. A report will then be generated describing the feasibility of composting packaging vs. removing the packaging prior to composting. The application was found to be administratively complete by Central Office on October 16, 2013.

Written comments concerning the application should be directed to Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR097R024" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

General Permit No. WMGR002D012. HUD, Inc. T/A Emerald Anthracite II, 31 North Market Street, Nanticoke, PA 18364. For the beneficial use of wastewater treatment sludge generated by paper and pulp mills for use as a soil additive to: establish or reestablish agricultural activity on disturbed land; establish herbaceous wildlife habitat; facilitate revegetation on disturbed land at permitted and abandoned mine sites. The Department has deemed the application to be administratively complete on October 23, 2013.

Written comments concerning the renewal application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg,

PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at rapbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR002D012" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

General Permit Application No. WMGR084, Geo Specialty Chem. Inc., 2409 Cedar Crest Blvd., Allentown, PA 18104-9733. The application is for beneficial use of industrial wastewater treatment residual from the production of formaldehyde, trimethyloethane, dimethylolpropionic acid and calcium formate. The proposed beneficial uses of the residual are as a soil additive for agricultural utilization and land reclamation and as an ingredient to produce other soil additives. The Department has deemed the application to be administratively complete on October 23, 2013.

Written comments concerning the renewal application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at rapbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR084" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

General Permit Number WMGR091. Lucas Lane Inc., 10 Lucas Lane, Bernville, PA 19506. The general permit covers processing of used oil filters. The processing is limited to crushing and thermal treatment leads to the beneficial use of scrap metal and waste oil generated from the filters. General Permit Number WMGR091 was renewed by Central Office on October 14, 2013.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA15222-4745. Telephone 412-442-4000.

Permit ID No. 101691. Medical Waste Recovery, Inc., 9 Broadway, Suite 30, Denville, NJ 07834. Jeannette ICW Processing Facility, 1092 Claridge Elliott Road, Suite 1, Jeannette, PA 15644. Application for the reissuance of a medical waste processing facility in Penn Township, **Westmoreland County** from the existing permittee (Medical Waste Recovery, Inc.) to Triumvirate Environmental of Pittsburgh, Inc., was received in the Regional Office on October 29, 2013.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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 public. This approach allows the owner or operator of a facility to complete and submit permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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.

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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

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

08-00010E: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) for minor changes to the rare earth reclaim process and associated process

tanks. No increase in allowable emissions is associated with the proposed modification to the initial plan approval issued on May 8, 2012. Additionally, the modification extends the date by which stack testing must be conducted by an additional 120 days from November 24, 2013 to January 31, 2014, for the sources covered under this plan approval at their facility located in Towanda Borough, **Bradford County**. The proposed plan approval modification contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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 3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 08-00010E) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570 327 3648.

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

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

65-00990C: Tenaska Pennsylvania Partners, LLC for fossil fuel electric power generation at the Westmoreland Generating Station in South Huntingdon Township, **Westmoreland County**. This is a major facility Plan Approval application submittal.

65-00839B: Texas Eastern Transmission, L.P. (PO Box 1642, Houston, TX 77251) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval: PA-65-00839B to allow the installation and initial temporary operation of one Solar Titan 250 natural gas-fired compressor turbine rated at 30,000 hp (at ISO conditions) and controlled by an oxidation catalyst at the Delmont Compressor Station located in Salem Township, **Westmoreland County**. One GE Frame 5 natural gas-fired compressor turbine rated at 18,500 hp and four Ingersoll-Rand KVS-412 lean burn natural gas-fired engines rated at 2,000 bhp each are to be deactivated upon the new

turbine's release for commercial service. One Solar Mars 100 natural gas-fired compressor turbine rated at 15,000 hp (at ISO conditions), six Ingersoll-Rand KVG-410 rich burn natural gas-fired compressor engines rated at 1,100 bhp each and controlled by NSCR, and two emergency generators will remain authorized for operation under TV-65-00839.

Potential to emit (PTE) changes from installation of the new turbine and the removal of and restrictions on currently authorized sources are calculated to be an increase of 0.60 ton of sulfur oxides (SO_x); and a decrease of 751.7 tons of nitrogen oxides (NO_x), 211.3 tons of carbon monoxide (CO), 93.1 tons of volatile organic compounds (VOC), 1.62 tons of particulate matter less than 10 microns in diameter (PM₁₀), 1.62 tons of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 47.7 tons of formaldehyde, 66.3 tons of total hazardous air pollutants (HAP), and 26,886 tons of carbon dioxide equivalents (CO₂e) per year. Best available technology (BAT) for the proposed natural gas-fired turbine includes good combustion practices including operation in SoLoNO_x mode, installation and operation of an oxidation catalyst, minimization of startup and shutdown events, and proper maintenance and operation. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2 and 123.31; and Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart KKKK for stationary combustion turbines. The reporting of greenhouse gas (GHG) emissions in the form of CO₂e and on a mass basis has also been included in this Plan Approval. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes NO_x, CO, VOC, PM₁₀, PM_{2.5}, and visible emission limits, limitation of fuel sulfur content, and testing, work practice, monitoring, recordkeeping, and reporting conditions. Additional conditions include revised emission limitations for the Solar Mars 100 turbine and Ingersoll-Rand KVG-410 engines and an hours of operation limitation on the engines. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently submit a Title V Operating Permit administrative amendment application in accordance with 25 Pa. Code Subchapters F and G. Delmont Compressor Station remains a Title V facility based upon its potential to emit NO_x, CO, VOC, and GHG emissions. PTE from the facility will be 116.49 tons of nitrogen oxides (NO_x), 169.57 tons of carbon monoxide (CO), 79.8 tons of volatile organic compounds (VOC), 12.59 tons of particulate matter less than 10 microns in diameter (PM₁₀), 12.59 tons of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 5.16 tons of sulfur oxides (SO_x) 8.58 tons of formaldehyde, 19.13 tons of total hazardous air pollutants (HAP), and 238,130 tons of carbon dioxide equivalents (CO₂e) per year.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alan Binder, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00839B) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted

based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

For additional information you may contact Alan Binder at 412-442-4168.

OPERATING PERMITS

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

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

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

03-00076: The Peoples Natural Gas Co. (1201 Pitt Street, Pittsburgh, PA 15221-2029) to issue a renewal Title V Operating Permit (TV-03-00076) for operation of their Girty Compressor Station, in South Bend Township, **Armstrong County**.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal Title V Operating Permit (TV-03-00076) to The Peoples Natural Gas Company, LLC (Peoples) for the operation of the Girty Compressor Station, located in South Bend Township, Armstrong County.

The main sources of emissions at the facility include two 6-cylinder, 440 bhp, Ingersoll-Rand Model #KVG-6 engines, a 4-cylinder Cooper-Bessemer model #GMV4 engine, and a 10-cylinder, 4-cycle, 1,000 bhp Ingersoll-Rand model #KVG-103 engine. These are sources #101—104 in the permit. The station also operates a small standby electric generator (Source #109), miscellaneous process equipment (Source #106), and two dehydration generator/chiller units (Sources #107 and #108), an ethylene glycol tank (Source #110), miscellaneous storage tanks (Source #111 which includes a 5,000 gallon new engine oil tank, 1,000 gallon engine oil tank, 5,000 gallon produced fluids tank, 2,000 gallon wastewater tank, and a 1,500 gallon waste oil tank), miscellaneous process equipment (Source #106), a parts washer (Source #112), miscellaneous space and water heaters (Source #037), and facility fugitive emissions (Source #201).

The Girty Compressor Station is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permit requirements). In 2012, Peoples reported emitting the following type and quantity of air contaminants (on an annual basis) from the Girty Compressor Station: 20.9 tons of carbon monoxide (CO), 92.7 tons of nitrogen oxides (NO_x), 1.3 tons of particulate matter, 10-micron (PM₁₀), 0.5 ton of particulate matter, 2.5-micron (PM_{2.5}), 0.04 ton of sulfur oxides (SO_x), 21.2 tons of volatile organic compounds (VOC), 0.8 ton of formaldehyde (a hazardous air pollutant), 1.52 tons of hazardous air pollutants (combined). The Girty Compressor Station also reported emissions of 9,883.7 tons of greenhouse gases (GHGs).

The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable require-

ments of 40 CFR Parts 52, 60, 61, 63, and 70, and 25 Pa. Code Chapters 121—145.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Title V Operating Permit 03-00076) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests, and requests for a public hearing should be directed to Nicholas J. Waryanka, Air Quality Engineer, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Nicholas J. Waryanka at (412) 442-4172.

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

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

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

The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO); total suspended particulate (TSP) and VOC's. This is a renewal State-Only Synthetic Minor operating

permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

39-00041: Greenwood Cemetary Assoc. (2010 West Chew Street, Allentown, PA 18104-5550) to operate a human crematory facility in Allentown, **Lehigh County**. The primary sources consist of two (2) crematory incinerators.

The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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, Program Manager—Telephone: 717-705-4702.

22-05034: Pennsy Supply, Inc. (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17104-1645) for operation of a rock crushing facility at their Hummelstown Quarry in South Hanover Township, **Dauphin County**. This is a renewal of State-Only Operating Permit issued in 2009.

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

The subject facility has the potential to emit 33.3 tpy of PM₁₀, 52.0 tpy CO, 22.0 tpy NO_x, 23.2 tpy SO_x, and 12.8 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

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

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

Thomas Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

36-05097: Pennsy Supply Inc.—Mason Dixon Asphalt Plant (245 Quarry Rd., Lancaster, PA 17653) for operation of an asphalt plant in Fulton Township, **Lancaster County**.

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

The 2012 actual emissions of the facility were 0.10 ton of PM per year, 1.47 tons of CO per year, 0.03 ton of NO_x per year, 0.3 ton of SO_x per year, 0.04 ton of VOC per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60, Subpart I-Standard of Performance for Hot Mix Asphalt Facilities.

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

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

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

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

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

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

41-00054: P-Stone, Inc. (PO Box 254 Jersey Shore, PA 17740) for their quarry in Limestone Township, **Lycoming County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility. The subject facility has the potential to emit 28.33 TPY of PM/PM₁₀. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12, as well as the New Source Performance Standards for Non Metallic Mineral Processing Plants, 40 CFR Part 60 Subpart OOO Sections 60.670—60.676. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this operating permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed operating permit (specify State Only Operating Permit No. 41-00054) and concise statements regarding the relevancy of the information or objections to issuance of the operating permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570 327 3648.

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

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

56-00160: Keystone Lime Co.—Eichorn Quarry (1136 Christner Hollow Rd., Fort Hill, Pa 15540) for operation of a hot mix asphalt plant and limestone crushing plant in Elk Lick and Addison Township, **Somerset County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and is providing public notice that it intends to issue a renewal Air Quality Operating Permit for the above mentioned facility.

The subject facility consists of one hot mix batch asphalt plants rated at 300 tons per hour and a 200 ton per hour limestone crushing plant. The batch plant is limited to 480,000 tons production in any consecutive 12-month period. The site is equipped with five asphalt cement storage tanks, three crushers, three screens, stockpiles, truck loading, and haul roads. The facility has the potential to emit: 57.60 tpy CO; 6.00 tpy NO_x; 12.67 tpy SO_x; 1.18 tpy VOC; and 15.85 tpy PM. The facility is required to conduct annual burner tune up tests and stack testing for all criteria pollutants every five years. The facility must perform daily survey of the facility to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are

available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 56-00160) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Sheila Shaffer, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Sheila Shaffer at (412) 442-5227.

32-00349: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201), Natural Minor Operating Permit for the operation of a coal transfer facility, known as the I-22 Tipple, located in Burrell Township, **Indiana County**.

The facility contains air contamination sources consisting of a railcar dump, truck hopper loadout, conveyers, storage piles, and plant roads. Transferred coal throughput of the facility is limited to 2,000,000 tons per year. Facility emissions are 7.0 tons per year of PM₁₀. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the

Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 32-00206) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests, and requests for a public hearing should be directed to Martin L. Hochhauser, P. E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Martin L. Hochhauser, P.E. at (412) 442-4057.

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

Contact: Matthew M. Williams—Telephone: 814-332-6131

33-00139: Owens-Brockway Glass Container, Inc. (Two O-I Plaza, One Michael Owens Way, Perrysburg, OH 43551) to renew a State Only Operating Permit for the glass container machine and maintenance Plant No. 76 at 4189 Route 219, Brockport, in Snyder Township, **Jefferson County**. The primary sources at the facility are two 2.3 million Btu/hr natural gas fueled boilers, 13 natural gas fueled space heaters, machining and maintenance operations, 2 parts washers, a paint booth, and two 3.5 kW natural gas fuel emergency generators. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The emergency generators are subject to 40 CFR Part 63 Subpart ZZZZ, the NESHAP for RICE. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

42-00223: Tennessee Gas Pipeline Co.—Station 310 (1001 Louisiana Street, Houston, TX 77002-5089) for issuance of a new Natural Minor Operating Permit for a natural gas transmission station located in Sergeant Township, **McKean County**. The facility's primary emission sources include a 16,000 hp combustion turbine, a 570 hp emergency natural gas engine, miscellaneous natural gas fired sources and minor fugitive emissions. The turbine is subject to 40 CFR 60 Subpart KKKK pertaining to the NSPS for Stationary Combustion Turbines. The emergency engine is subject to 40 CFR 60 Subpart JJJJ pertaining to the Standards of Performance

for Stationary Spark Ignition Internal Combustion Engines. The potential emissions from the facility are 31 TPY NO_x; 68 TPY CO; 5 TPY VOC; 2 TPY SO_x; 4 TPY PM-10; 2 TPY formaldehyde; 2TPY HAPs; and 64,219 TPY GHG CO₂e. The conditions of the plan approval were incorporated into the operating permit.

61-00218: Tennessee Gas Pipeline Company Station 303 (1001 Louisiana Street, Houston, TX 77002-5089) for issuance of a new Natural Minor Operating Permit for a natural gas transmission station located in Cranberry Township, **Venango County**. The facility's primary emission sources include a 16,000 hp combustion turbine, a 570 hp emergency natural gas engine, miscellaneous natural gas fired sources and minor fugitive emissions. The turbine is subject to 40 CFR 60 Subpart KKKK pertaining to the NSPS for Stationary Combustion Turbines. The emergency engine is subject to 40 CFR 60 Subpart JJJJ pertaining to the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The potential emissions from the facility are 31 TPY NO_x; 68 TPY CO; 5 TPY VOC; 2 TPY SO_x; 4 TPY PM-10; 2 TPY formaldehyde; 2 TPY HAPs; and 65,505 TPY GHG CO₂e. The conditions of the plan approval were incorporated into the operating permit.

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

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

61130101 and NPDES Permit No. PA0259462. K & A Mining (P. O. Box 288, Grove City, PA 16127) Commencement, operation and restoration of bituminous surface mine in Irwin Township, **Venango County** affecting 52.0 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 24, 2013.

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

12060101 and NPDES PA0256366. Allegheny Enterprises, Inc. (3885 Roller Coaster Road, Corsica, PA 15829). Renewal for the continued operation and restoration of a bituminous surface mine in Lumber and Shippen Townships, **Cameron County** affecting 293.8 acres. Receiving stream(s): Finley Run, Reed Hollow, and Portable Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 6, 2013.

17070111 and NPDES PA0256579. RES Coal LLC (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Renewal for the continued operation and restoration of a bituminous surface mine in Girard Township, **Clearfield County** affecting 370.0 acres. Receiving

stream(s): Bald Hill Run and Surveyor Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 6, 2013.

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

54930201R4. Wheelabrator Culm Services, Inc., (4 Liberty Lane West, Hampton, NH 03842), renewal for reclamation activities only of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 117.0 acres, receiving stream: Mahanoy Creek, classified for the following use: cold water fishes. Application received: October 8, 2013.

54930102R3 and NPDES Permit No. PA0223492. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine operation and NPDES Permit for discharge of treated mine drainage in Porter Township, **Schuylkill County** affecting 462.0 acres, receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: October 11, 2013.

54930102C7 and NPDES Permit No. PA0223492. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), correction to an existing anthracite surface mine operation to increase the permitted acres in Porter Township, **Schuylkill County** affecting 594.0 acres, receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: October 11, 2013.

54030103R2. Jett Contracting Co., (231 Winfield Drive, Brockton, PA 17925), renewal of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 116.0 acres, receiving stream: Morgans Run, classified for the following uses: cold water and migratory fishes. Application received: October 15, 2013.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

25130303. Raymond D. Showman & Sons, Inc. (12851 Sharp Road, Edinboro, PA 16412) Commencement, operation and restoration of a large industrial minerals mine in LeBoeuf Township, **Erie County** affecting 150.0 acres. Receiving streams: Unnamed tributary to French Creek and French Creek, both classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 29, 2013.

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

45870809. BFB Construction Company, (PO Box 425, Pocono Lake, PA 18347), Stage I & II bond release of a quarry operation in Tunkhannock Township, **Monroe County** affecting 5.0 acres on property owned by BFB Construction Company. Application received: October 7, 2013.

5878SM3C6 and NPDES Permit No. PA0595691. Haines & Kibblehouse, Inc., (PO Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Penn Forest Township, **Carbon County** affecting 20.0 acres, receiving streams: Stony Creek and Yellow Run, classified for the following use: exceptional value. Application received: October 9, 2013.

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*		greater than 6.0; less than 9.0	
pH*			

* 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

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

NPDES No. PA0252298 (Mining permit no. 63120105), Neiswonger Construction, Inc., 17592 Route 322, Strattanville, PA 16258, new NPDES permit for a bituminous surface mine in Somerset Township, **Washington County**, affecting 24.9 acres. Receiving stream(s): unnamed tributaries to North Branch Pigeon Creek, classified for the following use(s): Warm Water Fishes. Application received: June 3, 2013. Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT (Best Available Technology) limits described above for coal mining activities.

The treated wastewater outfall(s) listed below discharge to UNTs to North Branch of Pigeon Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
SP-1, SP-2	Y	Sediment pond

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

<i>Outfalls: SP-1, SP-2 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	7.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to UNTs to North Branch Pigeon Creek

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
SP-1, SP-2	Y	Sediment pond

The proposed effluent limits for the above listed outfall(s) are as follows: for precipitation events less than or equal to a 10 year/24 hour storm event

<i>Outfalls: SP-1, SP-2 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	NA	NA	7.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The treated wastewater outfall(s) listed below discharge to UNTs to North Branch of Pigeon Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
TP-1, TP-2	Y	Treatment Facility

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

<i>Outfalls: TP-1, TP-2 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

NPDES Permit No. PA0225312 on Surface Mining Permit No. 58122510. Nittany Nova Aggregates, LLC, (2840 West Clymer Road, Telford, PA 18969), new NPDES Permit for a Bluestone (GP105) Quarry operation in New Milford Township, **Susquehanna County**, affecting 10.0 acres. Receiving stream: Salt Lick Creek, classified for the following use: HQ—cold water fishes. Application received: July 10, 2012.

Non-discharge BMP's shall be in effect.

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

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

E60-215. Silvermoon Development, 145 Dustin Avenue, West Milton, PA 17886-8042. Silvermoon Fairfield Project, in Kelly Township, **Union County**, ACOE Baltimore District (Northumberland, PA Quadrangle N: 40°59'40.60"; W: -76°52'25.69"). To: 1) fill 0.135 acre of wetland in the Silvermoon Development located in the southwest corner of the Zeigler Road and SR 15 intersection; 2) construct and maintain replacement wetlands within the Silvermoon Development in order to create a suitable building site for a car dealership. This project proposes to permanently impact 0.135 acre of PEM wetlands in the drainage area of the West Branch Susquehanna River, which is classified as a warm water fishery.

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

E63-652. PennDOT District 12-0, 825 North Gallatin Avenue, Uniontown, PA 15017; South Strabane Township, **Washington County**; ACOE Pittsburgh District.

Applicant proposes to construct and maintain a 465 ft relocation of an existing 515 ft section of an unnamed tributary to Chartiers Creek (WWF), with a drainage area of less than 100 acres; and 21 ft of stream relocation and 22 ft. of an extension to an existing 36 in diameter RCP in another unnamed tributary to Chartiers Creek (WWF), with a drainage area of less than 100 acres. In addition, construct and maintain stormwater outfalls and on site mitigation for the purpose of improving the SR 70, SR 136 (Beau Street) intersection and approach roads. The project is located northeast of Washington Pa. (Washington East N 15.5 inches; W 14.9 inches; Latitude: 40° 11' 18"; Longitude: 80° 13' 59.99") in South Strabane Township, Washington County.

Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335

E43-08-005, Pennant Midstream, LLC, 5151 San Felipe, Houston, TX 77056, 130600/130700 Pipeline Project (Mercer), in Jefferson, Lackawannock, Shenango, and Wilmington Townships, **Mercer County**, Army Corps of Engineers Pittsburgh District (Edinburg, Fredonia, Greenfield, New Castle North, New Castle South, Sharon East, and Bessemer, Pa, New Middleton, OH Quadrangles N: 41° 5' 17.0016"; W: -80° 25' 10.9986").

The applicant proposes to construct and maintain approximately 15 miles of 24 inch diameter and 18 miles of 20 inch diameter natural gas pipeline in Mahoning, North Beaver, Union and Pulaski Townships, Lawrence County and Jefferson, Lackawannock, Shenango, and Wilmington Townships, Mercer County, PA. The proposed pipeline will connect Hilcorp Energy Company's well pads and production facility to Pennant's Hickory Bend Cryogenics Plant located in Mahoning County, OH. An additional site in Sugar Grove Township, Mercer County will be utilized to mitigate for the permanent conversion of palustrine forested and palustrine shrub-scrub wetlands to Palustrine emergent wetlands. The water obstructions and encroachments in the Mercer County portion of the project are described below:

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
00	Mitigation: The placement of an earthen plug in an existing field drain having .01 acre of permanent impact to a palustrine emergent (PEM) wetland. An additional .11 acre of temporary impacts to PEM wetland will be necessary to access site. Anticipated results will be approximately 10 acres of restored/rehabilitated palustrine forested/palustrine shrub-scrub (PFO/PSS) wetland complex.	41° 26' 37.68" N -80° 20' 12.4794" W
1	A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.	41° 15' 59.5146" N -80° 18' 1.2024" W
2	A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.	41° 15' 56.754" N -80° 18' 15.8976" W
3	A 20" diameter natural gas pipeline to be bored under Lackawannock Creek (TSF).	41° 15' 53.856" N -80° 18' 11.862" W
3	A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.	41° 15' 56.754" N -80° 18' 15.8976" W
4	A temporary road crossing of the floodway of an UNT to Lackawannock Creek (TSF).	41° 15' 53.3304" N -80° 18' 25.3686" W
5	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 131 linear feet of temporary stream impact.	41° 15' 49.1574" N -80° 18' 25.6566" W
6	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 83 linear feet of temporary stream impact.	41° 15' 44.7588" N -80° 18' 25.4082" W
7	A temporary road crossing of a UNT to Lackawannock Creek (TSF) and its associated floodway, having 18 linear feet of temporary stream impact.	41° 15' 44.0892" N -80° 18' 24.5406" W
8	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 103 linear feet of temporary stream impact.	41° 15' 33.5016" N -80° 18' 26.607" W
9	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 103 linear feet of temporary stream impact.	41° 15' 30.4554" N -80° 18' 29.5014" W
10	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 87 linear feet of temporary stream impact.	41° 15' 25.0446" N -80° 18' 27.756" W
11	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 150 linear feet of temporary stream impact.	41° 15' 20.1888" N -80° 18' 31.6404" W
12	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross the floodway of a UNT to Little Neshannock Creek (TSF), having .05 acre temporary floodway impact.	41° 14' 29.709" N -80° 19' 15.9702" W
13	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross Little Neshannock Creek (TSF) and its associated floodway, having 102 linear feet of temporary stream impact.	41° 14' 29.1114" N -80° 19' 16.8924" W
14	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 120 linear feet of temporary stream impact.	41° 14' 27.7476" N -80° 19' 20.0676" W
15	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 80 linear feet of temporary stream impact.	41° 14' 21.6924" N -80° 19' 24.5202" W
16	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 159 linear feet of temporary stream impact.	41° 13' 44.5872" N -80° 20' 8.6742" W
17	A temporary road crossing of a palustrine forested (PFO) wetland, having .08 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 13' 41.9514" N -80° 20' 7.44" W
18	A temporary road crossing of a palustrine forested (PFO) wetland, having .04 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 13' 41.9514" N -80° 20' 7.44" W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
18	A temporary road crossing of the floodway of a UNT to Little Neshannock Creek (TSF).	41° 13' 41.9052" N -80° 20' 5.982" W
19	A temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .05 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 13' 37.635" N -80° 20' 2.1768" W
19	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 23 linear feet of temporary stream impact.	41° 13' 38.0352" N -80° 20' 1.377" W
20	A temporary road crossing of a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 13' 21.1224" N -80° 20' 4.6962" W
21	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 335 linear feet of temporary stream impact.	41° 13' 14.1558" N -80° 20' 10.935" W
22	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) wetland, having .19 acre of temporary wetland impact.	41° 13' 9.475" N -80° 20' 16.3608" W
22	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 25 linear feet of temporary stream impact.	41° 13' 8.8494" N -80° 20' 16.1556" W
22	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 134 linear feet of temporary stream impact.	41° 13' 9.3174" N -80° 20' 15.1182" W
23	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 131 linear feet of temporary stream impact.	41° 12' 54.0324" N -80° 20' 22.7004" W
24	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 82 linear feet of temporary stream impact.	41° 12' 49.1796" N -80° 20' 25.9362" W
25	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 128 linear feet of temporary stream impact.	41° 12' 43.6464" N -80° 20' 25.9362" W
27	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .20 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 12' 25.2966" N -80° 20' 48.3936" W
29	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .07 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 12' 24.894" N -80° 20' 59.5428" W
30	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub, palustrine emergent (PSS/PEM) wetland, having .27 acre of temporary wetland impact with permanent conversion of PSS wetland to PEM wetland.	41° 12' 1.4646" N -80° 21' 4.806" W
31	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .02 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 11' 55.3812" N -80° 21' 7.4766" W
31	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross Hartheig Run (TSF) and its associated floodway, having 141 linear feet of temporary stream impact.	41° 11' 55.068" N -80° 21' 7.8582" W
32	A temporary road crossing of a palustrine emergent (PEM) wetland, having .06 acre of temporary wetland impact.	41° 11' 53.469" N -80° 21' 7.6998" W
33	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .08 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 11' 33.3348" N -80° 21' 40.3344" W
33A	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) wetland, having .03 acre of temporary wetland impact.	41° 11' 17.1024" N -80° 21' 53.3412" W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
35	A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.	41° 11' 5.1612" N -80° 22' 1.8834" W
37	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) wetland, having .15 acre of temporary wetland impact.	41° 11' 3.9156" N -80° 22' 5.1744" W
38	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 286 linear feet of temporary stream impact.	41° 11' 0.4704" N -80° 22' 14.2998" W
39	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 75 linear feet of temporary stream impact.	41° 10' 57.1152" N -80° 22' 22.5588" W
40	A temporary road crossing of a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 10' 56.496" N -80° 22' 24.9342" W
42	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 41 linear feet of temporary stream impact.	41° 10' 52.8846" N -80° 22' 29.6394" W
43	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 51 linear feet of temporary stream impact.	41° 10' 51.7398" N -80° 22' 29.7336" W
43	A temporary road crossing of a palustrine emergent (PEM) wetland, having .002 acre of temporary wetland impact.	41° 10' 51.711" N -80° 22' 28.416" W
44	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .009 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 10' 50.1486" N -80° 22' 30.651" W
45	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .13 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 10' 47.0028" N -80° 22' 29.6724" W
46	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 116 linear feet of temporary stream impact.	41° 10' 45.5478" N -80° 22' 30.6012" W
46	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .007 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 10' 47.0028" N -80° 22' 29.6724" W
47	A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.	41° 10' 18.609" N -80° 23' 1.2156" W
48	A 20" diameter natural gas pipeline to be bored under West Branch Little Neshannock Creek (TSF).	41° 10' 15.2904" N -80° 23' 2.8494" W
48	A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.	41° 10' 15.3048" N -80° 23' 2.5506" W
49	A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.	41° 10' 13.7136" N -80° 23' 2.9718" W
49A	A temporary access road to cross the floodway of a UNT to West Branch Little Neshannock Creek (TSF).	41° 10' 1.058" N -80° 23' 14.0562" W
50	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine emergent (PEM) wetland, having .13 acre of temporary wetland impact.	41° 9' 46.7346" N -80° 23' 8.3178" W
50	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 151 linear feet of temporary stream impact.	41° 9' 46.7208" N -80° 23' 8.505" W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
52	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 87 linear feet of temporary stream impact.	41° 9' 31.0926" N -80° 23' 2.2776" W
52	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine emergent (PEM) wetland, having .01 acre of temporary wetland impact.	41° 9' 32.3136" N -80° 23' 1.176" W
53	A temporary road crossing of a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 47 linear feet of temporary stream impact.	41° 9' 23.0868" N -80° 22' 59.1708" W
55	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .27 acre of temporary wetland impact with .26 acre permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 9' 0.1506" N -80° 23' 5.481" W
59	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .002 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 8' 38.8608" N -80° 23' 5.3406" W
60	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub, palustrine emergent (PSS/PEM) EV wetland, having .28 acre of temporary wetland impact with .15 acre of permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 8' 33.525" N -80° 23' 15.6618" W
61	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) EV wetland, having .07 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 8' 29.0682" N -80° 23' 13.4808" W
62	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross the floodway of a UNT to Buchanan Run (WWF).	41° 8' 27.5568" N -80° 23' 15.5292" W
63	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 102 linear feet of temporary stream impact.	41° 8' 27.5568" N -80° 23' 15.5292" W
64	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) EV wetland, having .24 acre of temporary wetland impact.	41° 8' 24.0684" N -80° 23' 21.6024" W
64	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 99 linear feet of temporary stream impact.	41° 8' 25.4292" N -80° 23' 22.5168" W
65	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 106 linear feet of temporary stream impact.	41° 8' 7.3062" N -80° 23' 30.0984" W
66	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 82 linear feet of temporary stream impact.	41° 7' 44.4174" N -80° 23' 37.428" W

E37-08-001, Pennant Midstream, LLC, 5151 San Felipe, Houston, TX 77056, 130600/130700 Pipeline Project (Lawrence), in Mahoning, North Beaver, Union and Pulaski Townships, Lawrence County, Army Corps of Engineers Pittsburgh District (Edinburg, Fredonia, Greenfield, New Castle North, New Castle South, Sharon East, and Bessemer, Pa, New Middleton, OH Quadrangles N: 41° 5' 17.0016"; W: -80° 25' 10.9986").

The applicant proposes to construct and maintain approximately 15 miles of 24 inch diameter and 18 miles of 20 inch diameter natural gas pipeline in Mahoning, North Beaver, Union and Pulaski Townships, Lawrence County and Jefferson, Lackawannock, Shenango, and Wilmington Townships, Mercer County, PA. The proposed pipeline will connect Hilcorp Energy Company's well pads and production facility to Pennant's Hickory Bend Cryogenics Plant located in Mahoning County, OH. An additional site in Sugar Grove Township, Mercer County will be utilized to mitigate for the permanent conversion of palustrine forested and palustrine shrub-scrub wetlands to palustrine emergent wetlands. The water obstructions and encroachments in the Lawrence County portion of the project are described below:

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
67	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross Buchanan Run (WWF) and its associated floodway, having 171 linear feet of temporary stream impact.	41° 7' 30.021" N -80° 24' 21.999" W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
69	A 20" diameter natural gas pipeline with associated right-of-way to cross the floodway of a UNT to Buchanan Run (WWF).	41° 7' 24.7038" N -80° 24' 23.2272" W
70	A 20" diameter natural gas pipeline with associated right-of-way to cross the floodway of a UNT to Buchanan Run (WWF).	41° 7' 21.2052" N -80° 24' 26.499" W
71	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 138 linear feet of temporary stream impact.	41° 6' 51.429" N -80° 24' 13.8954" W
72	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .09 acre of temporary wetland impact.	41° 6' 48.9132" N -80° 24' 10.0794" W
73	A 20" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).	41° 6' 21.906" N -80° 23' 58.617" W
74	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 131 linear feet of temporary stream impact.	41° 6' 17.3052" N -80° 23' 58.6998" W
75	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 137 linear feet of temporary stream impact.	41° 6' 5.5866" N -80° 24' 11.2998" W
75A	A temporary work space to be used as a bore pit pullback area. Having .06 acre of temporary impact to a palustrine emergent (PEM) wetland.	41° 6' 4.5504" N -80° 24' 6.6312" W
76	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 258 linear feet of temporary stream impact.	41° 6' 0.9828" N -80° 24' 11.6964" W
76	A temporary work space to be used as a bore pit pullback area. Having .003 acre of temporary impact to a palustrine emergent (PEM) wetland.	41° 6' 3.5886" N -80° 24' 7.9986" W
77	The Limit of Disturbance needed to install a 20" diameter natural gas pipeline to cross the floodway of a UNT to Shenango River (WWF).	41° 5' 59.4162" N -80° 24' 9.7092" W
78	A temporary access road and right-of-way associated with a 20" diameter natural gas pipeline to cross the floodway of a UNT to Shenango River.	41° 5' 51.5754" N -80° 24' 19.9686" W
80	A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.	41° 5' 34.5876" N -80° 24' 42.5622" W
81	A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.	41° 5' 32.0172" N -80° 24' 44.1462" W
82	A 20" diameter natural gas pipeline to be bored under the Shenango River (WWF).	41° 5' 22.1346" N -80° 24' 48.8262" W
83	A 20" diameter natural gas pipeline to be bored under a palustrine unconsolidated bottom (PUB) wetland.	41° 5' 18.186" N -80° 24' 49.3302" W
85	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .12 acre of temporary wetland impact.	41° 5' 8.6532" N -80° 24' 53.622" W
92	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .02 acre of temporary wetland impact.	41° 5' 7.4796" N -80° 25' 10.9848" W
93	A 20" diameter natural gas pipeline and a 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .16 acre of temporary wetland impact.	41° 5' 7.4796" N -80° 25' 10.9848" W
93	A 20" diameter natural gas pipeline and a 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 126 linear feet of temporary stream impact.	41° 5' 8.3754" N -80° 25' 10.704" W
94	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Shenango River (WWF).	41° 5' 8.6994" N -80° 25' 10.3074" W
95	A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Shenango River (WWF).	41° 5' 8.124" N -80° 25' 10.0194" W
96	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .12 acre of temporary wetland impact.	41° 4' 48.4026" N -80° 24' 45.2442" W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
97	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .10 acre of temporary wetland impact.	41° 4' 41.1126" N -80° 24' 37.1766" W
97	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 134 linear feet of temporary stream impact.	41° 4' 39.576" N -80° 24' 40.104" W
99	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 171 linear feet of temporary stream impact.	41° 4' 18.2634" N -80° 24' 30.6" W
100	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .03 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 3' 30.5346" N -80° 25' 12.6912" W
101	A temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 32 linear feet of temporary stream impact.	41° 3' 9.2874" N -80° 25' 30.4674" W
102	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .21 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 2' 58.0488" N -80° 25' 33.3552" W
103	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 2' 58.0488" N -80° 25' 33.3552" W
104	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .13 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	41° 2' 58.0488" N -80° 25' 33.3552" W
105	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 76 linear feet of temporary stream impact.	41° 2' 55.536" N -80° 25' 23.8434" W
106	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 19 linear feet of temporary stream impact.	41° 2' 46.3194" N -80° 25' 4.728" W
106	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .07 acre of temporary wetland impact.	41° 2' 47.382" N -80° 25' 4.584" W
107	A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).	41° 2' 29.436" N -80° 25' 1.38" W
108	A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.	41° 2' 21.9588" N -80° 25' 5.0406" W
109	A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).	41° 2' 24.3234" N -80° 25' 3.2154" W
109	A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.	41° 2' 21.9588" N -80° 25' 5.0406" W
110	A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.	41° 2' 21.9588" N -80° 25' 5.0406" W
112	A 24" diameter natural gas pipeline to be bored under a palustrine emergent, palustrine shrub-scrub (PEM/PSS) wetland.	41° 2' 7.7172" N -80° 25' 25.3272" W
113	A 24" diameter natural gas pipeline to be bored under a palustrine emergent, (PEM) wetland.	41° 2' 7.7172" N -80° 25' 25.3272" W
114	A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).	41° 2' 7.4034" N -80° 25' 25.1394" W
114	A 24" diameter natural gas pipeline to be bored under a palustrine emergent, palustrine shrub-scrub (PEM/PSS) wetland.	41° 2' 7.7172" N -80° 25' 25.3272" W
115	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 144 linear feet of temporary stream impact.	41° 1' 45.444" N -80° 25' 32.9154" W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
116	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 179 linear feet of temporary stream impact.	41° 1' 36.66" N -80° 25' 38.0634" W
118	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .02 acre of temporary wetland impact.	41° 1' 22.2636" N -80° 25' 47.7804" W
118	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 138 linear feet of temporary stream impact.	41° 1' 22.7274" N -80° 25' 47.0634" W
119	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .16 acre of temporary wetland impact with .13 acre of permanent conversion from PSS wetland to palustrine emergent (PEM) wetland.	41° 1' 19.3872" N -80° 25' 42.8808" W
119	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 150 linear feet of temporary stream impact.	41° 1' 19.812" N -80° 25' 44.4714" W
120	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .02 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 1' 19.3872" N -80° 25' 42.8808" W
121	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .17 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 1' 19.3872" N -80° 25' 42.8808" W
121	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 185 linear feet of temporary stream impact.	41° 1' 18.84" N -80° 25' 41.8794" W
122	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 172 linear feet of temporary stream impact.	41° 1' 16.1394" N -80° 25' 37.2354" W
122	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .12 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	41° 1' 19.3656" N -80° 25' 43.2804" W
123	A temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 100 linear feet of temporary stream impact.	41° 1' 16.9314" N -80° 25' 35.544" W
124	A temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 23 linear feet of temporary stream impact.	41° 1' 16.3842" N -80° 25' 36.5442" W
124	A temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 116 linear feet of temporary stream impact.	41° 1' 16.1394" N -80° 25' 37.2354" W
125	A 24" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.	41° 1' 1.4514" N -80° 25' 44.1552" W
126	A 24" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.	41° 1' 2.0532" N -80° 25' 52.4094" W
127	A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.	41° 0' 55.1844" N -80° 25' 46.6998" W
128	A 24" diameter natural gas pipeline to be bored under Mahoning River (WWF).	41° 0' 53.1426" N -80° 25' 52.7586" W
129	A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.	41° 0' 53.1684" N -80° 26' 3.1776" W
130	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 131 linear feet of temporary stream impact.	41° 0' 43.4154" N -80° 26' 30.012" W
131	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .14 acre of temporary wetland impact.	41° 0' 42.894" N -80° 26' 39.4794" W
132	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 62 linear feet of temporary stream impact.	41° 0' 16.128" N -80° 26' 53.3034" W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
133	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .13 acre of temporary wetland impact.	41° 0' 8.496" N -80° 26' 52.8102" W
133	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 78 linear feet of temporary stream impact.	41° 0' 7.74" N -80° 26' 54.204" W
134	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .05 acre of temporary wetland impact.	40° 59' 59.679" N -80° 26' 52.3392" W
134	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 144 linear feet of temporary stream impact.	40° 59' 59.0994" N -80° 26' 51.8994" W
135	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .09 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	40° 59' 34.4826" N -80° 27' 26.2764" W
136	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .10 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	40° 59' 28.2156" N -80° 27' 31.1358" W
138	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .07 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	40° 59' 19.4238" N -80° 27' 37.602" W
139	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .10 acre of temporary wetland impact.	40° 59' 10.392" N -80° 27' 52.9158" W
140	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .24 acre of temporary wetland impact.	40° 58' 43.1358" N -80° 27' 55.44" W
141	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 212 linear feet of temporary stream impact.	40° 58' 41.628" N -80° 27' 54.5754" W
141	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .05 acre of temporary wetland impact.	40° 58' 43.1358" N -80° 27' 55.44" W
142	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 32 linear feet of temporary stream impact.	40° 58' 41.052" N -80° 27' 54.144" W
143	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross Hickory Run (TSF) and its associated floodway, having 182 linear feet of temporary stream impact.	40° 58' 40.2594" N -80° 27' 54.648" W
144	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .47 acre of temporary wetland impact.	40° 58' 36.0768" N -80° 27' 55.926" W
145	A temporary road to cross the floodway of a UNT to Hickory Run (TSF).	40° 57' 25.4154" N -80° 30' 8.6394" W
146	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 128 linear feet of temporary stream impact.	40° 57' 25.4154" N -80° 30' 8.6394" W
147	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 92 linear feet of temporary stream impact.	40° 57' 23.8674" N -80° 30' 15.5874" W
148	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 110 linear feet of temporary stream impact.	40° 57' 24.3714" N -80° 30' 16.8834" W
149	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .15 acre of temporary wetland impact.	40° 57' 24.9078" N -80° 30' 19.8786" W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
150	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .04 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.	40° 57' 24.9078" N -80° 30' 19.8786" W
151	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .13 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	40° 57' 24.9078" N -80° 30' 19.8786" W
151	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 70 linear feet of temporary stream impact.	40° 57' 24.228" N -80° 30' 26.82" W
152	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .05 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	40° 57' 24.9078" N -80° 30' 19.8786" W
153	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .17 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	40° 57' 24.9078" N -80° 30' 19.8786" W
154	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .09 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	40° 57' 24.9078" N -80° 30' 19.8786" W
154	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 57 linear feet of temporary stream impact.	40° 57' 20.7" N -80° 30' 38.736" W
155	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Hickory Run (TSF).	40° 57' 22.3554" N -80° 30' 41.8674" W
155	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .07 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	40° 57' 24.9078" N -80° 30' 19.8786" W
156	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .28 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.	40° 57' 24.9078" N -80° 30' 19.8786" W
157	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .33 acre of temporary wetland impact.	40° 57' 26.247" N -80° 31' 2.8956" W
158	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .33 acre of temporary wetland impact.	40° 57' 26.247" N -80° 31' 2.8956" W
158	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 139 linear feet of temporary stream impact.	40° 57' 25.38" N -80° 31' 0.5874" W
159	A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .25 acre of temporary wetland impact.	40° 57' 35.46" N -80° 31' 7.1754" W

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

E5829-059. Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Dimock and Springville Townships, **Susquehanna County**, ACOE Baltimore District. To construct, operate, and maintain:

1) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 57 linear feet of White Creek (CWF-MF) (Springville, PA Quadrangle; N 41° 42' 55" Lat., W - 75° 56' 26" Long.),

2) a timber mat crossing impacting 115 square feet (0.01 acre) of a PFO wetland (Springville, PA Quadrangle; N 41° 42' 55" Lat., W - 75° 56' 24" Long.),

3) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 1,216 square feet (0.03 acre) of a PFO wetland (Springville, PA Quadrangle; N 41° 42' 55" Lat., W - 75° 56' 23" Long.),

4) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 87 linear feet of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; N 41° 42' 57" Lat., W - 75° 56' 12" Long.),

5) a timber mat crossing impacting 22 linear feet of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; N 41° 42' 57" Lat., W - 75° 56' 12" Long.),

6) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 82 linear feet of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; N 41° 42' 57" Lat., W - 75° 56' 12" Long.),

7) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 6,432 square feet (0.15 acre) of a PSS wetland (Springville, PA Quadrangle; N 41° 42' 57" Lat., W - 75° 56' 12" Long.),

8) a timber mat crossing impacting 729 square feet (0.02 acre) of a PEM wetland (Springville, PA Quadrangle; N 41° 42' 48" Lat., W - 75° 55' 29" Long.),

9) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 4,064 square feet (0.09 acre) of a PEM wetland (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 28" Long.),

10) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 6,363 square feet (0.15 acre) of a PEM wetland (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 26" Long.),

11) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 1,475 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 24" Long.),

12) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 69 linear feet of an unnamed tributary to Thomas Creek (CWF-MF) (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 24" Long.),

13) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 3,394 square feet (0.08 acre) of a PEM wetland (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 22" Long.),

14) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 1,180 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 20" Long.),

15) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 76 linear feet of an unnamed tributary to Thomas Creek (CWF-MF) (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 20" Long.),

16) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 939 square feet (0.02 acre) of a PEM wetland (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 18" Long.),

17) a 12-inch diameter natural gas pipeline and timber mat crossing impacting 150 linear feet of an unnamed tributary to Thomas Creek (CWF-MF) (Springville, PA Quadrangle; N 41° 42' 49" Lat., W - 75° 55' 18" Long.).

The project consists of constructing approximately 8,931 linear feet of 12" natural gas gathering line, within a 50 to 75 foot permanent right of way, routed to connect the Shields and Lathrop Compressor Stations located in Dimock and Springville Townships, Susquehanna County. The project will result in 543 linear feet of temporary stream impacts, 0.18 acre of wetland conversion impacts, and 0.42 acre of temporary wetland impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

E5829-061: Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Auburn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 80 lineal feet of an unnamed tributary to Meshoppen Creek (Auburn Center, PA Quadrangle; Lat. 41° 42' 49", Long. -76° 03' 38");

2. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 7,501 square feet (0.17 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 42' 37", Long. -76° 03' 13");

3. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 917 square feet (0.02 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 42' 33", Long. -76° 03' 00");

4. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 8,448 square feet (0.19 acre) of a PSS wetland (Auburn Center, PA Quadrangle; Lat. 41° 42' 33", Long. -76° 02' 58");

5. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 150 lineal feet of Little Meshoppen Creek (Auburn Center, PA Quadrangle; Lat. 41° 42' 33", Long. -76° 02' 58");

6. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 150 lineal feet of an unnamed tributary to Little Meshoppen Creek (Auburn Center, PA Quadrangle; Lat. 41° 42' 35", Long. -76° 02' 41");

7. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 1,762 square feet (0.04 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 42' 41", Long. -76° 01' 50");

8. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 65 lineal feet of an unnamed tributary to Nick Creek (Auburn Center, PA Quadrangle; Lat. 41° 42' 41", Long. -76° 01' 50");

9. a 12 inch diameter natural gas pipeline and temporary timber mat crossing impacting 80 lineal feet of an unnamed tributary to Nick Creek (Auburn Center, PA Quadrangle; Lat. 41° 42' 41", Long. -76° 01' 37").

The Vanorder 12 inch gathering line project will transport natural gas for 2.6 miles in Auburn Township, Susquehanna County. The project will result in 525 linear feet of temporary stream impacts, 8,448 (0.19 acre) square feet of wetland conversion impacts, and a total of 10,180 (0.23 acre) square feet of temporary wetland impacts all for the purpose of conveying Marcellus Shale natural gas to market.

E5829-060. Talisman Energy USA, Inc.; 337 Daniel Zenker Drive, Horseheads, NY 14845; Apolacon Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 668 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle; N 41° 58' 06" Lat., W - 76° 06' 00" Long.),

2) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 711 square feet (0.02 acre) of palustrine scrub shrub wetland (PSS) (Friendsville, PA Quadrangle; N 41° 58' 06" Lat., W - 76° 05' 59" Long.),

3) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 1,781 square

feet (0.04 acre) of palustrine forested wetland (PFO) (Friendsville, PA Quadrangle; N 41° 58' 06" Lat., W - 76° 06' 00" Long.),

4) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 58 lineal feet of an unnamed tributary to Apalachin Creek (Friendsville, PA Quadrangle; N 41° 58' 07" Lat., W - 76° 06' 00" Long.),

5) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 1,034 square feet (0.02 acre) of palustrine scrub shrub wetland (PSS) (Friendsville, PA Quadrangle; N 41° 57' 59" Lat., W - 76° 06' 04" Long.),

6) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 608 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle; N 41° 57' 59" Lat., W - 76° 06' 05" Long.),

7) a 20-inch and 16-inch diameter natural gas pipeline, one 6-inch waterline, and a temporary timber mat crossing impacting 23 lineal feet of an unnamed tributary to Apalachin Creek (Friendsville, PA Quadrangle; N 41° 57' 59" Lat., W - 76° 06' 05" Long.),

8) a 20-inch and 16-inch diameter natural gas pipeline, one 6-inch waterline, and a temporary timber mat crossing impacting 70 lineal feet of an unnamed tributary to Apalachin Creek (Friendsville, PA Quadrangle; N 41° 57' 59" Lat., W - 76° 06' 04" Long.),

9) a 20-inch and 16-inch diameter natural gas pipeline, one 6-inch waterline, and a temporary timber mat crossing impacting 45 lineal feet of an unnamed tributary to Apalachin Creek (Friendsville, PA Quadrangle; N 41° 57' 59" Lat., W - 76° 06' 05" Long.),

10) a 20-inch and 16-inch diameter natural gas pipeline, one 6-inch waterline, and a temporary timber mat crossing impacting 94 lineal feet of Apalachin Creek (Friendsville, PA Quadrangle; N 41° 57' 51" Lat., W - 76° 06' 14" Long.),

11) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 1,654 square feet (0.04 acre) of palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle; N 41° 57' 44" Lat., W - 76° 06' 24" Long.),

12) a 20-inch and 16-inch diameter natural gas pipeline, one 6-inch waterline, and a temporary timber mat crossing impacting 106 lineal feet of an unnamed tributary to Apalachin Creek (Friendsville, PA Quadrangle; N 41° 57' 44" Lat., W - 76° 06' 24" Long.),

13) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 854 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle; N 41° 57' 41" Lat., W - 76° 06' 25" Long.),

14) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 4,348 square feet (0.10 acre) of palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle; N 41° 57' 40" Lat., W - 76° 06' 29" Long.),

15) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 936 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle; N 41° 57' 33" Lat., W - 76° 07' 16" Long.),

16) a 20-inch and 16-inch diameter natural gas pipeline, one 6-inch waterline, and a temporary timber mat

crossing impacting 68 lineal feet of an unnamed tributary to Apalachin Creek (Little Meadows, PA Quadrangle; N 41° 57' 16" Lat., W - 76° 07' 37" Long.),

17) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 2,449 square feet (0.06 acre) of palustrine forested wetland (PFO) (Little Meadows, PA Quadrangle; N 41° 57' 16" Lat., W - 76° 07' 37" Long.),

18) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 2,449 square feet (0.06 acre) of palustrine scrub shrub wetland (PSS) (Little Meadows, PA Quadrangle; N 41° 57' 15" Lat., W - 76° 07' 38" Long.),

19) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 3,047 square feet (0.07 acre) of palustrine emergent wetland (PEM) (Little Meadows, PA Quadrangle; N 41° 57' 15" Lat., W - 76° 07' 38" Long.),

20) a 20-inch and 16-inch diameter natural gas pipeline and one 6-inch waterline crossing impacting 93 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Little Meadows, PA Quadrangle; N 41° 56' 54" Lat., W - 76° 08' 29" Long.),

21) a temporary timber mat crossing impacting 35 lineal feet of an unnamed tributary to Apalachin Creek (Little Meadows, PA Quadrangle; N 41° 57' 45" Lat., W - 76° 07' 18" Long.).

The project consists of constructing approximately 4.57 miles of 16" and 20" natural gas gathering line and a 6" waterline connecting the Ostrander, Kropiewnicki, and Repine well sites located in Apolaccon Township, Susquehanna County and Warren Township, Bradford County. The project will result in 500 lineal feet of temporary stream impacts, 16,310 square feet (0.37 acre) of wetland conversion impacts, and 12,171 square feet (0.28 acre) of temporary wetland impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

E0829-082. Talisman Energy USA, Inc.; 337 Daniel Zenker Drive, Horseheads, NY 14845; Warren Township, Bradford County, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 20-inch and 16-inch diameter natural gas pipeline, and one 6-inch waterline crossing impacting 9,324 square feet (0.21 acre) of palustrine emergent wetland (PEM) (Little Meadows, PA Quadrangle; N 41° 56' 47" Lat., W - 76° 08' 33" Long.),

2) a 20-inch and 16-inch diameter natural gas pipeline, and one 6-inch waterline crossing impacting 256 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Little Meadows, PA Quadrangle; N 41° 56' 46" Lat., W - 76° 08' 33" Long.),

3) a 20-inch and 16-inch diameter natural gas pipeline, one 6-inch waterline, and a temporary timber mat crossing impacting 118 lineal feet of an unnamed tributary to Wappasening Creek (Friendsville, PA Quadrangle; N 41° 56' 35" Lat., W - 76° 08' 33" Long.).

The project consists of constructing approximately 4.57 miles of 16" and 20" natural gas gathering line and a 6" waterline connecting the Ostrander, Kropiewnicki, and Repine well sites located in Apolaccon Township, Susquehanna County and Warren Township, Bradford County. The project will result in 118 lineal feet of temporary stream impacts and 9,580 square feet (0.22 acre) of temporary wetland impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department regional office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department regional office during the 30-day public comment period.

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the

Pennsylvania Bulletin at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402)

District Oil and Gas Operations, 208 W. Third St., Suite 101, Williamsport, PA17701

95-29-65420-021. Southwestern Energy Production Company, 917 State Route 92 North, Tunkhannock PA 18657. Project proposes to operate and maintain the O'Hara Centralized Wastewater Impoundment as a centralized impoundment to collect and store 42 acre-feet of flow-back water, for the use and re-use of hydraulic fracturing water, from natural gas wells in the area. (Harford, PA Quadrangle; Latitude: N 41° 52' 9", Longitude: W -75° 38' 25"), Jackson Township, **Susquehanna County**.

ACTIONS

**THE 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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0009385 (IW)	Con Agra Milton Plant 30 Marr Street Milton, PA 17847	Northumberland County Milton Borough	West Branch Susquehanna River (10-D)	Y
PA0228966 (Sewage)	Lake Bonin 1703 Bonin Road Rome, PA 18837-7728	Bradford County Orwell Township	Unnamed Tributary to Jerome Creek (4-D)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0217361 Sewage	Iron Bridge State Route 105 Alverton, PA 15612-0009	Westmoreland County East Huntingdon Township	Jacobs Creek	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0034193 (Sewage)	Lakeview Cc 8351 Route 89 Box 468 North East, PA 16428	Erie County North East Township	Sixteenmile Creek (15-A)	Y

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

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

NPDES Permit No. PAS204803, Storm Water, SIC Code 3499, **SMC Powder Metallurgy Inc.**, PO Box 229, Galeton, PA 16922-0229.

This proposed facility is located in Pike Township, **Potter County**.

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

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

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

WQM Permit No. 1079402, Sewage, Transfer No. 2, **Sean M. Curran**, 212 Great Belt Road, Butler, PA 16002.

This existing facility is located in Jefferson Township, **Butler County**.

Description of Proposed Action/Activity: Transfer of an existing WQM permit for a Single Residence Sewage Treatment Plant.

WQM Permit No. WQG01251310, Sewage, **Marin Vasile**, 2940 Reilly Road, Erie, PA 16510.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	
PAG138324	Wayne Township Lawrence County 1418 Wampum Road Ellwood City, PA 16117	Lawrence	Wayne Township	Duck Run, Squaw Run, Unnamed Tributary to the Beaver River, Slippery Rock Creek, and Unnamed Tributaries to the Slippery Rock Creek	N

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 0913005	Milford Business Center Township Line Road P. O. Box 116 Hatfield, PA 19440	Bucks	Milford Township	Unnamed Creek HQ
PAI01 1513008	Meadowview Land, LP 1356 Monk Road Gladwyne, PA 19035	Chester	West Bradford Township	Broad Run EV
PAI01 1513017	Charnwood Property Group, LLC P. O. Box 459 Harleysville, PA 19438	Chester	East Vincent Township	Unnamed Tributary to Schuylkill River North and South HQ-TSF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907026R	Coca-Cola Refreshments 7551 Schantz Road Allentown, PA 18106	Lehigh	Upper Macungie Township	UNT to Iron Run (HQ-CWF, MF)
PAI024013002	STJ Williams Family Partnership, Ltd. P. O. Box 3655 Scranton, PA 18505	Luzerne	Wright Township	Unnamed Tributary to Bow Creek (HQ-CWF)
PAI024513008	Venezia Enterprises PO Box 909 86 Airport Road Royersford, PA 19468	Monroe	Tobyhanna Twp.	Indian Run (EV)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI051112003	Patton Borough 800 4th Avenue Patton, PA 16668	Cambria	Clearfield Township	Chest Creek (HQ-CWF)
PAI056313003	McDowell Lane Associates, LP. 5851 Brian Drive Bethel Park, PA 15102	Washington	North Strabane Township	Little Chartiers Creek Watershed (HQ-WWF)

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 5, PO Box 8476, Harrisburg, PA 17105-8476

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI101413001	BAMR P. O. Box 8461 Harrisburg, PA 17105-8476 717-783-7924	Centre County	Snow Shoe Township	UNT (HQ-CWF) to Black Moshannon Creek (HQ-CWF)

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-02
Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Concord Township Delaware County	PAG0200 2313021	The Children's Hospital of Philadelphia 34th St. and Civic Center Blvd. Main Building, Suite A-260 Philadelphia, PA 19104	West Branch of Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Norristown Township Montgomery County	PAG0200 4611033R	Charles Davies 7000 Geerdes Blvd. King of Prussia, PA 19406	Stony Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Worcester Township Montgomery County	PAG0200 4612064	Jajope LLC 2188 Detwiler Road Creamery, PA 19430	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG0200 4607100-5	Gary Graham 700 S. Eisenhower Blvd. Middletown, PA 17057	Plymouth Creek, Sawmill Run, Stony Creek TSF-WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Washington Township Lehigh County	PAG02003912010	Sung-Ki-Ho Living-Stone Christian Conference Center Worship Hall Sleeping Quarters One Antioch Avenue Conshohocken, PA 19428	Trout Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Hanover Township Northampton County	PAG02004813008	DTC Innovation Way, LP c/o Mike Dunn 1665 Valley Center Parkway, Suite 110 Bethlehem, PA 18017-2354	UNT Catasaquua Creek (CWF, MF)	Northampton County Conservation District 610-746-1971

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Saucon Township Northampton County	PAG02004813014	TMC Management Corporation 4511 Falmer Drive Bethlehem, PA 18020	Saucon Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
North Manheim Township Schuylkill County	PAG02005413004	Joseph C. Peters 20 West Main Street Schuylkill Haven, PA 17972	Mahanoy Creek (CWF, MF)	Schuylkill County Conservation District 570-622-3742

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

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Dickinson Township, Cumberland County	PAG02002113036 (Issued)	Gettysburg & Northern Railroad Co. Inc. Mike Carr 1318 South Johanson Road Peoria, IL 61607	UNT to Mountain Creek (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Lower Allen Township, Cumberland County	PAG02002113042 (Issued)	Doug Vene UGI Utilities 1307 AIP Drive Middletown, PA 17057	Cedar Run (CWF), Yellow Breeches (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Hampden Township, Cumberland County	PAG02002109004 (Issued)	James Grandon 3915 Market Street Camp Hill, PA 17011	Conodoguinet Creek (WWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Rapho Township, Lancaster County	PAG02003613057 (Issued)	Mount Joy Partners LP 903 Wheatland Avenue Lancaster PA 17603	Chickies Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Penn Township York County	PAG02006713052	Redevelopment of South Hanover Shopping Center South Hanover Partners 120 N Pointe Blvd Suite 301 Lancaster PA 17601	UNT Trib to Plum Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Lower Windsor Township York County	PAG2006709044	Lauxmont Meadows The Estate of Laura B Kohr 1153 Long Level Road Wrightsville PA 17368	Canadochly Creek & Klines Run (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Jackson Township York County	PAG02006713031	Jackson Estates Bruce Ruhlman LakePointe Assoc. 65 Musselman Road Hanover PA 17331	Bunch Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

NOTICES

6959

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
West Manheim Township Penn Township York County	PAG02006703021R	High Point @ Rojen Farms Woodhaven Bldg & Dev. 4175 Hanover Pike Manchester MD 21102-1454	Plum Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG02006703010R2	Bon Ton Builders 1060 Baltimore Street Hanover PA 17331	Plum Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manchester Township York County	PAG02006713012	Brewery Products Co. 1017 North Sherman Street York PA 17402	Honey Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Jackson Township York County	PAG02006711029R	Richard Krill Thomson Heights LLC 130 Carlisle Street Hanover PA 17331	Trib to Little Conewago (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township	PAG020067006014R	Pinebrook Villas, LLC 330 Dubs Church Road Hanover PA 17331	Oil Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Findlay Township Allegheny County	PAG02000208046R	First Place Bank 3900 Market Street Youngstown, OH 44512	UNT to Montour Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Cowanshannock Township Armstrong County	PAG02000313009	Peoples TWP, LLC. 834 Butler Road Kittanning, PA 16201	UNT to Cowanshannock Creek (WWF)	Armstrong County CD 124 Armsdale Road Kittanning, PA 16201 (724) 548-3425
Wayne Township Armstrong County	PAG02000313010	Peoples TWP, LLC. 834 Butler Road Kittanning, PA 16201	UNT to Glade Run (CWF)	Armstrong County CD 124 Armsdale Road Kittanning, PA 16201 (724) 548-3425

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Economy Borough Beaver County	PAG02000411009R1	Wal-Mart Stores East, LP 2001 SE 10th Street Mail Stop #5570 Bentonville, AR 72716	Ohio River (WWF-N)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Richland Township Cambria County	PAG02001111022-1	University of Pittsburgh Johnstown Campus 450 Schoolhouse Road Johnstown, PA 15904	UNT to Little Pain Creek (CWF)	Cambria County CD 401 Candlelight Suite 229 Ebensburg, PA 15931 (814) 472-2120
City of Johnstown Cambria County	PAG02001113011	City of Johnstown 401 Main St Johnstown, PA 15901	St. Clair Run (WWF), Stroyer Run (CWF), and Conemaugh River (CWF)	Cambria County CD 401 Candlelight Suite 229 Ebensburg, PA 15931 (814) 472-2120
Franklin Township Greene County	PAG02003011008-1	County of Greene 93 E. High Street Waynesburg, PA 15370	South Fork Tenmile Creek (WWF)	Green County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278
Franklin Township Greene County	PAG02003012006-1	Greene County Industrial Development, Inc 300 Evergreene Dr. Waynesburg, PA 15370	South Fork Tenmile Creek (WWF)	Green County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278
Somerset Township Somerset County	PAG02005610008R	Pennsylvania Turnpike Commission 700 South Eisenhower Blvd. Middletown, PA 17057	Kimberly Run (CWF) and Coxes Creek (CWF)	Somerset County CD 6024 Glades Pike Rd Suite 103 Somerset, PA 15601 (814) 445-4652
Peters Township Washington County	PAG02006308015R	Thomas McCloskey 298 McCombs Road Venetia, PA 15367	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Canonsburg Borough Allegheny County	PAG02006313022	Paul Campbell 2B Iron Street Canonsburg, PA 15317	Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Hempfield Township Westmoreland County	PAG02006508008R	PHOCC, LLC. 210 Culbertson Avenue Greensburg, PA 15601	Slate Creek (WWF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township Westmoreland County	PAG02006513028	TAF Development 1213 Broad Street Greensburg, PA 15601	Brush Creek (TSF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
North Huntingdon Township Westmoreland County	PAG02006513031	Anthony Ross 5989 Penn Circle South Pittsburgh, PA 15206	UNT to Tinkers Run (TSF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Athens Township Bradford County	PAG02000811018R	Mark Goldsmith Wal-Mart Real Estate Business Trust Sam Walton Development Complex 2001 SE 10th St Mailstop 5570 Bentonville AR 72716-5570	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
South Centre Township Columbia County	PAG02001913007	Harry Mathias Central Columbia School Dist 4777 Old Berwick Rd Bloomsburg PA 17815	UNTs to Susquehanna River CWF, MF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102
Liberty Township Montour County	PAG02004713007	Integrity Land Inc 197 Point Twp Dr Northumberland PA 17857	Mausers Creek CWF	Montour County Conservation District 112 Woodbine Ln Ste 2 Danville PA 17821 Phone: (570) 271-1140
West Buffalo Township Union County	PAG02006013009	Aaron Hoover 12050 Old Turnpike Rd Mifflinburg PA 17844	Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg PA 17837 (570) 524-3860

General Permit Type—PAG-03

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Hazleton City Luzerne County	PAR202250	Valmont Newmark, Inc. 225 Kiwanis Boulevard West Hazleton, PA 18202	Cranberry Creek / 05D	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Cumberland County / Lower Allen Township	PAR803706	Liberty Excavators, Inc.— Slate Hill Road Property 4402 Gettysburg Road Camp Hill, PA 17011	Cedar Run / CWF & MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Perry County / Penn Township	PAR803659	HE Rohrer Inc dba Rohrer Bus Services 1515 State Road PO Box 100 Duncannon, PA 17020	Susquehanna River / WWF & MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County / Logan Township	PAR213562	Forsht Concrete Products Company, Inc. 787 Forsht Lane Altoona, PA 16601-7112	UNT Little Juniata River / WWF & MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lebanon County / Palmyra Borough	PAR803712	Leffler Energy—Palmyra Bulk Petroleum Storage Facility 15 Mount Joy Street Mount Joy, PA 17552	UNT Killinger Creek / TSF & MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Coraopolis Borough Allegheny County	PAR216131	Riverside Builders Supply, Inc. Main Street at Pennsylvania Avenue Coraopolis, PA 15108	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
California Borough Washington County	PAR216155	Maund Industries, Inc. 1200 Wood Street California, PA 15419	Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

*General Permit Type—PAG-4**Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Jefferson Township Butler County	PAG048351	Sean M. Curran 212 Great Belt Road, Butler, PA 16002	Unnamed Tributary to the Thorn Creek 20-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Harborcreek Township Erie County	PAG041120	Marin Vasile 2940 Reilly Road Erie, PA 16510	Fourmile Creek 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-13**Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAG133707	East Hanover Township 1117 School House Road Annville, PA 17003	Lebanon	East Hanover Township	UNT Reeds Creek / WWF & MF

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
McCandless Township Allegheny County	PAG136140	McCandless Township 9957 Grubbs Road Wexford, PA 15090	Girty's Run, Pine Creek, Rinaman Run, UNT to Little Pine Creek, UNT to Pine Creek, Lowries Run & Wexford Run	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
North Union Township Fayette County	PAG136311	North Union Township 7 South Evans Station Road Lemont Furnace, PA 15456	Bennington Spring Run, Gist Run, Redstone Creek, Shutes Run & Cove Run	Southwest Regional Office: Clean Water Program Manager 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>
CVFF Willow Hill Farm Amendment 12958 Creek Rd. Fannettsburg, PA 17221	Franklin	120 0 for manure	1523.38	Swine	NA	Approved
CVFF Willow Hill Farm Expansion 12958 Creek Rd. Fannettsburg, PA 17221	Franklin	120 0 for manure	2978.55	Swine	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

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

TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

Operations Permit # 1513522 issued to: **Chatham Acres Nursing Home**, (PWSID) London Grove Township, **Chester County** on October 31, 2013 for the operation of a New Well No. 2, ground level storage tank, and system upgrades facilities approved under construction permit #1513504.

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Operations Permit issued to: **Whitehall General Store, LLC**, 4440829, Menno Township, **Mifflin County** on 10/30/2013 for the operation of facilities approved under Construction Permit No. 4412501.

Operations Permit issued to: **Excel Homes**, 4340819, Susquehanna Township, **Juniata County** on 10/31/2013 for the operation of facilities submitted under Application No. 4340819.

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

Permit No. 5310501—Operation Public Water Supply.

Applicant	Galeton Borough Authority
Township/Borough	West Branch Township
County	Potter
Responsible Official	Bernard Hoppe, Chairman Galeton Borough Authority 15 West Street Galeton, PA 16922
Type of Facility	Public Water Supply
Consulting Engineer	Michael J. Peleschak, P.E. Alfred Benesch & Company 400 One Norwegian Plaza Pottsville, PA 17901
Permit Issued	November 12, 2013
Description of Action	Operation of the infiltration galleries in Wetmore Run and Right Branch Wetmore Run.

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant	Aqua Pennsylvania Inc.—Roaring Creek Division
Township/Borough	Mt. Carmel Township
County	Northumberland
Responsible Official	Mr. Marc A. Lucca Aqua Pennsylvania, Inc.— Roaring Creek Division 762 West Lancaster Avenue Bryn Mawr, PA 19010
Type of Facility	Public Water Supply
Consulting Engineer	Jonathan Morris, P.E. GHD 326 East Second Street Bloomsburg, PA 17815
Permit Issued	November 12, 2013
Description of Action	Operation of the sodium hypochlorite system installed in the Atlas-Aristes Pump Station.

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

Operation Permit issued to **Ludlow Water Association**, PWSID #6420011, Hamilton Township, **McKean County**. Permit Number 4290501-MA1 issued October 28, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Ludlow Water Association**, PWSID #6420032, Hamilton Township, **McKean County**. Permit Number 4290501-MA2 issued October 28, 2013 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Jefferson Estates M.H.C., LP**, PWSID #6430010, Jefferson Township, **Mercer County**. Permit Number 4391504-T1-MA1 issued October 30, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Pine Valley Trailer Corp.**, PWSID #6610004, Jackson Township, **Venango County**. Permit Number 6195502-MA1 issued November 4, 2013 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

Permit No. 2513502	Public Water Supply
Applicant	Young Men's Christian Association of Greater Erie
Township or Borough	Girard Township
County	Erie
Type of Facility	Public Water Supply
Consulting Engineer	Steven R. Halmi, P.E. Deiss & Halmi Engineering, Inc. 105 Meadville Street Edinboro, PA 16412
Permit to Construct Issued	November 5, 2013

Permit No. 6113503 Public Water Supply
 Applicant **Mr. Stephen McElhaney and Mrs. Deborah L. McElhaney**
 Township or Borough Jackson Township
 County **Venango**
 Type of Facility Public Water Supply
 Consulting Engineer Olgierd K. Wodzianski, P.E.
 Wodzianski Engineering, Inc.
 1322 Elk Street
 Franklin, PA 16323
 Permit to Construct November 6, 2013
 Issued

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:

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

Faulkner Hyundai of Harrisburg / Former Faulkner Pontiac/GMC, 2060 Paxton Street, Harrisburg, PA

17111, Swatara Township, **Dauphin County**. Hafer Environmental Services, Inc., PO Box 4418, Reading, PA 19606, on behalf of Faulkner Hyundai of Harrisburg, 2060 Paxton Street, Harrisburg, PA 17111 and Henry Faulkner III Trust, 4437 Street Road, Trevoise, PA 19053, submitted a Final Report concerning remediation of site soils contaminated with hydraulic oil, diesel fuel, and gasoline from the operation of a vehicle repair facility. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

CVS at 3002 Marietta Avenue, Lancaster, PA, East Hempfield Township, **Lancaster County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406, on behalf of Centerville Development Company, 200 Old Forge Lane, Suite 201, Kennett Square, PA 19348, submitted a Final Report concerning remediation of site soils contaminated with heating oil from an underground storage tank. The report is intended to document remediation of the site to meet the Residential Statewide Health standard

Winter Center @ Millersville University, 60 West Cottage Avenue, Millersville, PA 17551, Millersville Borough, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Millersville University, P. O. Box 1002, Millersville, PA 17551, submitted a Final Report concerning remediation of groundwater contaminated with No. 2 fuel oil to the Residential Statewide Health standard.

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

Munro Farm Site, Lower Creek Road, Castanea Township, **Clinton County**. Mark Lahr, Sr. Project Engineer, KEY Environmental, Inc, 200 Trin Avenue, Carnegie, PA 16106, on behalf of Jessie Overgord, American Color & Chemical LLC, Mount Vernon Street, Lock Haven, PA 17745, submitted a Final Report concerning remediation of site soil contaminated with Volatile Organic Compounds. The report is intended to document remediation of the site to meet Site-Specific Standard.

Meyers Residence, 374 Main Street, Mill Hall Borough, **Clinton County**. Richard D. Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, Pa 18073, on behalf of Mr. Jay Kerestus, State Farm Insurance Company, Pennsylvania Fire Claims, PO Box 106110, Atlanta, Georgia 30348 submitted a Final Report concerning remediation of site soils contaminated with #2 fuel oil, Benzene, Ethylbenzene, Isopropylbenzene, Toluene, MTBE, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Owl Cleaners, Inc. (Wexford Plaza), 10562 Perry Highway, Wexford, PA 15090 **Allegheny County**. Cummings/Riter Consultants, Inc. 300 Penn Center Boulevard, Suite 800, Pittsburgh, PA 15235 on behalf of CH Realty III/ Wexford LP, 3333 New Hyde Park Rd., Suite 100, New Hyde Park, NY 11042 has submitted a Final Report concerning the remediation of site soils and groundwater. Contaminants noted included PCE, TCE and DCE. Notice of the final report was published in the *Pittsburgh Tribune Review* on October 3, 2013.

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

US Magnet Site, 985 North Main Street, Yardley Borough, **Bucks County**. Robert White, Redevelopment Authority of the County of Bucks, One North Wilson Avenue, Bristol, PA 19007 on behalf of Richard S. Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Anthony Cino, Cold Springs Investment Group, LP, 301 Oxford Valley Road, Suite 702, Yardley, PA 19067-7713 submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF633827

Cynwyd Trail, Montgomery Avenue and Conshohocken State Road, Belmont Avenue and Hill Road, Lower Merion Township, **Montgomery County**. William F. Schmidt PE, Pennoni Associates, Inc. 3001 Market Street, Philadelphia, PA 19104 on behalf of Christopher Leswing, Lower Merion Township, 75 East Lancaster Avenue, Ardmore, PA 19003-2323 submitted a Remedial Investigation/Cleanup Plan and Final Report concerning the remediation of site soil and groundwater contaminated with inorganics. The report is intended to document remediation of the site to meet the Site Specific Standard. PF708292

Bartram's Trail between 56th & 58 Street, 300 South 56th Street, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, P.G., Duffield Associates Inc., 211 North 13th Street, Suite 704, Philadelphia, PA 19107, Christopher Dougherty, Philadelphia Parks & Recreation, One Parkway Building, 1515 Building Arch Street, 10th Floor, Philadelphia, PA 19102 on behalf of Monica Trudeau, Philadelphia Authority for Industrial Development, 2600 Centre Square, West, 1500 Market Street, Philadelphia submitted a Cleanup Plan and Remedial Investigation Report concerning the remediation of site soil contaminated with PAHs arsenic and lead. The report is intended to document remediation of the site to meet the Site Specific Standard and Statewide Health Standard. PF768853

2345-51 South Swanson Street Site, 2351 and 2401 South Swanson Street, City of Philadelphia, **Philadelphia County**. Michael A. Christie, P.G., Penn Environmental & Remediation, 2755 Bergey Road on behalf of Elias Stein, S&S Family Partnership of Philadelphia Pennsylvania, 230 South Broad, Street, Philadelphia, PA 19102 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with other organic and inorganic. The report is intended to document remediation of the site to meet the Site Specific Standard. PF664533.

Sunoco Inc. (R&M) Philadelphia Refinery AO1-7, 3144 Passyunk Avenue, City of Philadelphia **Philadelphia County**. James Oppenheim, Sunoco Inc. (R&M), 10 Industrial Highway, MS4, Lester, PA 19029 submitted a Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard. PF750870

2116 Chestnut Site, 2116 Chestnut Street, City of Philadelphia, **Philadelphia County**. William F. Schmidt, PE, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Kristine Kelly Schaffner, The John Buck Company, One North Wacker Drive, Suite 2400, Chicago, IL 60606 submitted a Final Report con-

cerning the remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF754432.

McMillian Residence, 3 Manor Lane, Lower Makefield Township, **Bucks County**. Tom Hippensteal, P.G., Envirosearch Consulting, Inc., P. O. Box 940, Springhouse, PA 19477 on behalf of Samuel F. McMillan, Elizabeth McMillan Estate, 68 Carey Road, Succasunna, NJ 07876 submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF759213.

Sunoco Inc. (R&M) Philadelphia Refinery Schuylkill River Tank, AO1- 6 3144 Passyunk Avenue, Philadelphia, PA 19145 City of Philadelphia. **Philadelphia County**. James Oppenheim, Sunoco, Inc. (R&M), 3144 Passyunk Avenue, Philadelphia, PA 19145 submitted a Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with lead and other organic. The report is intended to document remediation of the site to meet the Site Specific Standard. PF769099.

Deerfield Drive Transformer Oil Spill, 1930 Deerfield Drive, Towamencin Township, **Montgomery County**. Bruce Middleman, Stantec Consulting Services, Inc., on behalf of George Horvat, PECO Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19103 submitted a 90 day Final Report concerning the remediation of site soil contaminated with PCB. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF769224.

Reserve at Hidden Ponds, 1340 and 1344 Quakers Way, Richland Township, **Bucks County**. James Cinelli, Liberty Environmental, Inc. 50 North Fifth Street, 5th Floor, Reading, PA 19601 on behalf of Pamela A. Northrop, Hidden Ponds Associates, L.P., 1574 Easton Road, Warrington, PA 18976 submitted a final Report concerning the remediation of site soil contaminated with 1,2-dichloroenezene, 1,3-dichloroenezene, 1,4-dichloroenezene, 1,2,3-trichlorobenzene, and 1,2,4-trichlorobenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF767760.

Barrett Residence, 11 Macintosh Road, Bristol Township, **Bucks County**. Staci Cottone, J&J Environmental, PO Box 370, Blue Bell, PA 19422 on behalf of Ronald Barrett, 11 Macintosh Road, Levittown, PA 19056 submitted a 90 day Final Report concerning the remediation of site soil contaminated with gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF765830.

Presidential City Apartments—Madison Building, 3900 Presidential Boulevard, City of Philadelphia, **Philadelphia County**. Stephan Brower, Environmental Standards, Inc. 1140 Valley Forge Road, PO Box 810, Valley Forge, PA 19482, on behalf of Post Presidential Property Owner, LLC, BLDG Philadelphia L.P., 417 Fifth Avenue, New York, NY 10016 submitted a Cleanup Plan and Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with no. 6 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF755690.

Pine Road/Red Lion Road Open Space Area, Red Lion/Pine Roads, Lower Moreland Township **Montgomery County**. Gregory T. Rogerson, JERC Partners XIII, L.P., 171 State Route, 173 Suite 201, Asbury NJ 08802-1365 on behalf of Gary Emmanuel, O'Brien & Gere

Engineers, Inc., 301 East Germantown Pike 3rd Floor, East Norriton, PA 19401 submitted a Cleanup Plan concerning the remediation of site soil contaminated with organic and cobalt. The report is intended to document remediation of the site to meet the Site Specific Standard. PF768665.

Comfort Residence, 1569 Kimberton Road, Falls Township, **Bucks County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Belinda Stevenson, Encompass Insurance, 51 West Higgins Road, South Barrington, IL 60010 on behalf of Lee and Barbara Comfort, 1569 Kimberton Road, Chester Springs, PA 19425 submitted a Final Report concerning the remediation of site groundwater and soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard PF741041.

South End Water Storage Tank & Pump Station, 791 West Bridge Street, Falls Township, **Bucks County**. William F. Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of John Warena, Jr. The Municipal Authority of the Borough of Morrisville, 35 Union Street, Morrisville, PA 19067 submitted a Final Report concerning the remediation of site soil contaminated with lead, chromium. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF769233.

122 Leon Avenue, 122 Leon Avenue, Norwood Borough, **Delaware County**. Richard S. Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Johanna Johnson, 122 Leon Avenue, Norwood, PA 19074, submitted a Final Report concerning the remediation of site groundwater and soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF738224.

Capoferri Residence, 127 Thornridge Drive, Falls Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Ty Gawlick, State Farm Insurance Company, PO Box 10611, Atlanta, GA 30348-6110 on behalf of Dennis Capoferri, 127 Thornridge Drive, Levittown, PA 19054 submitted a Final Report concerning the remediation of site groundwater and soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF760488.

Gateway Shop Center/Gateway Cleaners, 243 East Swedesford Road, Tredyffrin Township, **Chester County**. Jacqueline F. Beck, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034-2720 on behalf of Eric Silvers, Regency Centers, One Independent Drive, Suite 114, Jacksonville, FL 32202 submitted a Final Report concerning the remediation of site groundwater contaminated with PCE and associated chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF7683596.

Croydon Residence Property, 616 Excelsior Avenue, Bristol Township, **Bucks County**. David L. Reusswig, P.G., Groundwater Science Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, Gerry Galster, PA REO, Inc., 759 Bristol Pike, Bensalem PA 19020 on behalf of Fannie Mae, 14221 Dallas Parkway,

Suite 100, Dallas, TX 75254 submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF767754.

Girard Medical Center, 8th Street and Girard Avenue, City of Philadelphia, **Philadelphia County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Michael Leiendecker, Girard Medical Center, 8th Street and Girard Avenue, Philadelphia, PA 19112 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with no. 6 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF619292.

The Residence at Avenue North, 1600-1636 North Broad Street, City of Philadelphia, **Philadelphia County**. Jerry Gallagher, CP 1600 Broad LP, One Bala Avenue, Suite 502, Bala Cynwyd, PA 19004, Michael D. Lattanze, Penn Environmental, & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Michael A. Christie, P.G., Penn Environmental, & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Nicholas Scafidi, Philadelphia Redevelopment Authority, 1234 Market, 16th Floor, Philadelphia, PA 19004, submitted a Remedial Investigation Report and Clean Up Plan concerning the remediation of site soil contaminated with chlorinated solvents and PAH. The report is intended to document remediation of the site to meet the Site Specific Standard PF766715.

Pavlica Residence, 3061 Swamp Road, Buckingham Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Wafaa Romiah, State Farm Insurance Company, PO Box 106110, Atlanta, GA, 30348-6110 on behalf of John Pavlica, 103 Deep Run, Apt E4, Dublin, PA 18917 submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard PF769221.

Sadik Property, 30 West Forge Road, Middletown Township, **Delaware County**. David Chandler, B.S., Mountain Research LLC., 825 25th Street, Altoona, PA 16601, Jason Bean, Allstate Insurance Company, 309 Lakeside Drive, Suite 110, Horsham PA 19044 on behalf of Faud Sadik, 39 West Forge Road, Glen Mills, PA 19342 submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, cumene, naphthalene, MTBE, 1, 2, 4-Trimethylbenzene and 1, 3, 5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF769228.

Lipkins Furniture Warehouse Building, 139 East Chestnut Street, City of Coatesville, **Chester County**. Michael A. Christie, P.G., Penn E&R, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Michael Bernstein, President, Lipkins Furniture Stores, Inc., 119 East Lincoln Highway, Coatesville, PA 19320 submitted a Remedial Investigation, Risk Assessment and Final Report concerning the remediation of soil contaminated with ethyl benzene, toluene, and total xylenes. The report is intended to document remediation of the site to meet the Site Specific Standard. PF758308.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Hershey 19 East Facility—The Hershey Company, 19 East Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. Langan Engineering and Environmental Services, PO Box 1569, Doylestown, PA 18901, on behalf of Chocolate Realty DST, 10 Tara

Boulevard, Suite 103, Nashua, NH 03062 and The Hershey Company, 100 Crystal A Drive, Hershey, PA 17033, submitted a Remedial Investigation Report concerning remediation of site soils contaminated with VOCs, SVOCs, pesticides and inorganics. The Remedial Investigation Report was disapproved by the Department on November 8, 2013. The applicant is seeking to remediate site soils and groundwater to a combination of Site-Specific and Residential Statewide Health Standards.

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

Myers Residence, 374 Main Street, Mill Hall Borough, **Clinton County**. Richard D. Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, Pa 18073, on behalf of Mr. Jay Kerestus, State Farm Insurance Company, Pennsylvania Fire Claims, PO Box 106110., Atlanta, Georgia 30348-6110 submitted a Final Report concerning the remediation of site #2 fuel oil, Benzene, Ethylbenzene, Isopropylbenzene, Toluene, MTBE, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on October 30, 2013.

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

Rivers Casino, 777 Casino Drive, City of Pittsburgh, **Allegheny County**. Civil & Environmental Consultants, Inc. 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Holdings Acquisition Co. L.P. submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with VOC's and SVOC's and metals. In order to obtain cleanup liability protection, the person undertaking the reuse of a Special Industrial Area shall enter an agreement with the Department, based on the approved Baseline Environmental Report which outlines cleanup liability of the property. The Report was approved by the Department on November 7, 2013.

Dura-Bond Pipe Storage Yard, 5 North Linden Street, Duquesne, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Transtar/Union Railroad Company, 1200 Penn Avenue, Suite 300, Pittsburgh, PA 15222 submitted a Final report concerning the remediation of site soil and groundwater contaminated with lead, manganese, arsenic, molybdenum, iron and aluminum. The Final Report attained combined statewide health and site specific non-residential standard for soil and groundwater and was approved by the Department on November 12, 2013.

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

Limpkin's Furniture Stores, Inc., 139 East Chestnut Street, City of Coatesville, **Chester County**. Michael A. Christie, P.G., Penn Environmental & Remediation, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Michael Bernstein, President, Limpkin's Furniture Stores, Inc., 119 East Lincoln Highway, Coatesville, PA 19320 has submitted a Remedial Investigation/Risk Assessment and Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Remedial Investigation/Risk Assessment and Final Report demonstrated attainment of the site specific standard for soil, and were approved by the Department on September 17, 2013. PF758308

Presidential City Apartments Madison Building, 3900 Presidential Boulevard, City of Philadelphia, **Philadelphia County**. Stephan Brower, Environmental Standards, Inc. 1140 Valley Forge Road, P. O. Box 810 Valley Forge, PA 19482-0810 on behalf of Post Presidential Property Owner, LLC, BLDG, Philadelphia, L.P., 417 Fifth Avenue, New York, NY 10016 has submitted a Cleanup Plan/Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with no. 6 oil fuel. The Cleanup Plan/Remedial Investigation Report demonstrated attainment of the site specific standard for soil and groundwater, and was approved by the Department on September 16, 2013. PF755690

MGM Ridley Parking LP, South of Interest 95 between West Sellers Avenue and South Stewart Avenue, Ridley Township, **Delaware County**. Craig Herr, RT Environmental Services Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Kim Rinnier, MGM Ridley Parking, LP, 760 Parkers Run, Villanova, PA 19085 has submitted a Final Report concerning the remediation of site soil contaminated with arsenic. The Final report demonstrated attainment of the non-residential statewide health standard and was approved by the Department on August 22, 2013. PF755023

Estate of Kim Greenlee, 48 Chestnut Drive, Newtown Borough, **Bucks County**. Chris A. Jacangelo, P.G., J. Rockwood and Associates, Inc., P. O. Box 1006, Easton, PA 18044, Jeanne Sninski, Esq., 48 Chestnut Drive, Newtown, PA 18940 on behalf of David Sottile, Groundwater Breaking Renovations, Inc., 48 Chestnut Drive Newton, PA 18940, submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the non-residential statewide health standard and was approved by the Department on August 13, 2013. PF761706

CTS @ Springmill Station, 101 East Hector Street, City of Philadelphia, **Philadelphia County**. Victoria M. Ryan, VERTEXE Environmental Services, 700 Turner Way, Aston, PA 19014 on behalf of James H. Turner, Home Properties Whitemarsh, LLC, 8229 Boone Boulevard, Suite 500, Vienna, VA 22181 has submitted a Final Report concerning the remediation of site soil contaminated with no. 4-6 heating oil. The Final report demonstrated attainment of the non-residential statewide health standard and was approved by the Department on September, 30, 2013. PF762426

Madison @ French Creek, 45 North Main Street, Phoenixville Borough, **Chester County**. Stephan D. Brower, P.G., Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482, John Forde, Madison at French Creek, 3815 West Chester Pike, Newtown Square, PA 19073 on behalf of John Forde, BPG Development Company, LP, 3815 West Chester Pike, Newtown Square, PA 19073 has submitted a Cleanup Plan/Remedial Investigation Report concerning the remediation of site groundwater contaminated with inorganics. The Remedial Investigation/Cleanup Plan demonstrated attainment of the site specific standard for groundwater, and was approved by the Department on August 5, 2013. PF760601

Widdess Property, 520 Lincoln Street, Oxford Township, **Chester County**. Andrew Riggs, Brownfield Associates, Inc., 500 Coatesville Road, West Chester, PA 19390 on behalf of Mike Widdoes, BreadNButter Catering, 520 Lincoln Street, Oxford, PA 19363 has submitted a Remedial Investigation/Final Report concerning the remedia-

tion of site groundwater contaminated with leaded gasoline. The Remedial Investigation/final Report demonstrated attainment of the site specific standard for groundwater, and was approved by the Department on August 8, 2013. PF693414

Merton Price Property, 1201 Chester Pike, Ridley Township, **Delaware County**. Michael Christie, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kenneth Hurwitz, Merton Price Company, 207 Yorktown Place Berwyn, PA 19312 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum hydrocarbons including mtbe. The Final report did not demonstrated attainment of the non-residential statewide health standard and was disapproved by the Department on October, 01, 2013. PF693698.

Sunoco Inc. Philadelphia Refinery Schuylkill River Tank Farm A01-11, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. James Openheim, Sunoco, Inc. 3144 Passyunk Avenue, Philadelphia, PA 19061, Jason Hanna, Langan Engineering and Environmental Services, 2700 Kelly Road, Warrington, PA 18976 on behalf of Charles Barksdale, PES, 3144 Passyunk Avenue, Philadelphia, PA 19145 has submitted a Final Report concerning the remediation of site groundwater contaminated with vocs, svocs, phas, and metals. The Final report did not demonstrated attainment of the site specific standard and was disapproved by the Department on September, 26, 2013. PF 745291

Pine Road/Red Lion Road, Red Lion/Pine Roads Lower Moreland Township, **Montgomery County**. Gary Emmanuel, O'Brien & Gere Engineers, Inc., 301 East Germantown Pike 3rd Floor, East Norriton, PA 19401 on behalf of Gregory T. Rogerson, JERC Partners, XII, LP, 171 State Route, 173 Suite 201, Asbury, NJ 08802-1365 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final report demonstrated attainment of the non-residential statewide health standard and was approved by the Department on September 6, 2013. PF766153.

AMRA Investment LP, 110 Summit Drive, West Whiteland Township, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 110 Summit Drive, Exton, PA 19341 on behalf of Ann Fisher, AMRA Investments, L. P. 131 Clearview Drive, Downingtown, PA 19355 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Final report demonstrated attainment of the non-residential statewide health standard and site specific standards was approved by the Department on August 22, 2013. PF754394.

Tadlock Residence, 21 Timothy Lane, Falls Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Ty Gawlik, State Farm Insurance, P. O. Box 8061, Ballston Spa, 12020-8016 on behalf of John Tadlock, 21 Timothy Lane, Levittown, PA 19054 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Final report demonstrated attainment of the non-residential statewide health standard and was approved by the Department on August 16, 2013. PF736576.

Exelon Corporation Condense Tank KIPC, 990 South Steel Road, Falls Township, **Bucks County**. Dale Davis, Exelon Corporation 990 South, Fairless Hill, PA 19030 on behalf of Juddson W. Herr Langan Engineering and Environmental Services, Inc. 2700 Kelly Road, Suite

200, Warrington, PA 18976, Kathleen Mayher, United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15219 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report demonstrated attainment of the non-residential statewide health standard and was approved by the Department on August 23, 2013. PF750863

Ciocco Residence, 509 Collins Drive, Maple Township, **Delaware County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Deb Alessi, State Farm Insurance Company, PA Fir Claims, PO Box 106110, Atlanta, GA 30348-6110 on behalf of Ann Ciocco, 509 Collins Drive, Springfield, PA 19064 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the non-residential statewide health standard and was approved by the Department on September 5, 2013. PF760714

Spring Mill Corporation, 901 Washington Street, Whitmarsh Township, **Montgomery County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Robert Haley, Spring Mill Corporation, 194 Greenfield Road, Lancaster, PA 17601 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with inorganics and chlorinated solvents. The Final report did not demonstrate attainment of the site specific standard and was disapproved by the Department on September 5, 2013. PF758570

901 West Girard Avenue, 901 West Girard Avenue, City of Philadelphia, **Philadelphia County**. Angelo Waters, PE, Urban Engineers, Inc., 530 Walnut Street, Philadelphia, PA 19106 on behalf of Richard L. Soloff, 9th Street Marketplace Associates, LLC, One Presidential Boulevard, Suite 202 Bala Cynwyd, PA 19004 has submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with naphthalene, benzo and betx. The Remedial Investigation/Cleanup Plan demonstrated attainment of the site specific standard for soil and groundwater and was approved by the Department on September 11, 2013. PF7689175

Transmontaigne Site, 2751 South 58th Street, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, P.G., Duffield Associates, Inc., 211 North 13th Street, Philadelphia, PA 19107 on behalf of Elizabeth Gabor, Philadelphia Authority for Industrial Development, 2600 Centre Square West, 1500 Market Street, Philadelphia, PA 19102 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with inorganics and unleaded gasoline. The Final Report did not demonstrate attainment of the site specific standard for soil groundwater and was disapproved by the Department on September 11, 2013. PF738660

Pfizer Great Valley Office & Information System Technical Center, East Whiteland Township, **Chester County**. Elizabeth Bongard, Golder Associates Inc., Spring Mill Corporate Center, 55 North Lane, Suite 6057, Conshohocken, PA 19428 on behalf of Matthew Basso, Pfizer Inc., 100 Rout 206N, Peapack, NJ 07977 has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with arsenic. The Remedial Investigation demonstrated attainment of the site specific standard and statewide health standard for soil and was approved by the Department on September 24, 2013. PF748303

Emico Property, 800 West Chestnut, Perkasio Borough, **Bucks County**. Andrew Fetterman, Synergy Environmental Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468 on behalf of Christopher B. French, Central Bucks Associates, L.P., P. O. Box 252, Bedminster, PA 18910 submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation/Final Report demonstrated attainment of the site specific standard for soil and groundwater and was approved by the Department on September 03, 2013. PF738217

2116 Chestnut Site, 2116-2132 Chestnut, City of Philadelphia, **Philadelphia County**. Bill Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Susan Hammersley, 2116 Chestnut Holding, LLC, One North Wacker Drive, Suite 2400, Chicago, Illinois 60606 has submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site soil contaminated with no. 2 fuel oil. The Remedial Investigation/Cleanup Plan demonstrated attainment of the site specific standard for soil and was approved by the Department on June 3, 2013. PF754432

Citizens Bank, 139 South Easton Road, Cheltenham Township, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422, Ray Hutchinson, Nova Consulting Group, Inc., One Blue Hill Plaza, 10th Floor, P. O. Box 1672, Pearl River, NY 10965 on behalf of ARCLLC, 106 York Road, Jenkintown, PA 19046 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final Report demonstrated attainment of the statewide health standard for soil and was approved by the Department on September 13, 2013. PF766713

Archibald Residence, 522 Rosewood Avenue, Lower Southampton Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Jason Richards c/o Nautilus Insurance, Nautilus Insurance, 140 New Britain Boulevard, Chalfont, PA 18914 on behalf of David Archibald, 522 Rosewood Avenue, Trevoise, PA 19053 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on September 13, 2013. PF767307

Nessa Property, 66 Street Road, Upper Makefield Township, **Bucks County**. Mark Fortna, DelVal Soil Environmental Consultant Inc., Sky Run II, Suite A1, 4050 Skyron Drive, Doylestown, PA 18902 on behalf of Judy Ness, 66 Street Road, New Hope, PA 18938 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report demonstrated attainment of the statewide health standard for soil and was approved by the Department on August 22, 2013. PF752811

Access Services, 201 Chain Street Norristown Borough **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422, Valentine Dalavai, 5 Office Center Drive, Suite 100, Fort Washington, PA 19034 on behalf of Philip Chat, 45 Creek View Drive, Perkasio, PA 18944 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the statewide health standard and was approved by the Department on August 30, 2013. Pf 767758

Girard Medical Center, 8th Street and Girard Avenue, City of Philadelphia, **Philadelphia County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Michael Leiendecker, Girard Medical Center, 8th Street and Girard Avenue Philadelphia, PA 19122 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with no. fuel oil. The Remedial Investigation Report was disapproved by the Department on October 16, 2013. PF619292

Comfort Residence, 1569 Kimberton Road, West Vincent Township **Chester County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Belinda Stevenson, Encompass Insurance, 51 West Higgins Road, South Barrington, IL 60010 on behalf of Lee Comfort, 1569 Kimberton Road, Chester Square, PA 19425 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 1, 2013. PF741041

Fuad Sadik Property, 39 West Forge Road, Middletown Township **Delaware County**. David Chandler, B.S., Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, Jason Bean, Allstate Insurance Company, 309 Lakeside Drive, Suite 100, Horsham, PA 19044 on behalf of Fuad Sadik, 39 West Forge Road, Glen Mills, PA 19342 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on October 25, 2013. PF 769228

Capoferri Residence, 127 Thornridge Drive, Falls Township **Bucks County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Ty Gawlick, State Farm Insurance, PA Fir Claim, P. O. Box, 106110, Atlanta, GA 30348-6110 on behalf of Dennis Capoferri, 127 Thornridge Drive, Levittown, PA 19054 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on June 27, 2013. PF 760488

Barrett Residence, 11 Macintosh Road, Bristol Township **Bucks County**. Staci Cottone, J&J Environmental, PO Box 370, Blue Bell, PA 19422 on behalf of Ronald Barrett, 11 Macintosh Road, Levittown, PA 19056 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The 90 day Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 15, 2013. PF 765830

Residence at Avenue North Development, 1600-1636 North Broad Street, City of Philadelphia **Philadelphia County**. Michael A. Christie P.G., Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Michael D. Lattanze, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Jerry Gallagher, CP 1600 Broad LP, One Bala Avenue, Suite 502, Bala Cynwyd, PA 19004 on behalf of Nicholas Schafidi, Philadelphia Redevelopment Authority, 1234 Market Street, 16th Floor, Philadelphia, PA 19107 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated

with vocs, pahs and metals. The Remedial Investigation Report and Cleanup Plan were approved by the Department on October 21, 2013. PF766715

Reserve at Hidden Ponds, 1340 and 1344 Quaker Way, Richland Township **Bucks County**. James P. Cinelli, P.E., Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601 on behalf of Pamela A. Northrop, Hidden Ponds Associates, L.P., 1574 Easton Road, Warrington, PA 18976 has submitted a Final Report concerning the remediation of site soil contaminated with chlorobenzene, 1,2-dichlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 1,2,3-trichlorobenzene, and 1,2,4-trichlorobenzene. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 3, 2013. PF 767760

Deerfield Drive Transformer Spill, 1930 Deerfield Drive, Towamencion Township **Montgomery County**. George Horvat, P.G., PECO Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19103 on behalf of Bruce Middleman, P.G., Stantec Consulting Service, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with pcb. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 18, 2013. PF 769224

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits issued, under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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

PAD096844311. Action Manufacturing Company—Atglen Plant, 500 Baileys Crossroads Road, Atglen PA 19310. This RCRA Hazardous Waste Part B Permit is to operate a Miscellaneous Treatment Unit; a thermal treatment unit regulated under 25 Pa. Code Chapter 264a, Subpart X, for the processing of hazardous waste materials generated at the Action Manufacturing Company—Atglen Plant. The facility is located at 500 Bailey Crossroads Road, West Fallowfield Township, **Chester County**. Permit was issued by the Southeast Regional Office on November 1, 2013.

RESIDUAL WASTE GENERAL PERMITS

Permit(s) Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

General Permit No. WMGR028SW003. Lindy Paving, Inc., 2340 2nd Ave., Pittsburgh, PA 15219, for a residual waste general permit for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by the New Kensington hot-mix asphalt facility, located at 201 Industrial Blvd., New Kensington, PA 15068, in Lower Burrell Township, **Westmoreland**

County, for use as: (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. Permit issued by the Regional Office on November 8, 2013.

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

Determination of Applicability for General Permit was issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

General Permit No. WMGR029NC001. Eureka Resources, LLC, 454 Pine Street, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. The application is for a Determination of Applicability (DOA) under General Permit WMGR029 for the processing and beneficial use of waste oil and waste oil/water mixtures at the Second Street Facility. The Determination of Applicability was issued by Northcentral Regional office on November 1, 2013.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

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

Permit issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act 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. 101468. Covanta 4Recovery Philadelphia, LLC, 3600 South 26th Street, Philadelphia PA 19145. This permit modification application is to reflect the permittee's name change from "TransRiver Philadelphia, LLC," to "Covanta 4Recovery Philadelphia, LLC," for the Girard Point Transfer Station, a municipal waste transfer facility, located at 3600 South 26th Street in the City of Philadelphia, **Philadelphia County**. The permit was issued by the Southeast Regional Office on November 7, 2013.

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

Permit No. 301358. Phoenix Resources, Inc., 782 Antrim Road, Wellsboro, PA 16901, Duncan Township, **Tioga County**. The permit modification is for batch solidification and removal of waste volume limitation. The permit was issued by Northcentral Regional Office on November 1, 2013.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (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.

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

GP3-58-013: Nittany Nova Aggregates, LLC (2840 West Clymer Avenue, Suite 100, Telford, PA 18969) on October 25, 2013, to install and operate a portable stone crushing plant at their facility in Choconut Township, **Susquehanna County**.

GP3-66-001: Meshoppen Stone, Inc. (P. O. Box 127, Meshoppen, PA 18630) on October 24, 2013, to construct and operate a portable stone crushing plant at their facility in Washington Borough, **Wyoming County**.

GP9-66-001: Meshoppen Stone, Inc. (P. O. Box 127, Meshoppen, PA 18630) on October 24, 2013, to construct and operate of diesel fired internal combustion engines at their facility in Washington Borough, **Wyoming County**.

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

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

GP1-28-03059: Winebrenner Theological Seminary (3583 Scotland Road, Scotland, PA 17254) on October 31, 2013, for an existing 16.8 MMBtu/hr dual fuel boiler, under GP1, at their former Scotland School Campus in Greene Township, **Franklin County**. The general permit authorization was renewed.

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

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

GP5-30-00223: Vista Gathering, LLC (116 Inverness Drive East, Suite 107, Englewood, CO 80112) on November 8, 2013, to authorize the installation and operation of a natural gas compressor station consisting of five lean burn natural gas-fired compressor engines rated at 1,380 bhp each and controlled by oxidation catalysts, one tri ethylene glycol dehydrator rated for 150 MMSCF/day equipped with a flash tank and controlled by an enclosed flare, and four 8,820 gallon produced water tanks. Other miscellaneous sources include four lube oil, ethylene glycol, and tri ethylene glycol storage tanks, one natural gas-fired microturbine emergency generator rated at 200 kW, and one natural gas-fired reboiler rated at 2.67 MMBtu/hr. The facility will be authorized under GP-5 for natural gas production, named Cygrymus Compressor Station, and in Gilmore Township, **Greene County**.

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

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

GP1-10-238B: Seneca Valley School District—Seneca Valley Intermediate High School (126 Seneca School Road, Harmony, PA 16037) on November 7, 2013, to operate an existing 14.5 MMBtu/hr natural gas fired

boiler, North American Boiler, Model No. T430L-S (BAQ-GPA/GP-1) in Jackson Township, **Butler County**.

GP5-10-368B: MarkWest Liberty Bluestone, LLC—Bluestone Gas Processing Plant (440 Hartmann Road, Evans City, PA 16033) on November 6, 2013, to install and operate a gas processing & fractionation plant and associated heater(s), storage tank(s), railcar loading facilities, and a flare (BAQ-GPA/GP-5) in Jackson Township, **Butler County**.

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

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

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

46-0281: Matheson Tri-Gas (1700 Scepter Road, Waverly, TN 37185) on November 6, 2013, to install a new distillation process and a thermal oxidizer to control volatile organic compound (VOC) emissions from a gas purification and cylinder filling operation in their Palm facility in Upper Hanover Township, **Montgomery County**. This facility is a synthetic minor facility. The facility wide volatile organic compound (VOC) emissions and combined hazardous air pollutant (HAP) emissions will be limited to below 25 tons per year. Individual HAP emissions will be limited to below 10 tons per year. The Plan Approval and Operating Permit will contain emission limitations, operating restrictions, work practice, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

15-0141: Tin Technologies and Refining Co. (905 Fern Hill Road, West Chester, PA 19380) on November 6, 2013, to install a tin recycling and tin refining facility in West Goshen Township, **Chester County**. Sources at the facility will consist of several furnaces and a calciner, which all run on natural gas. The facility will also install a diesel-fired emergency electric generator. The primary pollutant of concern from the plant will be particulate matter (PM, PM₋₁₀, and PM_{-2.5}) from the tin processing. Particulate matter emissions will be controlled by a fabric filter/dust collector with a 99.9% removal efficiency. The plant is considered a minor facility based on its potential emissions. The plan approval will include monitoring, record keeping, and reporting requirements designed to address all applicable air quality requirements.

09-0222: Telex Metals, LLC (105 Phyllis Drive, Croydon, PA 19021) for installation of thirty (30) metal refining process tanks and three (3) associated packed tower wet scrubbers, as follows, at their existing metal refining facility, which is in Bristol Township, **Bucks County**:

<i>Line/Type of Acid Used</i>	<i>Quantity of Tanks (Stages)</i>	<i>Quantity of Wet Scrubbers</i>
Hydrochloric Acid ("HCl")	10	1
Nitric Acid ("HNO ₃ ")	20	2

The project serves to expand the current wet operations at the facility, which were previously exempted from Plan Approval and Operating Permit requirements under Request for Determination of Changes of Minor Significance and Exemption from Plan Approval/Operating Permit ("RFD") No. 2895, by increasing the quantity and capacities of process tanks (and consequently, production) for, and the strength of the acids used in, the lines.

The (pre-control) potential emission rates of HCl (a hazardous air pollutant ("HAP")) and HNO₃ from the lines are approximately 4.3 tons/yr and 6.3 tons/yr, respectively. Packed tower wet scrubbers will be installed, with a vendor's guarantee to achieve a minimum acid gas removal efficiency of 99%, to reduce the acid gas emissions from the facility. Nitric oxide ("NO") and nitrogen dioxide ("NO₂") are also emitted from the HNO₃ line, and the second associated scrubber will also achieve some NO₂ control.

The Plan Approval will include emission concentration restrictions for HCl, HNO₃, NO, and NO₂ of 0.1 ppmv, 0.1 ppmv, 3.0 ppmv, and 7.0 ppmv, respectively. The Department reserves the right to review these restrictions based on the results of stack testing required under the Plan Approval.

The Plan Approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

67-03110B: Protech Powder Coatings, Inc. (939 Monocacy Road, York, PA 17404) on November 6, 2013, for the installation and temporary operation of two powder coating mills, a weigh up area and a classifier machine, as controlled by three new dust collectors at the powder coating facility in West Manchester Township, **York County**.

06-03065A: Tube City IMS, LLC (1155 Business Center Drive, Horsham, PA 19044) on November 4, 2013, for installation of a Rotary Tumbler controlled by a baghouse, at the steel slag processing operations located in Muhlenberg Township, **Berks County**, on the Hartman Tract of Carpenter Technology.

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

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

08-00001A: Tennessee Gas Pipeline Company, LLC (1001 Louisiana Street, Houston, TX 77002) on November 1, 2013, to construct: (1) a new natural gas compression process driven by a stationary combustion turbine and (2) an emergency electrical power generation process driven by a stationary reciprocating internal combustion engine (RICE) at Tennessee Gas Pipeline Company's (TGP) Station 319 facility, in Wyalusing Township, **Bradford County**. The facility changes will also include newly-installed fugitive components (piping valves, connections, flanges, etc.) as well as the permanent shutdown of two existing compression processes.

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

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

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

09-0217: Particle Size Technology, Inc. (1930 Kumry Road, Quakertown, PA 18951) on November 6, 2013, to operate the particle sizing operation in Milford Township, **Bucks County**.

46-0112F: Palmer International, Inc. (2036 Lucon Road, Skippack, PA 19474) on November 6, 2013, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

46-0262B: Penn Color, Inc. (2755 Bergey Road, Hatfield, PA 19440) on November 6, 2013, to install two (2) extruder machines at the Penn Color facility in Hatfield Township, **Montgomery County**. The modification is for the removal of the production limits (Work Practice Standard Condition #009) for each extruder (Source ID 121 and Source ID 122). There are no changes to the existing hourly (2.1 lb VOC/hr) and annual VOC emission limits (6.75 tpy) in the plan approval. Facility Volatile Organic Compounds (VOC), Hazardous Air Pollutants (HAP) and Particulate Matter (PM) emissions are below major facility thresholds for the Philadelphia Metropolitan Area; the facility is classified as a Synthetic Minor Facility. Plan Approval No. 46-0262B will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

08-00038A: Appalachia Midstream Services, LLC (PO Box 54382, Oklahoma City, OK 73154-1382) on November 4, 2013, to extend the authorization an additional 180 days from November 10, 2013 to May 9, 2014 in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for their natural gas compression facility located in Monroe township, **Bradford County**. The plan approval has been extended.

17-00063A: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on October 31, 2013, to extend the authorization an additional 180 days from November 13, 2013 to May 12, 2014 in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for their ethanol production facility located in the Borough of Clearfield, **Clearfield County**. The plan approval has been extended.

17-00063B: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on October 31, 2013 to extend the authorization an additional 180 days from November 13, 2013 to May 12, 2014 in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for their ethanol production facility located in the Borough of Clearfield, **Clearfield County**. The plan approval has been extended.

41-00078C: PVR NEPA Gas Gathering, LLC (101 West Third Street, Williamsport, PA 17701) on November 7, 2013, to extend the authorization for the construction of four natural-gas fired compressor engines (Source IDs P107-P110) each equipped with oxidation catalysts (C107-C110). The plan approval also incorporates two existing natural-gas fired compressor engines (Source IDs P105 and P106), each equipped with oxidation catalysts (C105 and C106), two existing glycol dehydrators (Source IDs P201 and P202) and three existing natural-gas fired compressor engines (Source IDs P101-P103) each equipped with oxidation catalysts (C101-C103) at the Barto Compressor Station in Penn Township, **Lycoming County** to May 8, 2014. The plan approval has been extended.

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

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

30-00182B: CNX Marine Terminals, Inc. (1000 Consol Energy Drive, Canonsburg, PA 15317) on November 8, 2013, for a Plan Approval extension effective November 10, 2013, with an expiration date of May 10, 2014, to authorize temporary operation of the Robena Barge Cleaning Facility in Monongahela Township, **Greene County**. The plan approval has been extended.

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

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

20-037A: U.S. Bronze Foundry & Machine, Inc. (18649 Brake Shoe Road, Meadville, PA 16335) on November 5, 2013, effective December 31, 2013, will issue a plan approval extension for the construction of four new electric induction furnaces as part of Source 116 & 117 and the installation of a new baghouse (C116A) to control emissions from Source 116 & 117 and the removal of the old baghouse (C116). This permit is also for Orrville Bronze to install sources that will have their own controls and 4 furnaces that will exhaust into C116A & C117A. This is a State Only facility and is located in Woodcock Township, **Crawford County**. The Plan Approval has been extended.

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

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

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

46-00035: Glaxo SmithKline, LLC. (709 Swedeland Road, King of Prussia, PA 19406) on November 6, 2013, to renew the Title V Operating Permit in Upper Merion Township, **Montgomery County**. The facility is primarily involved in pharmaceutical research and development. Glaxo SmithKline operates boilers, generators, and other lab equipment. The renewal incorporates applicable regulations from 40 C.F.R. 60 Subpart IIII, 40 C.F.R. 63 Subpart ZZZZ and 40 C.F.R. 63 Subpart DDDDD to the appropriate sources. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The operation is subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 and NSPS regulations.

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

15-00118: Allan A. Myers, L.P.—d/b/a Independence Construction Materials—Devault Quarry (Rte. 29, (Devault) Charlestown Township, PA 19432) on November 6, 2013, for a non-Title V, State Only, Natural Minor operating permit in Charlestown Township, **Chester County**. This action is a renewal of the State Only Operating Permit. The permit was initially issued on 9-17-2008 and will expire on 10/31/2013. The Devault Stone Quarry consists of an 800 tons per hour primary jaw crusher, a 500 tons per hour secondary crusher, a 250 tons per hour tertiary cone crusher, and two (2) portable nonmetallic mineral processing plants, each rated at 800 tons per hour. The plant utilizes a water spray wet suppression system to control particulate matter emissions.

The renewed permit will include monitoring, record-keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

15-00088: National Foam, Inc. (350 East Union Street, West Chester, PA 19382) On November 6, 2013, for operation of their chemical preparation facility in West Chester Borough, **Chester County**. The permit is for a non-Title V (State only) facility. Major sources of air emissions include a protein-based fire-fighting chemical manufacturing facility, and associated control devices. There have been no changes at the facility and no new applicable regulations since the permit was last issued in October 2008. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

01-05018: McClarin Plastics, Inc. (15 Industrial Drive, Hanover, PA 17331-9530) on October 30, 2013, for their thermo-formed plastic and fiberglass reinforced plastic products manufacturing facility in Conewago Township, **Adams County**. The State-only permit was renewed.

29-03008: Lafarge Mid-Atlantic LLC (300 East Joppa Road, Suite 200, Towson, MD 21286-3015) on October 31, 2013 for the limestone crushing facility in Bethel Township, **Fulton County**. The State-only permit was renewed.

36-03056: Weaver Industries, Inc. (425 South 4th Street, Denver, PA 17517-1224) on November 1, 2013, for their graphite products manufacturing facility in Denver Borough, **Lancaster County**. The State-only permit was renewed.

36-03021: J. Walter Miller Co. (411 E. Chestnut Street, Lancaster, PA 17602-3016) on November 5, 2013 for the copper foundry in Lancaster City, **Lancaster County**. The State-only permit was renewed.

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

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

04-00445: Veka Inc.—Marion Township Plant (100 Veka Drive, Fombell, PA 16123) on November 8, 2013, to issue a renewal State Only Operating Permit for the operation of blending polyvinyl chloride resin (PVC) for the manufacturing of windows and doors in Marion Township, **Beaver County**. The subject facility consists of a lamination lines, PVC extruder process, mixing operations, two electric ovens and one 600,000 Btu natural gas dryer. In 2012, the facility emitted: 1.133 tpy HAPs and less than 1 ton for all other criteria pollutants. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. A monthly log of all VOC-containing coatings and solvents purchased, consumed, and inventory on hand must be recorded in an on-site log. Particulate matter emissions are not to exceed 0.02 gr/dscf. The facility is limited to 33 tons per year of VOCs and 9.9 tons per year total HAPs. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

65-00789: Quikrete Companies, Inc.—Pittsburgh (519 Red Barn Lane, Latrobe, PA 15650) on November 8, 2013, to issue a State Only Operating Permit renewal for the operation of aggregate drying, blending, and bagging concrete products in Unity Township, **Westmoreland County**. The subject facility consists of a 10 MMBtu/hr natural gas fluid bed dryer, storage silos, mixers, and material handling and transferring. The facility has the potential to emit: 4.30 tpy NO_x, 3.61 tpy CO, 0.03 tpy SO_x, 24.31 tpy PM, 0.24 tpy VOC, and 0.003 tpy HAPs. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Monthly preventative maintenance inspections are to be performed on the control devices and recorded in an on-site log. Particulate matter emissions are not to exceed 0.04 gr/dscf. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

65-00778: Three Rivers Marine & Rail Terminal—Gibson Yard (17 Arentzen Boulevard, Suite 206 Charleroi, PA 15022) on November 12, 2013, to issue a State Only Operating Permit renewal for the operation of a barge and truck unloading and transferring operation in Rostraver Township, **Westmoreland County**. The subject facility consists of three barge docks with clam shells, two rail unloading areas, a receiving area for a bagging operation, and an assortment of storage piles. Barges are unloaded and material is either loaded into trucks or stockpiled until trucks are available. The facility provided potential emissions at 15.5 tons per year PM₁₀. This includes the potential emissions from transferring material from barge to truck, haul roads, truck unloading, wind erosion and front loaders. The facility is required to maintain a daily log of material delivered to the facility, inventory on hand, and material shipped from the facility. All trucks carrying bulk material shall be tarped when leaving the terminal and handled in such a

way to minimize track out onto the public road. The clam shell must be operated in such a way to minimize loss from the clam shell during transfer of material and minimize the drop height into the truck/barge. All roads shall be kept clean or watered as needed to minimize dust. The proposed authorization is subject to State and Federal Regulations. The permit includes additional operational requirements, monitoring requirements, and recordkeeping requirements.

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

Contact: Matthew M. Williams, Environmental Program Manager—Telephone: 814-332-6636

10-00368: MarkWest Liberty Bluestone, LLC (440 Hartmann Road, Evans City, PA 16033) on November 6, 2013, for issuance of initial Synthetic Minor Operating Permit in the Jackson Township, **Butler County**. The facility is processing the natural gas and, transporting it to the consumers. The facility's emitting sources include: 1) Inlet Compressors (6), 2) Residue Compressors (4), 3) Refrigerant Compressors (2), 4) Dehydrators (2), 5) Emergency Generators (2), 6) Process Heaters, 7) Truck Loading, 8) Storage Tanks (2) and, 9) Gas processing plant. The emergency generators and compressors are subject to 40 CFR Part 60 Subpart JJJJ, IIII, OOOO and HH. The facility is synthetic minor because; the facility has taken a restriction of natural gas fuel usage in combustion sources not greater than, 1,120,000 MMBTU/year. This limit will control the emission of greenhouse gas, Carbon Di Oxide. Potential emissions of the pollutants after taking the limitations are: NO_x: 56.71 Tons per year (TPY), CO: 77.50 TPY VOC: 38.62 TPY, PM₁₀: 5.96 TPY, HAPs: 10.41 TPY, CO₂: 66,030 TPY.

33-00025: Punxsutawney Area Hospital (81 Hillcrest Drive, Punxsutawney, PA 15767) on November 5, 2013, renewed a State Only Operating Permit for their hospital in Young Township, **Jefferson County**. The primary sources at the facility are an oil-fired emergency generator, a parts washer, and 2 dual-fueled 10.5 million Btu/hr boilers using natural gas as primary fuel and capable of firing oil in the event of a natural gas curtailment. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The emergency generator is subject to 40 CFR Part 63 Subpart ZZZZ, the NESHAP for Stationary RICE. The permit contains emission restrictions, recordkeeping, and work practice 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 19401

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

09-00209: Univar USA, Inc. (4 Steel Road East, Morrisville, PA 19067) On November 5, 2013, for the installation of 10 Above Ground Acid Storage Tanks with the Associated Air Pollution Control Devices (storage tanks) and throughput revisions for additional existing storage tanks at the Univar USA, Inc., chemicals manufacturing facility located at 4 Steel Road East, Falls Township, **Bucks County**. The control devices include two scrubbers to control five of ten storage tanks. The

installation and throughput revision of storage tanks may result in the emissions of: 24.90 tons per year of Hazardous Air Pollutants and 24.90 tons per year of Volatile Organic Compounds from the Univar USA, Inc, Morrisville facility located on 4 Steel Road East. The Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

15-00061: Phoenixville Hospital Company, LLC (140 Nutt Road, Phoenixville, PA 19460) on November 5, 2013, located in Phoenixville Borough, **Chester County**, for operation of boilers and emergency generators at the existing hospital. The permit is for a non-Title V (State only) facility. Facility wide criteria pollutant emissions are restricted to less than the major facility thresholds; therefore, the facility is classified as a Synthetic Minor facility. Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Administrative Amendment incorporates terms and conditions of Plan Approval No. 15-0061A, which allows for the installation of a new boiler (Source ID 038—12.247 MMBtu/hr Cleaver Brooks Boiler). The boiler is not subject to the requirements of 40 CFR Part 63 Subpart JJJJJ. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

09-00024: Waste Management of Pennsylvania, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) on November 6, 2013, for the major (Title V) Operating Permit for the Tullytown Resource Recovery facility, in Tullytown Borough, **Bucks County**. The Operating Permit was administratively amended to incorporate the conditions of Plan Approval 09-0024F for a landfill expansion, known as the Eastern Expansion, and its associated landfill gas collection system.

46-00060: Norristown State Hospital (1001 East Sterigere Street, Norristown, PA 19401) on November 7, 2013, to incorporate three natural gas #2 fuel-fired boilers that were issued under GP1-46-0235 in Norristown Borough, East and West Norriton Townships, **Montgomery County**.

23-00105: Hanson Aggregates PA, LLC—Glen Mills HMA Plant (523 West Forge Rd., Glen Mills, PA 19342) on November 8, 2013, to incorporate the conditions from the previously-issued Plan Approval 23-0105 for the replacement and upgrade of the Fabric Filter Baghouse used to control particulate matter emissions at the Hot Mix Asphalt Plant in Middletown Township, **Delaware County**. This facility is a non-Title V facility. The replacement/upgrade will not result in a net increase in particulate matter emissions. The State Only Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

19-00006: Del Monte Corporation (6670 Low Street, Bloomsburg, PA 17815) on October 31, 2013, issued a revision of the Title V operating permit for their Bloomsburg facility located in South Centre Township, **Columbia County**. This Title V operating permit revision was authorized for the increase of ink usage for their dry line packaging operations. There will be an increase of volatile

organic compound (VOC) emissions of 0.21 ton in a year as a result of this change. The increase was authorized under the Department's de minimis emission increase pursuant to 25 Pa. Code Section 127.449. The revised operating permit contains all applicable regulatory requirements, including monitoring, recordkeeping and reporting conditions.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131

25-00197: Erie Bronze and Aluminum Co. (6300 West Ridge Road Erie, PA 16506-1021) on November 8, 2013, issued an administrative amendment to the State Only Operating Permit for their copper foundry facility in Fairview Township, **Erie County**. The amendment incorporates the applicable conditions of plan approval 25-197E.

62-00172: Glenn O Hawbaker Brokenstraw Plant (711 East College Avenue Pleasant Gap, PA 16823-6854) on November 8, 2013, issued an administrative amendment to the State Only Operating Permit for the sand

and gravel facility in Pittsfield Township, **Warren County**. The amendment incorporates the applicable conditions of plan approval 62-172B.

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 increase in capacity of TEAB production from 2 to 20 batches per year. 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>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
11-6-13	TEAB production increase from 2 to 20 batches per year				0.005	
Total Reported Increases					0.005	
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

10-00220: ESM Group Inc—Myoma Facility (130 Myoma Road, Mars, PA 16046) for its facility located in Callery Borough, **Butler County**. The De minimis emission increase is for the addition of 2 pickup points for Source 104 (Synflux Mixing & Bagging) by baghouse C104A. 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 Operating Permit issuance on October 1, 2009.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
11-7-13	Additional pickup points for Source 104	1.6E-05				
Total Reported Increases		1.6E-05				
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

42-00028: Saint Gobain Containers—Port Allegany (One Glass Place, Port Allegany, PA 16743) for its facility located in Port Allegany Borough, **McKean County**. The De minimis emission increase is for the addition of Cobalt Oxide as a new raw material for Furnace 3. 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 February 24, 2009.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
6-13-12	Furnace #1	0.08	0.2	0.32	0.02	0.02
9-30-13	Frit Addition	0.071	0.01	0.86	0.05	0.72
11-6-13	Cobalt Oxide	0.056				

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
Total Reported Increases		0.207	0.21	1.18	0.07	0.74
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

30841316. Consol Pennsylvania Coal Company, LLC, (1525 Pleasant Grove Road, PO Box J, Claysville, PA 15323). To revise the permit for the Bailey Mine & Prep Plant in Morris Township, **Greene County** to install the 7 North 1 Portal Sanitary Force Main. Surface Acres Proposed 0.9. No additional discharges. The application was considered administratively complete on June 6, 2013. Application received May 1, 2013. Permit issued November 7, 2013.

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

04070104 and NPDES Permit No. PA0251291. Mashuda Corp. (21101 Route 19, Cranberry Township, PA 16066). Renewal permit for reclamation only issued to an existing bituminous surface mine, located in Franklin and Perry Townships, **Beaver and Lawrence Counties**, affecting 103.8 acres. Receiving streams: unnamed tributaries to Slippery Rock Creek. Application received: August 30, 2013. Permit issued: November 5, 2013.

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

10110102. K & A Mining (P. O. Box 288, Grove City, PA 16127) Revision to an existing bituminous surface mine to add blasting in Marion Township, **Butler County** affecting 41.3 acres. Receiving streams: Unnamed tributary to North Branch Slippery Rock Creek and North Branch Slippery Rock Creek. Application received: August 2, 2013. Permit Issued: November 7, 2013.

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

17020101 and NPDES PA0243205. Forcey Coal, Inc. (P. O. Box 225, 475 Banion Road, Madera, PA 16661).

Permit renewal for the continued operation and restoration of a bituminous surface mine in Decatur Township, **Clearfield County** affecting 61.0 acres. Receiving stream(s): Unnamed Tributaries to Big Run to Moshannon Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 13, 2013. Permit issued: October 28, 2013.

17030104 and NPDES PA0243451. E. P. Bender Coal Co., Inc. (P. O. Box 594, Carrolltown, PA 15722). Permit renewal for continued operation and restoration of an existing bituminous surface mine in Beccaria Township, **Clearfield County** affecting 220.0 acres. Receiving stream(s): Snyder Run and Unnamed Tributaries to Clearfield Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 30, 2013. Permit issued: October 28, 2013.

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

49120102. Clinton M. Wynn Mining, (419 Shingara Lane, Sunbury, PA 17801), commencement, operation and restoration of an anthracite surface mine operation in West Cameron and Zerbe Townships, **Northumberland County** affecting 98.5 acres, receiving streams: Zerbe Run and Carbon Run. Application received: October 24, 2012. Permit issued: November 4, 2013.

49120102GP104. Clinton M. Wynn Mining, (419 Shingara Lane, Sunbury, PA 17801), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49120102 in West Cameron and Zerbe Townships, **Northumberland County**, receiving streams: Zerbe Run and Carbon Run. Application received: October 24, 2012. Permit issued: November 4, 2013.

40070201R. Mineral Reclamation, LLC, (30 Market Street, Pittston, PA 18640), renewal for reclamation activities only of an anthracite coal refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 37.0 acres, receiving stream: unnamed tributary to Warrior Creek. Application received: July 16, 2012. Renewal issued: November 4, 2013.

54070102R. South Tamaqua Coal Pockets, Inc., (804 West Penn Pike, Tamaqua, PA 18252), renewal of an existing anthracite coal refuse reprocessing operation in Blythe Township, **Schuylkill County** affecting 55.1 acres, receiving stream: unnamed tributary to Schuylkill River. Application received: February 27, 2013. Renewal issued: November 4, 2013.

54070102GP104. South Tamaqua Coal Pockets, Inc., (804 West Penn Pike, Tamaqua, PA 18252), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54070102 in Blythe Township, **Schuylkill County**, receiving stream: unnamed tributary to Schuylkill River. Application received: February 27, 2013. Permit issued: November 4, 2013.

Noncoal Permits Issued

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

4379306-GP-104. H & H Materials, Inc. (190 Canon Road, Stoneboro, PA 16153) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 4379306 in Lake Township, **Mercer County**. Application received: September 23, 2013. Permit Issued: November 7, 2013.

37930302 and NPDES Permit No. PA0211583. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201) Transfer of an existing large industrial minerals mine and associated NPDES permit in Slippery Rock Township, **Lawrence County** affecting 140.0 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: July 25, 2013. Permit Issued: November 5, 2013.

37930302. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES Permit No. PA0211583, Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: July 25, 2013. Permit Issued: November 5, 2013.

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

55910802. Scott E. Garrison Excavating (668 Back Mountain Rd, Beavertown, PA 17813). Final bond release for a small industrial minerals surface mine located in Spring Township, **Snyder County**. Restoration of 4.0 acres completed. Receiving stream(s): Unnamed Tributary to Middle Creek. Application received: October 31, 2013. Final bond release approved: November 8, 2013.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

36134157. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Sauder Farm manure pit in East Earl Township, **Lancaster County** with an expiration date of December 31, 2013. Permit issued: November 5, 2013.

36134158. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Urban Outfitters in Salisbury Township, **Lancaster County** with an expiration date of November 4, 2014. Permit issued: November 5, 2013.

38134124. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Regupol America Warehouse in South Lebanon Township, **Lebanon County** with an expiration date of January 30, 2014. Permit issued: November 5, 2013.

39134110. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Bennett Infiniti in the City of Allentown, **Lehigh County** with an expiration date of October 29, 2014. Permit issued: November 5, 2013.

48134106. American Infrastructure, Inc., (P. O. Box 98, Worcester, PA 19490), construction blasting for Lehigh Valley PG VII Lots 3—5 in the City of Bethlehem, **Northampton County** with an expiration date of October 29, 2014. Permit issued: November 5, 2013.

54134103. Douglas Explosives, Inc., (PO Box 77, Philipsburg, PA 16866), construction blasting for SR 61 Schuylkill County ECMS 12613 in West Brunswick Township, **Schuylkill County** with an expiration date of November 1, 2014. Permit issued: November 5, 2013.

54134104. Douglas Explosives, Inc., (PO Box 77, Philipsburg, PA 16866), construction blasting for **Schuylkill County** Municipal Authority Sewer Contract D-2 with an expiration date of November 1, 2014. Permit issued: November 5, 2013.

58134165. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Young Walker Dual HDPE in Oakland and Jackson Townships, **Susquehanna County** with an expiration date of June 30, 2014. Permit issued: November 5, 2013.

58134166. DW Drilling & Blasting, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Acker Gas Pad in Bridgewater Township, **Susquehanna County** with an expiration date of October 25, 2014. Permit issued: November 5, 2013.

66134123. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Garrison West Well Pad in Lemon Township, **Wyoming County** with an expiration date of November 4, 2014. Permit issued: November 6, 2013.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.

E45-582. 447 Cornerstone Products, 2089 Paradise Trail, East Stroudsburg, PA 18301. Stroud Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments within the floodway of an unnamed tributary to Brodhead Creek (HQ-CWF):

- 1) A relocation of an existing 20-ft wide gravel access road having a permanent impact of 1,222 ft² within the floodway approximately 25-ft to the east of the existing alignment.
- 2) Two existing landscape patio display areas consisting of 3-ft high decorative walls constructed out of masonry blocks totaling 880 ft² of permanent impact within the floodway.
- 3) The removal of mulch piles, brick pavers, and concrete masonry blocks having a temporary impact of 1,825 ft² within the floodway.

The project is located along the west side of S.R. 447 (Analomink Road), approximately 0.15 mile south of its intersection with S.R. 191 (N 5th Street) (East Stroudsburg, PA Quadrangle Latitude: 41° 2' 11" Longitude: -75° 12' 28"), in Stroud Township, Monroe County. Subbasin: 1E

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

E36-912: West Donegal Township, One Municipal Drive, Elizabethtown, PA 17022 in Mount Joy and West Donegal Townships, **Lancaster County**, ACOE Baltimore District

To realign and expand the intersection of Zeager Road and North Market Street, permanently impacting 0.051 acre of palustrine emergent wetlands, 79.0 lineal feet of unnamed tributary to Conewago Creek (TSF), and temporarily impacting 0.018 acre of palustrine emergent wetlands (Latitude 40°09'41.1", Longitude -76°38'19.5") for the purpose of improving safety at the intersection. To compensate for wetland impacts, the permittee proposes to create 0.054 acre of palustrine emergent wetlands onsite.

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.

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

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
63138001-2	Equitrans, LP 625 Liberty Ave Suite 1700 Pittsburgh, PA 15222	Washington	East Bethlehem Township	UNT to Monongahela River (WWF)
63138008	National Fuel Gas Supply Corporation 1100 State Street Erie, PA 16501	Washington	Cecil Township and Mt. Pleasant Township	UNT to Cross Creek, South Fork Cross Creek, UNT to Burgetts Fork, Millers Run (HQ-WWF)

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
65138006	Sunoco Pipeline, LP.	Westmoreland, Washington, and Allegheny	Rostraver Township, South Huntingdon Township, Sewickley Township, Hempfield Township, Jeannette Borough, Penn Township, Municipality of Murrysville, Salem Township, Chartiers Township, North Strabane Township, Nottingham Township, Union Township, Forward Township, Elizabeth Township	Chartiers Run (WWF), UNT to Chartiers Run (WWF), Chartiers Creek (WWF), UNT to Chartiers Creek, UNT to Little Chartiers Creek (HQ-WWF), UNT to Peters Creek (HQ-TSF), Peters Creek (HQ-TSF), UNT to Mingo Creek (HQ-TSF), UNT to Froman Run (TSF), Froman Run (TSF), Monongahela River (WWF-N), UNT to Bunola Run (WWF), Bunola Run (WWF), Kelly Run (WWF), Perry Mill Run (WWF), UNT to Sunfish Run (WWF), Sunfish Run (WWF), UNT to Beckers Run (WWF), UNT to Gillespie Run (WWF), UNT to Pollock Run (WWF), Sewickley Creek (WWF), Youghiogheny River (WWF), UNT to Sewickley Creek (WWF), UNT to Little Sewickley Creek (WWF), UNT to Brush Creek (TSF), Brush Creek (TSF), UNT to Bushy Run (TSF), Bushy Run (TSF), UNT to Turtle Creek (TSF), Turtle Creek (TSF), UNT to Beaver Run (TSF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-1 #ESX13-065-0009—Weed Project
 Applicant EQT Production Company
 Contact Mr Todd Klaner
 Address 455 Racetrack Road Suite 101
 City Washington State PA Zip Code 15301
 County Jefferson Township(s) Washington(s)
 Receiving Stream(s) and Classification(s) UNT's to Wolf Run (CWF)

ESCGP-1 #ESG13-019-0054—Hydra Temporary Overland Waterline
 Applicant EM Energy Pennsylvania LLC
 Contact William Ottaviani
 Address 601 Technology Drive, Suite 300
 City Canonsburg State PA Zip Code 15317
 County Butler Township(s) Concord and Oakland(s)
 Receiving Stream(s) and Classification(s) UNT's to Connoquenessing Creek, UNT's to Pine Run

ESCGP-1 #ESX13-019-0052—AK Steel to Forward Gathering Pipeline
 Applicant Mountain Gathering, LLC
 Contact Dewey Chalos
 Address 810 Houston Street
 City Fort Worth State TX Zip Code 76102
 County Butler Township(s) Butler & Connoquenessing(s)
 Receiving Stream(s) and Classification(s) Rocklick Run and UNT to Connoquenessing Creek / Connoquenessing Creek, Beaver River, WWF

ESCGP-1 #ESX13-019-0053—Bame to Bluestone Pipeline Project
 Applicant MarkWest Liberty Bluestone, LLC
 Contact Richard Lowry
 Address 4600 J. Barry Court, Suite 500
 City Canonsburg State PA Zip Code 15317
 County Butler Township(s) Jackson & Lancaster(s)
 Receiving Stream(s) and Classification(s) Little Connoquenessing Creek. Tributary 34919 to Little Connoquenessing Creek, UNT to Connoquenessing Creek,

Tributary 35086 of Connoquenessing Creek, UNT to
Tributary 35086 of Connoquenessing Creek

ESCGP-1 #ESG13-019-0047—West Pad 15
Applicant PennEnergy Resources, LLC
Contact R.A. Crissinger
Address 1000 Commerce Drive, Park Place One, Suite
100

City Pittsburgh State PA Zip Code 15275
County Butler Township(s) Clearfield (s)
Receiving Stream(s) and Classification(s) UNT Buffalo
Creek, UNT North Branch Rough Run, Rough Run,
Buffalo Creek, HQ-TSF

ESCGP-1 #ESG13-065-0007—Heath Pad N
Applicant Seneca Resources Corp
Contact Mike Clinger
Address 51 Zents Blvd

City Brookville State PA Zip Code 15825
County Jefferson Township(s) Heath(s)
Receiving Stream(s) and Classification(s) UNT to Clarion
River—CWF, Callen Run—HQ-CWF, Clarion River

ESCGP-1 #ESX13-085-0010—Gallagher to Cude Pipeline
Project

Applicant Halcon Field Services, LLC
Contact Rich DiMichele
Address 1000 Louisiana Street, Suite 6700
City Houston State TX Zip Code 77002-6003
County Mercer Township(s) Greene & West Salem(s)
Receiving Stream(s) and Classification(s) Shenango
River—WWF, Beaver River

*Eastern Region: Oil & Gas Management Program Man-
ager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESG13-115-0080
Applicant Name WPX Energy Appalachia, LLC
Contact Person Mark Colenbrander
Address 6000 Town Center Blvd., Suite 300
City, State, Zip Canonsburg, PA 15317
County Susquehanna County
Township(s) Silver Lake Township
Receiving Stream(s) and Classification(s) UNT to Silver
Lake Creek (CWF/MF, EV), UNT to Choconut Creek
(CWF/MF)

ESCGP-1 # ESX11-115-0113 (01)
Applicant Name Appalachia Midstream Svc. LLC
Contact Person Randy DeLaune
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Susquehanna County
Township(s) Rush Township
Receiving Stream(s) and Classification(s) Tuscarora
Creek, Deer Lick Creek, and tribs thereto (All CWF/
MF)

ESCGP-1 # ESX13-015-0060
Applicant Name Angelina Gathering Co., LLC
Contact Person Danny Spaulding
Address 2350 N. Sam Houston Pkwy, Ste 125
City, State, Zip Houston, TX 77032
County Bradford County
Township(s) Stevens Twp
Receiving Stream(s) and Classification(s) Wyalusing
Creek (WWF),
Secondary: Susquehanna River

ESCGP-1 # ESX13-131-0024
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 6051 Wallace Rd Ext, Ste 300
City, State, Zip Wexford, PA 15090-7386
County Wyoming County

Township(s) Lemon Twp.
Receiving Stream(s) and Classification(s) Trib. 29400 to
Meshoppen Creek (CWF/MF);
Secondary: Meshoppen Creek

ESCGP-1 # ESG13-015-0059
Applicant Name Appalachia Midstream Svc. LLC
Contact Person Randy DeLaune
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Bradford County
Township(s) Overton Twp
Receiving Stream(s) and Classification(s) Millstone Creek,
Deep Hollow (HQ-CWF/MF), Black Creek (EV-CWF/
MF)

ESCGP-1 # ESX13-115-0107
Applicant Name SW Gathering, LLC
Contact Person David Freudenrich
Address 6000 Town Center Blvd., Ste 300
City, State, Zip Canonsburg, PA 15317
County Susquehanna County
Township(s) Silver Lake Twp.
Receiving Stream(s) and Classification(s) UNT to Little
Snake Creek (CWF/MF)

ESCGP-1 # ESX13-115-0109
Applicant Name SW Gathering, LLC
Contact Person David Freudenrich
Address 6000 Town Center Blvd., Ste 300
City, State, Zip Canonsburg, PA 15317
County Susquehanna County
Township(s) Silver Lake Twp.
Receiving Stream(s) and Classification(s) UNT to Little
Snake Creek (CWF/MF)

ESCGP-1 # ESX13-115-0121
Applicant Name Cabot Oil & Gas Corp.
Contact Person Kenneth Marcum
Address Five Penn Center West, Ste 401
City, State, Zip Pittsburgh, PA 15276
County Susquehanna County
Township(s) Dimock Township
Receiving Stream(s) and Classification(s) White Creek
(CWF);
Secondary: West Creek (CWF)

ESCGP-1 # ESX13-115-0106
Applicant Name SW Gathering, LLC
Contact Person David Freudenrich
Address 6000 Town Center Blvd., Ste 300
City, State, Zip Canonsburg, PA 15317
County Susquehanna County
Township(s) Silver Lake Twp.
Receiving Stream(s) and Classification(s) UNT to Little
Snake Creek (CWF/MF)

ESCGP-1 # ESG13-115-0095
Applicant Name Williams Field Svc. Co., LLC
Contact Person Julie Nicholas
Address 1212 S. Abington Rd
City, State, Zip Clarks Summit, PA 18411
County Susquehanna County
Township(s) Gibson Township
Receiving Stream(s) and Classification(s) Bear Swamp
Creek (CWF);
Secondary: Tunkhannock Creek (CWF)

ESCGP-1 # ESG13-113-0012
Applicant Name Appalachia Midstream Svc, LLC
Contact Person Randy DeLaune
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Sullivan County

Township(s) Cherry Twp
 Receiving Stream(s) and Classification(s) Little Loyalsock
 Creek, 4 UNTs to Little Loyalsock Creek, Lick Creek
 (All EV);
 Secondary: Loyalsock Creek

ESCGP-1 # ESX13-115-0108
 Applicant Name SW Gathering, LLC
 Contact Person David Freudenrich
 Address 6000 Town Center Blvd., Ste 300
 City, State, Zip Canonsburg, PA 15317
 County Susquehanna County
 Township(s) Silver Lake Twp.
 Receiving Stream(s) and Classification(s) UNT to Little
 Snake Creek (CWF/MF)

ESCGP-1 # ESX13-131-0025
 Applicant Name Appalachia Midstream Svc, LLC
 Contact Person Randy DeLaune
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Wyoming County
 Township(s) Meshoppen Township
 Receiving Stream(s) and Classification(s) Little Meshop-
 pen Creek & Tribs thereto (CWF);
 Secondary: Susquehanna River

ESCGP-1 # ESX13-015-0061
 Applicant Name Appalachia Midstream Svc, LLC
 Contact Person Randy DeLaune
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Bradford County
 Township(s) West Burlington Twp
 Receiving Stream(s) and Classification(s) UNTs to Sugar
 Creek (TSF/MF)

ESCGP-1 # ESX13-015-0057
 Applicant Name Chief Oil & Gas LLC
 Contact Person Jeffrey Deegan
 Address 6051 Wallace Rd Ext, Ste 300
 City, State, Zip Wexford, PA 15090-7386
 County Bradford County
 Township(s) Wells Township
 Receiving Stream(s) and Classification(s) Trib 30941 to
 South Creek (CWF/MF);
 Secondary: South Creek

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr. Pittsburgh PA*

ESCGP-2 No: ESX13-125-0045
 Applicant Name: Range Resources Appalachia LLC
 Contact Person Ms Laura Rusmisl
 Address: 3000 Town Center Boulevard
 City: Canonsburg
 State: PA Zip Code: 15317
 County: Washington Township: Jefferson
 Receiving Stream (s) And Classifications: UNTs to North
 Fork Cross Creek / Raccoon Creek Watershed; Other
 WWF

ESCGP-2 No.: ESX13-005-0010
 Applicant Name: EQT Gathering LLC
 Contact Person: Mr Brian Clauto
 Address: 455 Racetrack Road
 City: Washington State: PA Zip Code: 15301
 County: Armstrong Township(s): Kittanning
 Receiving Stream(s) and Classifications: UNT 1 to Tribu-
 tary 40315 to North Branch Cherry Run; CWF—
 Tributary 46988 to Mill Run; WWF—UNT 4 to Tribu-
 tary 46988 to Mill Run; WWF—Mill Run; WWF—UNT
 2 to Tributary 40315 to North Branch Cherry Run;
 CWF

ESCGP-2 No.: ESX13-125-0046
 Applicant Name: Rice Drilling B LLC
 Contact Person: Mr Joe Mallow
 Address: 171 Hillpointe Drive Suite 301
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): North Bethlehem
 Receiving Stream(s) and Classifications: South Branch
 Pigeon Creek; Other WWF

ESCGP-2 No.: ESX12-129-0014 MAJOR REVISION
 Applicant Name: RW GATHERING LLC
 Contact Person: Mr David Freudenrich
 Address: 6000 Town Center Boulevard Suite 300
 City: Canonsburg State: PA Zip Code: 15317
 County: Westmoreland Township(s): Derry
 Receiving Stream(s) and Classifications: UNTs to Saxman
 Run / Ohio River Watershed UNTs to Union Run / Ohio
 River Watershed; Other Warm Water Fishes; Silt-
 ation—Impaired (UNTs to Saxman Run)

ESCGP-2 No.: ESX13-125-0056
 Applicant Name: MarkWest Liberty Midstream & Re-
 sources LLC
 Contact Person: Mr Rick Lowry
 Address: 4600 J Barry Court Suite 500
 City: Canonsburg State: PA Zip Code: 15317
 COUNTY Washington Township(s): Canton
 Receiving Stream(s) and Classifications: UNTs 31880 to
 Georges Run and UNTs 98951, 34564, 31757, 34318 to
 Wolfdale Run/Chartiers Creek Watershed; Other Warm
 Water Fishery (WWF)

OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a
 waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well
 location restrictions).

Persons aggrieved by an action may appeal that action
 to the Environmental Hearing Board (Board) under sec-
 tion 4 of the Environmental Hearing Board Act (35 P. S.
 § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relat-
 ing 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 Pennsylva-
 nia Relay Service, (800) 654-5984. Appeals must be filed
 which the Board within 30 days of publication of this
 notice in the *Pennsylvania Bulletin* unless the appropri-
 ate statute provides a different time period. Copies of the
 appeal form and the Board's rules of practice and proce-
 dure 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 permit-
 ted 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 indi-
 viduals should show this notice to a lawyer at once.
 Persons who cannot afford a lawyer may qualify for pro
 bono representation. Call the Secretary to the Board at
 (717) 787-3483.

*Southwest District: District Oil and Gas Operations,
 Program Manager, 400 Waterfront Drive, Pittsburgh, PA
 15222*

Well Permit #: 005-31181-00-00
 Well Farm Name: Lewis M Wolfe etux 1M-30
 Applicant Name: Snyder Brothers Inc

Contact Person: Todd Kunselman
Address: 90 Glade Drive, PO Box 1022 Kittanning, PA
M16201

County: Armstrong

Municipality Name/City, Borough, Township: East Franklin Twp

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Allegheny River

Northwest Region District Oil and Gas Operations, Program Manager, 230 Chestnut St., Meadville, PA 16335

Well Permit #: 115-21463-00-00

Well Farm Name Kielar, D. 1

Applicant Name: Cabot Oil & Gas Corp.

Contact Person: Kenneth L. Marcum

Address: Five Penn Center West, Suite 401, Pittsburgh, PA 15276

County: Susquehanna

Municipality Name/City, Borough, Township: Lathrop

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Hop Bottom

Well Permit #: 115-21464-00-00

Well Farm Name Kielar, D. 2

Applicant Name: Cabot Oil & Gas Corp.

Contact Person: Kenneth L. Marcum

Address: Five Penn Center West, Suite 401, Pittsburgh, PA 15276

County: Susquehanna

Municipality Name/City, Borough, Township: Lathrop

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Hop Bottom

Well Permit #: 115-21465-00-00

Well Farm Name Kielar, D. 3

Applicant Name: Cabot Oil & Gas Corp.

Contact Person: Kenneth L. Marcum

Address: Five Penn Center West, Suite 401, Pittsburgh, PA 15276

County: Susquehanna

Municipality Name/City, Borough, Township: Lathrop

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Hop Bottom

Well Permit #: 115-21544-00-00

Well Farm Name Knosky 63 11H

Applicant Name: WPX Energy Appal LLC.

Contact Person: David R. Freudenrich

Address: 6000 Town Center Boulevard, Suite 300, Canonsburg, PA 15317

County: Susquehanna

Municipality Name/City, Borough, Township: Rush

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Lawton, UNT to the Middle Branch Wyalusing Creek.

Well Permit #: 115-21492-00-00

Well Farm Name Murphy (07-075-06) D 6H

Applicant Name: Talisman Energy USA Inc.

Contact Person: Jason De Wolfe

Address: 50 Pennwood Place, Warrendale, PA 15086

County: Susquehanna

Municipality Name/City, Borough, Township: Apolacon
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Friendsville

Well Permit #: 115-21493-00-00

Well Farm Name Murphy (07-075-07) D 7H

Applicant Name: Talisman Energy USA Inc.

Contact Person: Jason De Wolfe

Address: 50 Pennwood Place, Warrendale, PA 15086

County: Susquehanna

Municipality Name/City, Borough, Township: Apolacon

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Friendsville

SPECIAL NOTICES

Water Quality Certification under Section 401 of the Federal Clean Water Act for the Texas Eastern Appalachian to Market 2014 Project

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Scott Williamson, Program Manager, 717.705.4802.

On February 24, 2013, Texas Eastern filed an application with the Federal Energy Regulatory Commission (FERC) in Docket No. CP13-84-000 under Section 7(b) and (c) of the Natural Gas Act (NGA) seeking a Certificate of Public Convenience and Necessity (Certificate) authorizing abandonment, construction, and operation of the Texas Eastern Appalachia to Market 2014 Project (the TEAM 2014 Project or Project) located in Pennsylvania and other states. The proposed facilities would consist of approximately 33.6 miles of 36-inch-diameter natural gas pipeline comprising seven separate pipeline loops and associated facilities and horsepower (hp) upgrades at four existing compressor stations in Pennsylvania. Additional piping modifications and maintenance would occur at sites within Pennsylvania to accommodate bi-directional flow.

The four existing compressor station upgrades proposed in Pennsylvania are as follows: the Uniontown Compressor Station in Fayette County; the Delmont Compressor Station in Westmoreland County; the Armagh Compressor Station in Indiana County; and the Entriiken Compressor Station in Huntingdon County.

The pipeline facilities are loops that are collocated with existing natural gas pipelines except for 0.2 mile along the Perulack East Loop. This segment of the Perulack East Loop has been sited away from the existing right-of-way due to a combination of steep vertical and horizontal slope areas. The proposed Project's pipeline facilities in Pennsylvania new loops of 36-inch diameter piping as follows: Holbrook Loop, 6.7 miles, Fayette County; Perulack West Loop, 2.7 miles, Perry County; Perulack East Loop, 5.4 miles, Perry County; Shermans Dale Loop, 7.1 miles, Dauphin County; Grantville West Loop, 2.3 miles, Lebanon County; Grantville East Loop 3.8 miles, Lebanon County; and the Bernville Loop, 5.6 miles, Berks County. The project also includes various aboveground facilities, including pig launchers, pig receivers, and valves, that would be constructed to support the pipeline system expansion in Pennsylvania at these new loops.

The Department, by this notice, proposes to certify that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act

(33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The Department further proposes to certify that the construction, operation and maintenance of the projects complies with Commonwealth water quality standards and that the construction, operation and maintenance of the projects does not violate applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the projects complies with the conditions proposed for this certification, including the criteria and conditions of the following permits:

1. *Discharge Permit*—Texas Eastern shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Texas Eastern shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17) and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Texas Eastern shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.) and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Texas Eastern.

5. *Operation*—For each Project under this certification, Texas Eastern shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this Certification and all required permits. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Texas Eastern.

6. *Inspection*—The Projects, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this Certification, including all required permits required, and Pennsylvania's Water Quality Standards. A copy of this Certification shall be available for inspection by the PADEP during such inspections of the Projects.

7. *Transfer of Projects*—If Texas Eastern intends to transfer any legal or equitable interest in the Projects which is affected by this Certification, Texas Eastern shall serve a copy of this Certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to PADEP shall include a transfer

agreement signed by the existing and new owner containing a specific date for transfer of Certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this Certification shall be addressed to the Department of Environmental Protection, South-central Regional Office, Scott Williamson, Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

9. *Reservation of Rights*—PADEP may suspend or revoke this Certification if it determines that Texas Eastern has not complied with the terms and conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Texas Eastern's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve Texas Eastern from any responsibilities, liabilities, or penalties established pursuant to any applicable federal or state law or regulation.

11. *Severability*—The provisions of this Certification are severable and should any provision of this Certification be declared invalid or unenforceable, the remainder of the Certification shall not be affected thereby.

The Environmental Assessment prepared by FERC may be viewed on FERC's website at www.ferc.gov under the Docket No. CP13-84-000.

Prior to final action on the proposed section 401 Water Quality Certification, consideration will be given to any comments, suggestions or objections which are submitted in writing within 30 days of this notice. Comments concerning the proposed 401 Water Quality Certification should be directed to Mr. Scott Williamson, South-central Region Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted. The Department will consider all relevant and timely comments received. Comments must be submitted within 30 days of this notice.

The Clean Streams Law; Proposed Consent Decree with Waste Treatment Corporation

The Department of Environmental Protection (Department), intends to enter into a proposed Consent Decree with Waste Treatment Corporation (Waste Treatment) in accordance with the Pennsylvania Clean Streams Law. Waste Treatment owns and operates a wastewater treatment plant located at 341 West Harmar Street, Warren, Pennsylvania 16365, which discharges oil and gas and other wastewaters to the Allegheny River.

Biological surveys of the Allegheny River conducted by the Department in 2012 indicate that the discharges from Waste Treatment's plant are adversely impacting the River's water quality and biological community. The proposed Consent Decree identifies the corrective actions that Waste Treatment must take to resolve these adverse impacts.

The proposed Consent Decree requires Waste Treatment to, among other things: apply to the Department for the permit to install the additional treatment necessary for the wastewater discharges to meet or exceed the effluent limits identified in the Consent Decree, including the effluent limit of 500 mg/l for Total Dissolved Solids

and 250 mg/l for Chlorides; verify, through biological surveys, that this additional treatment is successful in restoring the water quality and biological community of the Allegheny River; and install the additional treatment and complete all other requirements of the proposed Consent Decree by January 1, 2016.

The public comment period for this proposed Consent Decree extends for 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. A press release has been submitted to local news organizations announcing the proposed Consent Decree and the 30-day public comment period.

Persons wishing to obtain a copy of the proposed Consent Decree may do so by contacting the Department of Environmental Protection, Northwest Regional Office, Clean Water Program, at 230 Chestnut Street Meadville PA 16335, or by telephone at 814.332.6942. Persons may submit written comments on the proposed Consent Decree within the 30 day comment period to the Department at the same address.

After the close of the 30-day public comment period, the Department will file responses to the comments that it received during the public comment period. If applicable based on the comments received, the Department and Waste Treatment will then file a Joint Motion requesting that the Pennsylvania Commonwealth Court approve the entry of the Consent Decree. The Consent Decree will be final upon the Commonwealth Court's approval and entry of the Decree.

[Pa.B. Doc. No. 13-2196. Filed for public inspection November 22, 2013, 9:00 a.m.]

Revision of General Permit Number WMGR097 for Research and Development of the Beneficial Uses of Municipal and Residual Waste

Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and residual waste regulations, a General Permit authorizing Research and Development of the Beneficial Uses of Municipal and Residual Waste General Permit Number WMGR097 authorizes research and development activities to demonstrate the beneficial use of residual and/or municipal waste.

By this notice, the Department of Environmental Protection (Department) is providing notice that WMGR097 has been amended and will become effective on March 1, 2014, and will expire on March 1, 2017.

This general permit has been amended to include:

1. Reorganization of the general permit for overall clarity and ease of use.
2. Clarification of the registration process and specification of the forms and information required for persons proposing to operate under WMGR097.
3. Clarification of the requirements to justify large scale projects and projects with a proposed duration greater than 1 year.
4. Clarification of the operating conditions, recordkeeping requirements and reporting requirements of the permit.

This General Permit was published for a 60-day public comment period at 42 Pa.B. 6346 (October 6, 2012). The

permit and comment/response documents are available at the Department's eLibrary at www.elibrary.dep.state.pa.us by typing "WMGR097" in the search box.

Copies can be obtained by contacting Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17105-9170, (717) 787-7381. Persons with a disability may use the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

E. CHRISTOPHER ABRUZZO,
Acting Secretary

[Pa.B. Doc. No. 13-2197. Filed for public inspection November 22, 2013, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P.S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P.S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Ranger Fire, Inc. FEIN # 75-2888785	920 South Main Street Suite 200 Grapevine, TX 76051	9/27/13

JULIA K. HEARTHWAY,
Secretary

[Pa.B. Doc. No. 13-2198. Filed for public inspection November 22, 2013, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Pharmacy Prior Authorization

The Department of Public Welfare (Department) announces it will add Vecamyl to the Medical Assistance (MA) Program's list of services and items requiring prior authorization.

Section 443.6(b)(7) of the Public Welfare Code (62 P.S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The prior authorization requirements apply to prescriptions for Vecamyl dispensed on or after December 2, 2013.

The Department will issue an MA Bulletin to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for Vecamyl.

Fiscal Impact

Currently, there is no utilization for Vecamyl in the MA Program; therefore, it is anticipated that the prior authorization requirement will have no fiscal impact.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

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-846. No fiscal impact. The Department announces it will require prior authorization for Vecamyl dispensed on or after December 2, 2013. (8) Recommends adoption.

[Pa.B. Doc. No. 13-2199. Filed for public inspection November 22, 2013, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on November 5, 2013, the following access route for use by the types of truck combinations as indicated:

1. () 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length—each).
5. () 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 437	From SR 309 to Crestwood Drive	Luzerne	3.5

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,
Secretary

[Pa.B. Doc. No. 13-2200. Filed for public inspection November 22, 2013, 9:00 a.m.]

Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on November 5, 2013, the following access route for use by the types of truck combinations as indicated:

1. () 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length—each).
5. () 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 2045	From SR 309 to SR 309	Luzerne	7.4

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,
Secretary

[Pa.B. Doc. No. 13-2201. Filed for public inspection November 22, 2013, 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, November 7, 2013, and announced the following:

Regulation Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective October 9, 2013

Department of Transportation #18-423: Delivery of Certificates of Title (amends 67 Pa. Code, Chapter 23)

Department of Transportation #18-432: Intrastate Motor Carrier Safety Requirements (amends 67 Pa. Code, Chapter 231)

Regulation Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective November 6, 2013

Pennsylvania Public Utility Commission #57-293: Paper Copy and Electronic Copy Filing Requirements (amends 52 Pa. Code §§ 1.32, 1.37, 1.59, 3.101, 3.381, 3.383, 3.501, 5.502, 23.101, 23.121, 29.303, 32.2, 53.51, 54.32, 54.203, 57.72, 57.74, 57.141, 57.195, 59.81, and 62.103)

Board of Coal Mine Safety #7-481: Maintenance of Incombustible Content of Rock Dust (amends 25 Pa. Code Chapter 208)

Action Taken—Regulations Approved:

Pennsylvania Liquor Control Board #54-77: Repeals (deletes 40 Pa. Code Subsections 5.32(a) and (b))

Environmental Quality Board #7-478: Air Quality Title V Fee Amendment (amends 25 Pa. Code Chapter 127, Subchapter I)

Bureau of Professional and Occupational Affairs #16A-6917: Schedule of Civil Penalties—Social Workers, Marriage and Family Therapists and Professional Counselors (amends 49 Pa. Code Chapter 43b)

State Board of Social Workers, Marriage/Family Therapists and Professional Counselors #16A-6918: Continuing Education Audit and Enforcement (amends 49 Pa. Code §§ 47.37, 48.38 and 49.38)

State Board of Dentistry #16A-4627: Fees (amends 49 Pa. Code Sections 33.3 and 33.339)

State Board of Funeral Directors #16A-4822: Fees (amends 49 Pa. Code § 13.12)

Approval Order

Public Meeting Held
November 7, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq., abstained; Dennis A. Watson, Esq.

*Pennsylvania Liquor Control Board—
Repeals; Regulation No. 54-77 (#3023)*

On September 11, 2013, the Independent Regulatory Review Commission (Commission) received this regulation from the Pennsylvania Liquor Control Board (Board). This rulemaking deletes 40 Pa. Code Subsections 5.32(a) and (b). Notice of proposed rulemaking was omitted for

this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation deletes provisions relating to limitations on noise and entertainment in response to a statutory change and a judicial ruling.

We have determined this regulation is consistent with the statutory authority of the Board (47 P. S. § 2-207(i)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 7, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board—
Air Quality Title V Fee Amendment;
Regulation No. 7-478 (#2980)*

On January 22, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 127, Subchapter I. The proposed regulation was published in the February 2, 2013 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on October 3, 2013.

This regulation increases the Title V annual emission fee to \$85 per ton, for emissions up to 4,000 tons, for fees due by September 1, 2014.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. § 4006.3(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 7, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Bureau of Professional and Occupational Affairs—
Schedule of Civil Penalties—Social Workers, Marriage and
Family Therapists and Professional Counselors;
Regulation No. 16A-6917 (#2972)*

On August 27, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Bureau of Professional and Occupational Affairs. This rulemaking amends 49 Pa. Code Chapter 43b. The proposed regulation was published in the September 8, 2012 *Pennsylvania Bulletin* with a

30-day public comment period. The final-form regulation was submitted to the Commission on September 20, 2013.

The regulation adds Section 43b.24, establishing a schedule of civil penalties for violations related to licensed social workers, marriage and family therapists and professional counselors.

We have determined this regulation is consistent with the statutory authority of the Bureau of Professional and Occupational Affairs (63 P. S. § 2205(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 7, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*State Board of Social Workers, Marriage/Family Therapists and Professional Counselors—
Continuing Education Audit and Enforcement;
Regulation No. 16A-6918 (#2973)*

On August 28, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Social Workers, Marriage/Family Therapists and Professional Counselors (Board). This rulemaking amends 49 Pa. Code §§ 47.37, 48.38 and 49.38. The proposed regulation was published in the September 8, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 20, 2013.

This regulation amends continuing education requirements for licensed social workers; licensed marriage and family therapists; and licensed professional counselors, and provides for audits to ensure compliance with the continuing education requirements.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 1918 (a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 7, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*State Board of Dentistry—
Fees; Regulation No. 16A-4627 (#2997)*

On March 25, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Dentistry (Board). This rulemaking amends 49 Pa. Code Sections 33.3 and

33.339. The proposed regulation was published in the April 6, 2013 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 20, 2013.

This regulation increases 16 application and renewal fees paid by individuals who are licensed or otherwise credentialed by the Board and also deletes an obsolete \$15 fee for temporary permits for expanded function dental assistants. We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 123(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 7, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq., dissenting; Lawrence J. Tabas, Esq., dissenting; Dennis A. Watson, Esq.

*State Board of Funeral Directors—
Fees; Regulation No. 16A-4822 (#3000)*

On April 2, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Funeral Directors (Board). This rulemaking amends 49 Pa. Code § 13.12. The proposed regulation was published in the April 13, 2013 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 26, 2013.

This rulemaking increases the biennial license renewal fees for funeral directors, funeral supervisors and funeral establishments from \$325 to \$400.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 479.18.1) 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.

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 13-2202. Filed for public inspection November 22, 2013, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-663	Navigation Commission for the Delaware River & Its Navigable Tributaries General Revisions	11/6/13	12/12/13
125-162	Pennsylvania Gaming Control Board Slot Machine and Table Game Device Testing and Control; Possession of Slot Machines and Fully Automated Electronic Gaming Tables; Slot Machine Tournaments; Accounting and Internal Controls; Possession of Table Game and Table Game Devices; Rules of Play	11/6/13	12/12/13
125-166	Pennsylvania Gaming Control Board Slot Machines and Table Game Controls, Equipment, Credit and Rules	11/6/13	12/12/13

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 13-2203. Filed for public inspection November 22, 2013, 9:00 a.m.]

INSURANCE DEPARTMENT

The Hospital and Healthsystem Association of Pennsylvania; Appeal

**Appeal of The Hospital and Healthsystem Association of Pennsylvania under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM13-11-002**

And Now, this 4th day of November 2013, considering the petition of appeal from the 2014 MCARE assessment filed by The Hospital and Healthsystem Association of Pennsylvania, the MCARE Fund shall answer the petition of appeal on or before December 4, 2013.

Petitions to intervene or notices of intervention, if any, must be filed on or before December 4, 2013, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before December 13, 2013.

A telephone conference initiated by the Administrative Hearings Office will be held on December 19, 2013, at 9:30 a.m. The telephone conference will include the parties in this case and in the appeal filed to Doc. No. MM13-11-001. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before December 13, 2013. The parties should be prepared to discuss issues concerning the possible consolidation of this appeal with Doc. No. MM13-11-001 or previous years' appeals, or both, as well as the possible stay of this action.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-2204. Filed for public inspection November 22, 2013, 9:00 a.m.]

Pennsylvania Medical Society; Appeal

**Appeal of Pennsylvania Medical Society under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910);
Doc. No. MM13-11-001**

And Now, this 4th day of November 2013, considering the petition of appeal from the 2014 MCARE assessment filed by the Pennsylvania Medical Society, the MCARE Fund shall answer the petition of appeal on or before December 4, 2013.

Petitions to intervene or notices of intervention, if any, must be filed on or before December 4, 2013, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before December 13, 2013.

A telephone conference initiated by the Administrative Hearings Office will be held on December 19, 2013, at 9:30 a.m. The telephone conference will include the parties in this case and in the appeal filed to Doc. No. MM13-11-002. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before December 13, 2013. The parties should be prepared to discuss issues concerning the possible consolidation of this appeal with Doc. No. MM13-11-002 or previous years' appeals, or both, as well as the possible stay of this action.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-2205. Filed for public inspection November 22, 2013, 9:00 a.m.]

OFFICE OF OPEN RECORDS

Hearing in the Matter of Paul Peirce and *The Pittsburgh Tribune-Review* v. Pennsylvania Office of Administration

Pennsylvania Office of Open Records; Doc. No. AP 2013-1658

A hearing on the previously-captioned Right-to-Know Law appeal will be held as follows:

Date: November 25, 2013
Time: 9:30 a.m.
Location: Hearing Room 3
 Plaza Level
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120
Presiding: Edward S. Finkelstein, Esq.
 Hearing Officer
 400 North Street, Plaza Level
 Harrisburg, PA 17120
 (717) 364-9903, fax (717) 425-5343

This hearing is being conducted under section 1101 of the Right-to-Know Law (65 P. S. § 67.1101(a)(2)) to determine whether the names and duty cities for Commonwealth employees are subject to public access.

Persons with a disability who wish to attend the hearing should contact the Office of Open Records (OOR) to make arrangements for their special needs. Call the OOR at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the OOR will make every reasonable effort to have an interpreter present. Call the OOR at (717) 346-9903 at least 10 business days prior to the hearing to submit the request.

TERRY MUTCHLER,
Executive Director

[Pa.B. Doc. No. 13-2206. Filed for public inspection November 22, 2013, 9:00 a.m.]

PENNSYLVANIA CONVENTION CENTER AUTHORITY

Statements; Net Position; Revenues, Expenses and Changes in Net Position

Statements of Net Position As of June 30, 2013 and 2012

	<u>2013</u>	<u>2012</u>
<i>Assets</i>		
Cash and cash equivalents	\$21,758,000	\$29,947,762
Receivables, net	3,586,368	6,067,075
Prepaid expenses and other assets	1,140,466	672,626
Total current assets	<u>26,484,835</u>	<u>36,687,463</u>
<i>Capital assets being depreciated</i>		
Buildings	754,471,985	754,708,770
Building improvements	2,647,214	2,162,131
Construction-in-progress	3,533,081	5,328,894
Furniture and fixtures	28,367,309	27,686,400
Equipment	131,529,443	128,217,018
Leasehold improvements	2,214,698	2,214,698
	<u>922,763,730</u>	<u>920,317,911</u>
<i>Less: Accumulated depreciation</i>	(224,568,170)	(196,202,985)
<i>Capital assets not being depreciated</i>		
Land	993,835	993,835
Fine arts	2,327,254	2,327,254
Total capital assets, net	<u>701,516,649</u>	<u>727,436,015</u>
Welcome Fund receivable	122,000,000	122,000,000
Total assets	<u>850,001,484</u>	<u>886,123,478</u>
<i>Liabilities</i>		
Accounts payable and other accrued expenses	8,225,853	9,456,580
Operating agreement liability	1,994,712	8,449,445
Unearned income	1,483,169	1,820,149
Current portion of term loan payable	148,416	143,752
Current portion of net OPEB liability	176,279	160,690
Total current liabilities	<u>12,028,428</u>	<u>20,030,617</u>
Loan payable	123,197,440	123,345,856

	2013	2012
Net OPEB liability	3,593,196	3,105,147
Total liabilities	<u>138,819,064</u>	<u>146,481,620</u>
<i>Net Position</i>		
Invested in capital assets	701,516,649	727,436,015
Restricted by Commonwealth of Pennsylvania Operating Agreement	9,665,771	12,205,843
Total net position	<u>\$711,182,420</u>	<u>\$739,641,858</u>

The accompanying notes are an integral part of these financial statements.

**Statements of Revenues, Expenses, and Changes in Net Position
for the Years Ended June 30, 2013 and 2012**

	2013	2012
<i>Operating Revenues</i>		
<i>Convention Center events</i>		
Space license fees	\$6,672,643	\$7,252,750
Commissions	6,550,080	6,639,678
Other	882,193	655,453
Total operating revenues	<u>14,104,916</u>	<u>14,547,881</u>
Operating expenses	32,074,380	32,009,464
Operating loss before depreciation	<u>(17,969,464)</u>	<u>(17,461,583)</u>
Depreciation	28,365,185	27,887,824
Operating loss after depreciation	<u>(46,334,649)</u>	<u>(45,349,407)</u>
<i>Non-Operating Revenue (Expense)</i>		
Hotel tax income	29,062,461	27,365,574
Interest income	7,843	13,972
Operating agreement revenue	(11,828,975)	(6,299,518)
Interest expense	(47,059)	(221,009)
Grant income	100,000	1,633,068
Welcome Fund loan interest and fee revenue	1,855,415	1,855,415
Welcome Fund loan interest and fee expense	(1,855,415)	(1,855,415)
Other expenses	(1,664,898)	(3,164,444)
Total non-operating revenue, net	<u>15,632,372</u>	<u>19,327,643</u>
Decrease in net position before contributions	(30,702,277)	(26,021,764)
Capital contributions	2,242,839	6,596,694
Decrease in net position	<u>(28,459,438)</u>	<u>(19,425,070)</u>
Net position, beginning of year	739,641,858	759,066,928
Net position, end of year	<u>\$711,182,420</u>	<u>\$739,641,858</u>

The accompanying notes are an integral part of these financial statements.

GREGORY J. FOX,
Chairperson

[Pa.B. Doc. No. 13-2207. Filed for public inspection November 22, 2013, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Ronald Cab, Inc., t/a Community Cab, et al. v.
OGED, Inc.; Doc. Nos. C-2010-2167828 and
M-2013-2381012**

On July 12, 2013, the Commonwealth Court issued an Opinion and Order remanding the previously-referenced matter to the Pennsylvania Public Utility Commission (Commission) for further proceedings. In accordance with that order, this matter is referred to the Commission's Office of Administrative Law Judge (OALJ) for appropri-

ate proceedings and issuance of a recommended decision.

OGED, Inc., a medallion taxicab company, held rights to serve areas outside Philadelphia in addition to its medallion authority. In 2004, the General Assembly transferred the responsibility for regulating taxicab service in Philadelphia from the Commission to the Philadelphia Parking Authority (Authority) under the act of July 16, 2004 (P. L. 758, No. 94) (Act 94). Outside Philadelphia, the Commission remains solely responsible for regulating taxicab service.

The issue on remand involves the effect Act 94 had on OGED, Inc.'s ability to provide taxicab service both within Philadelphia and outside Philadelphia and, inter alia, whether Act 94 bifurcated OGED, Inc.'s original

Commission issued certificate of public convenience into two certificates, one issued by the Commission and one by the Authority, whether OGED, Inc. is a medallion company subject only to regulation by the Authority but with the ability to have a service area outside Philadelphia and whether a separate or amended certificate of public convenience issued by the Commission is required by medallion taxis to provide service wholly outside of Philadelphia. See *Ronald Cab, Inc. v. Pa. PUC*, No. 797 C.D. 2012 (Pa. Cmwlth. 2013).

At the time of enactment of Act 94, extra-Philadelphia rights were associated with 800 medallions, similar to OGED, Inc. Since that time, numerous carriers voluntarily discontinued their extra-Philadelphia authority. However, a significant number of carriers remain that may hold both medallion authority as well as authority to provide service outside Philadelphia. Given these carriers' potential interest in this proceeding, they are being served with this letter and provided the opportunity to intervene in this proceeding. Individuals have been identified as a carrier that may have an interest in this case.

Individuals who intend to intervene in this proceeding must file a written Notice of Intervention with the Commission within 30 days of the date of this letter. The Notice of Intervention must be mailed to the Commission at Pennsylvania Public Utility Commission, P. O. Box

3265, Harrisburg, PA 17105-3265 and contain the individual or the individual's company name, the Commission certificate number along with any medallion numbers, Doc. Nos. C-2010-2167828 and M-2013-2381012, an authorized signature, the name of the individual's attorney, if individuals are a corporation or partnership and dated. Note that the Commission's regulations in 52 Pa. Code §§ 1.21(b) and 1.22 (relating to appearance; and appearance by attorney or certified legal intern) require corporations and partnerships to be represented by counsel in adversarial proceedings. A blank Notice of Intervention form follows for convenience.

As noted, this matter is being referred to the OALJ for further proceedings, including development of a complete record to address the issues as outlined in the Commonwealth Court's opinion. At a minimum, that record shall contain the original certificate of public convenience and any amendments thereto, of OGED, Inc., and any similarly situated carrier that intervenes. Additionally, the record should reflect the details of the exact operations of OGED, Inc., and any similarly situated carrier that intervenes, both before and after enactment of Act 94.

Direct questions to John Herzog, Assistant Counsel, Law Bureau, at (717) 787-5000.

ROSEMARY CHIAVETTA, Secretary

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Ronald Cab, Inc., t/a Community Cab, :
et al. :
v. : Docket Nos. C-2010-2167828
OGED, Inc. : M-2013-2381012

NOTICE OF INTERVENTION

_____ hereby intervenes in this matter.
(Name of certificate holder)
My PUC certificate number is _____. I own medallion(s) numbered
P- _____.
The name and address of my attorney are _____

(Signature of certificate holder or authorized representative) Date

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 December 9, 2013. 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-2013-2382437. Grether E. Camilio Hernandez (708 North Jordan Street, Allentown, PA 18102) for the right to begin to transport as a common carrier by motor vehicle, school children in paratranist service, from home to school and from school to home between points in Lehigh County.

A-2013-2388151. TSR Transportation Services, LLC (134 North Charlotte Street, Lancaster, PA 17603) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, from points in the Counties of Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, York, Chester and Berks, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* William A. Gray, Esquire, 310 Grant Street, Pittsburgh, PA 15219-2383.

Applications of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.*

A-2013-2383665. MK Car Service, LLC (2928 Glenrose Avenue, Bristol, PA 19007) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, between points in Pennsylvania; which is to be a transfer of all right authorized under the certificate issued at A-00114058 to Stacia H. Grove, t/d/b/a Central Penn Limousine Service, subject to the same limitations and conditions.

A-2013-2391484. MK Car Service, LLC (2928 Glenrose Avenue, Bristol, PA 19007) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in group and party service, in vehicles seating 11 to 15 passengers, between points in Pennsylvania; which is to be a transfer of all right authorized under the certificate issued at A-00114058 to Stacia H. Grove, t/d/b/a Central Penn Limousine Service, subject to the same limitations and conditions.

Application of the following for the approval of the *transfer of stock as described under the application.*

A-2013-2382896. Apex Limousine, Inc. (2928 Glenrose Avenue, Bristol, PA 19007) for the approval of the

transfer of all issued and outstanding stock, from Mark Kabakov (500 shares), to Slava Katzman.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-2209. Filed for public inspection November 22, 2013, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by H.A.T. Cab Company (CPC No. 1000025-01, Medallion P-0118 and 0332) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

MGA Taxi, Inc., 2301 Church Street, Philadelphia, PA 19124, registered with the Commonwealth on September 10, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by December 9, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 13-2210. Filed for public inspection November 22, 2013, 9:00 a.m.]

Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by H.A.T. Cab Company (CPC No. 1000025-01, Medallion P-0412) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

SM Taxi, Inc., 2301 Church Street, Philadelphia, PA 19124, registered with the Commonwealth on August 26, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA

19148 by December 9, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 13-2211. Filed for public inspection November 22, 2013, 9:00 a.m.]

Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Lucky Ride, Inc. (CPC No. 1000338-01, Medallion P-0777) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

JS Taxi, Inc., 2301 Church Street, Philadelphia, PA 19124, registered with the Commonwealth on August 9, 2013.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by December 9, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 13-2212. Filed for public inspection November 22, 2013, 9:00 a.m.]

Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by Prosha Cab Co. (CPC No. 1000558-01, Medallion P-0809) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

NRT Trans, Inc., 2301 Church Street, Philadelphia, PA 19124, registered with the Commonwealth on March 8, 2007.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA

19148 by December 9, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 13-2213. Filed for public inspection November 22, 2013, 9:00 a.m.]

Motor Carrier Stock Transfer Application for Taxicab Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The 100% shareholder has applied to transfer 100% of the stock of M & Diara Cab Co. (CPC No. 1021112-01, Medallion P-1572) holder of medallion rights to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Lancine Diarassouba, 2301 Church Street, Philadelphia, PA 19124, corporation registered with the Commonwealth on March 25, 2003.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by December 9, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 13-2214. Filed for public inspection November 22, 2013, 9:00 a.m.]

Waiver Petition Received

A waiver petition has been filed at Doc. No. P-13-09-08 by the following named petitioner requesting the Philadelphia Parking Authority Taxicab and Limousine Division waive the statutory requirement that a fee be paid for each protest of a transfer application and that the statutory fee for filing a waiver petition also be waived.

Germantown Cab Co., 800 Chestnut Street, Suite 103, Philadelphia, PA 19107, registered with the Department of State on January 13, 1993.

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 13-2215. Filed for public inspection November 22, 2013, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

The following hearing has 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 claimants request concerning the indicated account.

The hearing will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, First Floor, Harrisburg, PA 17101:

January 7-9, 2014 Gerald A. and Dorothy Sandusky 9 a.m.
Pension Forfeiture

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

COMMONWEALTH OF PENNSYLVANIA STATE EMPLOYEES' RETIREMENT BOARD

IN RE:
ACCOUNT OF GERALD A. SANDUSKY

Claims of Gerald A. and Dorothy Sandusky

:
:
: Docket No. 2012-38
:
:
: Hearing Officer:
: Michael L. Bangs, Esq.
:
:

Decorum Order

And now this 6th day of November, 2013, upon consultation with the State Employees' Retirement System, Capitol Police Department, Harrisburg Police Department, Pennsylvania Association of Broadcasters, and the Pennsylvania NewsMedia Association, the following order is entered:

The terms of this order apply to the pension forfeiture appeal hearing scheduled to begin at 9:00 a.m. on Jan. 7, 2014.

The provisions noted as "Mandatory" shall be applied by SERS and enforced accordingly by its officers and agents. Any person who violates the provisions of this order will be subject to penalties under any applicable statute, order or rule of the court.

The provisions noted as "Information" are intended to provide meaningful structure and guidance to members of the public and media who wish to attend the proceedings.

Mandatory

1. *Building Access:* Members of the media and public must enter through the front entrance of 30 North Third Street. Access from other building entrances is prohibited. One set of double doors will be marked for hearing access; members of the media and public are prohibited from using any other doors, which will be marked for employees and guests conducting business in the building. Hearing participants will enter the building from a side entrance.

2. *Hearing Room:* The hearing will be conducted in the "Event Hall" on the first floor of 30 North Third Street. Members of the media and public are allowed on the first floor only and are prohibited from other floors of the building. Members of the media and public must present valid identification, must sign-in, must wear SERS-

provided identification, and may be subject to bag search, metal detection, and/or other security measures prior to entering the room.

3. *Allocation of Seats:* It is estimated that the room will seat approximately 80 people, which will be allocated as:

- a. 4 seats for hearing officer, transcriptionists, etc.
- b. 8 seats for use of the State Employees' Retirement System
- c. 8 seats for the petitioner
- d. 12 seats for witnesses and escorts
- e. 18 seats for members of the public
- f. 20 seats for credentialed members of the media
 - i. seat allocation will be as follows: 9 for print, 9 for broadcast, 2 for digital
 - ii. members of the media must register by Jan. 2 and will be admitted to the hearing room on a basis determined by the Pennsylvania Association of Broadcasters and the Pennsylvania NewsMedia Association
 - iii. only one reporter per media outlet will be allowed in the hearing room at a time
 - iv. SERS will make real-time, online and high-definition video footage available to credentialed media outlets, however, live re-streaming or re-streaming the hearing in its entirety is prohibited
 - g. Actual experience may result in a reallocation of seats

4. *Hearing Room Admittance:* Members of the public will be admitted to the hearing room on a first-come, first-served basis. Members of the public are welcome to line up outside 30 North Third Street at 7:30 a.m. and

will begin to be permitted into the building at approximately 8:20 a.m. with an anticipated hearing start time of 9:00 a.m.

Based on seat allocations provided to them by the Pennsylvania Association of Broadcasters and the Pennsylvania NewsMedia Association, members of the media are also welcome to line up outside 30 North Third Street at 7:30 a.m. and will begin to be permitted into the building at approximately 8:20 a.m.

Those who will be admitted to the hearing room will be provided with a badge with the person's name and date. The admission badge is good only for the date it is issued. In the event that the hearing lasts more than one day, the badge does not "carry-over."

If a person leaves the hearing room and does not intend to return, the badge will be returned to the admittance table and the next person in line may be admitted to the hearing room during an appropriate break. It will be assumed that a person who is provided with a badge in the morning but is not seated 5 minutes before the afternoon session's scheduled start time is not returning. A corresponding number of people will be admitted from the line, if appropriate.

5. *Hearing Room Etiquette*: Any person whose behavior is deemed to be disruptive to the proceedings will be removed from the room and will lose the privilege of attending the hearing.

a. No members of the public under the age of 18 will be allowed in the hearing room.

b. No food or beverages will be allowed in the hearing room.

c. No cameras will be allowed in the hearing room.

d. No audio or video recording devices will be allowed in the hearing room.

e. No telephone calls can be placed or answered while in the hearing room.

f. No member of the public will be allowed to possess a computer in the hearing room (lap top, tablet, etc.) Members of the public may carry one mobile phone into the room but it must be turned all the way off (not just on silent or vibrate) in the presence of a SERS employee prior to enter the hearing room.

g. Credentialed members of the media may bring and use a smartphone, tablet, lap top computer or similar, reasonably-sized device for note-taking purposes, however, the devices may not be used to take or transmit photographs; or record or broadcast any audio or video account of the proceedings.

h. Credentialed members of the media may text or tweet from the hearing room, to the extent that such activity is silent and does not disturb the hearing process in any way.

i. Those seated in the hearing room are expected to remain seated until there is a recess or until session has ended. Any person who leaves the hearing room will not be allowed to return until a recess has been called.

Any person who violates the provisions of this order regarding the use of electronic devices will be removed from the room and will be subject to penalties under any applicable statute, order or rule of the hearing officer. In addition, any member of the media who violates this order, the outlet that he/she represents, and any outlet that knowingly uses content provided in violation of this order will lose the privilege of attending the hearing.

6. *Interviews*: No media interviews may take place in the hearing room or anywhere in 30 North Third Street, including lobbies, hallways, rest rooms, elevators, etc. Interviews may be conducted in the designated area on the covered porch immediately outside of the front doors.

7. *Security Authority*: On-site security officers, including Capitol Police, Harrisburg Police, and agents contracted by SERS or the building managers or other tenants of 30 North Third Street, in consultation with the hearing officer, have the authority to make such reasonable rules as may be required to implement this order and provide adequate security to assure the safety of those in attendance. Such rules, for example, may include:

a. Inspecting backpacks, large purses or satchels, including those required by members of the media to carry laptops, extra batteries, etc.

b. Prohibiting backpacks, large purses or satchels except as required by members of the media to carry laptops, extra batteries, etc.

c. Restricting the times and number of people who may wait in line.

d. Barring any specific person, except persons immediately involved in the hearing, from entering the building.

Information

Members of the public and the media are expected to adhere to this order.

1. *Important Background*:

a. This hearing is not related to Mr. Sandusky's criminal prosecution or appeal. It is related to his appeal of the State Employees' Retirement System's determination that his pension is forfeited pursuant to Pennsylvania's Public Employee Pension Forfeiture Act (Act 1978-140).

b. Mr. Sandusky will not appear at the hearing in person. He will participate via closed-circuit television.

c. This is an administrative hearing, part of SERS' appeal process in which evidence is presented before an independent hearing examiner who makes a recommendation to the State Employees' Retirement Board, following which the Board will render a decision at an undetermined future date. No ruling will be made during or at the close of this hearing.

If, when it does issue its decision, the Board denies an appeal, the petitioner has a right to appeal the denial to Commonwealth Court. More information about SERS' appeal process is available at www.SERS.state.pa.us. Click "Active Members" from the left-hand navigation, then select "Appeals and Hearing Process" from the "More Information On..." box on the lower, right side of the page.

d. Because SERS' Board will be making a determination in this matter, SERS will not discuss legal strategy or make any comments during the hearing. (However, SERS will provide a specific area with backdrop, microphone stand and mult-box in the unlikely event that any other entity would like to make comments.)

e. More information about Pennsylvania's Public Employee Pension Forfeiture Act (Act 1978-140) is available at www.SERS.state.pa.us. Click "Pension Forfeiture Policy" in the footer, under the blue bar at the bottom of the page.

2. *Pool Coverage*: Commonwealth Media Services will shoot B-roll that will be available on the morning of Jan. 7. High-definition footage of the entire hearing will be

made available in real-time at the Capitol Media Center. SERS will consider providing footage by satellite uplink but only upon request and at the media outlet's expense.

Live re-streaming or re-streaming the hearing in its entirety is prohibited.

It is not SERS intent to provide widely televised coverage of this hearing. Footage is being provided as a courtesy to media outlets. Media outlets are welcome to excerpt clips for reporting purposes and to monitor the entire hearing for news gathering purposes.

3. *Additional Media Opportunities to Cover the Hearing:* With registration by Jan. 2, credentialed members of the media can request a password that will allow them to access real-time, online streaming of the event via secure website. Passwords will be e-mailed to registered members of the media the evening before the hearing begins.

Live re-streaming or re-streaming the hearing in its entirety is prohibited.

It is not SERS intent to provide widely televised coverage of this hearing. Footage is being provided as a courtesy to media outlets. Media outlets are welcome to excerpt clips for reporting purposes and to monitor the entire hearing for news gathering purposes.

4. *Credentialing:* Media credentials will be issued by SERS using a process developed in cooperation with the Pennsylvania Association of Broadcasters and Pennsylvania NewsMedia Association. Credentials must be secured by Jan. 2. Any member of the media or media outlet that is not credentialed by Jan. 2 may attend the hearing as a member of the public.

If the number of those requesting credentials exceeds the number of media seats allocated, then allocation will be determined by the Pennsylvania Association of Broadcasters or the Pennsylvania NewsMedia Association.

If the number of those requesting credentials is less than the total number of media seats allocated or if there are fewer print or broadcast outlets than seats available to them, then unused seats will be reallocated by the Pennsylvania Association of Broadcasters or the Pennsylvania NewsMedia Association.

5. *Pressroom:* Because of space limitations, it is not possible to provide a pressroom at 30 North Third Street.

6. *Overflow Viewing:* Because of space limitations, it is not possible to provide overflow viewing at 30 North Third Street.

7. *Parking:* Street parking is limited and will be prohibited in front of SERS on North Third Street for the duration of the hearing. Standing or parking in alleyways near 30 North Third Street will also be prohibited. A guide to parking in downtown Harrisburg is available at <http://www.harrisburgparking.org/>

8. *Media Trucks:* Members of the broadcast media must indicate by Jan. 2 whether they intend to have a truck on site. During the hearing, media truck parking will be managed by Capitol Police in concert with the Pennsylvania Broadcasters Association. Media trucks can park in designated areas behind the Pennsylvania Capitol, along Commonwealth Avenue. In general, parking is available for broadcast vehicles only, crew/support vehicles should use public parking opportunities as provided above.

9. *Logistics Information:*

a. Broadcast media outlets interested in covering the hearing must register with the Pennsylvania Association of Broadcasters, before Jan. 2. Contact Gail Ponti at gponti@pab.org.

b. Print and digital media outlets interested in covering the hearing must register with the Pennsylvania NewsMedia Association, before Jan. 2. Contact Teri Henning at terih@pa-news.org.

c. Other inquiries should be directed to Pam Hile, Press Secretary, Pennsylvania State Employees' Retirement System (SERS), at pahile@pa.gov.

By the Presiding Officer:

Dated: November 6, 2013

MICHAEL L. BANGS,
Esquire

[Pa.B. Doc. No. 13-2216. Filed for public inspection November 22, 2013, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Commission Meeting

The Susquehanna River Basin Commission (Commission) will hold its regular business meeting on December 12, 2013, at 8:30 a.m. in the Lowe House Office Building, House of Delegates, Prince George's Delegation, Room 150, 6 Bladen Street, Annapolis, MD 21401. The recommended parking and transportation option is to park at the Navy-Marine Corps Memorial Stadium and take the Annapolis Transit Trolley Shuttle from there. For all available parking options, visit http://www.downtownannapolis.org/_pages/transport/tr_parking.htm. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice.

For further information, contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 1306, fax (717) 238-2436.

Opportunity to Appear and Comment

Interested parties are invited to attend the business meeting and encouraged to review the Commission's Public Meeting Rules of Conduct, which are posted on the Commission's web site at www.srbc.net. As identified in the public hearing notice referenced as follows, written comments on the Regulatory Program projects that were the subject of the public hearing and are listed for action at the business meeting are subject to a comment deadline of November 25, 2013. The 2013 update of the Comprehensive Plan listed for Commission action was the subject of a public hearing conducted by the Commission on August 15, 2013, and as identified in the notice for the hearing, which was published at 78 FR 38782 (June 27, 2013), was subject to a comment deadline of August 26, 2013. Written comments pertaining to any other matters listed for action at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before December 6, 2013, to be considered.

Supplementary Information

The business meeting will include actions or presentations on the following items: (1) informational presentations of general interest on the lower Susquehanna River;

(2) resolution concerning Fiscal Year 2015 Federal funding of the Susquehanna Flood Forecast and Warning System and National Streamflow Information Program; (3) 2013 update of the Comprehensive Plan for the Water Resources of the Susquehanna River; (4) sale of the former headquarters property at 1721 North Front Street, Harrisburg, PA; (5) ratification/approval of contracts/grants; and (6) Regulatory Program projects. Projects listed for Commission action are those that were the subject of a public hearing conducted by the Commission on November 13, 2013, and identified in the notice for the

hearing, which was published in 78 FR 64260 (October 28, 2013).

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: November 7, 2013.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 13-2217. Filed for public inspection November 22, 2013, 9:00 a.m.]

