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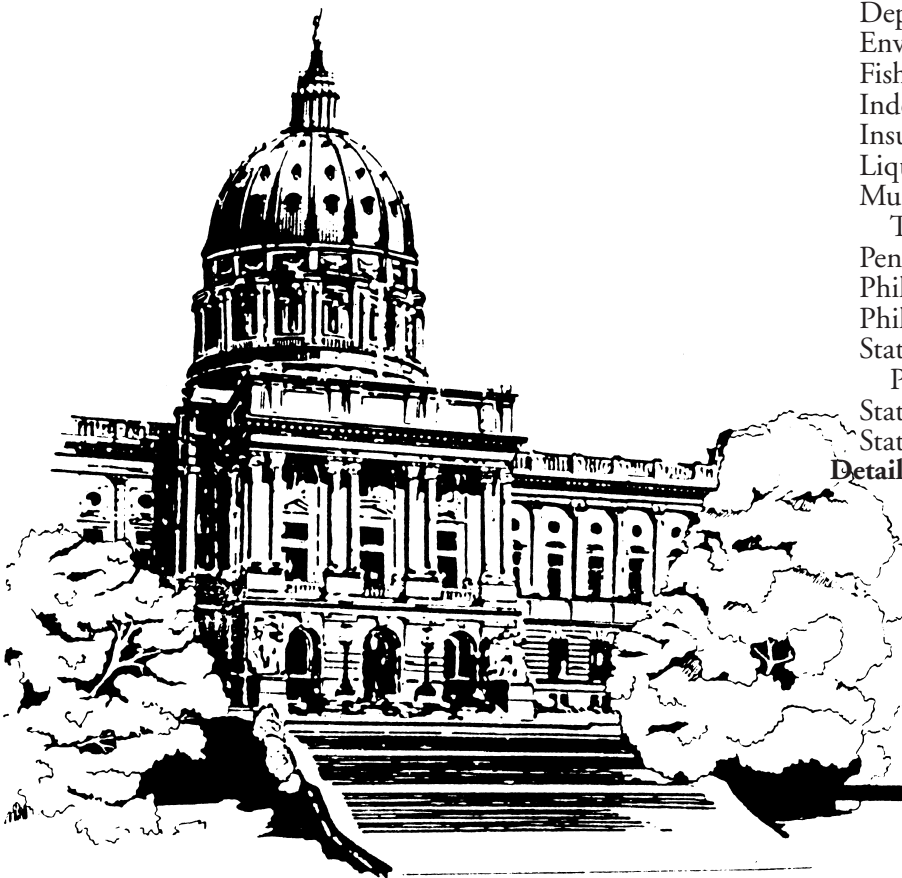
PENNSYLVANIA BULLETIN

Volume 44
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Number 49
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Agencies in this issue

The Courts
Department of Agriculture
Department of Banking and Securities
Department of Community and Economic
Development
Department of Environmental Protection
Department of Health
Department of State
Department of Transportation
Environmental Quality Board
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Liquor Control Board
Municipal Police Officers' Education and
Training Commission
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
Philadelphia Regional Port Authority
State Board of Examiners in Speech-Language
Pathology and Audiology
State Board of Medicine
State Board of Pharmacy

Detailed list of contents appears inside.



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

No. 481, December 2014

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CONTENTS

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of change in current schedule of continuing legal education courses required for reinstatement under §§ 89.275 and 89.279 of the Disciplinary Board Rules	7549
------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------

JUDICIAL SYSTEM GENERAL PROVISIONS

Judicial salaries	7514
-------------------------	------

LOCAL COURT RULES

Lackawanna County

Repeat and adoption of rules of civil procedure; No. 2014 CV 1.....	7515
---------------------------------------------------------------------	------

RULES OF CIVIL PROCEDURE

Order amending the note to Rule 1915.4-1(c) of the Rules of Civil Procedure; No. 610 civil procedural rules doc.....	7514
----------------------------------------------------------------------------------------------------------------------	------

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGRICULTURE

Notices

Fiscal year 2014-2015 annual plan for awarding grants under the Pennsylvania Agricultural Fair Act	7563
----------------------------------------------------------------------------------------------------------	------

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications.....	7563
------------------------------	------

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Notices

Manufactured Home Community Rights Act; maximum relocation fees payable in the event of community closure.....	7564
----------------------------------------------------------------------------------------------------------------	------

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices.....	7565
Bid opportunity (3 documents).....	7617
Coal mining reclamation fee amount for 2015.....	7617

DEPARTMENT OF HEALTH

Notices

Amendments to charges for medical records	7617
Applications for exception:	
Allegheny General Hospital	7618
Alle-Kiski Medical Center d/b/a Allegheny Valley Hospital	7619
Forbes Hospital	7619
Jefferson Hospital	7619
Saint Vincent Hospital	7619
West Penn Hospital	7620

Long-term care nursing facilities; request for exception.....	7620
---------------------------------------------------------------	------

DEPARTMENT OF STATE

Notices

Bureau of Corporations and Charitable Organizations; adopted official forms	7620
-----------------------------------------------------------------------------------	------

DEPARTMENT OF TRANSPORTATION

Notices

Bureau of Maintenance and Operations; access route approval.....	7621
Bureau of Maintenance and Operations; access route revocation	7621
State Transportation Commission meeting.....	7621

ENVIRONMENTAL QUALITY BOARD

Notices

Meeting cancellation	7621
----------------------------	------

FISH AND BOAT COMMISSION

Statements of Policy

Class A wild trout streams	7561
----------------------------------	------

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Action taken by the Commission.....	7622
-------------------------------------	------

INSURANCE DEPARTMENT

Notices

Review procedure hearings; cancellation or refusal of insurance	7623
-----------------------------------------------------------------------	------

LIQUOR CONTROL BOARD

Proposed Rulemaking

Economic development licenses	7559
-------------------------------------	------

MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

Rules and Regulations

Retired law enforcement officers identification and qualification cards	7550
-------------------------------------------------------------------------------	------

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Service of notice of motor carrier applications.....	7623
Transfer of customers and assets	7624
Water service; extension of time to file	7624

PHILADELPHIA PARKING AUTHORITY

Notices

Notice of rescheduling of sales of wheelchair accessible taxicab medallions.....	7624
----------------------------------------------------------------------------------	------

PHILADELPHIA REGIONAL PORT AUTHORITY

Notices

Request for bids	7624
------------------------	------

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

7508

**STATE BOARD OF EXAMINERS IN
SPEECH-LANGUAGE PATHOLOGY AND
AUDIOLOGY**

Rules and Regulations

Continuing education 7555

STATE BOARD OF MEDICINE

Notices

Bureau of Professional and Occupational Affairs v.
Deborah Elaine Bishop, MD; doc. No. 0653-49-14 . 7625

STATE BOARD OF PHARMACY

Rules and Regulations

Pharmacy internship..... 7552

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

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.

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

Adopted Rules

1	3924
6	2505, 2617
113	888
405	485

Statements of Policy

1	5046
9	32, 783, 1005, 1241, 1451, 2060, 2758, 3237, 3572, 3965, 5061, 5766, 5876, 6096, 6230, 6794, 7078, 7181

7 Pa. Code (Agriculture)

Adopted Rules

46	2220
76	2220

Proposed Rules

128	2058
-----	------

10 Pa. Code (Banking and Securities)

Adopted Rules

5	5010, 5463
---	------------

Proposed Rules

57	2751
----	------

Statements of Policy

5	6098
---	------

12 Pa. Code (Commerce, Trade and Local Government)

Adopted Rules

149	488
-----	-----

Proposed Rules

145	5026
-----	------

17 Pa. Code (Conservation and Natural Resources)

Proposed Rules

21	5757
23	5757

22 Pa. Code (Education)

Adopted Rules

4	1131, 1754
19	3497

Proposed Rules

18	4514
----	------

25 Pa. Code (Environmental Protection)

Adopted Rules

78	3517
121	2236, 3929
129	3929
130	3929
139	2236
208	3962
250	2975, 3235
271	7021
272	7021
273	7021
284	7021
285	7021
287	7021
288	7021
299	7021
806	2640
901	2849, 2850
1021	5328, 7365, 7368

Proposed Rules

77	6781
78	648
86	6781
87	6781
88	6781
89	6781
90	6781
121	2392
129	2392, 4502
208	5191
211	6781
250	2980
806	6931

28 Pa. Code (Health and Safety)

Adopted Rules

157	6658
701	6658
709	6660
710	6658

Proposed Rules

709	1317
-----	------

31 Pa. Code (Insurance)

Adopted Rules

25	2851
----	------

34 Pa. Code (Labor and Industry)

Adopted Rules

14	1233
14a	1233
225	4483

Proposed Rules

111	996
131	996

37 Pa. Code (Law)

Adopted Rules

11	1233
13	1233
79	328
221	7550
431	1313

Proposed Rules

41	6933
----	------

40 Pa. Code (Liquor)

Adopted Rules

11	1233, 2056
----	------------

Proposed Rules

3	7075, 7559
---	------------

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

3	2242
6	5566
7	2244
15	993
16	583, 6923
18	583, 6923
25	589
27	7552
37	888
43b	597

7512

45 7555
 47 2863, 6557
 48 6557
 49 6557

Proposed Rules

5 5214
 16 4364
 18 4364
 21 648, 6934
 39 5490
 40 7178
 43b 2247, 5487, 7173

52 Pa. Code (Public Utilities)

Adopted Rules

1 249
 3 249
 5 249
 23 249
 29 249
 32 249
 53 249
 54 249, 3522
 57 249, 3539
 59 249, 5835
 62 249, 3551
 1001 5662, 6665
 1011 5662, 5867, 6665
 1013 5017
 1015 5867
 1017 3764, 5662, 5867, 6769
 1019 5662, 6769
 1021 5662, 5867
 1027 5867
 1051 5867, 6665
 1053 5867
 1055 3764
 1057 5867
 1059 5867

Proposed Rules

5 2868
 57 1321, 1771
 75 4179
 1001 2753
 1011 2753
 1017 252, 1323, 7176
 1019 1323
 1021 7176
 1051 2753

Statements of Policy

69 2405

55 Pa. Code (Public Welfare)

Adopted Rules

1187 3322, 3565, 4498
 1189 3565, 4498

58 Pa. Code (Recreation)

Adopted Rules

51 1762
 61 4177, 5336, 5969
 63 250, 1762, 4177, 5970
 65 1764, 5969
 69 1766, 4177, 5336
 71 4177
 73 4177
 93 1767
 131 3091
 133 1429, 5190
 135 1429, 1883

139 3091
 141 3091, 3098, 3099, 3100, 3101, 7055
 143 1430, 1768
 147 1432, 3098, 3102, 7056
 421a 7057
 421b 7057
 439a 7057
 461a 599, 619
 463a 599
 464a 599, 7057
 465a 599, 619, 7057
 481a 7057
 501a 7057
 503a 7057
 503b 7057
 513a 7057
 525 619
 575 619
 577 619
 579 619
 581 1234
 590 26
 591 1234
 592 4354
 593 6773
 603a 619, 7057
 605a 5463
 607a 599
 609a 619
 623a 619
 627a 599, 619
 629a 599, 619
 631a 599, 619
 633a 599, 619, 7057
 635a 619
 637a 619
 639a 5463
 641a 5463
 643a 5463
 647a 5463
 649a 619
 653a 5463
 655a 5463
 657a 5463
 659a 619
 661a 619
 663a 619
 665a 619

Proposed Rules

61 901
 63 901, 1769
 65 5972
 69 901
 71 901
 73 901
 95 4360
 109 4360
 111 4360
 131 1440, 7072
 133 3103, 7074
 139 1442
 141 1435, 1436, 1438, 1440, 5212
 143 7071
 147 1438, 1448, 5213, 7073, 7074

Statements of Policy

57 1772, 7561

61 Pa. Code (Revenue)

Adopted Rules

5 1432

67 Pa. Code (Transportation)**Adopted Rules**

175	7442
427	2384
443	6777

Proposed Rules

15	6780
47	2642
101	7069
105	4500
511	5674

201 Pa. Code (Rules of Judicial Administration)**Adopted Rules**

2	319, 1419
19	454, 1428, 3053

204 Pa. Code (Judicial System General Provisions)**Adopted Rules**

29	5180, 6914, 6915
81	2847
82	768
83	768, 1749, 2847
91	3927
211	7514
303	4071

Proposed Rules

81	6070
83	1865, 2199, 6070
303	1967, 1969

207 Pa. Code (Judicial Conduct)**Adopted Rules**

33	455, 4338, 6083, 6204, 7168
51	6205, 7169

210 Pa. Code (Appellate Procedure)**Adopted Rules**

1	8, 3493
3	3493
9	3493
11	3493
19	2053, 6223
21	2510, 3493
65	6223

Proposed Rules

1	471
3	319
5	5324
9	319, 471
11	471, 3054
13	471
15	2052
33	471

225 Pa. Code (Rules of Evidence)**Adopted Rules**

Article VI	6225
Article VIII	1309

231 Pa. Code (Rules of Civil Procedure)**Adopted Rules**

200	323, 2747
1000	8
1910	3233, 4476, 6553
1915	3233, 4477, 7514
1930	1749, 4168
2220	8
3000	1750
4000	4996

Proposed Rules

200	323, 324, 475, 5563
1000	5182
1900	2199
1910	4338, 4340
1915	4338, 5828
1920	4165, 4338, 4341
1930	4338
3000	4996

234 Pa. Code (Rules of Criminal Procedure)**Adopted Rules**

1	3056
4	3056, 4168
5	239, 477, 1309
7	4168
10	3056

Proposed Rules

1	769
4	475, 577, 769, 2369
5	778
7	475, 2369
9	4170
10	769

237 Pa. Code (Juvenile Rules)**Adopted Rules**

1	781, 1868, 5447, 6087
3	5447
4	5447
11	781, 5447, 6087

Proposed Rules

4	246, 3306
11	9
13	3307
15	3307
16	3307

246 Pa. Code (Minor Court Civil Rules)**Adopted Rules**

100	5564
300	13, 3310, 5183
500	13, 14
800	14
1000	14

Proposed Rules

300	10, 479
800	4477
1000	4342

249 Pa. Code (Philadelphia Rules)

Unclassified	883, 3066, 3067, 3311, 3313, 3747, 6657, 7170, 7350
--------------	-----------------------------------------------------

252 Pa. Code (Allegheny County Rules)

Unclassified	5830, 6554, 7018
--------------	------------------

255 Pa. Code (Local Court Rules)

Unclassified	16, 17, 18, 19, 20, 21, 23, 24, 25, 247, 324, 325, 480, 481, 581, 991, 1123, 1124, 1428, 1752, 1753, 1868, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 2054, 2200, 2201, 2216, 2372, 2510, 2511, 2513, 2515, 2620, 2638, 2639, 2747, 2749, 2750, 2847, 2848, 3086, 3088, 3089, 3319, 3321, 3495, 3759, 3927, 4175, 4347, 4352, 4997, 4998, 5008, 5185, 5187, 5188, 5326, 5456, 5457, 5458, 5459, 5461, 5462, 5564, 5656, 5657, 5755, 5830, 5832, 5833, 5834, 5963, 6089, 6091, 6093, 6094, 6226, 6227, 6228, 6229, 6555, 6750, 6766, 6767, 6915, 6916, 6917, 6919, 7018, 7171, 7354, 7355, 7364, 7439, 7440, 7441, 7515
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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 211]

Judicial Salaries

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

§ 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2014, was 1.6 percent (1.6%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Thursday, November 20, 2014).

§ 211.2. Judicial salaries effective January 1, 2015.

The annual judicial salaries for calendar year beginning January 1, 2015 will be adjusted by a cost-of-living factor as follows:

(a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$203,409.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$209,329.

(b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$191,926.

(2) The annual salary of the President Judge of the Superior Court shall be \$197,844.

(c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$191,926.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$197,844.

(d) *Courts of Common Pleas.*

(1) The annual salary of a judge of the Court of Common Pleas shall be \$176,572.

(2) The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$179,532.

(ii) Philadelphia County, \$180,124.

(iii) Judicial districts having six or more judges, \$178,111.

(iv) Judicial districts having one to five judges, \$177,342.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$178,111.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$177,342.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$178,111.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$177,342.

(e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$172,486.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$175,151.

(f) *Philadelphia Municipal Court—Traffic Division.*

(1) The annual salary of a judge of the Philadelphia Traffic Court shall be \$92,788.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$88,290.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$545 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 14-2500. Filed for public inspection December 5, 2014, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1915]

Order Amending the Note to Rule 1915.4-1(c) of the Rules of Civil Procedure; No. 610 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 18th day of November, 2014, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Note to Rule

1915.4-1(c) of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days on December 18, 2014.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.4-1. Alternative Hearing Procedures for Partial Custody Actions.

* * * * *

(c) The president judge or the administrative judge of the family division of each county shall certify that custody proceedings generally are conducted in accordance with either Rule 1915.4-2 or Rule 1915.4-3. The certification shall be filed with the Domestic Relations Procedural Rules Committee of the Supreme Court of Pennsylvania and shall be substantially in the following form:

I hereby certify that _____ County conducts its custody proceedings in accordance with Rule _____.

(President Judge) (Administrative Judge)

Note: Pursuant to Rule 1915.4-1, the following counties have certified to the Domestic Relations Procedural Rules Committee that their custody proceedings generally are conducted in accordance with the rule specified below:

COUNTY	RULE
	* * * * *
Northumberland	[1915.4-3] 1915.4-2
	* * * * *

[Pa.B. Doc. No. 14-2501. Filed for public inspection December 5, 2014, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LACKAWANNA COUNTY

Repeal and Adoption of Rules of Civil Procedure; No. 2014 CV 1

Order

And Now, this 18th day of November, 2014, it is hereby *Ordered* and *Decreed* that the following Lackawanna County Rules of Civil Procedure are amended as follows:

1. All other local Lackawanna County Rules of Civil Procedure (excepting all Lackawanna County Family Court Rules, which are contained in a separate document and which are not affected by this Order) as they appear prior to the effective date of this Order on the Administrative Office of the Pennsylvania Courts' ("AOPC") website, the Lackawanna Bar Association's website, or in the WestLaw local rules are *Hereby Repealed*;

2. All local Lackawanna County Rules of Civil Procedure contained herein are *Hereby Adopted*;

3. Pursuant to Pa.R.C.P. 239(c), the following Local Rules shall be disseminated and published in the following manner:

(a) Seven (7) certified copies of the following Local Rules shall be filed with the Administrative Office of the Pennsylvania Courts;

(b) Two (2) certified copies of the following Local Rules and a computer diskette containing the text of the following Local Rules in Microsoft Word format and labeled with the court's name and address and computer file name shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) One (1) certified copy of the following Local Rules shall be filed with the Civil Procedural Rules Committee;

(d) The following Local Rules shall be kept continuously available for public inspection and copying in the Office of the Clerk of Judicial Records, Civil Division, and upon request and payment of reasonable costs of reproduction and mailing, the Clerk of Judicial Records shall furnish to any requesting person a copy of the requested Local Rule(s); and

(e) A computer diskette containing the text of the following Local Rules in Microsoft Word format and labeled with the court's name and address and computer file name shall be distributed to the Lackawanna Bar Association for publication on the website of the Lackawanna Bar Association.

4. The amendment of the Lackawanna County Rules of Civil Procedure shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin* pursuant to Pa.R.C.P. 239(d).

By the Court

THOMAS J. MUNLEY,
President Judge

LACKAWANNA COUNTY RULES OF CIVIL PROCEDURE

***Note:* All rules governing family law proceedings have been separated from this document and can be found in the Lackawanna County Family Court Rules."

RULES OF CONSTRUCTION

Rule 51. Title and Citation of Rules.

All rules adopted by the Court of Common Pleas of Lackawanna County pertaining to Civil Procedures shall be known as the Lackawanna County Court of Common Pleas Rules of Civil Procedure and may be cited as "Lacka.Co.R.C.P. _____."

Rule 52. Effective Date of Rules.

Each rule adopted by the Court of Common Pleas of Lackawanna County, whether civil, criminal, orphans', or governing district justices, shall become effective upon the date specified by the court in promulgating the rule; but, no rule shall be effective until notice of its promulgation is published in the "Lackawanna Jurist." The content of each rule promulgated shall be made available through the Lackawanna County Bar Association and as mandated by law or rule of the Pennsylvania Supreme Court.

Rule 76. Definitions.

Unless the context clearly indicates otherwise, each word or phrase when used in any rule promulgated by the Court of Common Pleas of Lackawanna County shall

have the same meaning as that word or phrase is given in the Pennsylvania Rules of Civil Procedure, with the exception of the following:

(a) “court” or “the court” shall mean the Court of Common Pleas of Lackawanna County;

(b) “rule” shall mean any rule of civil procedure promulgated by the Court of Common Pleas of Lackawanna County

(c) “party” or “parties” shall mean the party or parties appearing in a civil action pro se, or the attorney or attorneys of record for such party or parties, where appropriate.

Rule 101. Principles of Interpretation.

In the construction of any rule, the principles set forth in the chapter of the Pennsylvania Rules of Civil Procedure designated “Rules of Construction” shall be observed unless the application of such principles would result in a construction inconsistent with the manifest intent of court.

Rule 127. Construction of Rules.

(a) The object of all interpretation and construction of the Rules of Civil Procedure of the Court of Common Pleas of Lackawanna County is to ascertain and effectuate the intention of this court.

(b) Each rule shall be construed, if possible, to give effect to all its provisions. When the words of a rule are clear and free from all ambiguity, the letter of the rule is not to be disregarded under the pretext of pursuing its spirit.

(c) When the words of a rule are not explicit, the intention of the Court of Common Pleas of Lackawanna County may be ascertained by considering, among other matters:

- (1) the occasion and necessity for rule;
- (2) the circumstances under which the rule was promulgated;
- (3) the purpose for the rule was promulgated and the object to be attained;
- (4) the prior practice, if any, upon the same or similar subjects;
- (5) the consequences of a particular interpretation;
- (6) the history of the rule; and
- (7) the practice followed under the rule.

Rule 128. Presumptions and Ascertaining the Intent of the Court of Common Pleas of Lackawanna County.

In ascertaining the intention of the Court of Common Pleas of Lackawanna County in the Promulgation of a rule of civil procedure, all seeking to interpret the rule should be guided by the following presumptions:

(a) that the Court of Common Pleas of Lackawanna County does not intend a result that is absurd, impossible of execution, or unreasonable;

(b) that the Court of Common Pleas of Lackawanna County intends that the entire rule or chapter of rules is to be effective and certain;

(c) that the Court of Common Pleas of Lackawanna County does not intend to violate the Constitution of the United States or of this Commonwealth or any rule promulgated by the Supreme Court of Pennsylvania;

(d) that the Court of Common Pleas of Lackawanna County intends to favor the public interest as against any private interest; and,

(e) that no rule shall be construed to confer a right to trial by jury where such right does not otherwise exist.

Rule 130. Construction of Rules and Derogation of the Common Law.

The principle that laws in derogation of the common law are to be strictly construed shall have no application to any rule of civil procedure promulgated by the Court of Common Pleas of Lackawanna County.

Rule 151. Effective Date of Amendments.

An amendment to a rule of procedure, whether civil, criminal, orphans’, or governing district justices, shall be effective upon the date specified by the court in promulgating the amendment; but, no amendment shall be effective until notice of its promulgation is published in the “Lackawanna Jurist.” The content of each amendment promulgated shall be made available through the Lackawanna County Bar Association and as mandated by law or rule of the Pennsylvania Supreme Court.

THE BUSINESS OF THE COURT

Rule 171. Sessions of Court.

The court shall annually, by order, prescribe the official Judicial Calendar of the Court of Common Pleas of Lackawanna County for the next calendar year following said annual order, and shall in said order prescribe the sessions of court to be held during the year and designate the time for each. Such order shall be published in the “Lackawanna Jurist.”

Rule 172. Holidays.

The Court of Common Pleas of Lackawanna County shall not be in session on any day designated by the laws of Pennsylvania or by any proper authority as a legal holiday within the Commonwealth of Pennsylvania. Whenever the initial day of any sessions of court or any return day shall fall on any legal holiday, the next succeeding secular weekday shall be considered the initial day of said session or the return day as the case may be. Motion court due to be held on a legal holiday will be postponed to the next regular day of hearing motions.

Rule 188. Professional Conduct.

The Code of Professional Responsibility, as adopted by the Supreme Court of Pennsylvania, is hereby adopted as the standard of conduct for members of the bar of this court.

Any attorney of this court who shall be found to have violated any of the standards of conduct established for attorneys of this court or to have been disbarred from practice or disciplined in any court of record of this Commonwealth, of the United States, or of any other state, territory or insular possession of the United States may be suspended or disbarred from practice in this court or otherwise disciplined as the court shall determine.

PRACTICE AND PROCEDURE GENERALLY

Rule 200. Attorneys Practicing Before This Court.

(a) Any person of good moral and professional character who is learned in the law and has been formally admitted to the bar of this court or of the bar of the Supreme Court of Pennsylvania may practice law in this court.

(b) Attorneys of record of other counties of Pennsylvania, who have yet to be admitted to the bar of the

Supreme Court of Pennsylvania but who are eligible for admission on motion to said bar, and attorneys of record from other states, who have been admitted to the general practice of law in such other states, may be admitted to practice pro hac vice in this court for a particular case or proceeding on oral motion of an associate attorney of record appearing in the case or proceeding who is a member of the bar of this court.

(c) Any attorney admitted to the bar of this court under this rule shall file with the Clerk of Judicial Records of Lackawanna County an address for the service or receipt of all pleadings, motions, notices and other papers served or sent in pursuance of the rules of this court. Any changes of address shall be reported promptly to the Clerk of Judicial Records.

Rule 200.1. Appearances and Withdrawals.

(a) The signing of a pleading or motion by an attorney shall be deemed an entry of appearance. Appearance by an attorney or a party not signing pleadings or motions shall be by praecipe filed with the Clerk of Judicial Records.

(b) Appearance of counsel shall not be withdrawn except by leave of court or by written consent of the party. If at the time that withdrawal is sought, the case has been assigned to a judge for trial or has been tried, a motion to withdraw shall be presented to the trial judge for determination. Otherwise, such motion shall be presented at motion court and a rule to show cause shall issue to the client represented by the movant and to all other parties in the litigation.

Rule 201. Agreements of Attorneys.

All agreements of attorneys pertaining to the business of the Court of Common Pleas of Lackawanna County shall be in writing signed by all parties to the agreement or shall be entered on the record made in the course of a court proceeding; otherwise, such agreements shall have no validity if disputed by any party to the alleged agreement.

Rule 205.2(a). Pleading Requirements.

All new civil actions are to be filed on 8 1/2" x 11" paper in the Office of the Clerk of Judicial Records, Lackawanna County Courthouse, 200 N. Washington Avenue, Scranton, PA 18503.

Rule 205.2(b). Civil Cover Sheet.

No summons, complaint, pleading or other document used to commence a new civil action will be accepted for filing by the Clerk of Judicial Records unless it is accompanied by a duly completed Civil Cover Sheet in the format set forth in Form 1 of the Appendix. In all residential mortgage foreclosure actions bearing the case code designation "RP/MF/RES" on the Civil Cover Sheet, no summons, complaint, pleading or other document used to commence a new residential mortgage foreclosure civil action will be accepted for filing by the Clerk of Judicial Records unless it is accompanied by a Notice of Residential Mortgage Foreclosure Diversion Program form in the format set forth in Form 8 of the Appendix.

Rule 206.1(a). Definition of Petition.

In addition to an application to strike and/or open a default judgment or a judgment of non pros, a party seeking relief from the court shall proceed by petition and rule when the party is seeking an order which is not otherwise covered by any statute or rule of civil procedure governing motions, including an order:

- (1) imposing sanctions for failure to obey a discovery order;
- (2) holding a party or witness in contempt;
- (3) granting relief from any other judgment, including judgments entered by confession; or
- (4) granting a preliminary injunction.

Any party presenting a petition seeking the issuance of a rule to show cause must follow the procedures set forth in Lacka.Co.R.C.P. 206.4(c).

Rule 206.4(c). Issuance of Rule to Show Cause.

Any petition presented pursuant to Lacka.Co.R.C.P. 206.1(a) shall proceed upon a rule to show cause. The procedure following the issuance of the rule to show cause shall be in accordance with Pa.R.Civ.P. 206.7. In conformity with Pa.R.Civ.P. 206.6, a rule to show cause shall be issued as of course upon the filing and presentment of the petition. To secure a rule to show cause, the petition shall be presented to the Motions Court judge under Lacka.Co.R.C.P. 208.3(a) and shall be accompanied by a proposed order in the format prescribed by Pa.R.Civ.P. 206.6(c) and the Official Note thereto. The court may grant a stay of execution or stay of the proceedings only upon request by the petitioner and for cause shown. Following presentment of the petition to the Motions Court judge, the petitioner shall proceed pursuant to Lacka.Co.R.C.P. 211 and secure a rule returnable date and a hearing date, if necessary, from the Court Administrator and shall thereafter file the original petition and rule to show cause with the Clerk of Judicial Records, with copies of the same being served upon all counsel and unrepresented parties in accordance with the Pennsylvania Rules of Civil Procedure and Lacka.Co.R.C.P. 440. The petitioner shall file a certificate of service with the Clerk of Judicial Records verifying that the petition and rule have been duly served upon all counsel and unrepresented parties.

Rule 208.2(c). Motion Content.

In addition to the form and content requirements set forth in Pa.R.Civ.P. 208.2, a motion shall include a brief statement of the applicable authority with citations to the official reporters. If a moving party relied upon an unpublished opinion as authority, a copy of the unpublished opinion must accompany the motion as an attachment.

Rule 208.2(d). Certificate of Concurrence.

All motions shall contain a certification by counsel for the movant that counsel has sought concurrence in the motion from each party and, when appropriate, that the motion being presented is uncontested.

Rule 208.2(e). Discovery Motion Certification.

Any Motion relating to discovery shall include a certification signed by counsel for the moving party certifying that counsel has conferred or attempted to confer with all interested parties in a good faith effort to resolve by agreement the issues raised by the motion without court intervention together with a detailed explanation why such agreement could not be reached. If part of the issues raised by the motion have been resolved by agreement, the statement shall specify the issue(s) so resolved and the issues(s) remaining unresolved.

Rule 208.3(a). Motion Procedure.

A party seeking relief from the court by way of motion shall serve all counsel and unrepresented parties with a copy of the motion, together with notice that the motion will be presented to the court on a date certain, at least (3) business days (excluding Saturdays, Sundays and holidays) prior to the date of presentation. Except for discovery motions which are governed by Lacka.Co.R.C.P. 4000, 4000.1, 4012, 4013 and 4019, any motion as defined by Pa.R.Civ.P. 208.1 shall be presented in Motion Court which shall be held daily by the designated Motions Court judge on Monday through Friday at 9:00 a.m. and by the Court en banc on the last Friday of the month at 9:30 a.m. Counsel and pro se litigants who desire to make motions or to present petitions at Motion Court shall write their names legibly in the motion book maintained for such purposes. Unless otherwise directed by the Motions Court judge, all motions shall be heard in order in which the names appear in the motion book. Motion court involving domestic relations and orphans' court matters shall be held by judges assigned to the family court division and the orphans' court division at the times and on the days designated by the Court Administrator. Whenever practicable, emergency motions shall likewise be presented in Motion Court pursuant to Lacka.Co.R.C.P. 208.3(a). In the event that an emergency motion cannot be presented in Motion Court, the party or counsel presenting an emergency motion shall submit the motion to the Court Administrator who will assign the emergency motion to an available judge under Pa.R.Civ.P. 249 for disposition. The Motions Court judge may dispose of the motion at the time of initial consideration or may defer any ruling and, in the interim, either (i) set forth procedures for disposition of the motion pursuant to Pa.R.Civ.P. 208.4(a)(2) or (b)(1), or (ii) direct the parties to proceed under Lacka.Co.R.C.P. 211.

Rule 210. Submission and Form of Briefs.

(a) A copy of any brief which is submitted to the court or to any judge of the court shall be filed to the docket number of the case to which the brief pertains in the office of the Clerk of Judicial Records.

(b) All briefs shall be typewritten and printed or otherwise duplicated on 8 1/2 by 11 paper and shall be endorsed with the name of the case, the court, the docket number of the case, and the name and address of the attorney filing same. Briefs shall contain an accurate citation to all official authorities relied upon, and shall contain a photo copy of any unofficial authority or any authority not found within the Lackawanna County Law Library. The brief of the moving party shall contain a procedural history of the case, a statement of facts, a statement of questions involved, and an argument. The brief of each party, if more than fifteen pages in length, shall contain an index and table of citations of the cases, statutes and other authorities referred to within the brief, with references to the pages at which they are cited.

Rule 210.1. Transcription Required for Argument.

(a) If in the opinion of counsel for any party a transcription of the testimony or of a prior court proceeding is necessary for the just disposition of a matter to be argued to the court or to an individual judge of the court, that counsel shall serve upon the office of the court reporters and upon all other parties to the action a written notification that such transcription shall be required. Such notice shall be provided as soon as practicable and, in any event, not later than five (5) days after the filing of motion or petition which is to be argued. Said notice shall contain:

- (1) the full caption of the case;
- (2) the date(s) of the proceeding(s) for which a transcription is deemed necessary;
- (3) the type of proceeding for which the transcription is deemed necessary; and
- (4) the date on which the transcription is required, which date should be no later than seven (7) days prior to the scheduled date of argument.

(b) As soon as can be determined after receipt of the notice required by paragraph (a), the office of the court reporters shall advise all parties and the court of the approximate date on which said transcription shall be available, so that the parties and the court can consider alternative argument dates if such appears necessary or desirable.

Rule 211. Disposition of Motions and Petitions.

(a) To assign a motion or petition to a judge for disposition or to schedule a motion or petition for argument where a rule returnable does not set a schedule, a party shall file with the Clerk of Judicial Records and the Court Administrator a Praeceptum for Assignment. See Appendix, Form 2.

(b) Prior to filing a Praeceptum of Assignment, the moving or petitioning party shall contact counsel for all other parties of record to determine whether an opposing party or lawyer wishes to present oral argument. The moving or petitioning party shall indicate on the Praeceptum for Assignment whether the matter is being submitted on briefs and without the necessity of oral argument or is to be scheduled for argument by the Court Administrator. No Praeceptum for Assignment will be accepted by the Clerk of Judicial Records or the Court Administrator unless the moving or petitioning party has indicated in writing whether the matter is to be submitted on briefs or scheduled for oral argument.

(c) The Court Administrator shall assign motions and petitions to the judges of the court on a rotating basis and shall establish a briefing schedule for the parties.

(d) The original of a party's brief shall be filed with the Clerk of Judicial Records and copies shall be provided to the assigned judge and all opposing counsel in accordance with the schedule set by the Court Administrator.

(e) If the moving or petitioning party fails to timely file and serve a brief, or fails to appear at oral argument, if requested, the matter may be dismissed by the court as of course. The judge to whom the matter has been assigned may grant additional time for the filing of briefs or may require supplemental briefing by the parties.

(f) If any party other than the moving or petitioning party fails to timely file and serve a brief, that party may be deemed not to oppose the motion or petition and may not be allowed to present oral argument.

(g) No case listed for argument will be continued except for good cause shown to the satisfaction of the court.

Rule 212. Pre-Trial Procedure and Settlement Conference.

It is the intent of this rule that, in all civil actions, a pre-trial proceeding may be instituted at various states for specific purposes.

(a) *Prior to Filing of Certificate of Readiness.*

After a complaint alone has been filed or after a complaint and answer have been filed all parties may

request a preliminary pre-trial settlement conference if it is the consensus of the parties that the case may be settled as a result of such a conference, and it is the intention of the parties to avoid ordinary pre-trial procedures leading to the filing of a certificate of readiness. The parties may request such a settlement conference by submitting a written request to the Court Administrator who shall assign it to the Settlement Master for a settlement conference. In addition, any judge may direct the Court Administrator to assign a particular case to the Settlement Master for a pre-trial settlement conference, or may issue an order directing the parties in a case to participate in a pre-trial settlement conference before the Settlement Master. The Settlement Master may require the parties to submit pre-trial settlement conference statements in advance of the pre-trial settlement conference. See Appendix, Form 3.

(b) *After filing Certificate of Readiness.*

Upon the filing of a Certificate of Readiness, the Court Administrator shall assign a case to an individual judge to conduct a status conference, schedule a pre-trial conference and establish a date for trial.

(c) If the court determines at the time of the status conference that a party has not fully complied with Lacka.Co.R.C.P. 214(b), the court may strike the original certificate of readiness and remove the case from the judge's individual calendar or may take such other action as it deems appropriate under the circumstances. At the status conference, the court will schedule the pre-trial conference and trial date. In addition, the court may direct the parties to participate in a settlement conference before the Settlement Master. The Settlement Master may require the parties to submit pre-trial settlement conference statements in advance of the settlement conference.

(d) For the pre-trial conference, each party shall submit to the court and serve on all other parties at least seven (7) days prior to the scheduled time of the conference, a pre-trial statement substantially in the form set forth in Plaintiff/Defendant Pre-Trial Conference Statement or such other form as shall be required by the assigned judge. See Appendix, Form 4. The court may in its discretion require the parties to submit a pre-trial order in the format contained in former Lacka.Co.R.C.P. 212.1. See Appendix, Form 5.

(e) Except for good cause shown, trial counsel with complete settlement authority must attend the pre-trial conference in person. The designated representative for the plaintiff and defendant, including duly authorized representatives of the primary and excess liability insurers and statutorily created funds, must be available by telephone during the entire course of the pre-trial conference. The court may in its discretion order the designated representatives for the plaintiff and the defendant and the duly authorized representatives of the primary and excess liability insurers and statutorily created funds to attend the pre-trial conference in person. To ensure that full settlement authority has been secured by the date of the pre-trial conference, the primary and excess liability insurers and statutorily created funds are required to have the matter at issue investigated, evaluated and reviewed by all necessary representatives and committees prior to the date of the pre-trial conference.

(f) At some time prior to the filing of Plaintiff/Defendant Pre-Trial Statement, all parties shall confer to discuss settlement. It shall be the responsibility of the plaintiff to schedule the conference required by this

subparagraph. The parties shall certify in writing in their pre-trial statements that such a settlement conference was held and shall identify the date of the conference, the individuals who participated and the results of the conference.

(g) If a party or counsel fails to attend the pre-trial conference or fails to participate in a settlement conference pursuant to Lacka.Co.R.C.P. 212(f), the court may make such order or impose such sanctions as it deems proper under the circumstances.

Rule 212.2. Miscellaneous Instructions Pertaining to Trial.

(a) In all non-jury trials, the appropriate waiver of a jury trial shall be executed and filed no later than the day trial commences.

(b) In all jury trials, requests for instructions to the jury, together with citations to legal authorities in support thereof, proposed voir dire questions, and jury interrogatories shall be submitted in duplicate at chambers. Such materials shall be filed when the judge may direct but in the absence of any specific direction, not later than the day when trial commences.

(c) Except upon stipulation of affected counsel or by order of the judge, no statement contained in preliminary pre-trial memoranda or the pre-trial order shall be made the subject of comment to the jury by any party at the trial of the case.

(d) Any counsel needing special equipment, device, personnel, or courtroom arrangements shall be responsible for assuring that such items are available at the time they are needed. Personnel assigned to the judge shall not be expected or depended upon to provide service for any party or counsel in the absence of a notation contained in the final pre-trial order.

Rule 212.6. Special Trial Masters.

A. Appointment and Authority of Special Trial Masters.

1. The Civil Rules Committee of the Lackawanna County Bar Association shall recommend to the President Judge five (5) members of the Association with substantial trial experience to serve as a Screening Committee to review the qualifications and experience of volunteers from the Association to serve, pro bono, as Special Trial Masters.

2. The Screening Committee, upon approval by the President Judge, shall review submission of applications, resumes and other documentation from volunteers willing to serve, pro bono, as Special Trial Masters and make recommendations to the President Judge of persons to serve as Special Trial Masters. Persons recommended shall have been admitted to the practice of law for no less than (10) years.

3. The President Judge shall, from the recommendations, appoint persons to be Special Trial Masters. A list of appointees shall be maintained in computerized form by the Court Administrator from which one, as needed, shall be randomly selected by computer to serve in a case.

B. Consent to Proceed by and Procedure to Finalize Special Trial Master.

1. Where all parties agree to submit a case to a Special Trial Master, each party shall consent to doing so in writing which shall be filed of record and a copy provided to the Court Administrator.

2. When all parties have consented to proceeding with a Special Trial Master and have submitted the consent

form to the Court Administrator, the Administrator shall, by computerized random selection, select a Special Trial Master for that case.

3. The plaintiffs, collectively, and the defendants, collectively, shall each have one (1) peremptory challenge to a selected Trial Master which they may or may not choose to exercise.

4. On notice of selection and being provided with the identity of all parties and counsel in the case, the selected Trial Master shall, within five (5) days, notify the Court Administrator of his/her acceptance of the case or his/her recusal from it. If recusal occurs, the Administrator shall select a different Trial Master until acceptance occurs.

5. Prior to the expiration of the period for the exercise of peremptory challenges, any selected Trial Master and all parties and their counsel shall have a duty to disclose to the Trial Master and all parties and all counsel the facts and circumstances which give rise to any potential conflict.

6. Once a Trial Master accepts a case, the plaintiffs collectively and the defendants collectively shall, within five (5) days of notification of the selection of the Master, notify the Court Administrator of the exercise of a peremptory challenge. After five (5) days and not prior to the expiration of the five (5) day period, the Court Administrator shall notify the parties if any challenge has been made and, if so, the identity of a different randomly selected Trial Master. If both plaintiffs and the defendants have exercised their peremptory challenge, no further challenge is permitted and the next selected Trial Master shall try the case. Once a Trial Master is finally determined, the case shall proceed before that Trial Master.

7. Special Trial Masters shall conduct all pre-trial and trial proceedings in accordance with the Pennsylvania Rules of Civil Procedure and the Practice and Procedure Rules of Lackawanna County.

8. *Post-trial Motions.* In the event that a trial is conducted before a Special Trial Master, any and all post-trial motions timely filed following such a proceeding shall be ruled upon by the Special Trial Master in the form of a Report and Recommendation to the assigned Trial Judge. The assigned Trial Judge will approve or reject the Report and Recommendation. Rulings on Post-trial Motions shall not be deemed final until acted upon by the assigned Trial Judge.

Rule 213. Motions for Consolidation or Severance of Actions and Issues.

A motion to consolidate or sever actions or issues pursuant to Pa.R.Civ.P. 213 shall be made in accordance with Lacka.Co.R.C.P. 208.3.

Rule 214. Listing Cases for Hearing or Trial.

(a) The Court Administrator shall assign a case for hearing or trial upon the filing of a Certificate of Readiness in the form attached to the Appendix of these Local Rules as Form 7. The Certificate of Readiness should identify the judge who has decided any case dispositive motion under Lacka.Co.R.C.P. 1028, 1034, or 1035.2, and whenever practicable, the Court Administrator shall assign the case for hearing or trial to the judge who has decided that case dispositive motion.

(b) No Certificate of Readiness may be filed until all discovery in the case has been completed and all depositions for use at trial have been scheduled or completed, nor may a Certificate of Readiness be filed if any case

dispositive motion is pending for disposition by the court. The filing of a Certificate of Readiness shall constitute a verification that no case dispositive motions are pending nor does any party or attorney contemplate filing such a case dispositive motion.

(c) No Party or lawyer may file more than one Certificate of Readiness on any single day.

(d) At least fifteen (15) days prior to the filing of a Certificate of Readiness, the party or lawyer seeking to certify the case for trial must advise all counsel of record and self-represented parties of the intention to file a Certificate of Readiness. If no counsel or party objects to the filing of a Certificate of Readiness within that fifteen (15) day period, the Certificate of Readiness may be filed as provided by paragraphs (b) and (c) above. In the event that an attorney or party objects to the filing of a Certificate of Readiness, and the attorney or party seeking to certify the case for trial believes that the objection is frivolous or being asserted for an improper purpose such as to unnecessarily delay the disposition of the litigation, the attorney or party seeking to certify the case for trial shall present a motion to the Motion Court judge pursuant to Lacka.Co.R.C.P. 208.3(a) requesting leave of court to file a Certificate of Readiness over the objection of the opposing party or counsel.

Rule 214.1. Hearing and Trial Terms.

(a) The judicial calendar of the court shall establish hearing and trial terms each year for the conducting of arbitration hearings, equity and non-jury trials, jury trials, and protracted case trials.

(b) While the composition of the judicial calendar may vary and should therefore be consulted, generally the court schedules terms as follows:

(1) arbitration hearings—to be scheduled by the Court Administrator's office;

(2) equity and non-jury trials—one week each month every month, except July and August;

(3) jury trials—three weeks each month every month, except July and August.

Rule 214.3. Notice of Hearing or Trial.

(a) Notice of trial in a jury case will be provided by the judge to whom the case has been assigned for trial.

(b) Notice of hearing in arbitration cases will be provided by the Court Administrator by mail to all counsel of record and pro se parties.

Rule 216. Application for Continuance.

(a) An application for continuance of a hearing or trial must be submitted to the assigned judge at least seven (7) days before the first day of the hearing or trial term for which the case is listed.

(b) The grounds for continuance shall be those set forth in Pa.R.Civ.P. 216.

(c) The grant or denial of an application for continuance shall be in the discretion of the judge giving due consideration to the timeliness of the application, any prejudice to the opposing party or counsel, the reasons offered for the continuance, and any other factors deemed relevant by the judge.

Rule 223. Civil Trials.*(a) Schedule of Commencement of Trial.*

During a trial session, cases shall be called for trial in the order in which they were scheduled for trial by the assigned judge.

(b) Openings and Closings.

The opening addresses and closing arguments of counsel engaged in trial shall be in accordance with the following principles:

(1) Unless the trial judge shall otherwise direct, only one attorney may present an opening address or a closing argument for any party;

(2) Opening remarks shall consist only of a succinct statement, without argument of the positions and contentions of the party represented by the speaker and a brief recital of the evidence intended to be introduced in support of the same;

(3) Counsel for the party having the affirmative of the issue on the pleadings shall open the case and shall be followed by opposing counsel, and by third parties, in order in which each appears in the caption of the action;

(4) Counsel for the defendant or any third party defendant may elect to make the opening address prior to the taking of any testimony or immediately prior to the presentation of evidence by the defense, unless the trial judge in a particular case required such opening addresses by the defense counsel to be made at a particular time;

(5) At the conclusion of the evidence, closing arguments shall be presented by counsel in the reverse order in which counsel was entitled to open under subparagraph (3), so that counsel for the party having the affirmative of the issue shall close last;

(6) In actions involving more than one plaintiff, defendant, or third party defendant, not covered under subparagraph (3), if the attorneys are unable to agree, the trial judge shall determine the order of presentation of the opening addresses and closing arguments.

(c) Conduct of Trial.

The party calling a witness shall, upon motion of another party or when required to do so by the court, state briefly the matter proposed to be established by the testimony of that witness and the legal purpose for presenting such evidence. The entire examination of a witness shall be conducted by only one attorney for each party unless otherwise permitted by the trial judge.

Rule 223.1. Trial Briefs.

Prior to the commencement of trial, counsel shall furnish the court a trial brief which shall contain a succinct statement of evidence to be presented, the position of the party filing the same with respect to anticipated legal issues to be encountered, and citation of legal authorities relied upon to support the legal positions of the party and to support any requests for rulings which the party anticipates seeking from the court.

Rule 223.2. Additional Submission for Non-Jury Trials.

In all civil actions tried by a judge without a jury, counsel for the respective parties shall each present to the trial judge requests for findings of fact and conclusions of law. These requests shall be filed with the Clerk of Judicial Records and shall thereby become part of the record of the court in the case.

Rule 226. Points for Charge and Jury Interrogatories.

Points upon which the trial judge is requested to charge the jury in civil litigation shall not exceed twelve (12) in number without leave of court. Points to be requested shall be framed so that each constitutes a single request which may be completely answered by a single affirmation or negation. Counsel for each party shall furnish that party's requested points for charge to the judge and to opposing counsel at the beginning of the trial unless otherwise allowed or directed by the court. Such requests may be supplemented for matters arising during the trial or directed by the court. Such requests may be supplemented for matters arising during the trial that could not have been reasonably anticipated at the beginning of the party's case in chief.

For each requested point for charge, counsel shall cite the legal authority as the basis for which that particular point is requested which citation shall be made immediately following the particular request to which it applies.

Any special interrogatories which are to be requested shall also be framed so that each constitutes a single request which may be answered by simple affirmation or negation.

Rule 227.1. Post-Trial Motions in Jury Trials.

(a) All post-trial motions after trial pursuant to Pa.R.Civ.P. 227.1 shall be filed within ten days after nonsuit or verdict or disagreement of the jury.

(b) All post-trial motions must be written and the movant and respondent of each post-trial motion shall serve copies of each document which they file with reference to any such motion upon the trial judge and all other parties. Such service shall be made prior to or immediately after the time the document is filed in the office of the Clerk of Judicial Records.

(c) All motions of the type set forth in paragraph (a) above shall contain specific references to the alleged errors which form the basis of the motion. A post-trial motion will be dismissed as of course as dilatory and in needless expense to the county and to the litigants if the reason set forth are mere conclusions, are captious, or are not supported by the record.

(d) Whenever a post-trial motion is based upon matters not appearing of record, it shall be made in the form of a petition for rule to show cause and shall be supported by affidavits or depositions upon argument thereof.

(e) A motion for a new trial on the ground of after-discovered evidence must be made on petition, verified by affidavit, setting forth the names of the witnesses or sources of evidence which have been discovered, a reasonable expectation as to what is to be proved by such evidence, and an assertion that the movant did not know of the evidence before or during the trial. In the event that the rule to show cause is granted, all of the foregoing matters shall be established by deposition or by testimony presented in court at the time that the motion is considered.

(f) Unless for good cause shown the court orders otherwise, post-trial motions may be decided without the transcript of testimony having been prepared.

(g) Where it is determined that a transcript or portion thereof is necessary, counsel shall have as a matter of right ten additional days to submit additional allegations of error following receipt of the transcript.

Rule 229. Discontinuance.

Leave of court is required for a plaintiff to discontinue an action as to less than all defendants. Such leave of court shall be sought by petition and rule to show cause.

Rule 230.2. Termination of Inactive Cases.

The termination of inactive cases in which there has been no activity of record for two years or more shall be governed by the procedure set forth in Pa.R.Civ.P. 230.2 (effective July 1, 2003).

Rule 238. Notice of Settlement Offer.

Each settlement offer made pursuant to Pa.R.Civ.P. 238(b) and each response given to such offer shall be in writing and dated.

Rule 240. Proceeding in Forma Pauperis in Civil Cases.

(a) Any party who is represented by counsel who certifies on the application or by separate document that the plaintiff is indigent, or any party who is represented by court-appointed counsel or by counsel furnished from the non-profit legal services organizations providing free legal services to the indigent, may apply to the court for leave to proceed in forma pauperis.

(b) If the party is represented by an attorney, The Clerk of Judicial Records shall allow the party to proceed in forma pauperis upon the filing of a praecipe in the form prescribed by Pa.R.Civ.P. 240(d)(1) and (i). In all other cases, the parties seeking to proceed in forma pauperis shall file a petition and an affidavit in the form prescribed by Pa.R.Civ.P. 240(c) and (h).

(c) Parties eligible to apply for leave to proceed in forma pauperis, as set forth in subsection (a) above, may also apply to the court for relief from payment of special or unusual expenses, i.e., those costs not related to filing and service of process.

(d) The right to apply for leave to proceed in forma pauperis shall likewise be available to parties in any civil action commenced before the minor judiciary. Applications in such cases shall be brought to the presiding District Justice for disposition in the manner set forth in subparagraph (a) above.

Rule 248. Modification of Time.

The time prescribed by any rule herein for the doing of any act may be extended or shortened by written agreement of the parties or by order of court.

Rule 250. Scope of Chapter.

(a) The rules contained within this chapter entitled "Practice and Procedure Generally" shall apply to all civil actions and proceedings unless otherwise designated in a particular rule and as limited by subsection (b) below.

(b) The rules contained within this chapter shall apply to class actions only to the extent that they do not conflict with Pa.R.Civ.P. 1701—1716, Lacka.Co.R.C.P. 1703—1713, and such other rules as may be promulgated by the court with respect to class actions.

Rule 250.1. Suspension of Rules.

The court may suspend one or more of these rules in individual cases by written order. When a judge of this court issues any order in specific case which is not consistent with these rules, such order shall constitute a suspension of these rules for such case only and only to the extent that it is inconsistent.

Rule 261. Court Records.

(a) The Clerk of Judicial Records shall endorse upon all papers filed the date and time of filing the same. No parol evidence shall be received to contradict such endorsement, unless upon an allegation, verified by affidavit, of fraud or mistake.

(b) No person other than the Clerk of Judicial Records or his or her deputy or designee shall make any entry upon the docket or records of the court.

(c) The Clerk of Judicial Records shall allow no papers to be taken from his or her office, except when specially allowed by the court or one of the judges thereof, unless the same be called for trial or a hearing before a referee, board of arbitrators, auditor, or master, and then only upon receipt of the person or persons authorized to take such records.

(d) In cases where tax or municipal liens shall be divested without having been paid in full, by reasons of any order of this court or of the United States Court in Bankruptcy, either by compromising said liens or directing the sale of the lien premises free and clear of such liens which filed the lien, enter upon the records of each lien thus divested in the municipal lien docket and judgment index an annotation to the effect that the lien has been divested under order of court, making specific reference to the number of term of this court or to the number and bankruptcy court under which the lien was divested.

Rule 262. Court Records (Transcripts).

In order to implement Supreme Court Order No. 35 and subject to Lacka.Co.R.C.P. 261, counsel shall not be permitted to take any court records out of the office of the Clerk of Judicial Records, by order of court or otherwise, for the purpose of photocopying transcripts.

Only in an emergency situation may counsel be permitted to photocopy a transcript, but the court reporter still must be paid the copy rate since counsel is not entitled to a free transcript indirectly off the court reporter's services and since counsel cannot receive a free transcript directly from the reporter.

Rule 263. Ordering of Transcripts.

Counsel for the moving party shall serve a formal request for transcript on the court stenographer. The court stenographer will then provide counsel for the moving party with an estimate of the transcript fee for an original and one copy. Upon receipt of at least one half of said transcript fee, transcription will commence. However, filing of the original transcript deliver of a copy to counsel shall not be made until full payment is made.

Delivery of copies ordered by opposing counsel will be made only after the moving party has made full payment for the original and one copy and payment in full is made by opposing counsel for any copies so ordered.

Rule 275. Costs.**(a) Taxation of Bill of Costs.**

A bill of costs, accompanied by an affidavit of their correctness and the necessity for the number of witnesses in attendance, shall be taxed by the Clerk of Judicial Records.

(b) Notice.

Any party requesting taxation of costs by the Clerk of Judicial Records shall give the Clerk and all other parties

ten (10) days written notice of such request. The Clerk shall fix the time for taxation and notify the parties or their counsel.

(c) *Exceptions.*

Any party desiring to challenge the correctness of a bill of costs may do so by filing with the Clerk of Judicial Records within ten (10) days after service of the bill of costs written exceptions thereto, accompanied by an affidavit attesting to the truth of the facts asserted within the exceptions. Exceptions to a bill of costs shall particularize the items objected to in detail unless the exceptions are to the whole bill for any particular reason.

(d) *Clerk's taxation.*

The clerk of Judicial Records shall tax the costs upon consideration of the bill of costs and any exceptions presented thereto, which taxation shall be subject to appeal to the court.

(e) *Appeal.*

An appeal taken to the court from the Clerk of Judicial Records' taxation of a bill of costs must be taken within

thirty (30) days from the date of filing of the Clerk's taxation.

(f) *Security for Costs.*

The defendant in any case, upon entering an appearance or upon filing a responsive pleading, may petition for a rule on plaintiff to give security for costs. Such petition and rule shall be in accordance with Lacka.Co.R.C.P. 206.1(a) and/or Lacka.Co.R.C.P. 206.4(c).

Rule 290. Appellate Court Filing Fees.

When an appeal is brought by filing a notice of appeal in the office of the Clerk of Judicial Records and for which a filing fee is required by the Court of Common Pleas of Lackawanna County and an additional filing fee is required by the appellate court to be collected by the Clerk of Judicial Records of Lackawanna County, such appellate court filing fee shall be paid a separate check or money order made payable to the prothonotary of the appellate court involved. It shall be the obligation of the Clerk of Judicial Records to forward said filing fee to the appellate court, consistent with the Pennsylvania Rules of Appellate Procedure.

SERVICE OF ORIGINAL PROCESS AND OTHER LEGAL PAPERS

Rule 400.1. Notice to Serve.

(a) Any document or process issued out of the office of the Clerk of Judicial Records, other than a complaint, shall contain a notice to serve directed to the sheriff of the appropriate county to serve the process on or before a day certain, which shall be not less than five days in advance of any return date set with respect to the process, or to otherwise return the process marked "Not Found."

(b) The form of such notice to serve will read:

TO THE SHERIFF of _____ COUNTY:

You are hereby authorized and directed to effect service of the within process on or before _____ .

If you are unable to do so, return said process marked "Not Found" with reasons therefore.

Attorney for

Rule 430. Service by Publication in Actions in Ejectment.

Service upon a defendant by publication in an action in ejectment shall be made by publishing once in the "Lackawanna Jurist" and once in a daily newspaper of general circulation within Lackawanna County, a notice which shall be substantially in the following form:

Commonwealth of Pennsylvania
County of Lackawanna

(CASE CAPTION)

To _____
(Name of defendant)

You are notified that _____ the plaintiff, has commenced an action in ejectment
(Name of Plaintiff)
against you, which you are required to defend, to recover possession of land described as follows:

NOTICE

If you wish to defend you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

(Offices to be listed are set forth in Lacka.Co.R.C.P. 1018.1)

(Attorney for plaintiff)

(Address of Attorney for plaintiff)

(b) When service is to be made by the publication in accordance with subsection (a) above, if an affidavit is filed that the heirs and assigns of the named former owner of the property are unknown, the publication shall be directed for the former owner and his heirs and assigns generally.

Rule 430.2. Service by Publication in Actions in Replevin.

(a) Service upon a defendant by publication in an action in replevin shall be made by publishing once in the "Lackawanna Jurist" and once in a daily newspaper of general circulation in Lackawanna County a notice which shall be substantial in the following form:

Commonwealth of Pennsylvania
County of Lackawanna

(CASE CAPTION)

To: _____
(Name of defendant)

You are notified that _____ has commenced an action in replevin, which you are required to defend, and in which the following property may be seized:
(Name of plaintiff)

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice of the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

(Offices to be listed are set forth in Lacka.Co.R.C.P. 1018.1)

(Attorney for plaintiff)

(Address of Attorney for plaintiff)

(b) When service is to be made by publication in accordance with subsection (a) above, if an affidavit is filed that the heirs and assigns of a named former owner of the property are unknown, the publication shall be directed to the former owner and his heirs and assigns generally.

Rule 430.3. Service by Publication in Action Requesting Equitable Relief.

(a) Service upon a defendant by publication in an action seeking equitable relief shall be made by publishing once in the "Lackawanna Jurist" and once in a daily newspaper of general circulation within Lackawanna County a notice which shall be substantially in the following form.

Commonwealth of Pennsylvania
County of Lackawanna

(CASE CAPTION)

To: _____
(Name of defendant)

You are notified that _____ has commenced an action in equity against you which you are required to defend.
(Name of plaintiff)

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice of the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

(Offices to be listed are set forth in Lacka.Co.R.C.P. 1018.1)

(Attorney for plaintiff)

(Address of Attorney for plaintiff)

(b) When service is made by publication upon the heirs and assigns of a named former owner or party in interest and said heirs and assigns are unknown, the publication shall be directed to the heirs and assigns generally if within the complaint or by separate affidavit it is stated that the heirs and assigns are unknown.

Rule 430.4. Service by Publication for the Enforcement of Judgments for Payment of Money.

When service by publication may be had under Pa.R.Civ.P. 3112(c), the plaintiff may cause service to be made by publication once in the "Lackawanna Jurist" and once in a daily newspaper of general circulation in Lackawanna County a notice which shall be in substantially the following form:

Commonwealth of Pennsylvania
County of Lackawanna

(CASE CAPTION)

NOTICE IS HEREBY GIVEN TO _____ that on _____ a writ of execution issued
(date)
against real property of _____ held in your name and described as follows:

(In addition to the description, see Lacka.R.C.P. 3129.1)

Said writ issued on judgment No. _____, 20____.

You are directed to notify _____ that the plaintiff issued an attachment execution against you which _____ is/are required to defend.

Rule 430.5. Service by Publication of Actions Pursuant to 41 P. S. Section 407.

Service upon a defendant by publication of actions commenced in accordance with the requirements of Section 407 of Act. No. 6 of 1974, 41 P. S. Section 407, when authorized pursuant to Pa.R.Civ.P. 430, shall be made by publishing once in the "Lackawanna Jurist" and once in a daily newspaper of general circulation within Lackawanna County a notice which shall be substantially in the following form:

Commonwealth of Pennsylvania
County of Lackawanna

(CASE CAPTION)

To _____
(Name of defendant)

You are notified that _____ has commenced an action to execute on residential real
(Name of plaintiff)
property pursuant to a judgment entered by confession in the Court of Common Pleas of Lackawanna County, which judgment is entered by docket number _____ 20____.

You are required to defend this action, which seeks to obtain possession of real estate which you own or in which you reside, which real estate is located at

(Street Address)

(City and State)

as is described as follows:

(In addition to the description, see Lacka.Co.R.C.P. 3129.1)

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file our defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

(Offices to be listed are set forth in Lacka.Co.R.C.P. 1018.1)

(Attorney for plaintiff)

(Address of Attorney for plaintiff)

Rule 440. Service of Legal Papers Other Than Original Process.

(a) *Service.*

Unless otherwise provided by statute or by rule of the Supreme Court of Pennsylvania or of this court, a copy of all pleadings, petitions, motions, rules, answers to rules to show cause, notices, or other papers required to be serviced on another party shall be served in the manner provided by Pa.R.Civ.P. 440 or 441 or as otherwise directed by order of this court within five (5) days from the filing thereof. If timely service is not effective in accordance with this rule, the legal paper shall be considered void and of no effect. Upon affidavit filed setting forth such failure of timely service, the party upon whom the paper should have been served may proceed as though said legal paper had never been filed.

(b) *Certificate of Service.*

The party serving the paper(s) shall file in the office of the Clerk of Judicial Records a certificate or affidavit of showing the date, manner of service, and person upon whom service was made. Such certificate or affidavit of service shall be filed immediately upon effecting service, and a copy of same shall be served on all parties.

(c) *Service by Publication.*

Unless otherwise specifically provided by statute, court rule, or order of court, whenever service by publication may be made pursuant to Pa.R.Civ.P. 430, said service shall be accomplished by publication once in the "Lackawanna Jurist" and once in a daily newspaper of general circulation within Lackawanna County. Such publication is to be made in such a manner that the person so served thereby shall have at least five (5) days after publication to answer the legal paper which is served in that fashion.

ACTIONS AT LAW

Rule 1018.1. Notice to Defend.

The agencies to be designated on the notice to defendant which is required by Pa.R.Civ.P. 1018.1 to appear in every complaint filed in the Court of Common Pleas of Lackawanna County by a plaintiff or by a defendant against an additional defendant shall be as follows:

Northeastern Pennsylvania Legal Services
33 N. Main Street, Suite 200
Pittston, PA 18640
Telephone (570) 299-4100

Rule 1019. Contents of Pleadings, General and Specific Averments.

Whenever any right, claim, or defense is asserted to be founded upon a specific statute of this or another jurisdiction or upon an ordinance, governmental regulation, Pennsylvania Rule of Civil Procedure, or rule herein, the first pleading in which such right, claim, or defense is

asserted shall cite for the information of the court the statute, ordinance, regulations, or rule so relied upon.

Rule 1021. Claims for Relief—Accounting.

(a) *Time for filing Account.*

When a judgment has been entered directing the defendant to account to the plaintiff, the defendant shall, within thirty (30) days, unless the court shall for cause shown allow a longer time, state the account and file the statement thereof in the office of the Clerk of Judicial Records, and shall at the same time serve a copy of said account upon all adverse parties to whom the defendant has been ordered to account.

(b) *Exceptions.*

Within thirty (30) days after such notification, any adverse party who has received the accounting, if dissatisfied with the statement of account filed by the defendant, shall file exceptions thereto and move for the appointment of an auditor to hear and report upon the questions of fact and law raised by the exceptions.

(c) *Failure to File Account.*

If the defendant shall for any reason fail to file a statement of account within (30) days or such longer period as the court may fix, the court shall, on motion of an adverse party to whom the defendant has been ordered to account, appoint an auditor to state the account between the parties upon the basis of such evidence as may be submitted to the auditor.

(d) *Auditor's Report Exceptions.*

The auditor shall give two weeks notice in writing to the parties on their attorneys of record of the time and place fixed for the hearing on the matter. When the auditor has prepared his report, notice that it is ready for filing shall be given to the parties or their attorneys. Exceptions thereto must be filed with the auditor within ten (10) days after such notice has been received. If exceptions are filed, the auditor shall, with his report as originally prepared, report supplementally on the exceptions. When the auditor's report has been filed, the court, after hearing argument on the exceptions thereto, will enter such order for judgment as the case may require.

Rule 1021.1. Claim for Relief.

In actions for injury to persons or property where some or all of the damages are not liquidated, the claims for relief in the complaint, in specifying the amounts of damages to which the party deems himself entitled, shall state only that said damages are in excess of, or not in excess of the amount below which cases are required to be presented to arbitration.

Rule 1028(c). Preliminary Objections.

A party filing preliminary objections shall file the original preliminary objections with the Clerk of Judicial Records and shall deliver a copy of the same to the Court

Administrator together with a praecipe for assignment in accordance with Lacka.Co.R.C.P. 211. The party filing a praecipe for assignment shall comply with the requirements of Lacka.Co.R.C.P. 211(b) prior to filing the praecipe for assignment. The filing of briefs, assignment of preliminary objections, and scheduling of oral argument, if necessary, shall be governed by Lacka.Co.R.C.P. 211(c)—(g).

Rule 1033. Amendments to Pleadings.

When an amendment to a pleading is allowed or is made prior to trial, the whole pleadings, as amended, shall be executed, verified, and filed, provided that, exhibits attached to prior pleadings need not be recopied into the amended pleadings.

Amendments to pleadings allowed at the trial need not be executed, verified, and filed if the amendment is made a part of the trial record.

Rule 1034. Motion for Judgment on the Pleadings.

(a) A party filing a motion for judgment on the pleadings shall file the original motion for judgment on the pleadings with the Clerk of Judicial Records and shall deliver a copy of the same to the Court Administrator together with a praecipe for assignment in accordance with Lacka.Co.R.C.P. 211. The party filing a praecipe for assignment shall comply with the requirements of Lacka.Co.R.C.P. 211(b) prior to filing the praecipe for assignment. The filing of briefs, assignment of motion for judgment on the pleadings, and scheduling of oral argument, if necessary, shall be governed by Lacka.Co.R.C.P. 211(c)—(g).

(b) As a condition precedent to the filing of a motion for judgment on the pleadings in a residential mortgage foreclosure action involving a residential property which serves as the primary residence of the defendant/borrower, the plaintiff/lender must serve upon the defendant/borrower a “Notice of Residential Mortgage Foreclosure Diversion Program” in the format set forth in Form 11 of the Appendix, unless such a Notice has already been served pursuant to Lacka.Co.R.C.P. 1143. Following the service of the “Notice of Residential Mortgage Foreclosure Diversion Program” in the format prescribed in Form 11 of the Appendix, all proceedings shall be stayed for a period of sixty (60) days in order to afford the defendant/borrower an opportunity to qualify for participation in a court-supervised conciliation conference under Lacka.Co.R.C.P. 1143.1. Upon the expiration of that stay period, the plaintiff/lender in such a residential mortgage foreclosure action may proceed to file a motion for judgment on the pleadings in compliance with Lacka.Co.R.C.P. 1034(a).

(c) If the defendant/borrower in a residential mortgage foreclosure action has taken the affirmative steps identified in the “Notice of Residential Mortgage Foreclosure Diversion Program” to be eligible to participate in a court-supervised conciliation conference under this Rule, the defendant/borrower shall file a Request for Conciliation Conference in the format set forth in Form 9 of the Appendix. The Request for Conciliation Conference shall be filed with the Clerk of Judicial Records within sixty (60) days of service of the Notice of Residential Mortgage Foreclosure Diversion Program and shall be served upon counsel for the plaintiff/lender. A copy of the Request for Conciliation Conference shall also be served upon the Court Administrator.

(d) Upon receipt of the Request for Conciliation Conference, the Court Administrator shall issue a Case Management Order (Form 10) as required by Lacka.Co.R.C.P.

1143.1(c). Conciliation conferences shall be scheduled and conducted in conformity with Lacka.Co.R.C.P. 1143.1(c)—(f).

Rule 1035.2. Motion for Summary Judgment.

(a) A party filing a motion for summary judgment shall file the original motion for summary judgment with the Clerk of Judicial Records and shall deliver a copy of the same to the Court Administrator together with a praecipe for assignment in accordance with Lacka.Co.R.C.P. 211. The party filing a praecipe for assignment shall comply with the requirements of Lacka.Co.R.C.P. 211(b) prior to filing the praecipe for assignment. The filing of briefs, assignment of motion for summary judgment, and scheduling of oral argument, if necessary, shall be governed by Lacka.Co.R.C.P. 211 (c)—(g).

(b) As a condition precedent to the filing of a motion for summary judgment in a residential mortgage foreclosure action involving a residential property which serves as the primary residence of the defendant/borrower, the plaintiff/lender must serve upon the defendant/borrower a “Notice of Residential Mortgage Foreclosure Diversion Program” in the format set forth in Form 11 of the Appendix, unless such a Notice has already been served pursuant to Lacka.Co.R.C.P. 1143. Following the service of the “Notice of Residential Mortgage Foreclosure Diversion Program” in the format prescribed in Form 11 of the Appendix, all proceedings shall be stayed for a period of sixty (60) days in order to afford the defendant/borrower an opportunity to qualify for participation in a court-supervised conciliation conference under Lacka.Co.R.C.P. 1143.1. Upon the expiration of that stay period, the plaintiff/lender in such a residential mortgage foreclosure action may proceed to file a motion for summary judgment in compliance with Lacka.Co.R.C.P. 1035.2(a).

(c) If the defendant/borrower in a residential mortgage foreclosure action has taken the affirmative steps identified in the “Notice of Residential Mortgage Foreclosure Diversion Program” to be eligible to participate in a court-supervised conciliation conference under this Rule, the defendant/borrower shall file a Request for Conciliation Conference in the format set forth in Form 9 of the Appendix. The Request for Conciliation Conference shall be filed with the Clerk of Judicial Records within sixty (60) days of service of the Notice of Residential Mortgage Foreclosure Diversion Program and shall be served upon counsel for the plaintiff/lender. A copy of the Request for Conciliation Conference shall also be served upon the Court Administrator.

(d) Upon receipt of the Request for Conciliation Conference, the Court Administrator shall issue a Case Management Order (Form 10) as required by Lacka.Co.R.C.P. 1143.1(c). Conciliation conferences shall be scheduled and conducted in conformity with Lacka.Co.R.C.P. 1143.1(c)—(f).

Rule 1037. Judgment Upon Default for Repair of Property.

(a) In all actions in which the only damages to be assessed are the cost of repairs heretofore made to property, the plaintiff may seek judgment upon default assessing damages for the cost of repairs by filing, with a praecipe waiving any other damages under such judgment, the affidavits required by subsection (b) of this rule and, by sending to the defendant by registered mail directed to his or her last known address, a copy of the repair bill and the affidavit of the person who performed the repairs required by subsection (b) of this rule, together with a notice setting forth the date of the intended

assessment of damages, which date shall be not less than ten (10) days from the date of mailing of the notice. Said notice shall contain a statement that damages will be assessed in the amount of the repair bill unless, prior to the date of intended assessment, the defendant files a written praecipe with the Clerk of Judicial Records requesting trial on the issue of such damages.

(b) Together with the praecipe waiving any damages other than the cost of repairs, the plaintiff shall file an affidavit indicating the date of the mailing to defendant of the notice of the intended assessment of damages and an affidavit of the person who performed the repairs containing an itemized repair bill setting forth the charges for labor and material used in the repair of the property and a statement indicating the qualifications of the person who made or supervised the repairs, that the repairs were necessary, and that the prices for labor and material were fair and reasonable and those customarily charged.

(c) If the defendant fails to file with the Clerk of Judicial Records prior to the date of intended assessment of damages a praecipe requesting a trial on the issue of such damages, the plaintiff on or after the date of intended assessment of damages may file a praecipe directing the Clerk of Judicial Records to enter judgment in plaintiff's favor in the amount of the repair bill which the Clerk of Judicial Records shall promptly do.

(d) In the event that the defendant does file a praecipe requesting a trial on the issue of such damages, the case shall proceed as any civil action and shall be subject to arbitration if the amount in controversy is an amount requiring arbitration.

Rule 1054. Abstracts of Title.

Abstracts of title shall contain a specification of all facts or equitable matter on which the party relies, a reference to all records, an abstract thereof, and, as to deeds, mortgages, or contracts, shall give their date, the date of acknowledgement, and if recorded, when and where recorded.

Rule 1075. Seizure of Property Before Judgment in Actions in Replevin.

(a) A return of service required by Pa.R.Civ.P. 1075.1(d) or Pa.R.Civ.P. 1075.2(c), pertaining to service of motions for writ of seizure and notice of hearings made by one other than the sheriff, shall indicate the manner in which service was made and, if service was accomplished in a manner other than those provided in Pa.R.Civ.P. 402, the affidavit shall indicate why service could not be made in a manner indicated in that rule.

(b) A petition to vacate a writ of seizure as provided in Pa.R.Civ.P. 1075.1(g) shall be accompanied by a rule to show cause and shall follow the procedure set out in Lacka.Co.R.C.P. 206.

Rule 1098. Peremptory Judgment in Actions in Mandamus.

(a) A plaintiff in an action in mandamus seeking a peremptory judgment shall do so by motion and in compliance with the notice provision of Lacka.Co.R.C.P. 206.1(c), unless the urgency of the case is such as to require action before notice can reasonably be given.

(b) The court at the time such motion is presented shall determine whether the motion can be acted upon forthwith or whether it requires additional consideration. If additional consideration is required, the court shall schedule presentation of any documentary or testimonial

evidence which it desires as soon as practicable and shall thereafter rule on said motion and either grant or deny peremptory judgment.

(c) The pendency of a motion for peremptory judgment in a mandamus action does not excuse or relax the defendant's responsibility to timely file a responsive pleading to the plaintiff's complaint.

Rule 1143. Commencement of Mortgage Foreclosure Action.

(a) In all residential mortgage foreclosure actions involving a residential property which serves as the primary residence of the defendant/borrower, the complaint must include a Civil Cover Sheet bearing the case code designation "RP/MF/RES" as required by Lacka.Co.R.C.P. 205.2(b). In addition to the Civil Cover Sheet bearing the case code designation "RP/MF/RES," the complaint shall include a "Notice of Residential Mortgage Foreclosure Diversion Program" in the format set forth in Form 8 of the Appendix. Service of the complaint in such a residential mortgage foreclosure action shall include the "Notice of Residential Mortgage Foreclosure Diversion Program" advising the defendant/borrower of the action to be taken by the defendant/borrower within sixty (60) days of service of the complaint in order to participate in a court-supervised conciliation conference pursuant to Lacka.Co.R.C.P. 1143.1.

(b) If the defendant/borrower in a residential mortgage foreclosure action has taken the affirmative steps identified in the "Notice of Residential Mortgage Foreclosure Diversion Program" to be eligible to participate in a court-supervised conciliation conference under Lacka.Co.R.C.P. 1143.1, the defendant/borrower shall file a Request for Conciliation Conference in the format set forth in Form 9 of the Appendix. The Request for Conciliation Conference shall be filed with the Clerk of Judicial Records within sixty (60) days of service of the complaint and Notice of Residential Mortgage Foreclosure Diversion Program and shall be served upon counsel for the plaintiff/lender. A copy of the Request for Conciliation Conference shall also be served upon the Court Administrator.

(c) Upon receipt of the Request for Conciliation Conference, the Court Administrator shall issue a Case Management Order (Form 10) as required by Lacka.Co.R.C.P. 1143.1(c). Conciliation Conferences shall be scheduled and conducted in conformity with Lacka.Co.R.C.P. 1143.1(c)—(f).

(d) Following the service of the "Notice of Residential Mortgage Foreclosure Diversion Program" (Form 8) in a residential mortgage foreclosure action bearing the case code designation "RP/MF/RES," all proceedings shall be stayed for a period of sixty (60) days in order to afford the defendant/borrower an opportunity to qualify for participation in a court-supervised conciliation conference.

Rule 1143.1. Conciliation Conference in Residential Mortgage Foreclosure Actions.

(a) The defendant/borrower shall be entitled to participate in a court-supervised conciliation conference with the plaintiff/borrower in all residential mortgage foreclosure actions in which the defendant/borrower: (i) has been served with a Notice of Residential Mortgage Foreclosure Diversion Program pursuant to Lacka.Co.R.C.P. 205.2(b), 1034(b), 1035.2(b), 1143(a) or 3129.1(c); (ii) has completed a financial worksheet in the format set forth in Form 14 of the Appendix in advance of the Conciliation Conference; and (iii) has filed and served a Request for Conciliation Conference. If the defendant/borrower in a residen-

tial mortgage foreclosure action has already participated in a conciliation conference, the plaintiff/lender or the defendant/borrower may request an additional conciliation conference for good cause shown by presenting a motion seeking the scheduling of a conciliation conference in accordance with Lacka.Co.R.C.P. 208.3(a).

(b) To be eligible to participate in a Conciliation Conference, a self-represented defendant/borrower who has been served with a Notice of Residential Mortgage Foreclosure Diversion Program under Lacka.Co.R.C.P. 205.2(b), 1034(b), 1035.2(b), 1143(a) or 3129.1(c) must contact and meet with one of the housing counselors identified in the Notice, complete a financial worksheet (Form 14), and file the Request for Conciliation Conference form within the time deadlines set forth in the applicable Notice. If the defendant/borrower is represented by counsel, the defendant/borrower need not contact and meet with one of the identified housing counselors as a condition precedent to requesting a Conciliation Conference, provided that counsel for the defendant/borrower completes the prescribed financial worksheet (Form 14), and files the Request for Conciliation Conference form within the time deadlines set forth in the applicable Notice. In the event that the defendant/borrower has not been served with a Notice of Residential Mortgage Foreclosure Diversion Program pursuant to Lacka.Co.R.C.P. 205.2(b), 1034(b), 1035.2(b), 1143(a) or 3129.1(c), the defendant/borrower in a residential mortgage foreclosure action shall have the right to participate in a court-supervised conciliation conference provided that the defendant/borrower completes a financial worksheet (Form 14), files a Request for Conciliation Conference form with the Clerk of Judicial Records and delivers a time-stamped copy to the Court Administrator.

(c) Upon receipt of a duly-filed Request for Conciliation Conference form, the Court Administrator shall issue a Case Management Order (Form 10) scheduling the matter for the next available Conciliation Conference list. The Case Management Order shall specify the date, time and place of the Conciliation Conference and shall be forwarded by the Court Administrator via ordinary mail to counsel for the parties and to any self-represented parties. At least fourteen (14) days prior to the date of the Conciliation Conference, the defendant/borrower must serve upon the plaintiff/lender or its counsel a copy of the "Lackawanna County Residential Mortgage Foreclosure Diversion Program Financial Worksheet" (Form 14) which has been completed by the defendant/borrower in compliance with Lacka.Co.R.C.P. 1143.1. The failure to do so will result in the removal of the case from the Conciliation Conference schedule and the termination of the temporary stay of proceedings under Lacka.Co.R.C.P. 1034(b), 1035.2(b), 1143(d) or 3129.1(e).

(d) Conciliation Conferences in residential mortgage foreclosure actions will be conducted in the Jury Orientation Lounge, 1st Floor, Lackawanna County Court House at 10:00 AM on the last Friday of each month. In the event that the last Friday of a month falls on a holiday, the Conciliation Conference will be conducted on the preceding Friday unless another date is fixed by the Case Management Order.

(e) Conciliation Conferences will be conducted by the presiding judge unless a Special Master or Judge Pro Tempore is appointed by the Court to conduct the Conciliation Conference. The defendant/borrower and counsel for the parties must attend the Conciliation Conference in person and an authorized representative of the plaintiff/lender must either attend the Conciliation Conference in

person or be available by telephone during the course of the Conciliation Conference. The representative of the plaintiff/lender who participates in the Conciliation Conference must possess the actual authority to reach a mutually acceptable resolution, and counsel for the plaintiff/lender must discuss resolution proposals with that authorized representative in advance of the Conciliation Conference. The Court in its discretion may require the personal attendance of the authorized representative of the plaintiff/lender at the Conciliation Conference.

(f) At the Conciliation Conference, the parties and their counsel shall be prepared to discuss and explore all available resolution options which include: bringing the mortgage current through a reinstatement; paying off the mortgage; proposing a forbearance agreement or repayment plan to bring the account current over time; agreeing to vacate in the near future in exchange for not contesting the matter and a monetary payment; offering the lender a deed in lieu of foreclosure; entering into a loan modification or a reverse mortgage; paying the mortgage default over sixty months; and the institution of bankruptcy proceedings.

Rule 1301. Arbitration.

(a) All civil actions brought in the Court of Common Pleas of Lackawanna County in which the amount in controversy is \$50,000.00 or less shall first be submitted to arbitration and heard by a panel of three arbitrators selected from members of the bar of this court in accordance with the provisions of this rule, with the exception of:

(1) cases involving title to real estate; and

(2) cases which have been consolidated for trial with cases in which the amount in controversy exceeds \$50,000.00.

Once a case has been certified for Compulsory Arbitration or otherwise directed by the court for same, the Court Administrator shall notify the Parties or their Legal Representatives of the date and time of the Arbitration. This matter will be heard by a Board of Arbitrators at the time, date, and place specified, but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a Judge of the court without the absent party or parties. There is no right to Trial De Novo on appeal from a decision entered by a Judge.

(b) The list of available arbitrators shall consist of all members of the bar of this court unless excused by the court. Each attorney engaged in active practice in this court shall file with the court Administrator information indicating whether he or she is practicing alone, is associated with one or more attorneys, or is a member of a firm, and further indicating the length of time he or she has actively engaged in the practice of law. Upon any change in his or her status of practicing or being associated with any other lawyer, he or she shall immediately notify the Court Administrator of such change.

(c) The Court Administrator shall appoint arbitration panels consisting of three attorneys each, taken from the list of eligible attorneys which the Court Administrator shall maintain on the basis of the information provided pursuant to subsection (b) of this rule. No more than one member of a family, firm, or association shall serve on an arbitration panel. The members of each arbitration panel shall have a cumulative experience of, at least, ten (10) years, dating from their admission to practice in Pennsylvania.

(e) Each arbitration panel shall sit in session one day during the calendar year and on that day shall hear as many arbitration cases as the Court Administrator has scheduled for that panel. More than one action or controversy may be scheduled for a single arbitration panel if, in the judgment of the Court Administrator, such panel can conveniently dispose of more than one case during its day of arbitration. In the event that a scheduled case cannot be heard, it shall be reassigned to the next available arbitration panel by the Court Administrator.

(f) The Court Administrator shall notify all arbitrators of the day on which they serve, which notification shall be made as soon as the arbitration panel is selected. For each arbitration panel, the member with the earliest admission to practice in Pennsylvania shall serve as chairperson. Arbitrators so appointed to a specific panel may be excused or transferred to another panel by the Court Administrator, but only for good cause shown, in which instance the Court Administrator shall designate a successor to that arbitrator as soon as practical.

(g) The arbitration panel shall file its findings and award, if any, as well as any written opinion as in its discretion it may choose to submit, within seven days from the conclusion of the hearing in each case. If a member of the panel dissents from the majority's findings or award, that arbitrator shall so state on the award form and may, in his or her discretion, submit an opinion indicating the reason(s) for such dissent.

(h) Except as provided in Sub-Section (a), any party may appeal from the findings or award of the arbitration panel to the Court of Common Pleas of Lackawanna County in the same manner as appeals de novo are commenced before the court.

(i) In any instance where all parties in an arbitration case agree to a settlement prior to the taking of any testimony at the arbitration hearing the parties shall sign a stipulation stating the exact form of any desired arbitration award, which stipulation shall be furnished to the Court Administrator or to the arbitration panel.

(j) If a stenographic record of an arbitration hearing is desired by any party, such party shall provide the Court Administrator with a written request for same no later than five (5) days prior to date fixed for the hearing and shall at the time of submission of such request pay a fee in the amount set by the court, which fee shall be considered the stenographer's appearance fee. The Court Administrator shall arrange for stenographic service and shall forward aforesaid appearance fee to the stenographer. All parties requesting a transcript of the record shall compensate the stenographer at the rate prescribed by the court.

(k) Each member of an arbitration panel who actually hear testimony in one or more arbitration cases on the day of the panel's service shall receive a fee in an amount set by the court. Arbitrators may petition the court for additional compensation in protracted or complex arbitration cases. The court in its discretion shall determine the amount of additional compensation, if any, that the arbitrators shall receive.

The Court Administrator's Notice of the Arbitration forwarded to the Parties or their Legal Representatives shall contain the following language:

THIS MATTER WILL BE HEARD BY A BOARD OF ARBITRATORS AT THE TIME, DATE AND PLACE SPECIFIED BUT, IF ONE OR MORE OF THE PARTIES IS NOT PRESENT AT THE HEARING, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE. (PA.R.CIV.P. 1303(A)(2); LACKA.CO.R.C.P. 1301(A)).

INJUNCTIONS

Rule 1531. Injunctions.

No application for an injunction will be considered by the court unless the factual reasons are set forth specifically and in detail. The pleading of conclusions will not be sufficient. If an application for an injunction is considered, the court will issue an order for a hearing to be scheduled by the court administrator pursuant to Pa.R.Civ.P. 1531. Request for immediate hearings will be granted upon approval of the court if it finds that extraordinary and urgent circumstances exist which requires an immediate hearing.

Rule 1531.1. Contempt Proceedings on Injunctions.

Unless the President Judge directs otherwise for reasons of manifest necessity, contempt proceedings on injunction matters shall be heard and decided by the judge whose order is involved.

CLASS ACTION RULES

Rule 1703. Commencement of Action; Assignment of Judge.

(a) Upon the proper filing of a class action in the office of the Clerk of Judicial Records, counsel for the plaintiff(s) shall notify the Court Administrator and the President Judge that a class action complaint has been filed and shall forward to the President Judge a copy of said complaint.

(b) Upon notification that a class action complaint has been filed and upon receipt of said complaint, the President Judge shall assign a judge of the Court of Common Pleas of Lackawanna County to preside over the case for all purposes of conformity with Pa.R.Civ.P. 1703.

Rule 1707. Discovery Pertaining to Class Action Issues.

In any case in which the judge assigned to a class action permits discovery with respect to the class action issues, the order granting such limited discovery shall also indicate the period of time during which discovery with respect to the class action issues shall be permitted. All parties are required to complete such discovery within that time period.

Rule 1710. Determination of Class Action Certification Hearing.

The judge to whom a class action is assigned may request the parties to submit proposed findings of fact and conclusions of law pertaining to the question of whether or not the case should be certified as a class action. In a case in which proposed findings of fact and conclusions of law are requested, the judge shall determine the time when they are to be submitted.

Rule 1712. Order and Notice of Certification as Class Action.

(a) After the entry of an order of certification of a class action, the judge to whom the case has been assigned

shall in the usual course conduct a class action notice conference at which all parties shall be represented for the purpose of considering the matters set forth in Pa.R.Civ.P. 1712.

(b) If at the time of the class action notice conference the court determines that individual notice is to be given, a uniform statement shall be drafted by which each individual who is to receive notice may opt for inclusion or exclusion for the class.

(c) The proposed form of notice required by Pa.R.Civ.P. 1712(c) must be submitted for approval by the plaintiff to the court and to all named defendants no later than fifteen (15) days prior to the class action notice conference.

Rule 1713. Pre-Trial of Class Actions.

In addition to the normal matters to be considered at pre-trial conferences, as set forth within these rules, a pre-trial conference conducted in a class action case shall consider the matters set forth in Pa.R.Civ.P. 1713.

MINORS AND INCOMPETENT PARTIES

Rule 2032. Filing Affidavit as to Age.

(a) A party, who files and serves on another party a rule to file of record an affidavit indicating whether that party is an adult or a minor, shall at the time of filing such rule also file a certificate of service indicating the manner of serve of said rule and the date on which such service was made.

(b) The rule filed and served by the party shall advise the recipient party who is directed to file the affidavit of the date of filing of rule in the Office of the Clerk of Judicial Records.

(c) The party who is to file the affidavit shall do so within ten (10) days from the date of service of the rule.

Rule 2039. Compromise, Settlement, Discontinuance or Distribution in Action Involving a Minor.

Notwithstanding the provisions of any rule of this court to the contrary, if a petition is presented to the court pursuant to Pa.R.Civ.P. 2039 for the compromise, settlement, or discontinuance of, or distribution of a fund resulting from an action to which a minor is a party, the court, if it so chooses, may act upon said petition immediately upon its presentation.

Rule 2056. Notice of Guardian of Incompetent.

In a case in which a defendant is incompetent, the notice required by Pa.R.Civ.P. 2056(b) may be given by personal service or by registered mail. If registered mail is utilized for this purpose, the plaintiff, the plaintiff's attorney, or any competent adult acting on behalf of the plaintiff shall send a registered letter to the last known address of the guardian of the incompetent defendant requiring a receipt signed by the guardian. If the letter is returned by the post office without a receipt signed by the guardian but with the notation by the postal authorities that the guardian refused to accept the letter, the plaintiffs shall have the right of service by ordinary mail addressed to the guardian of the incompetent at the same address with the return address of the sender appearing thereon.

Rule 2059. Notice of Incompetent of Application for Guardian Ad Litem.

In every case in which a petition is filed for the appointment or removal of a guardian ad litem for an incompetent party, a copy of the petition and the rule to

show cause or stay order issued thereon shall be served personally on the incompetent immediately upon the filing of the petition.

Rule 2064. Compromise, Settlement, Discontinuance and Distribution in Action involving an Incompetent.

The practice upon the presentation of a petition pursuant to Pa.R.Civ.P. 2064 shall be the same as that prescribed under Lacka.Co.R.C.P. 2039.

ACTIONS FOR WRONGFUL DEATH

Rule 2205. Notice of Persons Entitled to Damages.

(a) The notice prescribed in Pa.R.Civ.P. 2005 shall name the decedent and state the court, term and number of the action. If the person to whom it is addressed objects to the authority of the plaintiff to maintain the action, such persons may petition the court to remove the plaintiff and to substitute as a new plaintiff any person entitled by law to recover damages in the action or the personal representative of the decedent.

(b) An affidavit of service by registered mail of such notice shall be filed in the office of the Clerk of Judicial Records within five (5) days after service or as soon thereafter as the registered return receipt, signed by the person to whom it is addressed, is returned to the plaintiff.

Rule 2206. Court Approval of Distribution of Proceeds.

Whenever any sum of money is to be paid to the plaintiff in settlement of claims or satisfaction of a verdict or judgment in an action for damages under the Wrongful Death Act, 42 Pa.C.S. § 8301, and the Survival Act, 42 Pa.C.S. § 8302, the plaintiff shall present a motion for approval of the proposed distribution of proceeds pursuant to the procedure set forth in Lacka.Co.R.C.P. 208.3(a). The motion shall include, inter alia, the proposed allocation of the proceeds between the wrongful death and survival claims and shall attach correspondence or some other form of documented communication from the Pennsylvania Department of Revenue confirming that it does not object to the proposed apportionment of the proceeds between the wrongful death claim and the survival claim.

JOINDER AND SUBSTITUTION OF PARTIES

Rule 2227. Compulsory Joinder.

Application under Pa.R.Civ.P. 2227(b) to join an unwilling co-owner of a solely joint cause of action as a defendant or an involuntary plaintiff in an action shall be by petition and rule to show cause; the petition shall set forth the substantive grounds for such joinder.

Rule 2232. Defective Joinder, Change of Parties.

(a) In any case in which the defendant is required by Pa.R.Civ.P. 2232(a) to give notice of the pendency of an action to recover damages for any injury, not resulting in death, inflicted upon the person of a husband or wife or a minor, such notice shall be given by registered mail within twenty (20) days after service upon the defendant of the complaint.

(b) The notice shall state the court, term, and number of the action, the parties thereto, and its nature, and that the person to whom it is addressed is required to join therein within twenty (20) days after the receipt of such notice or his or her cause of action will be barred and the action will proceed without him or her.

(c) Application under Pa.R.Civ.P. 2232(b) to drop from the record a party who has been misjoined or against

whom no claim for relief is asserted in the action shall be by petition and rule to show cause directed to all other parties. Alternatively, a defendant in an action against whom no claim for relief is asserted by seek dismissal of the action as it pertains to him by demurrer.

(d) An application under Pa.R.C.P. 2232(c) to join as a party any other person who could have joined or have been joined as such in the action shall be by petition and rule to show cause.

Rule 2253. Extension of Time Limits to Join Additional Defendants.

Application to the court for an extension of time in which to file a praecipe or complaint to join an additional defendant shall be by motion, duly verified, if facts not appearing of record are averred. The court, if it so chooses, may act upon said motion immediately upon its presentation.

Rule 2352. Praecipe of Rule for Substitution of Successor.

The praecipe filed with the Clerk of Judicial Records pursuant to Pa.R.C.P. 2352(b) to show cause why the successor should not be substituted as a party shall set forth the last known address of the successor. Said address shall then be set forth in the rule.

Rule 2353. Service by Publication of Rule Concerning Substitution of Parties.

Service by publication of the rule to show cause why the successor should not be substituted as a party shall be made by publishing said rule, together with a notation of the nature and number of the action in which the rule is issued and the relief demanded, and that, if said successor does not appear in this court within twenty (20) days after the last publication, said rule may be made absolute in his absence. Said publication shall be made as prescribed by Lacka.Co.R.C.P. 440(c).

EXECUTION AND ENFORCEMENT OF JUDGMENTS

Rule 2959. Return Day for Rules Pertaining to Judgment by Confession.

The return day for a rule to show cause why relief from a judgment by confession should not be granted shall be determined in accordance with Lacka.Co.R.C.P. 206.1(a) and/or Lacka.Co.R.C.P. 206.4(c) unless the court directs a different return day at the time the petition is presented.

Rule 3128. Notice of Resale of Personal Property by Sheriff.

No resale shall be scheduled without first giving notice to all bidders who appeared at the originally scheduled sale. The resale date cannot be sooner than seventy-two (72) hours from the original sale date.

Rule 3129.1. Notice of Sale. Real Property.

(a) Whenever a sale of real property is governed by Pa.R.Civ.P. 3129.1, all handbills, written notices, and publications shall include, as part of the location of the property, a street address.

(b) Street address is defined as the street number and street name where a number exists. Where no street number exists, the street address is defined as the land and/or portion of land between the nearest two street numbers and/or intersecting streets which do exist and the street name.

(c) If the real property sought to be sold pursuant to Pa.R.Civ.P. 3129.1 is a residential property which serves

as the primary residence of the defendant(s)/borrower(s), and unless the defendant(s)/borrower(s) has already been served with the required "Notice of Residential Mortgage Foreclosure Diversion Program" pursuant to Lacka.Co.R.C.P. 205.2(b), 1034(b), 1035.2(b) or 1143(a), the plaintiff/lender must serve a "Notice of Residential Mortgage Foreclosure Diversion Program" upon the defendant(s)/borrower(s) in the format set forth in Form 12 of the Appendix and file an "Affidavit Pursuant to Lacka.Co.R.C.P. 3129.1" in the format set forth in Form 13 attesting either that: (1) the defendant(s)/borrower(s) has not opted to participate in the "Residential Mortgage Foreclosure Diversion Program;" or (2) the defendant(s)/borrower(s), has participated in a court-supervised conciliation conference, but the residential mortgage foreclosure claim has not been resolved and no further conciliation conferences are scheduled.

(d) The affidavit required by Lacka.Co.R.C.P. 3129.1(c) shall be filed with the Clerk of Judicial Records and a copy shall be delivered to the Sheriff's Office before any residential property may be listed for Sheriff's Sale. The affidavit required by this Rule shall be in the format set forth in Form 13 of the Appendix.

(e) If the defendant/borrower in a residential mortgage foreclosure action has taken the affirmative steps identified in the "Notice of Residential Mortgage Foreclosure Diversion Program" to be eligible to participate in a court-supervised conciliation conference, the defendant/borrower shall file a Request for Conciliation Conference in the format set forth in Form 9 of the Appendix. The Request for Conciliation Conference shall be filed with the Clerk of Judicial Records within sixty (60) days of service of the "Notice of Residential Mortgage Foreclosure Diversion Program" and shall be served upon counsel for the plaintiff/lender. A copy of the Request for Conciliation Conference shall also be served upon the Court Administrator. Upon receipt of the Request for Conciliation Conference, the Court Administrator shall issue a Case Management Order (Form No. 10) as required by Lacka.Co.R.C.P. 1143.1(c)—(f).

Rule 3130. Notice of Sale of Securities.

When notice to a defendant of the sale of securities is required by Pa.R.Civ.P. 3130, such notice may be given by the sheriff by ordinary mail, first class postage prepaid, addressed to the defendant at his or her last known residence and by the posting of handbills in the sheriff's office, which mailing and which handbills shall contain a description of the securities to be sold, the name and place of the business of the broker through whom such sale will be made, and the date when the securities will be offered for sale.

Rule 3190. Real Estate Tax Assessment Appeal.

(a) A real estate tax assessment appeal from a decision of the Lackawanna County Board of Assessment Appeals as to the amount of assessment for real estate tax purposes or as to exemption of real estate from payment of real estate taxes shall be captioned "Real Estate Tax Assessment Appeal" and shall be fixed with the Clerk of Judicial Records within the time prescribed by statute.

(b) A Real Estate Tax Assessment Appeal shall contain the following:

(1) Caption designating the named party taking the appeal as Appellant, the Lackawanna County Board of Assessment Appeal as Appellee, and if Appellant is a taxing authority it shall join the owner of the real estate

involved as of course as a party in the assessment appeal by designating such named owner in the caption as Respondent.

(2) Brief description of the subject real estate, its location, name and address of the owner, and municipality and school district wherein the real estate is located.

(3) Nature of and reasons for the appeal.

(4) Reference to the decision of Lackawanna County Board of Assessment Appeals (Board) from which the appeal is taken. A Copy of the Board's notice of decision shall be attached as an exhibit.

(5) Verification consisting of a certified statement as "verified" is defined in Pa.R.Civ.P. 76.

(c) Appellant shall serve copies of the appeal by certified or registered mail upon the Board at its official office and, unless named as the appellant, upon the Board of County Commissioners of Lackawanna County and upon the legislative governing body of the municipality and the board of school directors of the school district wherein the real estate is located at their respective official offices, or in the absence of an official office, at the last known address of the secretary of said body and upon the respondent owner of the real estate at said owner's last known address.

(d) Appellant shall file with the Clerk of Judicial Records within ten (10) days of the filing of the Real Estate Tax Assessment Appeal, proof of service of copies thereof consisting of a verified statement (as "verified" is defined in Pa.R.Civ.P. 76) that service was made by certified or registered mail, with the sender's receipt for certified or registered mail attached thereto.

(e) No response is required to be made by Appellee or by the County, municipality, school district or Respondent owner of real estate served with copy of Real Estate Tax Assessment Appeal.

Rule 3191. Intervention.

(a) The County, municipality, or school district not named as Appellant may intervene as of course during pendency of the appeal by filing a Notice of Intervention with the Clerk of Judicial Records.

(b) Notice of Intervention shall contain the name of the intervening party designated as intervenor in the caption, and shall set forth that such identified party is intervening.

(c) Intervenor shall serve copies of Notice of Intervention by certified or registered mail upon Appellant, Appellee, any Respondent owner and any other intervening parties of record.

(d) Intervenor shall file with the Clerk of Judicial Records within ten (10) days of the filing of Notice of Intervention, proof of service of copies thereof consisting of a verified statement (as "verified" is defined in Pa.R.Civ.P. 76) that service was made by certified or registered mail, with the sender's receipt for certified or registered mail attached thereto.

(e) No response is required to be made by any party served with copy of Notice of Intervention.

Rule 3192. Discovery.

(a) Depositions and Discovery shall be applicable to real estate tax assessment appeals, unless otherwise ordered by the court.

Rule 3193. Pretrial Status Conference.

(a) The court sua sponte or upon application of a party shall schedule a pretrial status conference. Notification of

conference need be given by the court only to Appellant, Appellee, Respondent owner if any, and such other parties who have intervened of record.

(b) Each party of record shall file with the Clerk of Judicial Records, a Pretrial Status Conference Memorandum and serve a copy thereof on the trial judge at least seven (7) days prior to the date of scheduled conference along with proof of service of copies thereof upon parties of record by personal service or by regular mail. Proof of service shall consist of a verified statement as "verified" is defined in Pa.R.Civ.P. 76.

(c) Pretrial Status Conference Memorandum shall contain a summary statement of facts, stipulations desired, witnesses expected to be called, exhibits expected to be offered, legal issues, and special problems presented, if any.

DISCOVERY

Rule 4000. Motion Practice for Discovery and Scheduling Matters.

(a) Any court order regarding discovery, including orders involving sanctions and pre-trial deadlines for the completion of discovery, the exchange of expert reports, the filing of case dispositive motions, and other scheduling matters prior to the filing of a Certificate of Readiness, which a party seeks pursuant to any provisions of Pa.R.Civ.P. 4001 through 4020 or any provisions of the Rules of Civil Procedure of the Court of Common Pleas of Lackawanna County pertaining to discovery or scheduling orders shall be sought by the presentation of a motion in compliance with the provisions of Lacka.Co.R.C.P. 206.1, 4000.1 and 4019.

Rule 4000.1. Motion for Presentation before a Special Trial Master.

(a) Presentation to the court of a motion pursuant to Lacka.Co.R.C.P. 4000 shall in all circumstances be initially presented to and decided by a Special Trial Master appointed by the Court who shall follow the same procedures set forth in Lacka.Co.R.C.P. 4000.

(b) An order of the Special Trial Master may be appealed de novo by presentation of an appeal motion to the designated Motions Court Judge in accordance with Lacka.Co.R.C.P. 206.4(c), together with proof of payment to the Clerk of Judicial Records of an appeal cost in an amount to be set by the court from time to time. The appeal motion shall be filed within ten days of the order of the Special Trial Master and shall be considered by the court pursuant to Lacka.Co.R.C.P. 4000.

(c) Motions practice before the Special Trial Master shall be conducted in compliance with Lacka.Co.R.C.P. 206.1 and the Master shall hear motions in the Lackawanna County courthouse on Monday and Thursday at 9:30 a.m., unless otherwise agreed by counsel and the Master or by order of the Master.

(d) Presentation of a motion in any case in which the Special Trial Master is involved shall be presented to the court rather than through the procedure set forth in this Rule.

Rule 4000.2. Case Management Proposal.

With the exception of medical malpractice cases, and upon closure of the pleadings, the Plaintiff(s) shall complete and forward to all parties a Case Management Proposal in substantial compliance with Form 15 in the attached Appendix. The Case Management Proposal shall set forth proposed deadlines for the completion of discovery, exchange of expert reports, and the filing of dispositive motions.

If the Plaintiff(s) has not received any objections to the Case Management Proposal within fifteen (15) days of mailing, the Plaintiff(s) shall submit the Proposal to the Lackawanna County Discovery Master for approval. If a party objects to the Proposal, and the Parties are otherwise unable to agree, and upon appropriate notice as outlined in Lacka.Co.R.C.P. 208.2(f), the Proposal shall be submitted to the Discovery Master for resolution.

If the Plaintiff(s) shall fail to complete and forward a Case Management Proposal within thirty (30) days of the closure of the pleadings, nothing in this Rule shall preclude an Opposing Party from submitting a Case Management Proposal in compliance with this Rule.

Explanatory Comment

“Closure of the Pleadings” shall mean when all of the Parties have filed a Responsive Pleading in the form of an Answer, and a Reply to New Matter, if any.

Nothing in this Rule shall preclude a Party from seeking an Amendment to the Case Management Schedule upon good cause shown. Nothing shall preclude the Trial Court to Amend the Case Management Schedule upon request of a Party and upon good cause shown.

Rule 4007.1. Objections During Oral Depositions; Speaking Objections.

(a) Counsel making an objection during an oral deposition shall state the word “objection,” and briefly state the legal basis for the objection without argument.

(b) If there is to be any discussion, amplification or argument on the objection, the witness shall be excused from the room at the request of any party. Such discussion, amplification or argument shall be made on the record unless all parties agree otherwise.

(c) An instruction by counsel to a witness that the witness shall not answer a question shall be sufficient basis for other counsel to suspend the deposition and present the question for resolution under Lacka.Co.R.C.P. 4012. Every reasonable effort shall be made to resolve the matter under Lacka.Co.R.C.P. 4012 during the deposition.

Rule 4012. Protective Orders.

(a) If a deposition is being taken within the Lackawanna County courthouse and demand is made for its suspension, a motion for a protective order under Pa.R.Civ.P. 4012(b) shall be made immediately to the Special Trial Master for Discovery, if available, in which event the motion may be oral and heard. If the Special Trial Master for Discovery is not available, the motion for a protective order may be oral and shall be presented to the Special Trial Master for Discovery within forty-eight hours of the suspension of the taking of deposition. Otherwise, the objecting party or deponent will be deemed to have waived the objection and the taking of the deposition shall be immediately resumed on notice to all interested parties and the deponent.

(b) In all other cases, the motion must be in writing and presented to the Special Trial Master for Discovery as provided in Lacka.Co.R.C.P. 4000 herein except that, upon failure to present such motion within fifteen (15) days of the suspension of the taking of the deposition, the objecting party or deponent will be deemed to have waived the objection whereupon the taking of the deposition shall be resumed on reasonable notice to all interested parties and deponent.

Rule 4013. Stay of Proceedings by Discovery.

(a) If a party seeks a stay of discovery pending disposition of a motion for a protective order, the basis for such a request shall be stated with particularity in the motion and shall be called to the attention of the Special Trial Master for Discovery at the time of presentation of the motion.

(b) If during the pendency of an action a party desires a general stay of the proceedings for purposes of deposition and discovery, the court upon motion and for cause shown may enter an appropriate order staying the proceedings.

Rule 4017.1. Objections During Videotape Depositions.

(a) Counsel making an objection during a videotape deposition shall simply state “objection,” upon which the video operator shall stop the videotape. Further argument or discussion shall be made off camera but on the written transcript.

(b) During a discussion or argument, the witness shall be excused from the room at the request of any party.

(c) An instruction by counsel to a witness that the witness shall not answer a question shall be sufficient basis for other counsel to suspend the deposition and present the question for resolution under Lacka.Co.R.C.P. 4012. Every reasonable effort shall be made to resolve the matter under Lacka.Co.R.C.P. 4012 during the deposition.

Rule 4019. Petitions for Sanctions before a Special Trial Master.

(a) Any party seeking sanctions pursuant to Pa.R.Civ.P. 4019 for violation of an order of the Special Trial Master pursuant to Lacka.Co.R.C.P. 4000.1, of an order of the court pursuant to Lacka.Co.R.C.P. 4000, or otherwise pursuant to Pa.R.Civ.P. 4019, shall in all circumstances initially do so by motion to the Special Trial Master pursuant to Lacka.Co.R.C.P. 4000.1.

(b) Any order of the Special Trial Master granting or denying a sanction may be appealed de novo by presentation of an appeal motion to the court, together with proof of payment to the Clerk of Judicial Records of an appeal cost of an amount to be set by the court from time to time, and said appeal motion shall be considered by the court pursuant to Lacka.Co.R.C.P. 4000.

Rule 4020. Use of Deposition at Trial.

(a) If all or part of a deposition is offered in evidence as substantive evidence of its contents because of the unavailability of the witness, whether or not a party, the counsel offering said deposition shall first submit to the court such evidence as will enable the court to find that the appropriate facts under Pa.R.Civ.P. 4020(a)(3) exist.

(b) An application to the court to use all or part of a deposition of a witness, whether or not a party, as substantive evidence pursuant to Pa.R.Civ.P. 4020(a)(3) shall be made upon reasonable notice to all parties.

Rule 4021. Assignment of Judge for Discovery Proceedings.

In an appropriate case, the court upon its own motion or upon motion of any party may elect to designate one judge to direct all discovery proceedings in that case and to hear and rule upon all motions and petitions relating to discovery. Such designation shall be made by the President Judge.

FORM 1

Court of Common Pleas of Lackawanna County

FOR CLERK OF JUDICIAL RECORDS USE ONLY

Civil Cover Sheet

Docket Number:

Plaintiff's Name _____ Defendant's Name _____

Plaintiff's Address _____ Defendant's Address _____

Plaintiff's Name _____ Defendant's Name _____

Plaintiff's Address _____ Defendant's Address _____

Plaintiff's Name _____ Defendant's Name _____

Plaintiff's Address _____ Defendant's Address _____

Total Number of Plaintiffs	Total No. of Defendants	Commencement of Action
		<input type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer from other Jurisdiction

Amount of Controversy	Court Programs
In Excess of Jurisdictional Amount?	<input type="checkbox"/> Arbitration <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Statutory
Yes ___ No ___	<input type="checkbox"/> Appeals <input type="checkbox"/> Other

Case Type and Code (See Instructions) _____

Statutory Basis for Cause of Action (See Instructions) _____

Remarks: _____

TO THE CLERK OF JUDICIAL RECORDS:

**Please enter my appearance on behalf of Plaintiff:
Papers may be served at the address set forth below:**

NAME OF PLAINTIFF'S ATTORNEY OR PRO SE PLAINTIFF _____ ADDRESS _____

PHONE NUMBER _____ FAX NUMBER _____

SUPREME COURT IDENTIFICATION NO. _____ E-MAIL ADDRESS _____

SIGNATURE _____ DATE _____

LACKAWANNA COUNTY COURT OF COMMON PLEAS
 CIVIL COVER SHEET INSTRUCTIONS

An attorney or pro se party filing a document commencing any type of civil action shall file a properly completed Civil Cover Sheet. Copies of the Civil Cover Sheet shall be attached to service copies of the document commencing the action.

PARTIES

Regardless of the type of action, the initiating party or parties shall be designated as Plaintiff or Plaintiffs and the responding party or parties shall be designated as Defendant or Defendants. Names of individuals shall be listed as last name, first name, middle initial. Full names of agencies and corporations shall be provided. Spouses shall be listed as separate parties unless the claim of one spouse is limited to a claim for consortium in which case the designation, et ux, or et vir shall be used. Where there are more than three plaintiffs or defendants, a supplemental form listing the additional parties shall be attached to the Cover Sheet.

The section labeled "Remarks" is for procedural matters only. These may include such matters as related cases where consolidation might be advisable. Matters such as expected difficulty with service of process or status of settlement discussions do not belong in the section.

CASE TYPE AND CODE DESIGNATION

FAM	Family Court	TORT/BF	Tort Bad Faith
FAM/CUST	Custody	TORT/WCP	Wrongful Use of Civil Process
FAM/DIV	Divorce	TORT/O	Other Torts
MCT	Minor Court Appeal	NGL/MVA	Motor Vehicle Accident
LAG	Local Agency Appeal	NGL/NF	No-Fault Benefits
LAG/MVS	Motor Vehicle Suspension	NGL/PI	Personal Injury
LAG/ZB	Zoning Board Appeal	NGL/PREM	Premises Liability
LAG/O	Other Agency Appeals	NGL/PROD	Product Liability
PCP/VAL	Validation of Tax Title	NGL/TT	Toxic Tort
PCP/TS	Tax Sale	NGL/O	Other Negligence Action
PCP/OBJ	Objection to Tax Sale	MLP/D	Dental Malpractice
PCP/PRIV	Petition to set aside private sale	MLP/L	Legal Malpractice
PCP/O	Other Proceedings commenced by Petition	MLP/M	Medical Malpractice
CJ	Confession of Judgment	MLP/O	Other Malpractice
CLASS	Class Action	EQ	Equity
CNT	Contract cases	REPL	Replevin
DECL	Declaratory Judgment	RP	Real Property
COND/DT	Condemnation/Declaration of Taking	RP/EJ	Ejectment
TORT/AB	Assault & Battery	RP/QT	Quiet Title
TORT/LS	Libel & Slander	RP/MF	Mortgage Foreclosure
TORT/FR	Fraud	RP/ML	Mechanic's Lien
		RP/PRT	Partition
		PP	Personal Property Actions

STATUTORY CAUSE OF ACTION

If the action is commenced pursuant to statutory authority, the specific statute must be identified with full citation.

PENDING CASES

Previously filed related cases must be identified by caption and docket number whether or not consolidated.

FORM 2

: IN THE COURT OF COMMON PLEAS
 : OF LACKAWANNA COUNTY

Plaintiff (s) :

vs. :

Defendant(s) : NO. _____ CIV _____

PRAECIPE FOR ASSIGNMENT

TO: Lackawanna County Court Administrator

Please be advised that the Plaintiff/Defendant has filed _____ in the above-captioned case.
(Identify motion, petition, or preliminary objection)

- _____ All parties have agreed to submit this matter on briefs Without the necessity of oral argument.
- _____ Please schedule this matter for oral argument.

(Attorney for Plaintiff)

(Attorney for Defendant)

Address

Address

Telephone Number

Telephone Number

Respectfully submitted:

Date: _____

By: _____

**FORM 3
PLAINTIFF/DEFENDANT PRE-TRIAL
SETTLEMENT STATEMENT**

Case Caption

Court Term & No.

- I. Facts in brief detail:
- II. Contentions of the parties as to liability and pertinent legal issues:
- III. A statement of settlement negotiations to date, including plaintiff's most recent demand and the defendant's most recent offer.
- IV. Plaintiff's contentions as to injuries and special damages:
 - (a) Injuries sustained:
 - (b) Special damages:
 - (1) Medical:
 - (2) Loss of earnings:
 - (3) Out of pocket expenses (type and amount):
 - (4) Other:
- V. Nature and extent of loss suffered by plaintiff, or the right sought to be enforced (non-personal injury cases):
- VI. Any other factor which should aid in disposing of the action:

**FORM 4
PLAINTIFF/DEFENDANT PRE-TRIAL CONFERENCE STATEMENT**

Case Caption

Court Term & No.

- I. Version of the facts in brief detail:
- II. Contentions as to liability and/or legal issues pertinent:
- III. List of requested stipulations of fact or authenticity (admissibility of documents):
- IV. Estimated trial time:
- V. A list of all documents or exhibits other than those a party expects to use for impeachment or rebuttal purposes. The list should be specific enough to enable the judge and opposing counsel of all documents or exhibits at the pretrial conference in lieu of listing them in the pretrial addresses.
- VI. A list by name and address of all witnesses the party intends to call at trial, except those who may be used for rebuttal or impeachment purposes. If the parties learn the names of any additional witnesses after the pretrial conference, they will promptly exchange names and addresses.
- VII. A statement of settlement negotiations to date, including the plaintiff's most recent demand and the defendant's most recent offer:
- VIII. All legal issues or other questions which counsel reasonably anticipate will arise during selection of the jury or during trial.
- IX. Plaintiff's contentions as to injuries and special damages:

- (a) The injuries sustained are as follows:
- (b) The special damages are as follows:
- (1) Medical-(here set forth names of doctors, hospitals, etc., and amount of bills for same)
 - (2) Loss of earnings-including amount of time lost, occupation and employer rate of pay:
 - (3) Any other out-of-pocket expenses (type and amount):
 - (4) Other:
- (c) Nature and extent of loss suffered by plaintiff (primary or counterclaim) or the right sought to be enforced (non-personal injury cases):
- X. Any additional issues you feel should be considered as an aid in disposing of this action:

Attorney

Party Represented

FORM 5
Pre-Trial Order

- (1) Jurisdiction. A statement as to the nature of the action and the authority under which the jurisdiction of the court is invoked.
- (2) Facts. A comprehensive written stipulation of all uncontested facts in such form that it can be read to the jury as the first evidence at trial.
- (a) These facts should include all matters capable of ascertainment, such as ownership, agency, dimensions, physical characteristics, weather conditions, road surfaces, etc. Approximations and estimates which are satisfactory to counsel will be accepted by the Judge.
- (b) No facts should be denied unless opposing counsel expects to present contrary evidence on the point at trial, or genuinely challenges the fact on credible grounds.
- (c) The facts relating to liability and to damages are to be separately stated.
- (d) The parties shall reach agreement on uncontested facts even though relevancy is disputed; if such facts are ruled admissible, they need to be proved.
- (e) The parties shall also set forth their respective statements of facts which are in dispute, separating those referring to liability from those referring to damages.
- (3) Damages or Other Relief. A statement of damages claimed or relief sought.
- (a) A party seeking damages shall list each item claimed under a separate descriptive heading (personal injury, wrongful death, loss of profits, survival, loss of wages, deprivation of civil rights, punitive damages, false imprisonment, libel, slander, property damage, pain, suffering, past and future medical expense, balance due under contract, performance due under contract, interest, etc.) and shall provide a detailed description of each item, and state the amount of damages claimed.
- (b) A party seeking relief other than damages shall list under separate paragraphs the exact form of relief sought with precise designations of the persons, parties, places, and things expected to be included in any order providing relief.
- (4) Legal Issues. Under separate paragraphs, each legal issue that must be decided and the principal constitutional, statutory, regulatory, and decisional authorities relied upon.
- (5) Witnesses. Under separate headings, and under separate headings for liability and damages, the names and addresses of all witnesses whom the plaintiff, defendant, and third-parties actually intend to call at trial.
- (a) Witnesses shall be listed in the order they will be called. Each witness shall be identified and there shall be a brief statement of the evidence which the witness will give.
- (b) A detailed summary of the qualifications of each expert witness shall be submitted. This summary shall be in such form that it can be read to the jury when the expert takes the stand to testify.
- (c) Only those witnesses listed will be permitted to testify at trial, except to prevent manifest injustice.
- (d) Failure to call at trial any listed witness shall not be a proper subject of jury argument unless justified by the record of the case exclusive of pre-trial conference statements or the pre-trial order.
- (e) Whenever practicable, a hypothetical question to be propounded to any expert witness shall be prepared in advance for submission to the court and parties in sufficient time as not to delay the trial. If impracticable at this stage, counsel shall arrange for its submission at a later time during trial.
- (6) Exhibits. A schedule of all exhibits to be offered in evidence at trial, together with a statement of those agreed to be admissible and the grounds for objection to any not so agreed upon.
- (a) The exhibits shall be serially numbered without any designation as to whether they are being offered by plaintiff or defendant. The exhibits shall be physically marked before trial in accordance with the schedule.
- (b) Where testimony is expected to be offered as to geographical location, building, structure, waterway, highway, road, walkway, or parcel of real estate, plaintiff shall furnish an exhibit in such form that it can be used in the courtroom as an aid to oral testimony.

(i) Except in those cases where the issues require the use of exact scale, the exhibit may be a simple single-line, hand-drawn sketch.

(ii) In most instances, it will not be necessary that the exhibit be to scale or contain other than reasonably accurate features of the geographical characteristics involved.

(iii) If of adequate size and clarity, this exhibit may be an existing drawing, plan, or blue print.

(c) Except for unusual circumstances, it is expected that the authenticity or genuineness of all exhibits, including non-documentary items, documents, photographs, and data from business records from sources other than parties to the litigation will routinely be stipulated to and will be received in evidence if relevant. Counsel likewise are expected to agree upon the use of accurate extracts from or summaries of such records. Life expectancy tables, actuary tables, and other similar statistical tabular data routinely and regularly used in litigation in the Commonwealth's courts should also normally be stipulated to.

(d) At trial, counsel shall furnish a copy of each exhibit to the judge.

(7) Legal Issues and Pleadings. Special comments regarding the legal issues or any amendments to the pleadings not otherwise set forth.

(8) Trial Time. An estimate of the number of trial days required. Separately stated for liability and damages.

(9) Discovery Evidence and Trial Depositions. Each discovery items and trial deposition to be offered into evidence.

(a) Where the videotape or deposition of a witness is to be offered in evidence, counsel shall review it so that there can be eliminated irrelevancies, side comments, resolved objections and other matters not necessary for consideration by the trier of fact. Counsel shall designate by page the specific portions of deposition testimony and by number the interrogatories which shall be offered in evidence at the trial. To serve this end all videotape depositions will be accompanied by a typewritten deposition of the same testimony.

(b) Depositions and interrogatories to be used for cross-examination or impeachment need not be listed or purged.

FORM 6

: IN THE COURT OF COMMON PLEAS
 : OF LACKAWANNA COUNTY

Plaintiff (s) :
 :
 vs. :
 :
 Defendant(s) : NO. ____ CIV ____

CONFIDENTIAL MEDIATION MEMORANDUM

1. Identification of Counsel:
 - a. Attorney for Plaintiff:
 - b. Attorney for Defendant:
2. Lacka.Co.R.C.P. 238 Confirmation of Settlement Offer and Response:
 - a. Date and amount of settlement offer(s):
 - b. Date and substance of response to settlement offer(s):
3. Insurance information:
 - a. Identity of insurance carrier:
 - b. Identity of insurance adjuster:
 - c. Policy limits:
 - d. Coverage issues (if any):
4. Statement of Facts and Legal Issues:
5. Injuries:
6. Calculation of Special Damages:
 - a. Wage loss (if any):
 - b. Medical bills (if any):
 - c. Other (explain):
7. Liens (if a lien has been asserted against all or part of any potential settlement, indicate the amount and entity making the claim, i.e. Worker's Compensation carrier, Department of Public Welfare, Health Insurance carrier, etc.):
8. Identification of Expert Witnesses:
 - a. For Plaintiff:
 - b. For Defendant:
9. Estimated Number of Trial Days:
10. Any additional issues which should be considered to facilitate the settlement of this matter:

FORM 7

FORM 7

Court of Common Pleas County of Lackawanna	CERTIFICATE OF READINESS CIVIL TRIAL LISTING ACTION	NUMBER
		ACTION
ALL CIVIL CASES SHALL BE ASSIGNED TO A JUDGE FOR TRIAL BY THE COURT ADMINISTRATOR UPON THE FILING OF A CERTIFICATE OF READINESS IN THE FOLLOWING FORM:		
TYPE OF TRIAL REQUESTED <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury <input type="checkbox"/> Arbitration	ESTIMATED TIME DAYS	DATE PREPARED
PLAINTIFF(S)		
DEFENDANT(S)		
ADDITIONAL DEFENDANTS(S)		
I CERTIFY THAT ALL DISCOVERY IN THE CASE HAS BEEN COMPLETED; ALL NECESSARY PARTIES AND WITNESSES WILL BE AVAILABLE; SERIOUS SETTLEMENT NEGOTIATIONS HAVE BEEN CONDUCTED; ALL DEPOSITIONS FOR USE AT TRIAL HAVE BEEN COMPLETED OR SCHEDULED; NO CASE DISPOSITIVE MOTIONS ARE PENDING NOR DOES ANY PARTY CONTEMPLATE THE FILING OF SAME; NO CERTIFICATE OF READINESS HAS BEEN FILED WITHIN THE PAST 24 HOURS BY ANY PARTY OR LAWYER OF RECORD IN THIS CASE; THE CASE IS READY IN ALL RESPECTS FOR TRIAL; THAT A COPY OF THIS CERTIFICATE OF READINESS HAS BEEN SERVED ON ALL COUNSEL HAVING AN INTEREST IN THE CASE NO LESS THAN 15 DAYS PRIOR TO THE FILING; NO PARTY OR COUNSEL OBJECTS TO THE FILING OF THIS CERTIFICATE OF READINESS.		
DATE SERVED	SIGNATURE OF TRIAL COUNSEL	
COUNSEL WHO WILL ACTUALLY TRY THE CASE		
FOR THE PLAINTIFF(S) ADDRESS	TEL. NUMBER	
FOR THE DEFENDANT(S) ADDRESS	TEL. NUMBER	
FOR THE ADDITIONAL DEFENDANT(S)	TEL. NUMBER	
IDENTIFY ANY JUDGE WHO HAS DECIDED A CASE DISPOSITIVE MOTION IN THIS CASE PURSUANT TO LACKA. CO. R.C.P. 1028, 1034 OR 1035.2: _____		
CASE ASSIGNED TO JUDGE _____		
STATUS CONFERENCE SCHEDULED FOR _____ AT _____ .M.		
IMPORTANT NOTICE: FILE CERTIFICATE WITH THE CLERK OF JUDICIAL RECORDS, LACKAWANNA COUNTY COURTHOUSE, SCRANTON, PA		
CJR-CV-2		

FORM 8

: IN THE COURT OF COMMON PLEAS
: OF LACKAWANNA COUNTY

Plaintiff (s) :

vs.

Defendant(s) : NO. ____ CIV ____

NOTICE OF RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM PURSUANT TO LACKA.CO.R.C.P. 205.2(b) and 1143(a)

You have been served with a foreclosure complaint that could cause you to lose your home.

If you own and live in the residential property which is the subject of this foreclosure action, you may be able to participate in a court-supervised conciliation conference in an effort to resolve this matter with your lender.

If you do not have an attorney, you must take the following steps to be eligible for a conciliation conference. First, within twenty (20) days of your receipt of this notice, you must contact a housing counselor at either the Neighborhood Housing Services of Lackawanna County (570) 558-2490 or the United Neighborhood Centers of Northeastern Pennsylvania (570) 343-8835 to schedule an appointment. Second, once you have contacted one of the housing counselors, you must promptly meet with that housing counselor within twenty (20) days of your telephone contact with them. During that meeting, you must provide the housing counselor with all requested financial information so that a loan resolution proposal can be prepared on your behalf. If you take these steps, the housing counselor will help you prepare and file a Request for Conciliation Conference with the Court. If you do so and a conciliation conference is scheduled, you will have an opportunity to meet with a representative of your lender in an attempt to work out reasonable arrangements with your lender before the mortgage foreclosure suit proceeds forward.

If you are represented by a lawyer, it is not necessary for you to contact one of the housing counseling agencies. However, you and your attorney must complete a financial worksheet in the format attached hereto so that you will be able to submit a loan resolution proposal to your lender. If you and your lawyer complete a financial worksheet within forty (40) days of your receipt of this Notice, your lawyer will be able to file a Request for Conciliation Conference on your behalf so that a conciliation conference can be scheduled. At that time, you and your lawyer will meet with a representative of your lender in an effort to work out reasonable arrangements with your lender.

IF YOU WISH TO SAVE YOUR HOME, YOU MUST ACT QUICKLY AND TAKE THE STEPS REQUIRED BY THIS NOTICE. THIS PROGRAM IS FREE.

Respectfully submitted:

Date

[Signature of Counsel for Plaintiff]

FORM 9

: IN THE COURT OF COMMON PLEAS
: OF LACKAWANNA COUNTY

Plaintiff (s) :

vs.

Defendant(s) : NO. ____ CIV ____

REQUEST FOR CONCILIATION CONFERENCE

Pursuant to the local rules governing the Lackawanna County Residential Mortgage Foreclosure Diversion Program, the undersigned hereby certifies as follows:

- 1. Defendant is the owner of the property which is the subject of this mortgage foreclosure action;
2. Defendant lives in the subject property which is defendant's primary residence;
3. Defendant has been served with a "Notice of Residential Mortgage Foreclosure Diversion Program" and has taken all of the steps required in that Notice to be eligible to participate in a court-supervised conciliation conference under Lacka.Co.R.C.P. 1143.1.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Signature of Defendant/Defendant's Counsel

Date

THE COURTS

FORM 10

: IN THE COURT OF COMMON PLEAS
: OF LACKAWANNA COUNTY

Plaintiff (s)

vs.

Defendant(s)

: NO. ____ CIV ____

CASE MANAGEMENT ORDER
PURSUANT TO LACKA.CO.R.C.P. 1143.1(c)

AND NOW, the defendant/borrower in the above-captioned residential mortgage foreclosure action having filed a Request for Conciliation Conference form verifying that the defendant/borrower has complied with the local rule requirements for the scheduling of a Conciliation Conference under Lacka.Co.R.C.P. 1143.1, it is hereby ORDERED and DECREED that

1. The parties and their counsel are directed to participate in a court-supervised Conciliation Conference on _____ at 9:30 AM in the Jury Orientation Lounge, 1st Floor, Lackawanna County Court House;

2. At least fourteen (14) days prior to the date of the Conciliation Conference, the defendant/borrower must serve upon the plaintiff/lender or its counsel a copy of the "Lackawanna County Residential Mortgage Foreclosure Diversion Program Financial Worksheet" (Form No. 14) which has been completed by the defendant/borrower in compliance with Lacka.Co.R.C.P. 1143.1. The failure to do so will result in the removal of this case from the Conciliation Conference schedule and the termination of the temporary stay of proceedings under Lacka.Co.R.C.P. 1034(b), 1035.2(b), 1143(d) or 3129.1(e);

3. The defendant/borrower and counsel for the parties must attend the Conciliation Conference in person and an authorized representative of the plaintiff/lender must either attend the Conciliation Conference in person or be available by telephone during the course of the Conciliation Conference. The representative of the plaintiff/lender who participated in the Conciliation Conference must possess the actual authority to reach a mutually acceptable resolution, and counsel for the plaintiff/lender must discuss resolution proposals with that authorized representative in advance of the Conciliation Conference. If the duly authorized representative of the plaintiff/lender is not available by telephone during the Conciliation Conference, the Court will schedule another Conciliation Conference and require the personal attendance of the authorized representation of the plaintiff/lender at the rescheduled Conciliation Conference;

4. At the Conciliation Conference, the parties and their counsel shall be prepared to discuss and explore all available resolution options which shall include: bringing the mortgage current through a reinstatement; paying off the mortgage; proposing a forbearance agreement or repayment plan to bring the account current over time; agreeing to tender a monetary payment and to vacate in the near future in exchange for not contesting the matter; offering the lender a deed in lieu of foreclosure; entering into a loan modification or a reverse mortgage; paying the mortgage default over sixty months; and the institution of bankruptcy proceedings.

5. All proceedings in this matter are stayed pending the completion of the scheduled conciliation conference.

BY THE COURT:

FORM 11

: IN THE COURT OF COMMON PLEAS
: OF LACKAWANNA COUNTY

Plaintiff (s)

vs.

Defendant(s)

: NO. ____ CIV ____

NOTICE OF RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM
PURSUANT TO LACKA.CO.R.C.P. 1034 OR 1035.2

You have been sued in this mortgage foreclosure action and your lender intends to promptly ask the court to enter judgment against you. The entry of judgment against you could cause you to lose your property in the near future.

If you own and live in the residential property which is the subject of this foreclosure action, you may be able to participate in a court-supervised conciliation conference in an effort to resolve this matter with your lender.

If you do not have an attorney, you must take the following steps to be eligible for a conciliation conference. First, within twenty (20) days of your receipt of this notice, you must contact a housing counselor at either the Neighborhood Housing Services of Lackawanna County (570) 558-2490 or the United Neighborhood Centers of Northeastern Pennsylvania (570) 343-8835 to schedule an appointment. Second, once you have contacted one of the housing counselors,

you must promptly meet with that housing counselor within twenty (20) days of your telephone contact with them. During that meeting, you must provide the housing counselor with all requested financial information so that a loan resolution proposal can be prepared on your behalf. If you take these steps, the housing counselor will help you prepare and file a Request for Conciliation Conference with the Court. If you do so and a conciliation conference is scheduled, you will have an opportunity to meet with a representative of your lender in an attempt to work out reasonable arrangements with your lender before a judgment is entered against you.

If you are represented by a lawyer, it is not necessary for you to contact one of the housing counseling agencies. However, you and your attorney must complete a financial worksheet in the format attached hereto so that you will be able to submit a loan resolution proposal to your lender. If you and your lawyer complete a financial worksheet within forty (40) days of your receipt of this Notice, your lawyer will be able to file a Request for Conciliation Conference on your behalf so that a conciliation conference can be scheduled. At that time, you and your lawyer will meet with a representative of your lender in an effort to work out reasonable arrangements with your lender.

IF YOU WISH TO SAVE YOUR HOME, YOU MUST ACT QUICKLY AND TAKE THE STEPS REQUIRED BY THIS NOTICE. THIS PROGRAM IS FREE.

[Signature of Counsel for Plaintiff]

Date

FORM 12

: IN THE COURT OF COMMON PLEAS
: OF LACKAWANNA COUNTY

Plaintiff (s)

:

vs.

:

:

Defendant(s)

:

:

: NO. _____ CIV _____

**NOTICE OF RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM
PURSUANT TO LACKA.CO.R.C.P. 3129.1**

A judgment has been entered against you in this mortgage foreclosure action and your property is about to be listed for Sheriff's Sale.

If you own and live in the residential property which is the subject of this foreclosure action, you may be able to have the sale of your residence postponed so that you can participate in a court-supervised conciliation conference in an effort to resolve this matter with your lender.

If you do not have an attorney, you must take the following steps to be eligible for a conciliation conference. First, within twenty (20) days of your receipt of this notice, you must contact a housing counselor at either the Neighborhood Housing Services of Lackawanna County (570) 558-2490 or the United Neighborhood Centers of Northeastern Pennsylvania (570) 343-8835 to schedule an appointment. Second, once you have contacted one of the housing counselors, you must promptly meet with that housing counselor within twenty (20) days of your telephone contact with them. During that meeting, you must provide the housing counselor with all requested financial information so that a loan resolution proposal can be prepared on your behalf. If you take these steps, the housing counselor will help you prepare and file a Request for Conciliation Conference with the Court. If you do so and a conciliation conference is scheduled, you will have an opportunity to meet with a representative of your lender in an attempt to work out reasonable arrangements with your lender before your house is listed for Sheriff's Sale.

If you are represented by a lawyer, it is not necessary for you to contact one of the housing counseling agencies. However, you and your attorney must complete a financial worksheet in the format attached hereto so that you will be able to submit a loan resolution proposal to your lender. If you and your lawyer complete a financial worksheet within forty (40) days of your receipt of this Notice, your lawyer will be able to file a Request for Conciliation Conference on your behalf so that a conciliation conference can be scheduled. At that time, you and your lawyer will meet with a representative of your lender in an effort to work out reasonable arrangements with your lender.

IF YOU WISH TO SAVE YOUR HOME, YOU MUST ACT QUICKLY AND TAKE THE STEPS REQUIRED BY THIS NOTICE. THIS PROGRAM IS FREE.

Date

[Signature of Counsel for Plaintiff]

THE COURTS

FORM 13

: IN THE COURT OF COMMON PLEAS
: OF LACKAWANNA COUNTY

Plaintiff (s)

:

vs.

:

:

:

:

Defendant(s)

: NO. ____ CIV ____

AFFIDAVIT PURSUANT TO LACKA.CO.R.C.P. 3129.1

I, _____, counsel for plaintiff in the above action, do hereby certify that on _____, I served the "Notice of Residential Mortgage Foreclosure Diversion Program" upon defendant(s) or defendant's counsel and that:

More than 60 days have elapsed since the service of the Notice and, to the best of my knowledge, information and belief, defendant has not opted to participate in the diversion program by taking the affirmative steps required by the Notice.

Plaintiff(s) and defendant(s) have participated in a court-supervised conciliation conference, but the parties have been unable to resolve this matter and no further conciliation conferences have been scheduled.

Respectfully submitted

Date

[Plaintiff's Counsel]

FORM 14

THE COURTS

**Lackawanna County Residential Mortgage Foreclosure Diversion Program
Financial Worksheet**

Date _____
Tracking # _____

BORROWER REQUEST FOR HARDSHIP ASSISTANCE

To complete your request for hardship assistance, your lender must consider your Circumstances to determine possible options while working with your counseling agency. Please provide the following information to the best of your knowledge:

CUSTOMER/PRIMARY APPLICANT

Borrower name(s): _____
 Loan Number: _____
 Property Address: _____
 City: _____ State: _____ Zip: _____
 Is the property for sale? Yes ___ No ___ Listing date: _____ Price: \$ _____
 Realtor Name: _____ Realtor Phone _____
 Borrower Occupied: Yes ___ No ___
 Mailing Address (if different): _____
 City: _____ State: _____ Zip: _____
 Phone Numbers: Home: _____ Office: _____
 Cell: _____ Other: _____
 Email: _____
 # of people in household: _____ How long? _____

CO-BORROWER

Mailing Address: _____
 City: _____ State: _____ Zip: _____
 Phone Numbers: Home: _____ Office: _____
 Cell: _____ Other: _____
 Email: _____
 # of people in household: _____ How long? _____

COUNSELOR INFORMATION

Counseling Agency: _____
 Counselor: _____
 Phone (Office): _____ Fax: _____
 Email: _____

First Mortgage Lender: _____
 Type of Loan: _____
 Loan Number: _____ Date You Closed Your Loan: _____
 Second Mortgage Lender: _____
 Type of Loan: _____
 Loan Number: _____ Date You Closed Your Loan: _____

Total Mortgage Payments Amount: \$ _____ Included Taxes & Insurance: _____
 Date of Last Payment: _____

THE COURTS

Primary Reason for Default:

Is the loan in Bankruptcy? Yes ____ No ____

If yes, provide name, location of court, case number & attorney: _____

Assets	Amount Owed:	Value:
Home:	\$ _____	\$ _____
Other Real Estate:	\$ _____	\$ _____
Retirement Funds:	\$ _____	\$ _____
Investments:	\$ _____	\$ _____
Checking:	\$ _____	\$ _____
Savings:	\$ _____	\$ _____
Other:	\$ _____	\$ _____

Automobile #1: Model: _____ Year: _____

Amount owed: _____ Value: _____

Automobile #2: Model: _____ Year: _____

Amount owed: _____ Value: _____

Other transportation (automobiles, boats, motorcycles): Model: _____

Year: _____ Amount owed: _____ Value: _____

Monthly Income

Name of Employers:

1. _____
2. _____
3. _____

Additional Income Description (not wages):

1. _____ monthly amount: _____
2. _____ monthly amount: _____

Borrower Pay Days: _____ Co-Borrower Pay Days: _____

Monthly Expenses: (Please only include expenses you are currently paying)

EXPENSE	AMOUNT	EXPENSE	AMOUNT
Mortgage		Food	
2nd Mortgage		Utilities	
Car Payment(s)		Condo/Neigh. Fees	
Auto Insurance		Med. (not covered)	
Auto fuel/repairs		Other prop. Payment	
Install. Loan Payments		Cable TV	
Child Support/Alim.		Spending Money	
Day/Child Care/Tuit.		Other Expenses	

Amount Available for Monthly Mortgage Payments Based on Income & Expenses: _____

THE COURTS

AUTHORIZATION

I/We, _____, authorize the above-named agency to use/refer this information to my lender/servicer for the sole purpose of evaluating my financial situation for possible mortgage options. I/We understand that I/we am/are under no obligation to use the counseling services provided by the above-named agency.

Borrower Signature

Date

Co-Borrower Signature

Date

Please forward this page along with the following information to lender:

- ✓ **Proof of income**
- ✓ **Past 2 bank statements**
- ✓ **Proof of any expected income for the last 45 days**
- ✓ **Copy of a current utility bill**
- ✓ **Letter explaining reason for delinquency and any supporting documentation (hardship letter)**
- ✓ **Listing agreement (if property is currently on the market)**

In an effort to evaluate all of the workout options available to you, a counselor staff will work with your lender(s) and servicing company to determine eligibility.

Lender's Contact (Name): _____ Phone: _____

Non Profit Counselor Contact: _____ Phone: _____

HOUSING AFFORDABILITY WORKSHEET

Borrower Name: _____

Property Address: _____

Lender: _____ Loan #: _____

Arrears (principal, interest, escrows, no late fees): _____

Unpaid Loan Balance: _____

Interest Rate Now: _____ Type of Loan: _____

Current Financials:

Current P & I: \$ _____

Property Taxes: \$ _____

HO Insurance: \$ _____

PMI: \$ _____

Total Housing Debt: \$ _____

Total Monthly Debt: \$ _____
(from credit report)

Total Debt: \$ _____

Proposed Resolution:

Future debt to income ratio: _____ %

Total allowable debt: \$ _____
(.45 x gross income)

Total allow. housing debt: \$ _____
(subtract other debt on credit report)

Total allowable P&I: \$ _____
(subtract taxes, HOI, PMI)

Proposed Interest Rate = _____ %

Fixed Rate for remaining term of loan.

Other proposed terms: _____

Current Back End Ratio

Total Gross Income: \$ _____

Back End Ratio = \$ _____
(total monthly debt/gross income)

FORM 15

: IN THE COURT OF COMMON PLEAS
: OF LACKAWANNA COUNTY

Plaintiff (s) :

vs. :

Defendant(s) : NO. _____ CIV _____

CASE MANAGEMENT PROPOSAL

Now comes, _____, for and on behalf of _____, and hereby submits for approval the following case management deadlines, pursuant to Lacka.Co.R.C.P. _____ :

- A. All Discovery shall conclude on or before _____ :
- B. Plaintiff(s) shall exchange with the Defendant(s) all Expert Reports on or before _____ ;
- C. Defendant(s) shall exchange with Plaintiff(s) all Expert Reports on or before _____ :
- D. Plaintiff(s) shall exchange with Defendant(s) all Rebuttal Reports on or before _____ ;
- E. Dispositive Motions shall be filed on or before _____ .

CERTIFICATION

I hereby certify that the aforementioned Proposal has been forwarded to all Parties on _____, at least fifteen (15) days have elapsed, and no Party has objected to the Case Management Proposal.

(MOVING PARTY)

Order

And Now, this _____ day of _____, 20 __, it is hereby Ordered and Decreed that the aforementioned Proposal is hereby Adopted as an Order of Court.

JUDGE/DISCOVERY MASTER

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Change in Current Schedule of Continuing Legal Education Courses Required for Reinstatement under §§ 89.275 and 89.279 of the Disciplinary Board Rules

Disciplinary Board Rule § 89.279 provides that a formerly admitted attorney who has been disbarred or suspended for more than one year or on administrative suspension, retired status or inactive status for more than three years shall within one year preceding the filing of the petition for reinstatement take courses meeting the requirements of the current schedule published by the Office of the Secretary.

Evidence that a formerly admitted attorney has attended the required courses and lectures or has viewed videotapes of them shall be considered in determining whether the formerly admitted attorney possesses the required competency and learning in law, but shall not be conclusive on the issue.

Schedule Effective January 1, 2015

Every formerly admitted attorney who petitions for reinstatement under these rules shall take the following:

A minimum of thirty-six (36) hours of accredited PA CLE courses with a minimum twelve (12) of those hours in the area of Ethics. Sixteen (16) credits may be taken in pre-approved, interactive, Internet or computer based CLE programs.

Any petitions filed on or after December 1, 2011, by formerly admitted attorneys who have been disbarred or suspended for more than one year shall include the Bridge the Gap course taken through an accredited PA CLE provider as part of the thirty-six hours of credits.

Note: Accredited PA CLE courses taken for reinstatement may be used to meet CLE requirements once reinstated.

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

[Pa.B. Doc. No. 14-2503. Filed for public inspection December 5, 2014, 9:00 a.m.]

RULES AND REGULATIONS

Title 37—LAW

MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

[37 PA. CODE CH. 221]

Retired Law Enforcement Officers Identification and Qualification Cards

The Municipal Police Officers' Education and Training Commission (Commission) amends §§ 221.21, 221.31, 221.34 and 221.35 to read as set forth in Annex A.

Effective Date

The final-omitted rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

This final-omitted rulemaking is authorized under section 7 of the Retired Law Enforcement Identification Act (act) (53 P. S. § 753.7).

Submission as Final-Omitted Rulemaking

These amendments were submitted as a final-omitted rulemaking under section 204(3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(3)), known as the Commonwealth Documents Law (CDL), because the persons affected are certain retired law enforcement personnel who are generally aware of and in favor of the amendments. Moreover, the amendments do not alter eligibility requirements for retired officers who are already eligible, but rather broadens eligibility for retired or separated officers to carry a concealed firearm under the Law Enforcement Officers Safety Act of 2004 (LEOSA). While not required, notice will be given to certain major groups representing retired law enforcement, including the State Fraternal Order of Police.

Background and Need for the Final-Omitted Rulemaking

In 2004, sections 2 and 3 (18 U.S.C.A. §§ 926B and 926C), known as LEOSA, were added to the Federal Gun Control Act of 1968. LEOSA authorizes qualifying state and local police to carry their firearms throughout the United States by pre-empting most state laws. This privilege is also extended to qualified retired law enforcement officers provided they possess appropriate identification and qualify with the firearm they carry. Commonwealth law did not provide for identification cards or qualification cards for retired police. Therefore, the act was enacted to provide a uniform system for the identification and qualification of eligible retired officers in light of the Federal enactment related to these individuals.

The Commission was given the responsibility to administer the act and to promulgate regulations. The regulations mirror the original eligibility requirements for retired officers in LEOSA. However, LEOSA was amended in 2010, including changing the requirements for a retired officer to be eligible to carry a concealed firearm. The amendments to §§ 221.21 and 221.31 (relating to eligibility) are necessary to bring them into conformance with the 2010 amendments to LEOSA, specifically changes to section 3, regarding carrying of concealed firearms by qualified retired law enforcement officers.

Sections 221.21 and 221.31 formerly tracked the pre-2010 LEOSA definition of a "qualified retired law enforcement officer." The 2010 amendment to the definition

primarily served to change references in section 3 of the LEOSA from "retired" to "separated," reduced the required years of service from 15 years to 10 years, completely replaced the requirement to have certain rights to benefits in a retirement plan and added a subsection regarding mental health findings. The amendments also revised other sections, including language pertaining to firearms qualifications.

For the sake of consistency and clarity, the Commission believes that the regulations should be amended to reflect the 2010 amendments to LEOSA. This will serve to make the regulations consistent, as they already define a retired law enforcement officer in § 221.2 (relating to definitions) as a "qualified retired law enforcement officer as defined in 18 U.S.C. § 926C(c) (relating to carrying of concealed firearms by qualified retired law enforcement officers)." This is also the definition used in section 3 of the act (53 P. S. § 753.3). The amendment will also further the intent of the original legislation, which was enacted to specifically address the Federal mandate. See section 2 of the act (53 P. S. § 753.2).

The Commission believes that issuance of identification cards to Federally eligible individuals will be furthered by amending the regulations and removing ambiguity.

The other amendments in this final-omitted rulemaking are designed to correct minor typographical errors in the existing regulations.

Description of the Final-Omitted Rulemaking

Sections 221.21 and 221.31 are amended to be consistent in all respects with section 3 of LEOSA. This is accomplished by amending these sections to track the current Federal law by specifically referencing the definition of "retired law enforcement officer." Section 221.21 has been amended by deleting paragraphs (1)—(5) and stating the individual must meet the definition of "retired law enforcement officer." Section 221.31 was also amended to include a similar requirement and language was added to renumbered paragraph (3)(iii) and (iv).

The amendments to §§ 221.34(b) and 221.35 (relating to replacement; error or change in material information; and challenge to issuance of qualification card) correct typographical errors.

Fiscal Impact and Paperwork Requirements

The final-omitted rulemaking will not have adverse fiscal impact on the Commonwealth, its political subdivisions or the regulated community.

The final-omitted rulemaking will not impose additional paperwork requirements upon the Commonwealth, political subdivisions or the regulated community.

Contact Person

Further information is available by contacting the Director, Training and Curriculum Development Section, Municipal Police Officers' Education and Training Commission, State Police, 8002 Bretz Drive, Harrisburg, PA 17112, (717) 346-7755, fax (717) 346-7782.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on October 10, 2014, the Commission submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Judiciary Committee and Senate

Committees on Law and Justice. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on November 12, 2014, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 20, 2014, and approved the final-omitted rulemaking.

Findings

The Commission finds that:

(1) Public notice of the Board’s intention to amend its regulations under the procedures in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) has been omitted under the authority of section 204 of the CDL because public comment is unnecessary.

(2) The amendment of the Commission’s regulation in the manner provided in this order is necessary and appropriate for the administration of the act.

Order

(a) The regulations of the Commission, 37 Pa. Code Chapter 221, are amended by amending §§ 221.21, 221.31, 221.34 and 221.35 to read as set forth in Annex A.

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

(c) The Chairperson of the Commission shall submit this order and Annex A to the House and Senate Committees and IRRC as required by law.

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

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

COLONEL FRANK NOONAN,
Chairperson

(Editor’s Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 7622 (December 6, 2014).)

Fiscal Note: 17-76. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 37. LAW

**PART IV. MUNICIPAL POLICE OFFICERS’
EDUCATION AND TRAINING COMMISSION**

**Subpart B. RETIRED LAW ENFORCEMENT
IDENTIFICATION AND QUALIFICATION**

**CHAPTER 221. RETIRED LAW ENFORCEMENT
OFFICERS IDENTIFICATION AND
QUALIFICATION CARDS**

**Subchapter B. RETIRED LAW ENFORCEMENT
IDENTIFICATION CARDS**

§ 221.21. Eligibility.

An identification card shall only be issued to an individual who meets the definition of a retired law enforcement officer.

Subchapter C. QUALIFICATION CARD

§ 221.31. Eligibility.

An individual shall be eligible for a qualification card if the individual meets all of the following conditions:

(1) Resides in this Commonwealth.

(2) Meets the definition of a retired law enforcement officer.

(3) Prior to each annual qualification, completes a Pennsylvania Retired Officer Concealed Carry Acknowledgement, on a form prescribed by the Commission, attesting to all of the following, subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) and meets the following conditions:

(i) The applicant intends to fire and carry a revolver, semiautomatic or automatic weapon.

(ii) The applicant is a retired law enforcement officer.

(iii) The applicant retired or separated in good standing, specifying the public agency, city and state from which the applicant retired or separated.

(iv) The applicant did not retire or separate for reasons of mental instability.

(v) The applicant is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(vi) The applicant will not carry a firearm while under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(vii) The applicant is not prohibited by Federal or State law from receiving or possessing a firearm.

(viii) The applicant understands and acknowledges that the definition of a firearm does not include any machine gun, firearms silencer, destructive device or prohibited offensive weapon.

(ix) The applicant understands and acknowledges that the person shall meet the Commonwealth’s standards for training and qualification for active law enforcement officers to carry a firearm of the same type as the applicant’s concealed weapon.

(x) The applicant understands and acknowledges that when carrying the concealed weapon, the applicant shall carry Pennsylvania’s qualification card, along with the identification card issued under § 221.23 (relating to identification card issuance) or identification issued by another public agency satisfying the requirements of 18 U.S.C. § 926C(d) (relating to carrying of concealed firearms by qualified retired law enforcement officers).

(xi) The applicant understands and acknowledges that the qualification card expires 12 months from the date of issue and it is the applicant’s responsibility to reapply if the applicant wants to continue to carry the weapon under the act and this chapter.

(xii) The applicant understands and acknowledges that this authorization applies only to the type of weapon with which the applicant qualified.

(xiii) The applicant understands and acknowledges that Pennsylvania’s certification does not give him any right whatsoever to exercise law enforcement authority or take police action under any circumstances.

(xiv) The applicant understands and acknowledges that a background investigation is required and authorizes one to be conducted to determine if the applicant has been convicted of any criminal offenses or has any mental

health issues that would disqualify the applicant from possessing a concealed weapon.

(xv) The applicant has not been charged with nor convicted of any felony or misdemeanor in this Commonwealth or any similar offenses under any other State or Federal law that would prohibit the applicant from possessing a firearm.

§ 221.34. Replacement; error or change in material information.

(a) *Replacement.* If a qualification card is lost, stolen, destroyed, mutilated or becomes illegible, the retired law enforcement officer may obtain a replacement qualification card upon request to the certified law enforcement firearm instructor and payment of the required fee.

(b) *Error or change in information.* If any information on a qualification card has changed, or is in error, from the information originally set forth, the retired law enforcement officer shall apply to the certified law enforcement firearm instructor and submit the required fee, for a new qualification card within 15 days of the change or discovery of the error. A fee will not be charged if the certified law enforcement firearm instructor caused the error to occur.

§ 221.35. Challenge to issuance of qualification card.

The Commission will have standing to contest issuance of any qualification card subject to §§ 203.101—203.103 (relating to notice and hearings).

[Pa.B. Doc. No. 14-2504. Filed for public inspection December 5, 2014, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF PHARMACY

[49 PA. CODE CH. 27]

Pharmacy Internship

The State Board of Pharmacy (Board) amends § 27.26 (relating to pharmacy internship) to read as set forth in Annex A.

Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

The final-form rulemaking is authorized under sections 3(c) and 6(k)(9) of the Pharmacy Act (act) (63 P.S. §§ 390-3(c) and 390-6(k)(9)).

Background and Purpose

Section 3(c) of the act requires that “[t]o insure proficiency in the practical aspects of pharmacy, the board shall, by regulation, prescribe internship requirements which must be satisfactorily completed prior to issuance of a pharmacist license.” Section 27.26 sets forth standards for the pharmacy internship. In addition to graduation from an Accreditation Council for Pharmacy Education (ACPE) accredited pharmacy degree program and successful completion of the licensure examination,

completion of an internship prepares the applicant to function competently and effectively upon licensure. The current trend in pharmacy education is for greater participation by students in an academic internship as part of the educational process. This final-form rulemaking permits a pharmacy intern to complete more of the internship requirements through academic internships or nontraditional internships. Additionally, this final-form rulemaking assures that only those aspiring pharmacists who continue the path to licensure will be permitted to continue to work as pharmacy interns.

Summary of Comments and Responses to Proposed Rulemaking

The Board published a proposed rulemaking at 42 Pa.B. 5353 (August 18, 2012) with a 30-day public comment period. The Board received comments from the following commentators: Heather J. Johnson, Pharm.D., BCPS, Assistant Professor, University of Pittsburgh School of Pharmacy; Brian A. Potoski, R.Ph., Pharm.D., Associate Professor, University of Pittsburgh School of Pharmacy; Mary Elizabeth Ray, B.S.Pharm., Pharm.D., Director, Office of Experiential Education, LECOM School of Pharmacy; Hershey S. Bell, M.D., M.S., FAAFP, Professor, Vice President for Academic Affairs and Dean, LECOM School of Pharmacy; and the Pennsylvania Pharmacists Association (PPA). The Board also received comments from the Independent Regulatory Review Commission (IRRC) as part of the review of proposed rulemaking under the Regulatory Review Act (71 P.S. §§ 745.1—745.12a). On October 3, 2012, the House Professional Licensure Committee (HPLC) voted to not take formal action on the proposed regulation until the final regulation is promulgated. The Board did not receive comments from the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC).

The comments were discussed at the public meeting of the Board on September 17, 2013. Present during the discussion of the comments were representatives from Target, Acme, PPA, the Hospital and Healthsystem Association of Pennsylvania, CVS Caremark and Giant. These stakeholders did not offer additional comment during discussion of the written comments.

The comments from Heather J. Johnson, Brian A. Potoski, Hershey S. Bell and PPA were supportive of the amendments and did not offer changes to the proposed rulemaking. Mary Elizabeth Ray was supportive of the proposed amendments and hoped that the Board would, in the future, eliminate the requirement in § 27.19 (relating to prospective drug review and patient counseling) that only a pharmacist may counsel. While not adding that change to this final-form rulemaking, the Board considered the comment and plans to address patient counseling by interns in an upcoming “general revisions” rulemaking, which is currently being drafted.

IRRC expressed concern regarding § 27.26(b)(2) where the Board requires documentation from the ACPE-accredited pharmacy degree program (program) to include the student’s Social Security number. At the outset, the Board notes that this information has been collected on the intern application for many years from both the student and the program. The Board is merely codifying the information it has traditionally requested on the application. Currently, Section E of the intern application requests this information from the program. However, if the program were to send a letter instead of completing Section E, the program has notice of what information needs to be on the letter for the Board to process it and match it with the other parts of the intern application.

IRRC also asked why the Board is not directly asking the student to produce the Social Security number. Section A of the application, which is completed by the student, asks the student to provide the Social Security number. The Board is required under section 466(a)(13)(A) of the Social Security Act (42 U.S.C.A. § 666(a)(13)(A)) to collect this information to comply with requirements regarding child support enforcement as implemented in this Commonwealth by 23 Pa.C.S. § 4304.1(a) (relating to cooperation of government and nongovernment agencies). In fact, the Commonwealth previously applied under section 6 of the Social Security Number Privacy Act (71 P.S. § 2606) to the United States Department of Health and Human Services for an exemption from the requirement. However, in a letter from Margot Bean, Commissioner of the Office of Child Support Enforcement within the United States Department of Health and Human Services dated July 28, 2008, the exemption was denied as to applications for professional and occupational licenses (although it was granted as to recreational licenses).

Additionally, the Board is required to collect Social Security numbers to comply with the mandatory reporting requirements of the Federal National Practitioner Data Bank. Under regulations of the United States Department of Health and Human Services in 45 CFR Part 60 (relating to National Practitioner Data Bank), the Board is required to report disciplinary actions taken against licensees and registrants to the National Practitioner Data Bank. Specifically, 45 CFR 60.9(b)(1)(ii) (relating to reporting licensure and certification actions taken by states) requires the reporting of the individual's Social Security number when reporting adverse actions taken by health-related licensing authorities.

For these reasons, the following notice is found on applications, including the application for intern registration:

Disclosing your Social Security number on this application is *mandatory* in order for the Pennsylvania State Board of Pharmacy to comply with the requirements of the federal Social Security Act pertaining to child support enforcement, as implemented in the Commonwealth of Pennsylvania at 23 Pa.C.S. § 4304.1(a). In order to enforce domestic child support orders, the Commonwealth's licensing boards must provide to the Department of Public Welfare (DPW) information prescribed by DPW about the licensee, including the Social Security number. Additionally, disclosing the number is *mandatory* in order for this board to comply with the reporting requirements of the federal National Practitioner Data Bank (NPDB). Reports to the NPDB must include the individual's Social Security number.

IRRC further asked what capacity the Board has to verify the Social Security number. The Board asks the program to provide the Social Security number as a way to match that portion of the application with the portion submitted directly by the student. As the two portions of the application do not come to the Board office together, the Board must be able to match the program portion of the application with the student portion of the application. The Board receives many intern applications, and applicants can have the same name or birth date. The Social Security number is the best means of matching the two portions of the application.

IRRC also expressed concern about how the Board will internally secure this documentation to protect the student from identity theft. The Board will secure the student's Social Security number as it does all confiden-

tial information received from licensees. The information is entered into the licensing system. The Board scans the application and stores the document electronically in the licensing system. The paper applications are then placed in locked recycle bins and sent for confidential shredding. The Board is also transitioning its applications to online forms. The information goes directly into the licensing system when the online forms are received.

IRRC asked whether the program possesses the student's Social Security number and whether the Board would deny an internship to a student if the Social Security number is not disclosed by or available to the program. In the Board's experience, programs generally have the student's Social Security number. In the rare circumstance that a program may not have a student's Social Security number, it has been able to obtain it once notified that it is required. An application that is missing a Social Security number is not denied. It is held as pending until the Social Security number is provided.

Upon review of the proposed rulemaking and comments the Board noticed that in § 27.26(1) it had omitted an amendment to delete "certificate" and replace it with "registration." In the final-form rulemaking, the Board changed this term to comport with the change in terminology made in the proposed rulemaking. No other changes were made to the annex in the final-form rulemaking.

Fiscal Impact and Paperwork Requirements

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. Because the information required under § 27.26 is already collected by the Board, this final-form rulemaking does not impose additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 8, 2012, the Board submitted a copy of the notice of proposed rulemaking, published at 42 Pa.B. 5353, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 22, 2014, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 23, 2014, and approved the final-form rulemaking.

Additional Information

Persons who require additional information about the final-form rulemaking should submit inquiries to Board Counsel, State Board of Pharmacy, P. O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-7156, st-pharmacy@state.pa.us.

Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968

(P. L. 769, No. 240) and regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and the comments were considered.

(3) The amendments to this final-form rulemaking do not enlarge the scope of proposed rulemaking published at 42 Pa.B. 5353.

(4) The final form rulemaking adopted by this order is necessary and appropriate for the administration of the act.

Order

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

(a) The regulations of the Board, 49 Pa. Code Chapter 27, are amended by amending § 27.26 to read as set forth in Annex A.

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

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

(d) The final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

THERESA M. TALBOTT, R.Ph.,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 7145 (November 8, 2014).)

Fiscal Note: Fiscal Note 16A-5424 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 27. STATE BOARD OF PHARMACY PHARMACISTS

§ 27.26. Pharmacy internship.

(a) Pharmacy internship means the supervised practical experience required for licensure as a registered pharmacist. The purpose of the pharmacy internship program is to provide a registered intern with the knowledge and practical experience necessary for functioning competently and effectively upon licensure.

(b) Registration as a pharmacy intern will be available to an individual of good moral character who has completed at least 2 years of college and is enrolled or accepted as a student of pharmacy in an ACPE-accredited pharmacy degree program. A person desiring to register as a pharmacy intern shall do the following:

(1) Apply to the Board for registration including the fee specified in § 27.91 (relating to schedule of fees) for registering as a pharmacy intern.

(2) Forward to the Board acceptable documentation verifying that the applicant has successfully completed at least 2 years of college and is enrolled or accepted as a student of pharmacy in an ACPE-accredited pharmacy degree program. Acceptable documentation includes a

document bearing the school's seal received by the Board directly from the dean or registrar of the ACPE-accredited pharmacy degree program which includes the pharmacy student's name, address, Social Security number, and a statement indicating that the student has successfully completed at least 2 years of college and is enrolled or accepted as a student of pharmacy in, or has graduated from, the ACPE-accredited pharmacy degree program.

(c) The Board will register an applicant after it receives a completed application and other items in subsection (b). A pharmacy intern registration is valid for 6 years from the date of issue exclusive of time spent in the military. A pharmacy intern registration will automatically become invalid if the pharmacy intern permanently ceases enrollment in an ACPE-accredited pharmacy degree program prior to graduation. A pharmacy intern whose registration becomes invalid under this subsection shall immediately return to the Board the pharmacy intern registration and preceptor approval documents.

(d) The following applies to internship credit:

(1) An intern shall serve at least 1,500 hours.

(2) A maximum of 50 hours may be credited in 1 week.

(3) An intern shall serve at least 500 of the 1,500 hours in a pharmacy.

(4) An intern may earn up to 1,000 of the 1,500 hours in an internship program sponsored or approved by an ACPE-accredited pharmacy degree program.

(5) The Board may grant internship credit for hours that an individual served in a pharmacy before the individual registered as an intern only if the individual shows good cause for failing to register in timely fashion.

(6) The Board will not grant internship credit for hours which an individual served in a pharmacy if the supervising pharmacist was not registered as a preceptor. An exception to the requirement that the supervising pharmacist register as a preceptor will be made for internship hours acquired in an internship program sponsored or approved by an ACPE-accredited pharmacy degree program.

(e) The Board will grant internship credit only for activities related to the practice of pharmacy. The following are examples of these activities: scrutinizing prescriptions or drug orders, taking oral orders for prescriptions by telephone or otherwise, compounding medications and filling prescriptions. The Board will not grant internship credit for activities which are not related to the practice of pharmacy.

(f) An intern who wishes to receive credit for internship experience that is not in a pharmacy or sponsored or approved by an APCE-accredited pharmacy degree program shall apply to the Board for approval before beginning an internship experience. Upon receipt of the application, the Board will review and determine how much, if any, credit will be given. Requests for approval shall be submitted at least 90 days before the internship experience begins. Credit given for a nontraditional internship may not be used to satisfy the requirement of subsection (d)(3) pertaining to the minimum amount of time the internship shall be served in a pharmacy.

(g) A person may not be eligible to become a candidate for registration to practice pharmacy unless the person receives instruction in practical pharmacy and pharmaceutical technique from an instructor, professor or faculty member who is a registered pharmacist or from a faculty

member who is a registered pharmacist at an ACPE-accredited pharmacy degree program.

(h) The following requirements are applicable to a pharmacy utilized for intern training:

(1) A pharmacy may not have been or be in violation of Federal, State or municipal statutes and ordinances governing any phase of activity in which it is engaged. A pharmacy may appeal to the Board for a waiver of this provision.

(2) A pharmacy shall be managed so that the emphasis is on activities connected with the distribution of articles and services pertaining to medical care, including drugs, medicines, prescriptions, medical supplies and materials.

(3) A pharmacy shall be kept in a sanitary, orderly and clean condition, and the prescription department shall meet the requirements in the statutes and regulations as they affect prescription departments.

(4) A pharmacy shall compound and dispense a sufficient number of prescriptions including renewals so as to provide the pharmacy intern with ample opportunity to scrutinize prescriptions and to compound and dispense under the supervision of a licensed pharmacist.

(5) A pharmacy shall have in its employ a licensed pharmacist who is registered as a pharmacist preceptor.

(6) A pharmacy which meets the qualifications of this section shall be approved by the Board after proper notification by the owner or manager of willingness to cooperate in the development of the internship program. Whenever a new intern is accepted for training in the pharmacy, the pharmacist preceptor shall notify the Board of the name of the intern and his anticipated period of internship in the pharmacy.

(i) The requirements for registration as a pharmacist preceptor are as follows:

(1) A pharmacist preceptor may not have been convicted of a criminal offense relating to the practice of pharmacy.

(2) An applicant shall hold a license without restriction to practice pharmacy in this Commonwealth and shall be engaged in the active practice of pharmacy in this Commonwealth.

(3) An applicant shall be working on a full-time basis in a pharmacy utilized for intern training.

(4) A pharmacist preceptor may not direct the training of more than two pharmacy interns at any one time, unless the program has been approved by the Board for a greater number.

(5) A pharmacist preceptor shall be willing to cooperate with the Board in developing an intern program and shall apply to the Board signifying the desire to do so.

(6) A pharmacist preceptor shall certify to the commencement and completion of intern training and may make recommendations to the Board concerning the competency of the intern under his supervision.

(7) A pharmacist preceptor shall report to the Board, as required by the Board, on the progress of an intern under the pharmacist's supervision.

(8) A pharmacist preceptor shall be charged with the responsibility for seeing that his intern receives proper pharmaceutical training and experience, always keeping in mind the objections of the practical training program.

(j) Credit will be granted for practical experience gained in pharmacies outside this Commonwealth upon

presentation of evidence satisfactory to the Board to indicate that the experience gained is substantially equivalent to that required by this chapter.

(k) The pharmacy internship may not be deemed satisfactorily completed until the intern has filed affidavits with the Board certifying that the intern has obtained a total of 1,500 hours of practical experience since registration as a pharmacy intern.

(l) When a candidate receives his first certificate and identification card to practice as a pharmacist, his registration as an intern terminates.

[Pa.B. Doc. No. 14-2505. Filed for public inspection December 5, 2014, 9:00 a.m.]

**STATE BOARD OF EXAMINERS IN
SPEECH-LANGUAGE PATHOLOGY AND
AUDIOLOGY**

[49 PA. CODE CH. 45]

Continuing Education

(Editor's Note: The act of July 2, 2014 (P. L. 971, No. 106) renamed the State Board of Examiners in Speech-Language and Hearing as the State Board of Examiners in Speech-Language Pathology and Audiology.)

The State Board of Examiners in Speech-Language Pathology and Audiology (Board) amends §§ 45.1, 45.501—45.505 and 45.507 to read as set forth in Annex A.

Effective Date

The final-form rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

This final-form rulemaking is authorized by section 5(2) and (7) of the Speech-Language Pathologists and Audiologists Licensure Act (act) (63 P. S. § 1705(2) and (7)).

Description and Need for the Rulemaking

In 2006, the Board promulgated initial regulations concerning continuing education. Having applied the continuing education requirements during two subsequent renewal cycles, the Board has identified areas of the regulations where clarity or completeness could be improved.

Summary of Comments and Responses to Proposed Rulemaking

The Board published the proposed rulemaking at 43 Pa.B. 5828 (October 5, 2013) with a 30-day public comment period. The Pennsylvania Speech-Language Hearing Association expressed its support for the proposed rulemaking. The Board received no other comments from the public. The Independent Regulatory Review Commission (IRRC) commented as part of its review of proposed rulemaking under the Regulatory Review Act (71 P. S. §§ 745.1—745.12a). The House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not comment on the proposed rulemaking.

IRRC noted that section 5(7) of the act allows the Board to waive all or part of the continuing education requirements due to illness, emergency or hardship, but is silent on whether an extension of time to complete required continuing education is appropriate. IRRC asked

the Board to explain why it believes that the inclusion of the proposed language is consistent with section 5(7) of the act and the intent of the General Assembly.

Section 5(7) of the act authorizes the Board to waive all or part of the continuing education requirement for a licensee who shows to the satisfaction of the Board that the licensee was unable to complete the requirement due to illness, emergency or hardship and requires the licensee to make the request in writing, with appropriate documentation, describing the circumstances sufficient to show why the licensee is unable to comply with the requirement. Section 45.502(b) (relating to exemption and waiver) already addresses this process. In addition to the circumstances that cause the licensee’s hardship, the Board typically considers the extent to which the licensee has already completed continuing education in deciding whether to waive the requirement or grant an extension for a temporary hardship. Also, because oftentimes the circumstances result from unexpected events at the last minute that keep a licensee from participating in continuing education as planned, the Board will sometimes grant a limited extension of time in which to complete continuing education rather than waive the requirement entirely. The Board considers granting an extension of time in which to complete required continuing education due to illness, emergency or hardship as granting a waiver in part, and the authority to grant a waiver includes the authority to grant it in part. Additionally, granting an extension of time, when appropriate, serves the purposes of the act. Requiring completion of continuing education as a condition of renewal assures that licensees remain competent to practice. Rather than relieving a licensee of all obligation to complete continuing education, extending the time in which to complete the required continuing education assures that competence while also accommodating a temporary illness, emergency or hardship experienced by the licensee.

Fiscal Impact and Paperwork Requirements

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth, its political subdivisions or the private sector. The final-form rulemaking will not impose additional paperwork requirements upon the Commonwealth, its political subdivisions or the private sector.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 25, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 5828, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on October 22, 2014, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 23, 2014, and approved the final-form rulemaking.

Additional Information

Persons who require additional information about the final-form rulemaking should submit inquiries to Judith

Pachter Schulder, Counsel, State Board of Examiners in Speech-Language Pathology and Audiology, P. O. Box 2649, Harrisburg, PA 17105-2649, RA-SPEECH@pa.gov.

Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) and regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and the comments were considered.

(3) The final-form rulemaking adopted by this order is necessary and appropriate for the administration of the act.

Order

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

(a) The regulations of the Board, 49 Pa. Code Chapter 45, are amended by amending §§ 45.1, 45.501—45.505 and 45.507 to read as set forth in Annex A.

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

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

(d) The final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

JAMES L. SHAFER, AuD,
Chairperson

(Editor’s Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 7145 (November 8, 2014).)

Fiscal Note: Fiscal Note 16A-6807 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 45. STATE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

Subchapter A. GENERAL PROVISIONS

§ 45.1. Fees.

The following are the fees set by the State Board of Examiners in Speech-Language and Hearing:

- (1) Initial license—speech-language pathologist, audiologist or teacher of the hearing impaired \$20
- (2) Certification of licensure \$15
- (3) Biennial renewal \$46
- (4) Examination for teacher of the hearing impaired \$87
- (5) Application for continuing education approval (other than preapproved provider) \$40

Subchapter G. CONTINUING EDUCATION

§ 45.501. Credit hour requirements.

(a) Each speech-language pathologist, audiologist or teacher of the hearing impaired shall have completed 20 clock hours of continuing education per license during each preceding biennial renewal period, beginning with the renewal period commencing August 1, 2008. Excess clock hours may not be carried over to the next biennium.

(b) Up to 10 clock hours of approved continuing education credit per biennial renewal period may be granted on a case-by-case basis for services as a lecturer or speaker, and for publication of articles, books and research relating to the practice of speech-language pathology, audiology or teaching of the hearing impaired. A licensee seeking continuing education credit under this subsection shall submit a written request with a copy of the lecture, presentation, article, book or research and a fee for continuing education approval as required under § 45.1 (relating to fees). The request shall be submitted 180 days prior to the expiration of the biennial renewal period for which the licensee is seeking credit. An instructor of a program approved under § 45.505 (relating to approval of continuing education programs) will receive credit to the same extent that an attendee will receive credit and is not required to apply for approval under this subsection.

(c) Unless granted a waiver under § 45.502 (relating to exemption and waiver), the Board will not renew or reactivate any speech-language pathologist, audiologist or teacher of the hearing impaired license until the continuing education requirement for the current biennial period has been completed.

(d) A licensee may not receive credit for participation in substantially the same program more than once during a single renewal cycle.

§ 45.502. Exemption and waiver.

(a) A licensee is not required to complete continuing education during the biennial renewal period in which the licensee was first licensed to renew for the next biennium.

(b) The Board may waive all or part of the continuing education requirement for a biennial renewal period upon request of a licensee. The request must be made in writing, with supporting documentation, and include a statement of how much continuing education the licensee has completed and a description of circumstances sufficient to show why compliance is impossible. Except for good cause shown, a licensee seeking a waiver shall submit the request to the Board at least 60 days before the current expiration date of the license for the Board to evaluate the request prior to expiration of the license. Waiver requests will be evaluated by the Board on a case-by-case basis. Waivers may be granted for serious illness, military service or other demonstrated hardship. A waiver request seeking an extension of time to complete required continuing education shall include the licensee's plan to complete the required continuing education. The Board will send written notification of its approval or denial of a waiver request.

§ 45.503. Continuing education requirement for reactivation of inactive and lapsed licenses.

A licensee seeking to reactivate an inactive or lapsed license shall show proof of compliance with the continuing education requirement for the preceding biennial period. Only continuing education obtained during the 24-month

period immediately preceding application for reactivation may be used to justify reactivation. This continuing education is in addition to continuing education required to subsequently renew the license under § 45.501(c) (relating to credit hour requirements).

§ 45.504. Reporting completion of continuing education.

(a) Licensees applying for biennial license renewal shall provide, on forms provided by the Board, a signed statement certifying that the continuing education requirement has been met and information to support the certification which includes the following:

- (1) Dates attended.
- (2) Continuing education hours claimed.
- (3) Title of course and description of content.
- (4) Location of course.

(b) The Board will utilize a random audit of renewals to determine compliance with the continuing education requirement. Applicants selected for audit shall provide the Board the certified continuing education record, as described in § 45.506(b) (relating to provider responsibilities), for each continuing education program completed to prove compliance with the continuing education requirement.

(c) Individuals shall retain the certified continuing education records for courses completed for a minimum of 4 years.

(d) Instead of the continuing education record required under subsection (b), a licensee who successfully completed a program preapproved under § 45.505(d)(3) (relating to approval of continuing education programs) may document completion by means of an official transcript of the institution.

§ 45.505. Approval of continuing education programs.

(a) Credit for continuing education may be obtained for any program approved in advance by the Board. Preapproval is contingent upon compliance with § 45.506 (relating to provider responsibilities).

(b) Any person or entity, including an agency, organization, institution, college, university, professional society, association or center, seeking approval of continuing education programs shall:

- (1) Apply for approval of the program on forms provided by the Board.
- (2) File the application at least 90 days prior to the first scheduled date of the program.
- (c) An application must contain:
 - (1) The full name and address of the provider.
 - (2) The title of the program.
 - (3) Faculty names and credentials, and, if requested by the Board, curriculum vitae.
 - (4) A schedule of the program, including the title and description of each subject, the course content, the name and brief synopsis of qualifications of the lecturers and the time allotted.
 - (5) The total number of clock hours of credit to be awarded.
 - (6) A method of certifying participation.

(7) The program coordinator who is responsible for certifying participation and compiling an official list of Pennsylvania licensees in attendance at the continuing education program.

(8) A fee as required by § 45.1 (relating to fees).

(d) The following programs are deemed approved for continuing education credit:

(1) Continuing education programs approved or sponsored by the American Speech-Language-Hearing Association.

(2) Continuing education programs approved or sponsored by the American Academy of Audiology.

(3) Courses and programs offered for credit by academic programs in speech-language pathology, audiology or teaching of the hearing impaired associated with institutions accredited by any state's department of education or a regional commission on institutions of higher education.

(e) The Board may deny approval of a program of continuing education based on the following grounds:

(1) The provider failed to comply with § 45.506 for other programs.

(2) The provider made one or more false or misleading material statements on the application.

(3) The identified faculty is deemed not qualified to present the program.

(4) The course content is in office management or practice building.

(5) The method of certifying participation is not verifiable.

(f) The Board may revoke the approval of a provider on the following grounds:

(1) Failure of the provider to comply with § 45.506.

(2) Falsification of a continuing education record by a program provider.

§ 45.507. Disciplinary action authorized.

(a) A licensed speech-language pathologist, audiologist or teacher of the hearing impaired who submits fraudulent continuing education records may be subject to discipline under section 10 of the act (63 P.S. § 1710).

(b) A licensed speech-language pathologist, audiologist or teacher of the hearing impaired who fails to complete the required continuing education requirement within any biennial renewal period may be subject to discipline unless the licensee is exempt or has been granted a waiver under § 45.502 (relating to exemption and waiver).

(c) Notwithstanding discipline imposed by the Board under subsection (b), whether by formal disciplinary proceedings or by issuance of a citation as set forth in § 43b.16a (relating to schedule of civil penalties—audiologists, speech-language pathologists and teachers of the hearing impaired), a licensed speech-language pathologist, audiologist or teacher of the hearing impaired who has been found to be deficient in continuing education hours shall make up deficiencies within 6 months of receiving notice of the deficiency.

(d) Failure to make up deficient continuing education hours as required under subsection (c) may subject the licensed speech-language pathologist, audiologist or teacher of the hearing impaired to further discipline under section 10 of the act.

[Pa.B. Doc. No. 14-2506. Filed for public inspection December 5, 2014, 9:00 a.m.]

PROPOSED RULEMAKING

LIQUOR CONTROL BOARD

[40 PA. CODE CH. 3]

Economic Development Licenses

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P.S. § 2-207(i)), proposes to amend § 3.105 (relating to quarterly filing of applications and application hearings).

Summary

Generally speaking, the Liquor Code limits the number of restaurant liquor and eating place retail dispenser licenses the Board may issue in a county. See section 461 of the Liquor Code (47 P.S. § 4-461). There are several exceptions to section 461 of the Liquor Code, one of which allows the Board to issue an economic development restaurant (EDR) liquor license or an economic development eating (EDE) place retail dispenser license, even if the quota for the county is full. However, the applicant must satisfy certain conditions to receive an EDR or EDE license, including proof that the applicant has “exhausted reasonable means for obtaining a suitable license within the county” under section 461(b.1)(1) of the Liquor Code. This information must be presented at an administrative hearing under § 3.105. The regulations do not currently provide guidelines as to what is meant by “exhausted reasonable means.” As a result, applicants are unsure as to what evidence they are expected to produce. The proposed amendments to § 3.105 provide specific criteria for an applicant to show that it has met that condition.

To apply for an EDR or EDE license, the proposed licensed premises must be located in a Keystone Opportunity Zone, an area designated as an enterprise zone by the Department of Community and Economic Development, or a municipality in which, after a public hearing, the governing body of the municipality has approved the issuance of the license by ordinance or resolution. See section 461(b.1)(2) of the Liquor Code. Because of these restrictions, it is unknown how many potential future applicants may benefit from this proposed rulemaking. As of October 2, 2014, the Board has approved the issuance of 25 EDR licenses and 1 EDE license since it was first authorized to do so in 2002.

Affected Parties

The affected parties include future applicants for EDR and EDE licenses. The proposed rulemaking will provide clarity as to what is expected of the applicant before it applies for an EDR or EDE license.

Paperwork Requirements

The proposed rulemaking seeks to clarify what is expected of an applicant for an EDR or EDE license. The applicant typically testifies at an administrative hearing as to what efforts it made to obtain an already existing license. The applicant may wish to take notes as to its efforts to help establish that it has “exhausted reasonable means.” However, the proposed rulemaking would not require additional paperwork to be filed.

Fiscal Impact

There is no anticipated fiscal impact with the proposed rulemaking. The proposed rulemaking is offered to provide clarity to applicants for an EDR or EDE license.

Effective Date

This proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

Public Comments

Interested persons are invited to submit written comments about the proposed rulemaking to Rodrigo Diaz, Executive Deputy Chief Counsel, or Norina Blynn, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001 within 30 days after publication of the proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Public comments will be posted on the Independent Regulatory Review Commission’s (IRRC) web site. Personal information will not be redacted from the public comments received.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 5, 2014, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Liquor Control Committee and Senate Committee on Law and Justice. 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 Board, the General Assembly and the Governor of comments, recommendations or objections raised.

JOSEPH E. BRION,
Chairperson

Fiscal Note: 54-81. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 40. LIQUOR

PART I. LIQUOR CONTROL BOARD

CHAPTER 3. LICENSE APPLICATIONS

Subchapter K. ECONOMIC DEVELOPMENT LICENSES

§ 3.105. Quarterly filing of applications and application hearings.

* * * * *

(e) In addition to any objections to, or support of, an application for the issuance of a license, an applicant shall [**establish**] **provide evidence** at the administrative hearing[,] that it has exhausted reasonable means to find a suitable license within the existing county quota law. **Evidence includes the following:**

(1) **Evidence that the applicant, or the applicant’s agent, made contact with existing restaurant liquor licensees, if a restaurant liquor economic development license is sought, or existing eating place retail dispenser licensees, if an eating place retail dispenser economic development license is sought, in the county.**

(i) The purpose of the contact is to inquire as to the availability of the licensee's license for purchase.

(ii) In counties of the first through fourth class, the number of licensees contacted by the applicant, or the applicant's agent, must be equal to or greater than 50% of all the existing restaurant liquor or eating place retail dispenser licensees in the county.

(iii) In counties of the fifth through eighth class, the number of licensees contacted by the applicant, or the applicant's agent, must be equal to or greater than 75% of all the existing restaurant liquor or eating place retail dispenser licensees in the county.

(2) Evidence that the applicant, or the applicant's agent, has offered to purchase a restaurant liquor or eating place retail dispenser licenses in the county that are in safekeeping at the time the application is filed with the Board, including the offered and requested amounts.

(3) An explanation as to why it is not economically feasible for the applicant business to pay the

amount requested for an existing restaurant liquor or eating place retail dispenser license.

(4) A written estimation, with supporting documentation, of the expected economic benefits to the municipality if the application is granted.

(f) If the applicant, or any of the applicant's stockholders, directors, officers or members, owns, in whole or in part, a restaurant liquor or eating place retail dispenser license which is in safekeeping with the Board, the Board will refuse the application. This only applies if the license in safekeeping is in the same county as the license applied for.

[(f)] (g) Upon approval of an application, the applicant will receive a provisional license for 120 days, exclusive of periods of safekeeping.

[(g)] (h) In the event of an appeal from the Board's decision regarding the issuance or renewal of an economic development license, the appeal will act as a supersedeas and will preclude the processing of additional applications for vacancies in that county.

[Pa.B. Doc. No. 14-2507. Filed for public inspection December 5, 2014, 9:00 a.m.]

STATEMENTS OF POLICY

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 57]

Class A Wild Trout Streams

The Fish and Boat Commission (Commission) amends § 57.8a (relating to Class A wild trout streams). The Commission publishes this statement of policy under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. *Effective Date*

The amendments to § 57.8a will go into effect January 1, 2015.

B. *Contact Person*

For further information on this statement of policy, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This statement of policy is available on the Commission's web site at www.fish.state.pa.us.

C. *Statutory Authority*

The amendments to § 57.8a are published under the statutory authority of section 321 of the code (relating to administration and enforcement) that provides that the Commission shall administer and enforce the code and other laws of the Commonwealth relating to the protection, propagation and distribution of fish.

D. *Purpose and Background*

In October 2009, the Commission approved the Strategic Plan for Management of Trout Fisheries in Pennsylvania 2010-2014 (plan). The plan was developed based on input provided by a work group that consisted of Commission staff, anglers affiliated with a variety of sportsmen's organizations and independent trout anglers that are not affiliated with an organized group. This plan has guided the direction of trout management for the Commission since that time.

The plan identifies opportunities for improvement of trout management in this Commonwealth, issues that affected these improvements and strategies for addressing these issues. One of the key issues addressed in the plan is the protection of Class A wild trout waters. Issue 2 of the plan states "There are a number of streams that may hold Class A biomass trout populations that have not been officially designated as Class A streams by the [Commission]. This leads to inadequate water quality protection for these waters and inconsistent application of fisheries management strategies." The identified strategy to address this specific issue is "By 2014, sample waters identified by [Commission] staff as likely to support a Class A wild trout biomass and designate appropriately." It should be noted that this issue is separate from the identification of unassessed Class A waters, which the Commission has been addressing since adoption of the plan. The waters to which Issue 2 of the plan refers are waters for which historical data was present but which have not been officially designated as Class A.

To date, the Commission has identified ten potential high biomass waters per Issue 2 of the plan. These waters are as follows: Fishing Creek, Clinton County; Little Lehigh Creek, Section 4, Lehigh County; Little Lehigh

Creek, Section 7, Lehigh County; Martins Creek, Northampton County; Monocacy Creek, Section 8, Northampton County; Monocacy Creek, Section 9, Lehigh and Northampton Counties; Penns Creek, Centre County; Pohopoco Creek, Carbon County; Yellow Creek, Section 4, Bedford County; and Yellow Creek, Section 5, Bedford County. The Commission has completed new inventories on these waters, and each has been sampled twice since 2010. Based on the results of the second examination, each of these waters supports Class A populations.

Currently, each of these waters is stocked. Most of them support heavy angler use for the stocked trout component of the fishery. A recent analysis of stocked trout waters in this Commonwealth resulted in the development of three stocked trout "efficiency classes." These classes of streams were differentiated statistically relative to the angler use resulting from the numbers of trout stocked (efficiency). High human population density or high accessibility (number of parking places per mile of stream), or both, were two of the variables that resulted in waters being classified into the highest efficiency classes. Others with high use were "so called" destination waters, which may have been more rural in nature but which traditionally have supported high angler use. The lowest efficiency class (Class 3) was primarily comprised of rural waters, but there are statistical outliers in this class that also have high angler use.

Of the ten stream sections identified, eight fall into the top 75th percentile of angler use for all the stocked stream sections that have been evaluated by the Commission. Opening day angler counts on Martins Creek in 2014 documented higher use levels than those previously seen, now falling into the 67th percentile of opening day angler use Statewide. Counts have not been made on the special regulation section on Yellow Creek, where use levels on opening day are not likely to reflect use on this section year-round.

To address the high angler use levels for stocked trout on certain Class A waters, the Commission proposed amendments to the Class A policy that would permit fingerling stocking and preseason-only stocking of adult trout to continue on Class A waters designated after December 31, 2013, provided that certain conditions were met. Exceptions were limited to those waters: (1) that had been stocked the year preceding the Class A designation; and (2) where angler use is greater than or equal to the 75th percentile of angler use (number of anglers/mile on opening day) for stocked trout waters in this Commonwealth. Other conditions were that: the trout species to be stocked may not be the same species as the primary component of the wild trout population; a stream section designated as a Class A wild brook trout, a Class A mixed wild brook and brown trout, or a Class A mixed wild brook and rainbow trout stream would not be considered for stocking; and prior to implementing a decision to stock a Class A wild trout stream, the Executive Director would obtain Board approval.

A proposed statement of policy was published at 43 Pa.B. 7107 (December 7, 2013). The proposed statement of policy had a 90-day public comment period. The Commission received a total of 135 public comments—19 prior to, 106 during and 10 after the formal comment period. Copies of the public comments were provided to the Commissioners. Only two comments supported the proposal as written. There were 95 comments in opposi-

tion to a reduction in stocking. Martins Creek was specifically mentioned in 63 comments. Other streams that were named in comments opposed to preseason only stocking were Little Lehigh Creek, Monocacy Creek, Pohopoco Creek, Fishing Creek and Penns Creek. There were 23 comments in opposition to designating the waters described in the proposed statement of policy as Class A. There were 22 comments in opposition to stocking in Class A waters. One commenter recommended reducing stocking gradually over a 3-year period.

At the July 2014 Commission meeting, staff recommended that several changes be made to address public comments. Specifically, staff recommended that the Class A policy permit Class A waters that meet the previously mentioned specific criteria to be eligible for stocking at a number and frequency not to exceed the level prior to the year the water was designated as Class A and remove the reference to preseason only stocking. In addition, due to the numerous public comments specific to Martins Creek, staff recommended that the angler use criteria to allow stocking be set at the 50th percentile rather than the 75th percentile. This would bring Martins Creek within the criteria to allow stocking, as angler use there on the 2014 opening day was documented to be in the 67th percentile of use Statewide but would not affect the other nine stream sections. Because Yellow Creek is a special regulation area contiguous to the high use section just upstream, staff recommended that the policy allow stocking on previously stocked special regulation areas that meet all other criteria in the policy.

When presented at the July 2014 meeting, a primary concern raised by some of the Commissioners was the change from the 75th percentile to the 50th percentile of angler use Statewide as a criterion that would permit stocking. Other Commissioners stated that they had concerns with stocking any Class A waters. The Commission ultimately "tabled" the agenda item and deferred consideration until the fall 2014 Commission meeting.

E. Summary of Revisions

Upon further consideration at its fall 2014 meeting, the Commission determined that the current policy should remain largely unchanged with two exceptions. First, the Commission added language requiring the Executive Director to obtain the Board's approval prior to granting permission to stock any Class A wild trout stream. Because Board approval will be necessary regardless of whether a water meets all of the previously proposed criteria for stocking, it is unnecessary to include these criteria in the statement of policy. Second, the Commission changed the reference to "Wild Trout Abundance Class Criteria" to "Biomass Class Criteria" since all of the classes described in the policy are actually biomass class criteria.

The Commission adopts these changes to § 57.8a to read as set forth in Annex A.

F. Paperwork

This final-form statement of policy will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This final-form statement of policy will not have an adverse fiscal impact on the Commonwealth or its politi-

cal subdivisions. This final-form statement of policy will not impose new costs on the private sector or the general public.

H. Public Involvement

Although not required to publish a proposed statement of policy to adopt amendments to a statement of policy, the Commission published the proposed statement of policy at 43 Pa.B. 7107 and sought public comments because of the heightened public interest in this issue. The Commission received numerous public comments concerning the proposed changes to the statement of policy as previously described.

Finding

The Commission finds that the adoption of the amendments to § 57.8a is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

- (a) The statements of policy of the Commission, 58 Pa. Code Chapter 57, are amended by amending § 57.8a to read as set forth in Annex A, with ellipses referring to the existing text of the statement of policy.
- (b) The Executive Director shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.
- (c) This order shall take effect on January 1, 2015.

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-255 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 57. STATEMENTS OF POLICY

Subchapter A. FISHERIES POLICIES

§ 57.8a. Class A wild trout streams.

It is the policy of the Commission to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. With rare exceptions, these stream sections are managed solely for the perpetuation of the wild trout fishery with no stocking. There may be circumstances that justify stocking a Class A wild trout stream. Prior to granting permission to stock a Class A wild trout stream under § 71.4 (relating to stocking of designated waters), the Executive Director will obtain the approval of the Commission.

- (1) Criteria developed for Class A Wild Trout fisheries are species specific.
- (2) Wild Trout Biomass Class Criteria include provisions for:

* * * * *

[Pa.B. Doc. No. 14-2508. Filed for public inspection December 5, 2014, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Fiscal Year 2014-2015 Annual Plan for Awarding Grants under the Pennsylvania Agricultural Fair Act

The Department of Agriculture (Department), under the authority of section 8(a) of the Pennsylvania Agricultural Fair Act (act) (3 P.S. § 1508(a)), announces that the Secretary of Agriculture (Secretary), with the advice and assistance of the Agricultural Fair Advisory Committee (Committee) at its meeting of November 7, 2014, adopted the Fiscal Year (FY) 2014-2015 Annual Plan on the awarding of grants to eligible organizations under the act.

The act authorizes the Department to make grants to organizations conducting eligible agricultural fairs, State-wide agricultural organizations which contribute to the development of agriculture and agribusiness and to eligible agricultural youth groups for support of their programs. The Secretary, with the advice and assistance of Committee created by the act, is to adopt an Annual Plan for awarding of grants subject to the limitations specified in section 5 of the act (3 P.S. § 1505).

The Annual Plan, as adopted by the Secretary, provides for the award of grants to each eligible organization subject to the availability of funds on the following basis:

1. For operating expenses, the maximum payment allowed for each Class Fair under section 5(1)(i)(A) of the act will be paid.
2. For premium reimbursement, the maximum payment allowed under section 5(1)(i)(B) of the act will be paid.
3. For reimbursement to each eligible organization conducting harness horse racing at its annual fair, other than races for colts and fillies 2 and 3 years of age, the maximum amount of reimbursement allowed under section 5(1)(iii) of the act will be paid.
4. For reimbursement to each eligible organization conducting races for colts and fillies 2 and 3 years of age at its annual fair, the maximum amount of reimbursement allowed under section 5(1)(iv) of the act will be paid.
5. For reimbursement of operating costs and premiums, a maximum amount of \$2,000 and in addition a maximum amount of \$10,000 based on a sum equal to 50% of the amount spent by the eligible Statewide agricultural organizations for premium's that are not in the \$2,000

payment as provided under section 5(2) of the act. The total maximum payment hereunder will not exceed \$12,000.

6. For actual expenses incurred for activities which contribute to the advancement of agriculture or agribusiness by 4-H youth groups, a payment which will be calculated according to the following formula:

Tier 1: \$2,000 for total enrollment of up to 1,000 members plus \$1 for each traditional member and \$0.50 for each school enrichment/special interest member.

Tier 2: \$2,500 for total enrollment of 1,001 to 2,000 members plus \$1 for each traditional member and \$0.50 for each school enrichment/special interest member.

Tier 3: \$3,000 for total enrollment of 2,001 to 3,000 members plus \$1 for each traditional member and \$0.50 for each school enrichment/special interest member.

Tier 4: \$3,500 for total enrollment of 3,001+ members plus \$1 for each traditional member and \$0.50 for each school enrichment/special interest member, a maximum reimbursement of \$9,000.

7. For actual expenses incurred for activities which contribute to the advancement of agriculture or agribusiness by Future Farmers of America (FFA) youth groups, a payment which will be calculated according to the following formula:

Tier I: County FFA organizations with 100 members or less will receive base funding of \$1,000 with an additional \$2 per member.

Tier II: County FFA organizations with 101 to 210 members inclusive will receive a \$2,000 base funding with no additional moneys on a per member basis.

Tier III: County FFA organizations with 211 members or more will receive funding of \$2,000 with an additional \$2 per member for every member over 210.

8. Any funds remaining after the previously listed grants have been awarded shall be utilized for capital improvement as provided in section 5(1)(ii) of the act.

9. The Secretary will endeavor to disburse the previously listed payments in accordance with the following schedule:

(a) By February 1, 2015, for payment under paragraphs 1—7.

(b) By April 1, 2015, for payment approved and authorized in FY 2014-2015 under paragraph 8.

GEORGE D. GREIG,
Secretary

[Pa.B. Doc. No. 14-2509. Filed for public inspection December 5, 2014, 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 May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the Act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 25, 2014.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-28-2014	PeoplesBank, A Codorus Valley Company York York County	3100 Market Street Camp Hill Cumberland County	Opened
11-20-2014	Mid Penn Bank Millersburg Dauphin	2305 South Market Street Elizabethtown Lancaster County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-29-2014	Union Community Bank Mount Joy Lancaster County	108 North Reading Road Ephrata Lancaster County	Closed
11-14-2014	Northwest Savings Bank Warren Warren County	259 Seneca Street Oil City Venango County	Closed

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-14-2014	Wayne Bank Honesdale Wayne County	<i>Into:</i> 308 Stroud Mall Road Stroudsburg Monroe County <i>From:</i> 334 North Ninth Street Stroudsburg Monroe County	Effective

CREDIT UNIONS

No activity.

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. 14-2510. Filed for public inspection December 5, 2014, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Manufactured Home Community Rights Act; Maximum Relocation Fees Payable in the Event of Community Closure

Section 11.2(c) of the Manufactured Home Community Rights Act (68 P.S. § 398.11.2(c)) requires that the Department of Community and Economic Development annually adjust relocation fees that may be owed to manufactured home owners in the event that the community closes. The fees are adjusted based on an increase on the Consumer Price Index.

The base amount of this fee in effect for calendar year 2013 was \$4,000 for single section manufactured homes and \$6,000 for multisection manufactured homes. The Consumer Price Index Inflation Calculator as provided by the United States Department of Labor adjusts the fees for calendar year 2015 is \$4,087 for single section manufactured homes and \$6,131 for multisection manufactured homes.

Inquiries regarding the act should be directed to the Office of the Attorney General.

C. ALAN WALKER,
Secretary

[Pa.B. Doc. No. 14-2511. Filed for public inspection December 5, 2014, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<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>
PAS212203 (Storm Water)	Rock Hill Concrete Inc. Bossardsville Plant 5841 Upper Cherry Valley Road Stroudsburg, PA 18360	Monroe County Hamilton Township	Unnamed Tributary to Lake Creek (1-E)	Y

<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>
PA0061476 (Sewage)	Edgewood MHP 124 Gardner Lane Clarks Summit, PA 18411	Lackawanna County Glenburn Township	Unnamed Tributary to Ackerly Creek (04F)	Y

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

<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>
PA0252476 (Sewage)	Shuppe Rentals Trailer Park STP SR 2010 Dillner, PA 15327	Greene County Dunkard Township	Unnamed Tributary to Dunkard Creek (19-G)	Y
PA0093874 (Sewage)	250 3rd St Saltsburg PA 15981 250 3rd Street Saltsburg, PA 15681	Westmoreland County Loyalhanna Township	Unnamed Tributary to Kiskiminetas River (18-C)	Y

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

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

PA0001295, Industrial Waste, SIC Code 9999, **Ashland Inc.**, 5200 Blazer Parkway DS-4, Dublin, OH 43017. Facility Name: Ashland, Inc.—Freedom Terminal. This existing facility is located in Freedom Borough, **Beaver County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.62 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	20	40	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total BTEX	XXX	XXX	XXX	0.1	XXX	0.25
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
Ethylbenzene	XXX	XXX	XXX	Report	XXX	Report
Toluene	XXX	XXX	XXX	Report	XXX	Report
Total Xylenes	XXX	XXX	XXX	Report	XXX	Report

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

- Requirements for the use of chemical additives

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

The EPA Waiver is in effect.

PA0002208, Industrial Waste, SIC Code 3339, **Horsehead Corporation**, 300 Frankfort Road, Monaca, PA 15061-2210. Facility Name: Horsehead Corp Monaca Smelter. This existing facility is located in Potter Township, **Beaver County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste. This is a revision to draft limits published on March 22, 2014.

The receiving streams, Ohio River, Poorhouse Run, Rag Run and an unnamed stream, are located in State Water Plan watershed 20-B and 20-G and are classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 1.1 MGD. Effluent monitored at IMP 101 discharges through Outfall 001.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	72	108	XXX	10	15	19
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	Report	Report	XXX	Report	Report	XXX
Total Arsenic	4.1	10.0	XXX	0.57	1.39	1.7
Total Barium	Report	Report	XXX	Report	Report	XXX
Total Cadmium	0.57	1.4	XXX	0.08	0.2	0.3
Total Chromium	Report	Report	XXX	Report	Report	XXX
Total Copper	4.4	9.2	XXX	0.61	1.28	1.6
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Total Iron	Report	Report	XXX	Report	Report	XXX
Total Lead	0.65	0.72	XXX	0.09	0.10	0.13
Total Manganese	Report	Report	XXX	Report	Report	XXX
Total Mercury	Report	Report	XXX	Report	Report	XXX
Total Selenium	Report	Report	XXX	Report	Report	XXX
Total Nickel Sulfate	Report XXX	Report XXX	XXX	Report	Report	XXX
Total Thallium (Interim)	Report	Report	XXX	Report	Report	XXX
(Final)	1.0	1.5	XXX	0.13	0.21	0.33
Total Zinc Chloride	3.0 XXX	7.3 XXX	XXX	0.42 Report	1.02 Report	1.3 XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.20 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Apr 1 - Oct 31	XXX	XXX	XXX	200	XXX	400
Nov 1 - Mar 31	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	Report

The proposed effluent limits for Outfall 003 are based on a design flow of 90 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	XXX	XXX	0.2
Heat Rejection Rate (MBTUs/day)						
Jan 1 - Jun 30	XXX	119,000	XXX	XXX	XXX	XXX
Jul 1 - Dec 31	XXX	71,200	XXX	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Cobalt	XXX	XXX	XXX	Report	Report	XXX
Sulfate	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.720 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids						
(Interim)	XXX	XXX	XXX	30	100	XXX
(Final)	XXX	XXX	XXX	10	15	19
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.57	1.39	1.7
Total Cadmium						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.08	0.2	0.3
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Copper						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.61	1.28	1.6
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.09	0.10	0.13
Total Thallium	XXX	XXX	XXX	Report	Report	XXX
Total Zinc						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.42	1.02	1.3

The proposed effluent limits for Outfall 005 are based on a design flow of 0.014 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	100
Total Cadmium	XXX	XXX	XXX	0.2	XXX	0.5
Hexavalent Chromium	XXX	XXX	XXX	0.2	XXX	0.5
Total Lead	XXX	XXX	XXX	0.2	XXX	0.5
Total Selenium	XXX	XXX	XXX	0.2	XXX	0.5

The proposed effluent limits for Outfalls 007 and 008 are for storm water discharges.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	Report
Total Aluminum	XXX	XXX	XXX	Report	XXX	Report
Total Arsenic	XXX	XXX	XXX	Report	XXX	Report
Total Barium	XXX	XXX	XXX	Report	XXX	Report
Total Cadmium	XXX	XXX	XXX	Report	XXX	Report
Total Chromium	XXX	XXX	XXX	Report	XXX	Report
Total Copper	XXX	XXX	XXX	Report	XXX	Report
Fluoride	XXX	XXX	XXX	Report	XXX	Report
Total Iron	XXX	XXX	XXX	Report	XXX	Report
Total Lead	XXX	XXX	XXX	Report	XXX	Report
Total Manganese	XXX	XXX	XXX	Report	XXX	Report
Total Mercury	XXX	XXX	XXX	Report	XXX	Report
Total Zinc	XXX	XXX	XXX	Report	XXX	3.34

The proposed effluent limits for Outfall 009 are for storm water discharges.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	Report
Total Aluminum	XXX	XXX	XXX	Report	XXX	Report
Total Arsenic	XXX	XXX	XXX	Report	XXX	Report
Total Barium	XXX	XXX	XXX	Report	XXX	Report
Total Cadmium	XXX	XXX	XXX	Report	XXX	Report
Total Chromium	XXX	XXX	XXX	Report	XXX	Report
Total Copper	XXX	XXX	XXX	Report	XXX	Report
Fluoride	XXX	XXX	XXX	Report	XXX	Report
Total Iron	XXX	XXX	XXX	Report	XXX	Report
Total Lead	XXX	XXX	XXX	Report	XXX	Report
Total Manganese	XXX	XXX	XXX	Report	XXX	Report
Total Mercury	XXX	XXX	XXX	Report	XXX	Report
Total Zinc	XXX	XXX	XXX	Report	XXX	3.34

The proposed effluent limits for Outfall 010 are for storm water discharges.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	Report
Total Arsenic	XXX	XXX	XXX	Report	XXX	Report
Total Cadmium	XXX	XXX	XXX	Report	XXX	Report
Total Chromium	XXX	XXX	XXX	Report	XXX	Report
Total Copper	XXX	XXX	XXX	Report	XXX	Report
Fluoride	XXX	XXX	XXX	Report	XXX	Report
Total Iron	XXX	XXX	XXX	Report	XXX	Report
Total Lead	XXX	XXX	XXX	Report	XXX	Report
Total Zinc	XXX	XXX	XXX	Report	XXX	3.34

The proposed effluent limits for Outfall 011 are based on a design flow of 0.69 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 013 are based on a design flow of 0.720 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	10	15	19
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic	XXX	XXX	XXX	0.57	1.39	1.7
Total Cadmium	XXX	XXX	XXX	0.08	0.2	0.3
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	0.61	1.28	1.6
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	0.09	0.10	0.13
Total Nickel	XXX	XXX	XXX	Report	Report	XXX
Total Thallium	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	0.42	1.02	1.3

The proposed effluent limits for Outfalls 017, 018, 019, 020 and 021 are for storm water discharges.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 104, 204, 304, 404, 504, 604, 713 and 813 and Internal Monitoring Points 113 and 114 are for storm water overflows.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	Report
Total Aluminum	XXX	XXX	XXX	Report	XXX	Report
Total Arsenic	XXX	XXX	XXX	Report	XXX	Report
Total Barium	XXX	XXX	XXX	Report	XXX	Report
Total Cadmium	XXX	XXX	XXX	Report	XXX	Report
Total Chromium	XXX	XXX	XXX	Report	XXX	Report
Total Copper	XXX	XXX	XXX	Report	XXX	Report
Fluoride	XXX	XXX	XXX	Report	XXX	Report
Total Iron	XXX	XXX	XXX	Report	XXX	Report
Total Lead	XXX	XXX	XXX	Report	XXX	Report
Total Manganese	XXX	XXX	XXX	Report	XXX	Report
Total Mercury	XXX	XXX	XXX	Report	XXX	Report
Total Nickel	XXX	XXX	XXX	Report	XXX	Report
Total Zinc	XXX	XXX	XXX	Report	XXX	3.34

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

- Schedule of compliance for IMP 101 thallium limits; chemical additive requirements; TRC minimization; and requirements for storm water outfalls associated with industrial activities and construction activities

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

The EPA Waiver is not in effect.

PA0204889, Industrial Waste, SIC Code 4111, **Allegheny County Port Authority**, 345 Sixth Avenue, Pittsburgh, PA 15222-2527. Facility Name: Harmar Garage Port Authority Allegheny County. This existing facility is located in Harmar Township, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary to Deer Creek, is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
BOD ₅	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Dissolved Iron	XXX	XXX	XXX	3.5	7.0	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.00 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
BOD ₅	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Dissolved Iron	XXX	XXX	XXX	3.5	7.0	XXX

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

The EPA Waiver is in effect.

PA0204901, Industrial Waste, SIC Code 4111, **Allegheny County Port Authority**, 345 6th Avenue Floor 3, Pittsburgh, PA 15222-2527. Facility Name: Port Authority Ross Township Garage. This existing facility is located in Ross Township, **Allegheny County**.

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

The receiving stream(s), Nelson Run, is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
BOD ₅	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Dissolved Iron	XXX	XXX	XXX	3.5	7.0	XXX
Total Xylenes	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.00 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
BOD ₅	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX

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

The EPA Waiver is in effect.

PA0204862, Industrial Waste, SIC Code 3211, **Guardian Industries Corporation**, 1000 Glass House Road, Jefferson Hills, PA 15025-2551. Facility Name: Floreff Plant. This existing facility is located in Jefferson Hills Borough, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of cooling tower blowdown and storm water. This is a revision to draft limits published on May 4, 2013.

The receiving stream, the Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 003—012 are for storm water discharges.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX

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

- Requirements for chemical additives and storm water outfalls.

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

The EPA Waiver is in effect.

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

PA0244449, SIC Code 4911, 4931, **FPL Energy Marcus Hook LP**, 100 Green Street, Marcus Hook, PA 19061. Facility Name: Marcus Hook Generating Station. This existing facility is located in Marcus Hook Borough, **Delaware County**.

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

The receiving stream(s), Delaware River Estuary-Zone 4, is located in State Water Plan watershed 3-G and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.32 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.05	XXX	0.1
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	95.0
CBOD ₅	1,080	2,161	XXX	30	60	75
CBOD ₂₀	1,082	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	1,080	3,602	XXX	30	100	XXX
Total Dissolved Solids	180,144	360,288	XXX	5,000	10,000	12,500
Oil and Grease	540	720	XXX	15	20	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	Report
Total Cadmium	XXX	XXX	XXX	Report	Report	Report
Total Copper	XXX	XXX	XXX	Report	Report	Report
Bromide	XXX	XXX	XXX	Report	Report	Report
PCBs (Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
Acute Toxicity—						
Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Ceriodaphnia Reproduction (TUC)	XXX	XXX	XXX	XXX	Report	XXX

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

- Acquire Necessary Property Rights
- Proper Sludge Disposal
- WQM Permit Condition
- BAT/ELG Reopener
- Chlorine Optimization
- Thermal Impact
- Thermal Mixing Zone
- Annual Inspection of Stormwater
- WET Requirement
- Chemical Additives Requirement
- PCB/PMP Requirement
- Cooling Water Intake Structure Requirement

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

The EPA Waiver is not in effect.

PA0042889, Sewage, SIC Code 8211, **Octorara Area School District**, 228 Highland Road, Atglen, PA 19310-1603. Facility Name: Octorara Area School District STP. This existing facility is located in West Fallowfield Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sanitary wastewater from Octorara Area School District STP.

The receiving stream(s), Unnamed Tributary to Knight Run, is located in State Water Plan watershed 7-K and is classified for Trout Stocking 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 0.03 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Geo Mean	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	5.0	XXX	XXX	0.04
CBOD ₅	6.25	XXX	XXX	0.02	XXX	50
Total Suspended Solids	7.5	XXX	XXX	25	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	30	XXX	1,000
				200	XXX	
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	0.5	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	1.5	XXX	XXX	6.0	XXX	12.0
Total Phosphorus	0.5	XXX	XXX	2.0	XXX	4.0
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX

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

I. Special Requirements

- A. No Stormwater
- B. All Necessary Rights
- C. Sludge Removal
- D. Abandon STP
- E. TRC Minimization
- F. Small Receiving Stream
- G. Fecal Coliform

II. EDMR Requirements

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

The EPA Waiver is in effect.

PA0244481, SIC Code 8811, **Baughman Sharon**, 1007 Forrest Road, Doylestown, PA 18902. Facility Name: Baughman SRSTP. This existing facility is located in West Rockhill Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Ridge Valley Creek, is located in State Water Plan watershed 3-E and is classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Minimum	Average Monthly	Geo Mean	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
BOD ₅	XXX	XXX	XXX	10	XXX	20

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	XXX	Minimum	Average Monthly	XXX	
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

- I. Other Requirements
 - A. AMR to DEP
 - B. DMR to DEP
 - C. Depth Measurement
 - D. Septic Tank Pumping
 - E. No Stormwater
 - F. Property Rights
 - G. Sludge Removal
 - H. Abandon Use

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

The EPA Waiver is in effect.

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

PA0085073, Sewage, SIC Code 4952, **Wood-Broad Top-Wells Joint Municipal Authority**, P. O. Box 7, Wood, PA 16694. Facility Name: Wood-Broad Top-Wells STP. This existing facility is located in Wood Township, **Huntingdon County**.

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

The receiving stream(s), Unnamed Tributary to Great Trough Creek, is located in State Water Plan watershed 11-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.084 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	18	Wkly Avg	XXX	25	40	50
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	21	Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Ammonia-Nitrogen				Avg Qrtly Report		
May 1 - Oct 31	1.4	XXX	XXX	2	XXX	4
Nov 1 - Apr 30	4.2	XXX	XXX	6	XXX	12
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX

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

- Restrictions on acceptance of hauled-in wastes at the treatment facility under certain conditions, unless otherwise approved by DEP in writing
- Solids management and reporting requirements

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

The EPA Waiver is in effect.

PA0083526, Industrial Waste, SIC Code 3321, **R. H. Sheppard Co., Inc.**, 101 Philadelphia Street, Hanover, PA 17331. Facility Name: R. H. Sheppard Co., Inc. This existing facility is located in Hanover Borough, **York County**.

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

The receiving stream, Unnamed Tributary to Oil Creek, is located in State Water Plan watershed 7-H and is classified for Warm Water Fishes, Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 005 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0.144 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are based on a design flow of 0.065 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

PA0087513, Sewage, SIC Code 4952, **Mapleton Borough Area Joint Municipal Authority Huntingdon County**, 13343 Smith Valley Road, Mapleton Depot, PA 17052-0415. Facility Name: Mapleton Area STP. This existing facility is located in Union Township, **Huntingdon County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	21	33	XXX	25	40	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	25	38	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	4.2	XXX	XXX	5	XXX	10
Nov 1 - Apr 30	12.5	XXX	XXX	15	XXX	30
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Restrictions on acceptance of haulein wastes at the treatment facility under certain conditions, unless otherwise approved by DEP in writing.
- Solids management and reporting requirements

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

The EPA Waiver is in effect.

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

NPDES Permit No. PA0026841, Sewage, SIC Code 4952, **Borough of Oakmont**, P. O. Box 206, Oakmont, PA 15139-0206.

This existing facility is located in Oakmont Borough, **Allegheny County**.

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

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

PA0102288, Industrial Waste, SIC Code 4953, **Casella Waste Management of PA, Inc. and Cares McKean, LLC**, 19 Ness Lane, Kane, PA 16735. Facility Name: McKean County Landfill. This existing facility is located in Sergeant Township, **McKean County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste consisting of treated Shale Gas Extraction (SGE) wastewater from the Marcellus Shale region, treated Industrial Waste consisting of landfill leachate, and stormwater runoff.

The receiving streams, an Unnamed Tributary to the Little Sicily Run (Outfalls 001-006 and 010), an Unnamed Tributary to the Sevenmile Run (Outfall 007), the Rocky Run (Outfall 008), and the Sicily Run (Outfall 009), are located

in State Water Plan watershed 17-A and are classified for Cold Water Fishes (Outfalls 001-006, 008-010) and High Quality—Cold Water Fishes (Outfall 007), 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 0.55 MGD.

<i>Parameters</i>	<i>Mass (lbs/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 0.55 MGD.

<i>Parameters</i>	<i>Mass (lbs/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅						
(Interim)	207.2	310.8	XXX	46.8	70.2	93.6
CBOD ₅ (°F) (Final)	194.4	291.6	XXX	46.6	69.9	93.2
Total Suspended Solids	Report	Report	XXX	11.3	29.6	37.0
Total Dissolved Solids	2,085	4,170	XXX	500	1,000	1250
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	51.4	102.8	128.5
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Ammonia-Nitrogen						
May 1 - Oct 31	7.6	11.4	XXX	1.8	2.7	3.6
Nov 1 - Apr 30	22.8	34.2	XXX	5.4	8.1	10.8
Total Antimony						
(Interim)	0.1301	0.2602	XXX	0.0312	0.111	0.1388
(Final)	0.024	0.048	XXX	0.0058	0.0116	0.0145
Total Arsenic						
(Interim)	0.0830	0.1660	XXX	0.0199	0.0993	0.1241
(Final)	0.041	0.082	XXX	0.01	0.02	0.025
Total Barium						
(Interim)	41.7	83.4	XXX	10	20	25
(Final)	10.4	20.8	XXX	2.5	5.0	6.25
Total Cadmium						
(Interim)	0.0425	0.0851	XXX	0.0102	0.0172	0.0215
(Final)	0.0012	0.0024	XXX	0.0003	0.0006	0.00075
Total Chromium	Report	Report	XXX	0.0522	0.167	0.2087
Total Cobalt	0.083	0.166	XXX	0.02	0.04	0.05
Total Copper	0.037	0.075	XXX	0.009	0.018	0.022
Total Lead	0.012	0.025	XXX	0.003	0.006	0.007
Total Mercury	0.00020	0.00041	XXX	0.00005	0.00010	0.00012
Total Nickel	0.225	0.450	XXX	0.054	0.108	0.135
Total Selenium	0.020	0.041	XXX	0.005	0.010	0.012
Total Silver	0.008	0.016	XXX	0.002	0.004	0.005
Total Strontium	41.7	83.4	XXX	10	20	25
Total Uranium (µg/L)	Report	Report	XXX	Report	Report	Report
Total Tin	Report	Report	XXX	0.0367	0.0955	0.1194
Total Titanium	Report	Report	XXX	0.00612	0.0159	0.0199
Total Vanadium	Report	Report	XXX	0.0518	0.0628	0.0785
Total Zinc	0.317	0.634	XXX	0.076	0.152	0.190
o-Cresol	Report	Report	XXX	0.561	1.92	2.40
2,4,6-Trichlorophenol	0.0075	0.0150	XXX	0.0018	0.0036	0.0045
Phenol	Report	Report	XXX	1.08	3.65	4.56
Acetone	15	30	XXX	3.6	7.2	9.0
Acetophenone	Report	Report	XXX	0.0562	0.114	0.143
Butyl Benzyl Phthalate	0.15	0.30	XXX	0.036	0.072	0.090
Chloride	1,042	2,085	XXX	250	500	625
Bromide	Report	Report	XXX	Report	Report	Report
2-Butanone	Report	Report	XXX	1.85	4.81	6.01
Bis(2-Ethylhexyl)Phthalate	0.008	0.016	XXX	0.002	0.004	0.005
Fluoranthene	Report	Report	XXX	0.0268	0.0537	0.0671
Carbazole	Report	Report	XXX	0.276	0.598	0.748
n-Decane	Report	Report	XXX	0.437	0.948	1.185
n-Octadecane	Report	Report	XXX	0.302	0.589	0.736
p-Cresol	0.688	1.376	XXX	0.165	0.330	0.412
Pyridine	Report	Report	XXX	0.182	0.37	0.46

Parameters	Mass (lbs/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Tetrachloroethylene (Interim)	Report	Report	XXX	Report	Report	Report
(Final)	0.0038	0.0077	XXX	0.0009	0.0019	0.0023
Gross Alpha (pCi/L)	XXX	XXX	XXX	Report	Report	Report
Radium 226/228, Total (pCi/L)	XXX	XXX	XXX	Report	Report	Report

The proposed effluent limits for Outfall 201 are based on a design flow of 0.55 MGD.

Parameters	Mass (lbs/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
CBOD ₅	XXX	XXX	XXX	36.5	54.8	73.0
Total Suspended Solids	XXX	XXX	XXX	27	88	110
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Ammonia-Nitrogen	XXX	XXX	XXX	4.7	7.0	9.4
Total Zinc	XXX	XXX	XXX	0.098	0.196	0.245
Phenol	XXX	XXX	XXX	0.015	0.026	0.032
a-Terpineol	XXX	XXX	XXX	0.016	0.033	0.041
Benzoic Acid	XXX	XXX	XXX	0.071	0.12	0.18
p-Cresol	XXX	XXX	XXX	0.014	0.025	0.031

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

- Requirement to Use eDMR System
- Equivalent Treatment Determination
- Chemical Additives
- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

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

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

WQM Permit No. 0214407, Sewage, **Pittsburgh Water and Sewer Authority**, 1200 Penn Ave, Pittsburgh, PA 15233.

This proposed facility is located in City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Installation of sanitary sewer lines and appurtenances.

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

WQM Permit No. 6214402, Sewage, **Ronald Hunter**, 4848 Route 957, Russell, PA 16345.

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 0913001(1)	Waste Management of Fairless, LLC 100 New Ford Mill Road Morrisville, PA 19067	Bucks	Falls Township	Delaware River WWF—MF
PAI01 1514040	Upper Uwchlan Township Municipal Authority 140 Pottstown Pike Chester Springs, PA 19425	Chester	Upper Uwchlan Township	Unnamed Tributary to Marsh Creek HQ—TSF Pickering Creek HQ—TSF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 2313007	City of Philadelphia Division of Aviation Terminal D-E Philadelphia International Airport Philadelphia, PA 19153	Delaware	Tinicum Township	Delaware River WWF—MF
PAI01 5114011-2	Liberty Property Trust 1628 John F. Kennedy Boulevard Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Delaware River WWF—MF
PAI01 5114011-3	Liberty Property/Synterra Limited Partnership 1628 John F. Kennedy Boulevard Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Delaware River WWF—MF
PAI01 5114019	Grace Townhomes Limited Partnership 100 West Oxford Street Suite E-2300 Philadelphia, PA 19122	Philadelphia	City of Philadelphia	Delaware River WWF—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>
PAI032807003R	Thomas B. Mongold 18182 Fort Davis Road Mercersburg, PA 17236	Franklin	Guilford Township	UNT Raccoon Creek (HQ-CWF) Rocky Mountain Creek (HQ-CWF)
PAI030714002	Laverne Nolt 2705 Henrietta Road Martinsburg, PA 16662	Blair	North Woodbury Township	UNT to Yellow Creek/HQ, CWF
PAI030714004	Allegheny Township Sewer and Water Authority 3131 Colonial Drive Duncansville, PA 16635	Blair	Allegheny Township	Spencer Run/WWF, MF and UNT to Spencer Run
PAI030714005	Lexington One, Inc. 620 Howard Avenue Altoona, PA 16601	Blair	Allegheny Township	Brush Run/WWF, MF
PAI032114006	South Middleton School District 4 Forge Road Boiling Springs, PA 17007	Cumberland	South Middleton Township	Yellow Breeches Creek (HQ-CWF, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044114005	Duncan Masemore Cellco Partnership d/b/a Verizon Wireless 4642 Jonestown Rd Ste 200 Harrisburg PA 17109	Lycoming	Pine Township	Otter Run EV

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

Clarion County Conservation District, 330 West Main Street, Room 9, Clarion PA 16214

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061614002	DCNR Bureau of Facility Design PO Box 8451 Harrisburg PA 17105	Clarion	Farmington Twp	Toms Run EV

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>
Jeff & Aretha Funk Funk Family Farm 18255 Ft. Davis Road Mercersburg, PA 17236	Franklin	374.6	677.64	Swine / Beef	NA	Renewal
Robbie & Danyell Dickinson 199 West McKinleyville Road Hustontown, PA 17229	Fulton	100.9	341.42	Swine Finisher	UNT Sideling Hill Creek-HQ; CWF	New

**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**

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

Application No. 0814504—Construction Public Water Supply.

Applicant	Saxe Pond
[Township or Borough]	Wilmot Township
County	Bradford
Responsible Official	Michael B. Saxe, Owner Saxe Pond 42 Saxe Pond Road Dushore, PA 18614

Type of Facility Public Water Supply
 Consulting Engineer Edmund G. Slocum, P.E.
 Milnes Engineering, Inc.
 12 Frear Hill Road
 Tunkhannock, PA 18657
 Application Received November 12, 2014
 Description of Action Addition of ion exchange
 equipment to existing public
 water supply system for
 softening and nitrate removal.

Application No. 0814505—Construction Public Wa-
 ter Supply.

Applicant **Jones RV Park**
 [Township or Borough] Ulster Township
 County **Bradford**
 Responsible Official Myron M. Rosh, Jr.
 Jones RV Park
 401 East Frederick Street
 Athens, PA 18810

Type of Facility Public Water Supply
 Consulting Engineer Edmund G. Slocum, P.E.
 Milnes Engineering, Inc.
 12 Frear Hill Road
 Tunkhannock, PA 18657
 Application Received November 17, 2014
 Description of Action Addition of ion exchange
 equipment to existing public
 water supply system for
 softening and nitrate removal.

*Southwest Region: Safe Drinking Water Program Man-
 ager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

Permit No. 6514508, Public Water Supply.
 Applicant **Highridge Water Authority**
 17 Maple Avenue
 Blairsville, PA 15717
 [Township or Borough] East Wheatfield Township
 Responsible Official George Sulkosky, Executive
 Director
 Highridge Water Authority
 17 Maple Avenue
 Blairsville, PA 15717

Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering,
 Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Application Received November 4, 2014
 Date
 Description of Action Relocation of the SR 56 pump
 station.

Permit No. 6514511, Public Water Supply.
 Applicant **Municipal Authority of
 Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] Washington Township

Responsible Official William Castelli, Distribution
 Facility Superintendent
 Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering,
 Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Application Received November 5, 2014
 Date
 Description of Action Painting of the interior and
 exterior; and installation of a
 PAX mixing system at the
 250,000 gallon North
 Washington water storage tank.

Permit No. 6514512, Public Water Supply.
 Applicant **Municipal Authority of
 Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] Hempfield Township
 Responsible Official William Castelli, Distribution
 Facility Superintendent
 Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering,
 Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Application Received November 5, 2014
 Date
 Description of Action Painting of the interior and
 exterior; and installation of a
 PAX mixing system at the
 550,000 gallon Kiski #2 water
 storage tank.

Permit No. 6514513, Public Water Supply.
 Applicant **Municipal Authority of
 Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] Leechburg Township
 Responsible Official William Castelli, Distribution
 Facility Superintendent
 Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering,
 Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Application Received Date November 5, 2014
 Description of Action Painting of the interior and exterior; and installation of a PAX mixing system at the 1,000,000 gallon Leechburg water storage tank.

Permit No. 2614506, Public Water Supply.

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

[Township or Borough] Hempfield Township

Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system

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

Application Received Date November 5, 2014

Description of Action Painting of the interior and exterior; and installation of a PAX mixing system at the 2,000,000 gallon North Greensburg water storage tank.

Permit No. 2614507, Public Water Supply.

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

[Township or Borough] Hempfield Township

Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system

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

Application Received Date November 5, 2014

Description of Action Painting of the interior and exterior; and installation of a PAX mixing system at the 130,000 gallon Hempfield water storage tank.

Permit No. 2614508, Public Water Supply.

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

[Township or Borough] Unity Township

Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system

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

Application Received Date November 5, 2014

Description of Action Painting of the interior and exterior; and installation of a PAX mixing system at the 2,000,000 gallon Charter Oaks #2 water storage tank.

Permit No. 2614509, Public Water Supply.

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

[Township or Borough] Hempfield Township

Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system

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

Application Received Date November 5, 2014

Description of Action Painting of the interior and exterior; and installation of a PAX mixing system at the 250,000 gallon Greengate water storage tank.

Permit No. 2614510, Public Water Supply.

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

[Township or Borough] South Connellsville

Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering, Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Application Received Date	November 5, 2014
Description of Action	Painting of the interior and exterior; and installation of a PAX mixing system at the 2,000,000 gallon Reagentown water storage tank.
Permit No. 2614511,	Public Water Supply.
Applicant	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
[Township or Borough]	South Huntingdon Township
Responsible Official	William Castelli, Distribution Facility Superintendent Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering, Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Application Received Date	November 5, 2014
Description of Action	Painting of the interior and exterior; and installation of a PAX mixing system at the 2,000,000 gallon Gibson #2 water storage tank.
Permit No. 1114522,	Public Water Supply.
Applicant	Greater Johnstown Water Authority 640 Franklin Street PO Box 1407 Johnstown, PA 15901
[Township or Borough]	Conemaugh Township
Responsible Official	Michael Kukura, Manager Greater Johnstown Water Authority 640 Franklin Street PO Box 1407 Johnstown, PA 15901
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering, Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Application Received Date	November 5, 2014

Description of Action	Installation of a PAX mixing system at the 520,000 gallon Spring Hill Farm water storage tank.
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WATER ALLOCATIONS

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

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

WA 54-95A, Water Allocation, **Tower City Borough Authority**, 219 Colliery Avenue, Tower City, PA 17980, Tower City Borough, **Schuylkill County**. The applicant is requesting the Department rescind the aforementioned water allocation permit which approved a total average daily withdrawal of 250,000 gallons per day from Reservoirs 1 and 3 due to their history of nonuse.

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.

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

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

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

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

Xpedited Services, Interstate 80 @ MM183W, crossover, Lamar Township, **Clinton County**. Northridge Group, Inc, P. O. Box 231, Northumberland, PA 17857, on behalf of Xpedited Services, 418 Duncan Avenue, Jersey City, NJ 07306 has submitted a Notice of Intent to Remediate. A release of approximately 125-gallons of diesel fuel occurred adjacent to the roadway and was contained utilizing absorbent booms. The site is to be restored to PENNDOT pre-incident specifications utilizing 2A stone, seed, fertilizer and straw. The Notice of Intent to Remediate was published in *The Daily Item* on October 13, 2014.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department’s Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person

submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

PLAN APPROVALS

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

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

36-05158A: Perdue Grain & Oil Seed, LLC (PO Box 1537, Salisbury, MD 21802-1537) on November 3, 2014, with additional supporting information submitted on November 12, 2014 (dated November 7, 2014), for modification of the pending plan approval application for a soybean processing facility in Conoy Township, **Lancaster County**, to include application updates, including the revision of soybean throughput rates, associated particulate matter emissions, and a revised truck traffic assessment.

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a Plan Approval # 39-00006B to **American Craft Brewery**, 7880 Penn Drive, Breinigsville, PA 18031-1508, for their plant located in Upper Macungie Township, **Lehigh County**. The facility currently has Title V Permit No. 39-00006. This plan approval will be incorporated into the Title V operating permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 39-00006B is for the replacement of Packaging-Bottle Filler No.2 (Bottle Filler No.2) with a new bottle filler to fill malt beverage products. The new bottle filler is capable of filling bottles with any products without deteriorating the bottling equipment. The new Bottle Filler No.2 will have a maximum capacity of 1,200 bottles per minute. The bottle filler will be operated 24 hours/day, 7 days /week and 8,760 hours/year.

Only VOC emissions are expected to increase due to this project. The new operational conditions will result in a higher VOC potential to emit (PTE) for the bottle filler compared to current operations. The increased filling capacity for Bottle Filler No.2 is to allow for filler equipment flexibility only and does not increase any brewing, pasteurizing or packaging capacity at the facility. Therefore, the project will not affect production or capacity at any other sources or units at the facility. VOC emission increases related to this project will be offset by buying emissions reduction credits.

A review of the information submitted by the company indicates that the proposed project will meet all applicable state and federal air quality requirements. Based upon these findings, DEP plans to approve the application and issue a permit for the facility.

The following table summarizes the VOC emissions from the new bottle line.

<i>Sources</i>	<i>VOC Emissions TPY</i>
Bottling line #2	16.21

The emissions of these pollutants are within all applicable emissions limitations.

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

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

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

Any person(s) wishing to provide DEP with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 39-00006B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, P.E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

05-05021B: Hill & Smith Holdings, Inc. dba Creative Pultrusions, Inc. (214 Industrial Lane, Alum Bank, PA 15521) for the construction of a TR102 pultrusion machine to their existing Source ID 101, and a 35 kW Kohler propane fired generator at their facility located in West St. Clair Township, **Bedford County**. The expected increase in facility emissions as a result of the construction proposed are approximately: 2.05 tons per year VOC/HAP. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 63, Subpart WWW—National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

04-00059: 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 Title V Operating Permit renewal to **IPSCO Koppel Tubulars, LLC** (P. O. Box 750, Beaver Falls, PA 15010) for the operation of melting and hot forming of alloy or carbon steels into solid steel “blooms” at their facility located in the Boroughs of Koppel and Big Beaver, **Beaver County**, Pennsylvania.

Koppel melts scrap steel and additives using a 100-ton capacity Electric Arc Furnace (EAF). The Plant also has steel tube finishing operations where steel tube from another location may be heat treated, straightened, cleaned (brushed), coated, and cut to end user specifications. This facility include various heat treating furnaces, saws, straighteners, lathes, tube upsetters, acid bath, torches, draft station and coaters. There are several baghouses to control particulate emissions.

Facility-wide emissions reported for the 2013 calendar year include approximately 116.87 tons of NO_x, 6.96 tons of filterable PM₁₀, 63.33 tons of VOC, 28.30 tons of CO, and 0.57 ton of SO_x. Ambridge is a Title V facility because it's potential to emit (PTE) NO_x is greater than the major source threshold (100 tpy). The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 25 Pa. Code Chapters 121–145.

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

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

16-00128: County Landfill, Inc. / County Environmental Services, Inc. (P. O. Box 237, 344 Walley Run Road, Leeper, PA 16233-0237) This notice is for the intent to re-issue a Title V Permit to operate the landfill gas collection and control system at this now closed municipal waste landfill located in Farmington Borough, **Clarion County**. This is a major facility due to its potential to emit VOC emissions from the landfill gas.

This facility continues to be subject to the existing requirements of 40 CFR 60—Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills and 40 CFR 63—Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.

The Emergency Power Generator at this facility is now subject to the requirements of 40 CFR 63—Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM—2.75, PM₁₀/PM_{2.5}—2.75, SO_x—3.21, NO_x—10.34, VOC—5.28, CO—34.49, CO_{2e}—99,948.00, and Total HAPs—2.37.

20-00040: Advanced Cast Products (18771 Mill Street, Meadville PA 16335) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) that the Department of Environmental Protection (DEP) intends to issue a plan approval for the construction and operation of a PM emission source at their existing facility located in Vernon Township, **Crawford County**. The facility currently has a Title V permit. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

This is a Title V facility which has a potential to emit PM₁₀ emissions at a rate which exceeds the Title V threshold. This plan approval (20-040J) concerns the construction and operation of a silo used to store pre-mix material which is consumed in the casting mold making process. PM emissions will be emitted as a result of this project however they will be controlled by a Torit cartridge dust collector which is considered BAT. This source, after the emission control device, has the potential to emit 0.08 tpy of filterable particulate matter.

This Plan Approval will contain emission restrictions along with testing, monitoring, recordkeeping, reporting, work practice, and additional requirements, which will satisfy 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward Orris, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6636.

Any persons wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (Plan Approval No. 20-040J) and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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 Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Edward Orris or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate your needs.

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

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

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

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

40-00043: Crestwood Membranes, Inc. (755 Oakhill Road, Crestwood Industrial Park, Mountaintop, PA 18707) for the operation of a plastics manufacturing facility in Wright Township, **Luzerne County**. The sources consist of boilers, calenders, laminator, and a rotogravure press. The calenders and laminators emis-

sions are controlled by inertial separators and the press is controlled by a regenerative thermal oxidizer (RTO). This is a renewal of a State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

48-00054: Praxair, Inc. (145 Shimersville Road, Bethlehem, PA 18015) The Department intends to issue a renewal State only operating permit for a gas cylinder filling and repackaging facility in Bethlehem City, **Northampton County**. The proposed operating permit contains all applicable Federal and State regulations including emissions, monitoring, record keeping, reporting and work practice requirements.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

22-05047: Dura-Bond Pipe, LLC (2716 South Front Street, Steelton, PA 17113) for operation of their pipe and structural shapes manufacturing facility in Steelton Borough, **Dauphin County**. The permit is for a Title V facility. In accordance with 25 Pa. Code § 127.542, the operating permit is being opened for cause to correct the regulatory applicability of certain sources and to clarify requirements for Source 101. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

07-03040: Key State Ag Service, LLC (106 South Railroad Street, Martinsburg, PA 16662) to issue a State Only Operating Permit for the Martinsburg Mill located in Martinsburg Borough, **Blair County**. The potential emissions from the facility are estimated to be 11.5 tons per year of particulate matter. 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.

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

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

25-00266: Electro-Tech, Inc., (100 W. Poplar Street, Meadville, PA 16335), to renew a State Only Operating Permit for the facility located in the City of Meadville, **Crawford County**. The facility is a Natural Minor. The primary sources at the facility include 3 Chrome electroplating tanks, a parts washer, and natural gas combustion for building heat. The potential emissions from the facility are below the Title V thresholds. The facility is subject to 40 CFR Part 63 Subpart N, National Emission Standards for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

65-00595: Excelsa Health (532 W. Pittsburgh St., Greensburg, PA 15601-2282) for renewal of an Air Quality Natural Minor State Only Operating Permit (SOOP) to authorize the operation of the Westmoreland Regional Hospital located in the city of Greensburg, **Westmoreland County**. Equipment at this facility includes two large heating boilers, three emergency generators, a “summer” boiler, and several small hot water boilers. Potential emissions from the facility are as follows: 33.2 tons per year of NO_x, 13.1 tons per year of CO, 47.2 tons per year of SO₂, 3.7 tons per year of particulate matter, and 0.7 ton per year of VOC. No emission or equipment changes are being proposed by this action. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed SOOP renewal includes conditions relating to applicable emissions restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

Permit No. 11040102 and NPDES No. PA0249688. E.P. Bender Coal Co., Inc., P. O. Box 594, Main and Lehmer Streets, Carrolltown, PA 15722, permit renewal for reclamation only of a bituminous surface and auger mine in Chest and White, Chest and Beccaria Townships, **Cambria and Clearfield Counties**, affecting 136.0 acres. Receiving streams: unnamed tributaries to/and South Witmer Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 30, 2014.

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

17080102 and NPDES PA0256722. 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 Bigler Township, **Clearfield County** affecting 100.0 acres. Receiving stream(s): Unnamed Tributary to Banian Run, Banian Run, and Unnamed Tributaries to Muddy Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 3, 2014.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 54040103R2. Hammond Mining Co., Inc., (PO Box 427, Minersville, PA 17954), renewal of an existing anthracite surface mine and coal refuse disposal in Blythe and Schuylkill Townships, **Schuylkill County** affecting 785.0 acres, receiving streams: Bushey Creek, unnamed tributary to Schuylkill River and Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: October 22, 2014.

Permit No. 54850201R6. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite coal refuse reprocessing operation in Blythe Township, **Schuylkill County** affecting 31.3 acres, receiving streams: Schuylkill River and unnamed tributary to Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: October 23, 2014.

Permit No. 54850201C2. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), correction of an existing anthracite coal refuse reprocessing operation to update the post-mining land use to unmanaged natural habitat in Blythe Township, **Schuylkill County** affecting 31.3 acres, receiving streams: Schuylkill River and unnamed tributary to Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: October 23, 2014.

Permit No. 40940203R5. Newport Aggregate, Inc., (76 Main Road, Glen Lyon, PA 18617), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation (transfer pending from Hudson Anthracite) in Jenkins Township, **Luzerne County** affecting 174.1 acres, receiving stream: Susquehanna River, classified for the following use: warm water fishes. Application received: October 28, 2014

Noncoal Applications Received

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 58020809. Richard Marcho, (2297 Great Bend Turnpike, Susquehanna, PA 18847), Stage I & II bond release of a quarry operation in Gibson Township, **Susquehanna County** affecting 5.0 acres on property owned by Richard Marcho. Application received: October 20, 2014.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1111. Lower Merion Township, 75 East Lancaster Avenue, Ardmore, PA 19003, Lower Merion Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a timber pedestrian bridge across Gully run (WWF, MF) having an approximate waterway opening of 24 feet wide by 4-feet high and measuring approximately 4-feet in length associated with the Gully Run Park access for various Veteran's Memorial events.

The site is located about 100 feet southeast of the intersection of Manayunk Road and Conshohocken State Road (Germantown, PA USGS Quadrangle Latitude: 40.01848; Longitude: -75.2447).

E23-508. DELCORA, 100 E. Fifth Street, Chester, PA 19013, Edgemont Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a new sanitary sewer line/expansion known as Phase 1, crossing Crum Creek and its tributaries including Springton Reservoir at seven different locations, utilizing open cut and directional drillings.

The site is located near the intersection of Gladysville Road and Providence Roads (Media, PA USGS Map; L at: 399172; Long; -75.4551).

E23-510. Radnor Township, 301 Iven Avenue, Radnor, PA 19087, Radnor Township, **Delaware County**, ACOE Philadelphia District.

To expand the existing parking lot facility which is located in the 100-year flood plain of Ithan Creek. The new parking lot will be matching the existing grade and will be located at the Township property0 (301 Iven Avenue); Norristown; PA USGS map (lat. 40.0210; Long. -75.2222).

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

E40-762. Gregory M. Hughes, 1305 Snowbird Drive, Frazier Park, CA 93225, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 1,810 sq. ft. boat dock/boat house in Harveys Lake (HQ-CWF). The project is located at Pole 65 along Lakeview Drive (Harveys Lake, PA Quadrangle, Latitude: 41°22'17"; Longitude: -76°2'21").

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

E67-917: PA DCNR Bureau of State Parks, 400 Rachel Carson State Office Building, Harrisburg, PA 17105-8451, Warrington Township, **York County**, U.S. Army Corps of Engineers, Baltimore District

To install and maintain a 470.0 foot wetland crossing and its associated drainage piping for the purpose of improving public safety. The project is located on the Lakeside Trail along the southwest side of Pinchot Lake (Wellsville, PA Quadrangle, Latitude: 40°03'42.4"N, Longitude: 76°54'24.0"W) in Warrington Township, York County.

EA67-025: North Muddy Fish and Game Association, 14390 Laurel Road, Felton, PA 17322, in East Hopewell and Chanceford Townships, **York County**, U.S. Army Corps Of Engineers Baltimore District

The applicant proposes construct and maintain

(1) six (6) digger logs in and along North Branch Muddy Creek (CWF, MF),

(2) three (3) random boulder placements in and along North Branch Muddy Creek (CWF, MF),

(3) four (4) J-hook log vanes in and along North Branch Muddy Creek (CWF, MF),

(4) two (2) modified mud sills in and along approximately 200 linear feet of North Branch Muddy Creek (CWF, MF),

(5) two (2) J-Hook rock vanes in and along North Branch Muddy Creek (CWF, MF),

(6) grading and reshaping of a gravel bar in and along approximately 120 linear feet of North Branch Muddy Creek (CWF, MF),

(7) one (1) gravel toe bench in and along approximately 110 linear feet of North Branch Muddy Creek (CWF, MF),

(8) seven (7) toe wood habitat structures and associated stream bank grading in and along approximately 1,150 linear feet of North Branch Muddy Creek (CWF, MF),

(9) one (1) saw tooth deflector in and along approximately 130 linear feet of North Branch Muddy Creek (CWF, MF),

(10) two (2) cross rock vanes in and along the North Branch Muddy Creek (CWF, MF),

(11) one (1) cross log vane in and along the North Branch Muddy Creek (CWF, MF),

(12) three (3) cross rock vanes in and along an Un-named Tributary to North Branch Muddy Creek (CWF, MF), and

(13) three (3) cross rock vanes in and along an Un-named Tributary to North Branch Muddy Creek (CWF, MF) all for the purpose of improving fish habitat and restoring 3,300 feet of North branch Muddy Creek (CWF, MF).

The project location is between Laurel Road and Fenmore Road on the property of North Muddy Fish and Game Association (Stewartstown, PA Quadrangle beginning at Latitude: 39°49'40.9"N", Longitude: 76°31'4.4"W and terminates at Latitude: 39°49'35.9"N, Longitude: 76°30'45.2"W) in East Hopewell and Chanceford Townships, York County.

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

E17-485. PA Waste, LLC, 175 Bustleton Pike, Feasterville, PA 19053-6456. PA Waste, LLC Camp Hope Run Landfill Project, Boggs Township, Clearfield County, ACOE Baltimore District (Glen Richey PA Quadrangle, Latitude: 40° 55' 49.63": Longitude -78° 22' 59.10").

The applicant is seeking authorization to construct, operate and maintain an 845-acre solid waste landfill and appurtenances, which include but are not limited to leachate storage, leachate pipeline, wastewater treatment, stormwater treatment and acid drainage treatment facilities. Construction of the solid waste landfill and appurtenances require the following nine (9) floodway, five (5) stream and seventeen (17) wetland encroachments:

<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Impact</i>	<i>Water Quality</i>
1-E3	Wetland	Landfill	40.94117°	-78.3991°	636-ft ²	Other
CHR-01	Floodway	Stormwater Outfall	40.9363°	-78.3905°	160-ft ²	CWF, MF
1H-1	Wetland	Landfill	40.9332°	-78.3925°	1,237-ft ²	Other
1-G	Wetland	Leachate Pipeline	40.9324°	-78.3856°	309-ft ²	Other
1-G	Wetland	Temporary Construction Access	40.9324°	-78.3856°	2,876-ft ²	Other
CHR-04	Stream	Leachate Pipeline	40.93341°	-78.4014°	27-ft ²	CWF, MF
CHR-04	Stream	Temporary Construction Access	40.93341°	-78.4014°	198-ft ²	CWF, MF
CHR-02	Floodway	Stormwater Outfall	40.9415°	-78.4014°	160-ft ²	CWF, MF
CHR-03	Floodway	Stormwater Outfall	40.9421°	-78.4057°	160-ft ²	CWF, MF
UNT CHR-01	Floodway	Stormwater Outfall	40.9389°	-78.4088°	160-ft ²	CWF-MF
WET-5	Wetland	Landfill	40.9314°	-78.3951°	889-ft ²	Other
3A2	Wetland	Landfill	40.9308°	-78.3942°	3,386-ft ²	Other
3A1	Wetland	Landfill	40.9308°	-78.3944°	454-ft ²	Other
UNT SBR-01	Floodway	Stormwater Outfall	40.9302°	-78.3960°	160-ft ²	CWF, MF
3CB	Wetland	Landfill	40.9266°	-78.3946°	4,035-ft ²	Other
SB-6A	Wetland	Landfill	40.9396°	-78.4075	7,219-ft ²	Other
SB-6	Wetland	Landfill	40.9394°	-78.4080°	165-ft ²	Other
UNT CHR-02	Stream	Landfill	40.9394°	-78.4081°	93-ft ²	CWF, MF
WET-3	Wetland	Landfill	40.9392°	-78.4077°	529-ft ²	Other
SB-10A	Wetland	Landfill	40.9401°	-78.4037°	745-ft ²	Other
UNT SBR-02	Floodway	Stormwater Outfall	40.9283°	-78.4065°	160-ft ²	CWF, MF
UNT SBR-03	Floodway	Stormwater Outfall	40.9336°	-78.4046	160-ft ²	CWF, MF
UNT SB-04	Floodway	Stormwater Outfall	40.9336°	-78.4072°	160-ft ²	CWF, MF
UNT SBR-05	Floodway	Stormwater Outfall	40.9315°	-78.4112°	160-ft ²	CWF, MF
WET 1-3	Wetland	Landfill	40.9394°	-78.4003°	739-ft ²	Other
WET 1-4	Wetland	Leachate Pipeline	40.9340°	-78.3852°	409-ft ²	Other
WET 1-4	Wetland	Temporary Construction Access	40.9340°	-78.3852	3,935-ft ²	Other
WET 8	Wetland	Leachate Pipeline	40.9361°	-78.3847°	119-ft ²	Other
WET 8	Wetland	Temporary Construction Access	40.9361°	-78.3847°	1,680-ft ²	Other
UNT CHR-03	Stream	Leachate Pipeline	40.9361°	-78.3847°	14-ft ²	CWF, MF
UNT CHR-03	Stream	Temporary Construction Access	40.9361°	-78.3847°	175-ft ²	CWF, MF
CR-1	Stream	Treated Effluent Outfall	40.9544°	-78.4038°	160-ft ²	WWF, MF

All temporary construction access crossing streams and wetlands shall be performed by temporary bridges, timber mats or equally effective low impact crossing methods. No ford crossing of streams or construction equipment tra-

versing through wetlands is authorized by this permit. Leachate pipeline construction being conducted in-stream shall be performed in dry work conditions by boring, dam and pumping, fluming or diverting stream flow around

the stream section where construction is to be conducted. As proposed, construction of the Camp Hope Run Landfill and appurtenances will temporarily impact 0.20-acre of wetlands and 97-feet of stream; whereas, 1,440-square feet of floodway, 0.48-acre of wetlands and 101-feet of stream will be permanently impacted. As mitigation for all permanent impacts incurred for landfill and appurtenance construction, PA Waste, LLC has agreed to construct, operate and maintain an acid mine treatment system treating base flow of unnamed tributary to Camp Hope Run that will provide acceptable hydrology to 2.3-acres of replacement wetland. PA Waste, LLC Camp Hope Run Solid Waste Landfill is located along the western right-of-way of SR 0153 approximately 2.3-miles north of SR 2012 (Sanborn Road) and SR 0153 (Crooked Sewer Road) intersection.

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

E63-657. J. Angelides Enterprises, LP, 20 Carnegie Avenue, Staten Island, NY 10314; South Strabane Township; **Washington County**; ACOE Pittsburgh District

The applicant is proposing to construct and maintain features associated with a new residential development. These features include:

- 1.) a 28' wide, 9' tall, 80' long box culvert crossing of an unnamed tributary to Chartiers Creek (WWF),
- 2.) an 8" diameter PVC sanitary sewer line crossing of the same unnamed tributary to Chartiers Creek,
- 3.) and a 15" HDPE stormwater outfall structure that discharges to the aforementioned tributary,
- 4.) 0.07 acre of PEM/PSS wetland fill associated with a road crossing,
- 5.) a 40 linear foot emergency road stream crossing of another UNT to Chartiers Creek (WWF),

6.) an 8" diameter PVC sanitary sewer line crossing of the aforementioned tributary,

7.) one (1) 15" HDPE storm sewer line crossing of the aforementioned tributary,

8.) and a 16' long, 8' wide walking bridge crossing of the aforementioned tributary,

Cumulatively, the proposed features will permanently impact approximately 153 linear feet, and temporarily impact 20 linear feet of unnamed tributaries to Chartiers Creek (WWF), and 0.07 acre of PEM/PSS wetlands. A 0.17 acre wetland replacement area is proposed to compensate for permanent wetland impacts. The project is located near the intersection of Country Club Road (S.R. 1045) and Kirk Lane (USGS Washington East Quadrangle; N: inches; W: inches; Latitude: 40° 12' 06.67"; Longitude: -80° 14' 31.63"), in South Strabane Township, Washington County.

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

E42-366, Trans-Allegheny Interstate Line Company, 76 South Main Street, Akron OH 44308. Pierce Brook Substation, in Keating Township, **McKean County**, ACOE Pittsburgh District (Smethport, PA Quadrangle N: 41°, 50', 33"; W: 78°, 24', 25").

Applicant proposes to construct a new electric substation, associated electric lines and access road. Project will permanently impact 125 LF of Pierce Brook (CWF), 0.40 acre of Pierce Brook floodway, and 0.04 acre PEM wetland for the permanent access road; project will temporarily impact 427 LF of Pierce Brook and 2 UNTs Pierce Brook and 0.59 acre floodway for access during construction. Temporary impacts will be restored to original conditions upon completion of construction. The permanent crossing of Pierce Brook will utilize a 10 ft by 6 ft concrete box culvert with baffles to maintain fish passage and habitat.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PAS802204 (Stormwater)	Lehigh & Northampton Transportation Authority 1060 Lehigh Street Allentown, PA 18103	Lehigh County Allentown City	Little Lehigh Creek (2-C)	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 ?
PA0239178 (sewage)	David J Mays SFTF 13 Church Street Westline, PA 16751	McKean County Lafayette Township	Unnamed tributary of Kinzua Creek (16-B)	Y
PA0220876 (sewage)	Country Greens STP 8850 PA Route 18 Girard, PA 16417	Erie County Elk Creek Township	East Branch Conneaut Creek (15-A)	Y

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

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

NPDES Permit No. PA0029441, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Upper Dublin Wastewater Treatment Plant to an Unnamed Tributary to Sandy run in Watershed 3-F.

NPDES Permit No. PA0056421, Sewage, **Warwick Township Water & Sewer Authority**, 1733 Township Greene, P.O. Box 315, Jamison, PA 18929.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Country Crossing Wastewater Treatment Plant to Unnamed Tributary to Little Neshaminy Creek (001) and a storage pond that overflows to Little Neshaminy Creek (002) in Watershed 2-F.

NPDES Permit No. PA0051926, Industrial, **Exelon Generation Co., LLC**, 3146 Sanatoga Road, Pottstown, PA 19464-3418.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated industrial waste, cooling water blow down, boiler blow down and storm water from a facility known as Exelon Limerick Generating Station to Schuylkill River, Possum Hollow Run, and Sanatoga Creek in Watershed 3-D.

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

NPDES Permit No. PAS326102, Storm Water, SIC Code 1442, **Glacial Sand & Gravel Co.**, P.O. Box 1022, Kittanning, PA 16201.

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

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

NPDES Permit No. PA0254738, SIC Code 5051, **Toma Metals Inc.**, P.O. Box 336, Johnstown, PA 15907.

This proposed facility is located in West Taylor Township, **Cambria County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of untreated stormwater runoff.

NPDES Permit No. PA0254720, Storm Water, SIC Code 3273, **Dennis Lumber Co. Inc.**, 4888 National Pike, Markleysburg, PA 15459.

This proposed facility is located in North Union Township, **Fayette County**.

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

NPDES Permit No. PA0254711, Storm Water, SIC Code 2491, **Great Southern Wood Inc.**, 115 West Road, Fombell, PA 16123.

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

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

NPDES Permit No. PA0254703, Storm Water, SIC Code 5093, **B & R Recycling**, 145 Bellview Road, Connellsville, PA 15425.

This proposed facility is located in Bullskin Township, **Fayette County**.

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

NPDES Permit No. PA0025968, Sewage, **Municipal Water Authority of Aliquippa**, 160 Hopewell Avenue, Aliquippa, PA 15001.

This existing facility is located in City of Aliquippa, **Beaver County**.

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

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

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

WQM Permit No.1514402, Sewage, **Upper Uwchlan Township Municipal Authority**, 140 Pottstown Pike, Chester Springs, PA 19425.

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

Description of Action/Activity: Construction and operation of a gravity sewer system, two collection and conveyance pumping stations and combined force main.

WQM Permit No. WQG010044, Sewage, **Adam Slawecki**, 2448 Schaffer Road, Pottstown, PA 19464.

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

Description of Action/Activity: Construction and operation of a 400 gpd small flow treatment plant that serves an existing dwelling with a failing on-lot system.

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

WQM Permit No. 0278207, Industrial Waste, SIC Code 3312, **US Steel Corp**, 400 State Street, Clairton, PA 15025-1855.

This existing facility is located in Braddock Borough, **Allegheny County**.

Description of Proposed Action/Activity: This permit is for the installation of a new belt filter press at the US Steel, Edgar Thomson Plant, located in Braddock Borough. The new belt filter press will be an 80' belt width skid mounted filter press.

WQM Permit No. 0494201, Industrial Waste, SIC Code 9999, **CBS Corp**, 20 Stanwix Street, Pittsburgh, PA 15222.

This existing facility is located in Vanport Township, **Beaver County**.

Description of Proposed Action/Activity: Modification of existing groundwater treatment system. Replacement of canister filters with bag filters. Filter pore size may vary to ensure a pressure drop of less than 2.0 psig across the clean filter.

WQM Permit No. 0210202, Industrial Waste, SIC Code 4499 & 4492, **Ingram Barge Co.**, 100 Atlantic Avenue, Elizabeth, PA 15037-0238.

This existing facility is located in Elizabeth Borough, **Allegheny County**.

Description of Proposed Action/Activity: Modification of existing treatment system to increase total capacity by approximately 7%.

WQM Permit No. 1114403, Sewage, **Westmont Borough**, 1000 Luzerne Street, Johnstown, PA 15905.

This existing facility is located in Westmont Borough, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of sanitary sewer rehabilitation for the sewered areas of Westmont Borough.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

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 1514024	Pennsylvania Turnpike Commission P.O. Box 67676 Harrisburg, PA 17106	Chester	Charlestown Township	Valley Creek Watershed EV-MF Pickering Creek Watershed HQ-TSF-MF
PAI01 1514032	Mr. Leon K. & Mrs. Elizabeth King 1775 Walnut Road Honey Brook, PA 19344	Chester	Honey Brook Township	Unnamed Tributary to West Branch of Brandywine Creek HQ-TSF-MF
PAI01 1514029	Mr. Benuel Stoltzfus 140 Birdell Road Honey Brook, PA 19344	Chester	Honey Brook Township	East Branch Brandywine Creek HQ-TSF-MF
PAI01 5114012	Forest City Residential Group, Inc. 1 Metrotech Center North Brooklyn, NY 11201	Philadelphia	City of Philadelphia	Lower Schuylkill River WWF-MF

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041414003	Daniel Herr 6103 Penns Valley Rd Aaronsburg, PA 16820	Centre	Haines Township	Quarry Rd Tributary EV
PAI041414004	Evergreen Farm Inc 3102 Evergreen Ln Spruce Creek, PA 16683	Centre	Ferguson Township	UNT to Half Moon Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041814001	Triple D Truss Levi J Esh 64 W Dunkle Rd Mill Hall, PA 17751	Clinton	Lamar Township	Trib 22463 to Fishing Creek HQ-CWF, MF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage

PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

General Permit Type—PAG-02

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
South Whitehall Township Lehigh County	PAG02003910003R(1)	Eric Rohrbach R Enterprises, LTD 2076 Wooded Ridge Circle Fogelsville, PA 18051	Jordan Creek (TSF, MF)	Lehigh County Conservation District 610-391-9583
Borough of Fountain Hill Lehigh County	PAG02003914011	Rick Prill Borough of Fountain Hill 941 Long Street Fountain Hill, PA 18015	Lehigh River (WWF, MF)	Lehigh County Conservation District 610-391-9583
Pittston Township, Luzerne County and Moosic Borough, Lackawanna County	PAG02004014010	Bi-County Board of Commissioners c/o Stephen Mykulyn, Director of Engineering 100 Terminal Drive Avoca, PA 18641	Spring Brook (CWF, MF) Lidy Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Matamoras Borough Pike County	PAG02005214001	Delaware Valley School District 238 Route 6 & 209 Milford, PA 18337	Delaware River (WWF, MF)	Pike County Conservation District 570-226-8220
Auburn Township Susquehanna County	PAG02005814002(2)	Roundtop Energy 6051 Wallace Road Suite 100 Wexford, PA 15090	Little Meshoppen Creek (CWF, MF)	Susquehanna County Conservation District 570-278-4600
Dimock Township Susquehanna County	PAG02005814007(2)	Leatherstocking Utility 49 Court Street Binghamton, NY 13902	West Creek (CWF, MF) White Creek (CWF, MF)	Susquehanna County Conservation District 570-278-4600

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

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>
South Heidelberg Township Berks County	PAG02000614058 Issued	Greth Development Group PO Box 305 Reading, PA 19605	Hospital Creek/TSF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Dickinson Township and South Middleton Township Cumberland County	PAG02002107013R Issued	Mountain Creek Owner, LLC 100 Front Street Suite 265 West Conshohocken, PA 19428	Alexander Spring Creek/CWF, MF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013

<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>
Susquehanna Township Dauphin County	PAG02002209041R Issued	Custer Development Company 3805 Old Post Road Suite 200 Harrisburg, PA 17110	Paxton Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921-8100
Mifflin Township Dauphin County	PAG02002214053 Issued	Advanced Scientifics Inc. 163 Research Lane Millersburg, PA 17061	Little Wiconisco Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921-8100
Derry Township Dauphin County	PAG02002214048 Issued	EG Stoltzfus Homes LLC 474 Mount Sidney Road Lancaster, PA 17602	Spring Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921-8100
Halifax Township Dauphin County	PAG02002212042R Issued	Donco Construction PO Box 123 Dauphin, PA 17018-0123	Susquehanna River/ WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921-8100
Reading Township Adams County	PAG02000114025 Issued	Derek Smith 455 Turkey Pit Road New Oxford, PA 17350	UNT to Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325
King Township Bedford County	PAG02000514006	John Corle 114 Rosemont Lane Imler, PA 16655	UNT to Mud Run/ CWF, MF	Bedford County Conservation District 702 West Pitt Street, Suite 4 Bedford, PA 15522 814.623.8099
Fairview Township York County	PAG02006714056 Issued	DLA Installation Support 5750 3rd Street Building 750 New Cumberland, PA 17070-5076	Marsh Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County	PAG02006714011 Issued	Michael R. Wilson 636 Saw Mill Road Mechanicsburg, PA 17055	UNT to Stony Run Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Dover Township York County	PAG02006707021R Issued	J. G. Leasing Co., Inc. 2780 York Haven Road York Haven, PA 17370	Fox Run/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
York Township York County	PAG02006704070R Issued	Charter Homes at Springwood, Inc. 1190 Dillerville Road Lancaster, PA 17601	Mill Creek Tributary of Codorus Creek/ WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County	PAG02006706003R Issued	Olde Orchard Hill Development Company, LLC 4712 Smith Street Harrisburg, PA 17112	UNT to Fishing Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

*Facility Location:
Municipality &
County*Shrewsbury
Township
York County*Permit No.*PAG02006714061
Issued*Applicant Name &
Address*Carpenter Custom Homes
2420 Oakmont Road
Dover, PA 17315*Receiving
Water / Use*UNT to SB Codorus
Creek/CWF*Contact Office &
Phone No.*York County
Conservation District
118 Pleasant Acres Road
York, PA 17402
717.840.7430*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701,
570.327.3636**Facility Location &
Municipality*Centre County
Patton Township*Permit No.*

PAG02001408004R

*Applicant Name &
Address*Keystone Real Estate
Group LLC
444 E College Ave Ste 540
State College, PA 16801*Receiving
Water / Use*UNT to Big Hollow
CWF*Contact Office &
Phone No.*Centre County
Conservation District
414 Holmes Ave Ste 4
Bellefonte, PA 16823
(814) 355-6817Montour County
Liberty TownshipPAR104724R(1) Old
PAG02004714003R(1)
NewEdward Rothermel
2007 Oakwood Dr
Danville, PA 17821UNT to Beaver Run
WWFMontour County
Conservation District
14 E Mahoning St
Danville, PA 17821
(570) 271-1140Snyder County
West Perry
Township

PAG02005514009

Richfield DPP X LLC
9010 Overlook Blvd
Brentwood, TN 37027Mahantango Creek
CWFSnyder County
Conservation District
403 W Market St
Middleburg, PA 17842
(570) 837-3000 X110*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville, PA 16335**Facility Location &
Municipality*Union and North
Beaver Townships
Lawrence County*Permit No.*

PAG02003714012

*Applicant Name &
Address*Columbia Gas of PA
4000 Energy Drive
Bridgeville, PA 15017*Receiving
Water / Use*UNT Mahoning
River; Mahoning
River WWF*Contact Office &
Phone No.*Lawrence County
Conservation District
724-652-4512City of Hermitage
Mercer County

PAG02004314006

Linden Asset Advisors LP
2450 Shenango Valley
Freeway
Hermitage, PA 16148

Bobby Run WWF

Mercer County
Conservation District
724-662-2242*General Permit Type—PAG-03**Facility Location
Municipality &
County*Northampton
County*Permit No.*

PAR202214

*Applicant Name &
Address*Phoenix Tube Co. Inc.
1185 Win Drive
Bethlehem, PA 18018*Receiving
Water / Use*Unnamed Tributary
to Lehigh Coal And
Navigation
Canal—2-C*Contact Office &
Phone No.*DEP Northeast
Regional Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2511Springdale Borough
Allegheny County

PAR216105

R I Lampus Co.
816 R I Lampus Avenue
PO Box 167
Springdale, PA
15144-0167Allegheny
River—18-ADEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive,
Pittsburgh, PA 15222-4745
412.442.4000North Union
Township
Fayette County

PAG036123

Universal Well
Services Inc.
2198 University Drive
Lemont Furnace, PA
15456Unnamed Tributary
to Gist Run—19-DDEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive,
Pittsburgh, PA 15222-4745
412.442.4000

<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>
Wayne Township Greene County	PAR606168	Neil Chisler 107 Chrissy Lane, P.O. Box 98 Brave, PA 15316	Dunkard Creek— (19-G)/WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Somerset Township Somerset County	PAR126111	Valley Proteins Inc. PO Box 3588 Winchester, VA 22604	Unnamed Stream and Unnamed Tributary to East Branch Coxes Creek—19-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Oakmont Borough Allegheny County	PAR236101	Chelsea Bldg Products Inc. 565 Cedar Way Oakmont, PA 15139	Allegheny River—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Big Beaver Borough Beaver County	PAR806267	Valley Waste Service Inc. 121 Brickyard Road Mars, PA 16046	Wallace Run—20-B	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Crescent Township Allegheny County	PAR506117	Iron City Express Inc. 1306 Main Street Glenwillard, PA 15046	Ohio River—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Somerset Township Somerset County	PAG036108	Nuverra Environmental Solutions Inc. 300 Cherrington Parkway Coraopolis, PA 15108	Kimberly Run—19-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Springhill Township Fayette County	PAR806211	Gallatin Fuels Inc. 250 West Main Street Uniontown, PA 15401	Monongahela River—19-G / WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Allegheny Township Westmoreland County	PAR506105	Mccutcheon Enterprises Inc. 250 Park Road Apollo, PA 15613-8730	Unnamed Tributary of Pine Run—18-B	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Bethel Park Borough Allegheny County	PAR236126	Parker Plastics Corp 3585 Valley Drive Pittsburgh, PA 15234	Sawmill Run—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Vanport Township Beaver County	PAR806113	Interstate Chemicals Co. Inc. 2797 Freedland Road Hermitage, PA 16148	Unnamed Tributary to Ohio River—20-B	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

NOTICES

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<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>
Hopewell Township Beaver County	PAG036101	Aliquippa Metal Recovery LLC 100 Bet Tech Drive Aliquippa, PA 15001	Ohio River—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
West Deer Township Allegheny County	PAR606220	Phelps Timothy D PO Box 12 Curtisville, PA 15032	Little Deer Creek—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
City of St. Marys Elk County	PAR218322	Dubrook Inc. PO Box 376 Falls Creek, PA 15840-0376	Unnamed Tributary to the Elk Creek 17-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-4

<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>
New Hanover Township Montgomery County	PAG040197	Slawecki Adam 2448 Schaffer Road Pottstown, PA 19464	Sanatoga Creek—3-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Mercer County Greene Township	PAG048782	Harold R. McClelland 127 Pitts Road, Jamestown, PA 16134	Unnamed Tributary to the Shenango River 20-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-05

<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>
Springfield Township Fayette County	PAG056239	Speedy Meedys Inc. 111 Woodvale Street Dunbar, PA 15431-1565	—	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Richland Township Allegheny County	PAG056213	Collier Keith B 3201 Sample Road Hermitage, PA 16148-5901	Glade Run—20-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Bentleyville Borough Washington County	PAG056256	Coen Oil Co. 1045 W Chesnut Street Washington, PA 15301	Pigeon Creek—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

<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>
Freedom Borough Beaver County	PAG056254	Pine Run Market 101 Pine Run Road Freedom, PA 15042-2135	—	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
<i>General Permit Type—PAG-10</i>				
<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>
Middletown Township Susquehanna County	PAG102327	Williams Field Service Co. LLC—Rigsby Pipeline Park Place Corp Center 2 2000 Commerce Drive Pittsburgh, PA 15275	Terry Creek and Unnamed Tributary to North Branch Wyalusing Creek— 4-D-/ CWF & WWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Middletown Township Susquehanna County	PAG102325	Williams Field Service Co. LLC 310 State Route 29 North Tunkhannock, PA 18657	North Branch Wyalusing Creek and Middle Branch Wyalusing Creek (CWF, MF)	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Richhill Township Greene County	PAG106180	Appalachia Midstream Service, LLC 190 Midstream Way Jane Lew, WV 26378	Kent Run—20-E TSF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
<i>General Permit Type—PAG13</i>				
<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>
Springdale Township Allegheny County	PAG136153	Springdale Township Allegheny County PO Box 177 Harwick, PA 15049	Riddle Run, Tawney Run and Yutes Run 18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
West View Borough Allegheny County	PAG136195	West View Borough 441 Perry Highway Municipal Building Pittsburgh, PA 15229	Girty's Run 18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Swissvale Borough Allegheny County	PAG136200	Swissvale Borough 7560 Roslyn Street Pittsburgh, PA 15218	Ninemile Run 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
South Versailles Township Allegheny County	PAG136136	South Versailles Township PO Box 66 Coulter, PA 15028	Youghiogheny River 19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

<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>
Township of Wilkins Allegheny County	PAG136122	Township of Wilkins 110 Peffer Road Turtle Creek, PA 15145-1192	Chalfant Run, Sawmill Run and Thompson Run 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Snider Swine Operation Tyler Snider 22357 Mountain Foot Road Neelyton, PA 17239	Huntingdon	82.5 acres owned for manure application	466.23 AEU's 5.65 AEU's/ac	Swine Beef	Not Applicable	Approved
Chickies Creek Farm LLC Dustin Ginder 2537 Risser Mill Road Mount Joy, PA 17552	Lancaster	91.2	1190.16	Layers	NA	Approved
Graywood Farms, LLC Byron Graybeal 225 Mason Dixon Road Peach Bottom, PA 17563	Lancaster	854.2	1643.82	Dairy	HQ	Approved
Joel Rutt 1178 White Oak Road Manheim, PA 17545	Lancaster	194	410.44	Swine / Broiler / Beef	NA	Approved
David Sweigart III 189 Ridge View Road Elizabethtown, PA 17022	Lancaster	465.2	1015.25	Dairy / Swine	NA	Approved
Steven R. Hershey 2024 Donegal Springs Road Mount Joy, PA 17552	Lancaster	192.6	524.13	Pullet / Steer / Swine	HQ	Approved
Mark Rohrer 505A Paradise Lane Strasburg, PA 17562	Lancaster	34	109.26	Broiler	NA	Approved

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

NPDES Permit No. PA0252905, SIC Code 7999, **Washington Trotting Association**, 210 Racetrack Road, Washington, PA 15301.

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

Description of Existing Action/Activity: Authorization to operate a 845 Animal Equivalent Unit (AEU) horse racetrack operation situated near Chartiers Creek in Chartiers Creek Watershed.

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

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

Permit No. 2450087, Operations Permit Public Water Supply.

Applicant	LKS Enterprises, LLC P.O. Box 841 Easton, PA 18043
[Borough or Township]	Middle Smithfield Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	N/A
Permit to Operate Issued	11/4/2014

Permit No. 2641033, Operations Permit Public Water Supply.

Applicant	Wayne Economic Development Corporation 32 Commercial St., Suite A Honesdale, PA 18431
[Borough or Township]	Sterling Township
County	Wayne
Type of Facility	PWS
Consulting Engineer	N/A
Permit to Operate Issued	11/3/2014

Permit No. 2359008, Operations Permit Public Water Supply.

Applicant	PA American Water Company (Archbald White Oak Tank) 800 West Hersheypark Drive Hershey, PA 17033
[Borough or Township]	Archbald Borough
County	Lackawanna
Type of Facility	PWS
Consulting Engineer	N/A
Permit to Operate Issued	November 20, 2014

Permit No. 6614501, Operations Permit Public Water Supply.

Applicant	Tunkhannock Hospital Company LLC
[Borough or Township]	Tunkhannock Township
County	Wyoming County
Type of Facility	PWS
Consulting Engineer	Francis Mark Voyack Quad Three Group, Inc 37 North Washington Street Wilkes-Barre, PA 18701
Permit to Operate Issued	11/13/2014

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

Permit No. 3814502, Public Water Supply.

Applicant	Fredericksburg Sewer & Water Authority
Municipality	Bethel Township
County	Lebanon
Responsible Official	James A. Heisey, Authority Chairman 113 East Main Street PO Box 161 Fredericksburg, PA 17026

Type of Facility Installation of a booster pumping station and booster chlorination/recirculation station at the East Water Storage Tower.

Consulting Engineer Stephen J. Cordaro, P.E.
Steckbeck Engineering & Surveying, Inc
279 North Zinns Mill Road
PO Box 161
Lebanon, PA 17042

Permit to Construct Issued 11/18/2014

Comprehensive Operation Permit No. 3614501 issued to: **Spring Lake Park (PWS ID No. 7360076)**, Elizabeth Township, **Lancaster County** on 1/14/2014 for the operation of facilities approved under Construction Permit No. 7360076.

Comprehensive Operation Permit No. 7380435 issued to: **Lebanon Valley Livestock Market (PWS ID No. 7380435)**, Bethel Township, **Lebanon County** on 11/18/2014 for the operation of facilities approved under Construction Permit No. 3814504.

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

Permit No. 4114504—Construction—Public Water Supply.

Applicant **Timberend MHP, LLC**

Township/Borough Fairfield Township

County **Lycoming**

Responsible Official Mr. Ryan Hotchkiss
Timberend MHP, LLC
2131 Espey Court, Suite 1
Crofton, MD 21114

Type of Facility Public Water Supply

Consulting Engineer Ed Brown, P.E.
Larson Design Group, Inc.
1000 Commerce Park Drive
Williamsport, PA 17701

Permit Issued November 12, 2014

Description of Action Authorizes the following modifications at Timberend Wellhouse #1: Replacement of the existing BIRM iron and manganese removal system, with a GreensandPlus iron, manganese, and arsenic filtration system; relocation of the chlorine injection point; installation of a new caustic soda feed system; conversion of one of four existing 120-gallon hydropneumatic tanks to a contact tank; and abandonment of one 120-gallon pressure tank.

Permit No. 4913503MA—Operation—Public Water Supply.

Applicant **Cherokee Water Treatment Plant**

Township/Borough Riverside Borough

County **Northumberland**

Responsible Official Brian Killen, Plant Manager
Cherokee Pharmaceuticals, LLC,
a Subsidiary of Merck Sharp & Dohme Corp.
100 Avenue C
Riverside, PA 17868

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued November 17, 2014

Description of Action Operation of Sand Filter #1 following the coating of its ceiling area with CIM 1000/1061.

Permit No. Minor Amendment—Operation—Public Water Supply.

Applicant **Montoursville Borough**

Township/Borough Montoursville Borough

County **Lycoming**

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

Type of Facility Public Water Supply

Consulting Engineer David Walters, P.E.
Larson Design Group
1000 Commerce Park Drive
Williamsport, PA 17701

Permit Issued November 18, 2014

Description of Action Expansion of the Well #4 treatment building, including a separate gas chlorine room and relocation of the polyphosphate chemical feed system and conversion from sodium hypochlorite to gas chlorine disinfection at Well #3 site.

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

Operations Permit issued to: **Ambridge Water Authority**, PO Box 257, 600 Eleventh Street, Ambridge, PA 15003, (PWSID #5040008) County on November 6, 2014 for the operation of facilities approved under Construction Permit # 0413506.

Operations Permit issued to: **Highland Sewer & Water Authority**, 120 Tank Drive, Johnstown, PA 15904, (PWSID #4110017) County on November 10, 2014 for the operation of facilities approved under Construction Permit # 1113518MA.

Operations Permit issued to: **Central Indiana County Water Authority**, 30 East Wiley Street, Homer City, PA 15748, (PWSID #5320040) County on November 10, 2014 for the operation of facilities approved under Construction Permit # 3213515MA.

Operations Permit issued to: **Jefferson Township Water and Sewer Authority**, 786 Mountain View Road, Somerset, PA 15501, (PWSID #4560018) County on November 11, 2014 for the operation of facilities approved under Construction Permit # 5612502.

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

Operations Permit issued to **Fair Winds Manor, LP**, PWSID No. 5100063, Winfield Township, **Butler County**.

Permit Number 1013503 issued November 19, 2014 for the operation of the Fair Winds Manor water treatment system upgrades. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on November 4, 2014.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

Southwest Regional Office, Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000

Plan Location:

Borough or Township	Borough or Township Address	County
North Huntingdon Township	Mr. John M. Shepard, Secretary 11279 Center Highway North Huntingdon, PA 15642	Westmoreland
Hempfield Township	Mr. Andrew Waltz, Manager 1132 Woodward Drive, Suite A Greensburg, PA 15601	
Penn Township	Mr. Alex Graziani, Secretary/ Manager 2001 Municipal Court Harrison City, PA 15636	
Borough of Irwin	Ms. Mary L. Benko, Manager 424 Main Street Irwin, PA 15642	
Borough of Manor	Mr. Joseph N. Lapia, Secretary 44 Main Street Manor, PA 15665	
Borough of North Irwin	Ms. Adele Nehas, Secretary 21 Second Street North Irwin, PA 15642	

Plan Description: In 2011, the Western Westmoreland Municipal Authority entered into a Consent Order & Agreement during wet weather events. The COA required the WWMA to plan, design, (COA) with the Department for illegal discharges of wastewater into Brush Creek construct and implement controls to eliminate wastewater overflows from the Wastewater Treatment Plant (WWTP) and all points in the WWMA interceptor sewer system. This will be achieved by implementing a three phased project. The first phase will include construction of a pump station, a 7.0 MG flow storage tank and some head-works modifications at the Brush Creek Sewage Treatment Plant. The second phase encompasses the upgrade of Brush Creek Interceptor and the third phase covers upgrades of the Bushy Run, Paintertown and Manor interceptor lines.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts results from this proposal.

Any required NPDES Permits or WQM Permits must be obtained in the name of the Western Westmoreland Municipal Authority as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Fawn Grove Borough	PO Box 131, Fawn Grove, PA 17321	York

Plan Description: The Act 537 Plan (DEP CODE NO. A2-67920-ACT) chosen alternative to meet the long term wastewater disposal needs of the residents of Fawn Grove Borough by the continued use of on-lot sewage disposal systems within the Borough is disapproved. The chosen alternative does not adequately address the long term sewage disposal needs of the Borough as required by Chapter 71, Section 71.21(a)(6). The Borough failed to designate the portion of Fawn Grove Borough that would have the greatest need as a future (10 year) public sewer service area.

Plan Location:

Borough or Township	Borough or Township Address	County
McVeytown Borough	PO Box 321, McVeytown, PA 17051	Mifflin

Plan Description: The planning module for Spring Run Church, DEP Code No. A3-44910-003-3, APS Id 856832, consisting of one single family residential lot using sewer service provided by McVeytown Borough Authority, is disapproved. The proposed development is located on the west side of Dull Street. This plan is disapproved because Component 3, Section J—Chapter 94 Consistency Determination was not completed.

HAZARDOUS SITES CLEAN-UP

Notice of Proposed Federal Consent Decree

Everglade Junkyard Site

Hempfield Township, Westmoreland County

Notice is hereby given that the Department of Environmental Protection ("Department") has entered into a proposed federal Consent Decree with West Penn Power. The Consent Decree memorializes West Penn Power's resolution of claims made by the Department for recovery of costs and applicable interest incurred and to be incurred in the Department's investigation and cleanup of the Everglade Junkyard Site, located in Hempfield Township, Westmoreland County, Pennsylvania.

The terms of the settlement are set forth in the Consent Decree. The Department will receive and consider comments relating to the Consent Decree for sixty (60) days from the date of this notice. The Department has reserved the right to withdraw the Consent Decree for entry by the presiding court if comments concerning the Consent Decree disclose facts or considerations which indicate that the Consent Decree is inappropriate, improper, or inadequate.

Copies of the Consent Decree are available for inspection at the Department's Southwest Regional Office. Comments may be submitted, in writing, to Barbara Gunter, PA Department of Environmental Protection, Hazardous Sites Cleanup, 400 Waterfront Drive, Pitts-

burgh, PA 15222. Further information may be obtained by contacting Ms. Gunter at 412-442-4000.

TDD users may contact the Department through the Pennsylvania Relay Service at 800-645-5984.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

Former Industrial Fabricators Facility, 2891 South Reach Road, City of Williamsport, **Lycoming County**. McKee Environmental, Inc., 218 Washington Avenue, Bellefonte, PA 16823, on behalf of SJ Holdings, LLC, 726 Washington Blvd., Williamsport, PA 17701, submitted a Final Report concerning remediation of site soils contaminated with historical overfills of heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former TRW Inc. Danville Site, 601 East Market Street, City of Danville, **Montour County**. Brown &

Caldwell, 2 Park Way, Suite 2A, Upper Saddle River, NJ 07458 has submitted a Final Report concerning remediation of site soils contaminated with Chloroethane, 1,1-Dichloroethane, 1,1-Dichloroethylene, cis-1,2-Dichloroethylene, 1,4-Dioxane, Methylene Chloride, Tetrachloroethylene, 1,1,1-Trichloroethane, Trichloroethylene, Vinyl Chloride. The report is intended to document remediation of the site to meet the Site-Specific and Statewide Health Standard.

Growmark FS LLC Property, 200 Packer Avenue, Towanda Borough, **Bradford County**. Pennsylvania Technics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Growmark FS, LLC, 308 NE Front Street, Milford, DE 19963 has submitted a Final Report concerning remediation of site soils contaminated with Alachloreyc_& Env Remediatjon Preamble 2r, Atrazine. The report is intended to document remediation of the site to meet the Site-Specific Standard.

RBM Carriers, Inc., Route 15 Southbound, Lewis Township, **Lycoming County**. EP & S Vermont, Inc., 11 Academy Road Suite 2, Cogan Station, PA 17728, on behalf of RBM Carriers Inc., 21374 2nd Concession North, Queensville, Ontario L3YY 4V8 submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Napthalene, Cumene, Methyl Tert-Butyl Ether (MTBE), 1,2,4-Trimethyl Benzene, 1,3,5-Trimethyl Benzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Xpedited Services, Interstate 80 @ MM183W, cross-over, Lamar Township, **Clinton County**. Northridge Group, Inc, P.O. Box 231, Northumberland, PA 17857, on behalf of Xpedited Services, 418 Duncan Avenue, Jersey City, NJ 07306 has submitted a Notice of Intent to Remediate. A release of approximately 125-gallons of diesel fuel occurred adjacent to the roadway and was contained utilizing absorbent booms. The site is to be restored to PENNDOT pre-incident specifications utilizing 2A stone, seed, fertilizer and straw. The Notice of Intent to Remediate was published in The Daily Item on October 13, 2014.

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

Wesley Nolt Residence, 1332 Red Run Road, Stevens, PA 17578, East Cocalico Township, **Lancaster County**. The Vertex Companies, Inc., 700 Turner Way Aston, PA 19014, on behalf of Mr. and Mrs. Wesley Nolt, 1332 Red Run Road, Stevens, PA 17578, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Kurtland Farms, 4350 Main Street, Elverson, PA 19520, Caernarvon Township, **Berks County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Kurtland Farms, 4350 Main Street, Elverson, PA 19520, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Custom Tool & Die (former), 2970 Old Tree Drive, East Hempfield Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of William Woratyla, 3932 Marietta Avenue, Columbia, PA 17512, submitted a Remedial

Investigation Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The combined report is intended to document remediation of the site to meet the Site Specific Standard.

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

Northwest Medical Partners, 729, 809, 821 East Main Street, Girard Borough, **Erie County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Northwest Medical Partners, 116 Union Avenue, Altoona, PA 16602, submitted a Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soil contaminated with Tetrachloroethene, Dichlorodifluoromethane, 2-Butanone, Dibromochloromethane, Arsenic, Lead, Chromium, and Barium. The report is intended to document remediation of the site to meet the Site-Specific & Statewide Health Standards.

Kenan Advantage Group Tanker Incident, State Route 8, Venango Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16414, on behalf of Kenan Advantage Group, Inc., 4366 Mt. Pleasant Street NW, North Canton, OH 44720, submitted a Final Report concerning the remediation of site soil and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Xylenes (Total), Methyl tertiary butyl ether (MTBE), Naphthalene, Cumene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Salem Tube, 951 Fourth Street, Pymatuning Township, **Mercer County**. Groundwater Sciences Corporation, 2601 Market Place Street, Harrisburg, PA 17110, on behalf of Salem Tube, Inc., 951 Fourth Street, Greenville, PA 16125, submitted a Cleanup Plan concerning the remediation of site groundwater contaminated with trichloroethylene (TCE) and its degradation products, as well as, other incidental volatile organic compounds (VOCs). The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

XTO Energy—Wyatt Seanor #7 Well Site, Bigam Road, Salem Township, **Westmoreland County**. Groundwater & Environmental Services, Inc., 301 Commerce Drive, Cranberry Township, PA 16066 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 has submitted a Final Report concerning the remediation of site soils contaminated with volatile and semi-volatile organic compounds (VOC's & SVOC's), metals and chlorides from a release of crude oil and brine that occurred at the well site. The Final Report is intended to document remediation of the site to meet a combination of the (residential and non-residential) Statewide Health and Site Specific Standards. Notice of the Final Report was published in the *Tribune Review* on October 14, 2014.

Former Edgewater Steel Property, 300 College Avenue, Borough of Oakmont, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Kacin Companies, Inc., 3875 Old William Penn Highway, Murrysburg, PA 15668 has submitted Final Report concerning the remediation of site soils and groundwater contaminated with volatile & semi-volatile organic compounds (VOC's & SVOC's), inorganics, lead, and heavy metals. The Final Report is intended to document remediation of the site to meet the

Site Specific standard. Notice of the Final Report was published in the *Valley News Dispatch* on November 12, 2014.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Former Industrial Fabricators Facility, 2891 South Reach Road, City of Williamsport, **Lycoming County**.

McKee Environmental, Inc., 218 Washington Avenue, Bellefonte, PA 16823, on behalf of SJ Holdings, LLC, 726 Washington Blvd. Williamsport, PA 17701, submitted a Final Report concerning the remediation of site soils contaminated with historical overfills of heating oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on November 5, 2014.

Growmark FS, LLC Property, 200 Packer Avenue, Towanda Borough, **Bradford County**. Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Growmark FS, LLC, 308 NE Front Street, Milford, DE 19963, submitted a Final Report concerning the remediation of site soils contaminated with Alachlor, Atrazine. The Final Report demonstrated attainment of Site-Specific Standard, and was approved by the Department on October 17, 2014.

RBM Carriers, Inc., Route 15 Southbound, Lewis Township, **Lycoming County**. EP & S of Vermont, Inc., 11 Academy Road Suite 2, Cogan Station, PA 17728, on behalf of RBM Carriers Inc., 21374 2nd Concession North, Queensville, Ontario L3Y 4V8 submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethyl Benzene, Naphthalene, Cumene, Methyl Tert-Butyl Ether (MTBE), 1,2,4-Trimethyl Benzene 1,3,5-Trimethyl Benzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on November 3, 2014.

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

Pilot/Flying J, Intersection of Buckeye Road & Tank Farm Road, Upper Milford Township, **Lehigh County**, Richard P. Cerbone, Sovereign Consulting Inc., 111-A North Gold Drive, Robbinsville, NJ 08691, has submitted a Final Report on behalf of his client, Joey Cupp, Pilot Travel Centers LLC, 5508 Lonas Drive, Knoxville, TN 37939-0146, concerning the remediation of soil due to a vehicular collision with a tanker truck containing diesel fuel at the intersection of Buckeye Road and Tank Farm Road. Approximately 2,075 gallons of diesel fuel was released to the environment. The applicant proposes to remediate the site to meet the Statewide Health Standards and the Site Specific Standards for soil. The intended use of the site will be for residential and commercial purposes. The report was approved on November 10, 2014.

YOU Trucking, 527-529 South Church Street, City of Hazleton, **Luzerne County**, Lori Girvin, Barry Isett & Associates, has submitted a Site Characterization and an RIR, on behalf of her clients, YOU Trucking 527 South Church Street, Hazleton, PA 18201, concerning the remediation of soil and groundwater due to historical operations at the site. The applicant proposes to remediate the site to meet the Statewide Health Standard and the Site Specific Standard for soil and groundwater. The intended use of the site will be for vehicle sales and a service garage. The report was approved on November 19, 2014.

Airline Petroleum Bulk Plant, 1143 B Evergreen Drive Property, Clinton Township, **Wyoming County**, Martin Gilgallon, Pennsylvania Tectonics Inc., has submitted an NIR and Final Report, on behalf of his client, Mr. Joseph Gentile Jr, JOJO Oil Company Inc., 1031 Reeves Street, Dunmore, PA 18512, concerning the remediation of soil from heating oil due to a release as a

result of overfilling a delivery truck. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. The intended use of the site is non-residential. The report was approved on November 18, 2014.

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

Donna Burke Residence, 106 Sponsler Road, Everett, PA 15537, West Providence Township, **Bedford County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Nationwide Agribusiness, 1100 Locust Street, #3011, Des Moines, IA 50391, and Donna Burke, 106 Sponsler Road, Everett, PA 15537, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on November 14, 2014.

RWT, Inc. I-81 Diesel Fuel Release, Northbound MM 24, Southampton Township, **Franklin County**. Environmental Products & Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, PA 17111, on behalf of RWT, Inc. PO Box 1307, Chatsworth, GA 30705, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released in a tractor trailer accident. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on November 19, 2014.

Wesley Nolt Residence, 1332 Red Run Road, Stevens, PA 17578, East Cocalico Township, **Lancaster County**. The Vertex Companies, Inc., 700 Turner Way Aston, PA 19014, on behalf of Mr. and Mrs. Wesley Nolt, 1332 Red Run Road, Stevens, PA 17578, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard. The Final Report was administratively incomplete and was disapproved by the Department on November 20, 2014.

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

Northwest Medical Partners, 729, 809, 821 East Main Street, Girard Borough, **Erie County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Northwest Medical Partners, 116 Union Avenue, Altoona, PA 16602, submitted a Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soil contaminated with Tetrachloroethene, Dichlorodifluoromethane, 2-Butanone, Dibromochloromethane, Arsenic, Lead, Chromium, and Barium. The Report was disapproved by the Department on November 6, 2014.

Parcel 25-04-20-06, 450 feet Northeast of the northernmost end of Mitchell Avenue, Cornplanter Township, **Venango County**. URS Corporation, 12420 Milestone Center Drive, Germantown, MD 20876, on behalf of Shell Oil Products, US, 17 Junction Drive, PMB #399, Glenn Carbon, IL 62034, submitted a Final Report concerning the remediation of site soil contaminated with Acenaphthene, Acenaphthylene, Anthracene, Benzene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Benzoic Acid, Bis[2-ethylhexyl]phthalate, Butylbenzene, N-butylbenzene, Sec-butylbenzene, Carbazole, Chrysene, o-cresol, 3 & 4-methylphenol, Cumene, Cyclohexane,

Dibenzo[a,h]anthracene, Dibenzofuran, 2,4-dimethylphenol, Dimethyl Phthalate, Ethyl Benzene, Fluoranthene, Fluorene, Ideno[1,2,3-cd]pyrene, p-isopropyltoluene, 2-methylnaphthalene, Naphthalene, Phenanthrene, Phenol, N-propylbenzene, Pyrene, Toluene, 1,3,4-trimethylbenzene, o-xylene, m,p-xylene, Xylenes, Arsenic, Barium & Compounds, Cadmium, Chromium, Lead, Mercury, and Silver. The Report was disapproved by the Department on November 13, 2014.

Buffalo & Pittsburgh Railroad Butler, 100 B&P Lane, Butler and Summit Townships, **Butler County**. SE Technologies, LLC., 98 Vanadium Road, Bridgeville, PA 15017, on behalf of Buffalo & Pittsburgh Railroad, Inc., 100 B&P Lane, Butler, PA 16001, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene), MTBE, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Anthracene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Chrysene, Fluorene, Phenanthrene, Pyrene and site groundwater contaminated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene), MTBE, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Anthracene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Chrysene, Fluorene, Indeno[1,2,3-cd]pyrene, Phenanthrene, and Pyrene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 17, 2014.

AIR QUALITY

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

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

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

GP5-59-214A: SWEPI, LP (2100 Georgetown Drive, Sewickley, PA 15143-8782) on October 23, 2014, authorize the construction and operation of one (1) 1,340 brake-horsepower, Caterpillar model G3516LE, 4-stroke, lean-burn, natural gas-fired compressor engine, one (1) 4 million cubic foot per day, J.W. Williams model 4.0-COMBO-UP-A triethylene glycol dehydrator, two (2) 10 million cubic foot per day, J.W. Williams model 10.0-COMBO-UP-A triethylene glycol dehydrators, seven (7) 0.75 million Btu per hour, natural gas-fired separator heaters and four (4) 42,000 gallons (1,000 barrel) Produced Water Tanks pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression or Processing Facilities (BAQ-GPA/GP5) at the Thomas 808 Well Site located in Elk Township, **Tioga 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

23-0119C: Sunoco Partners Marketing & Terminals, L.P.—SPMT (2nd and Green Streets, Marcus Hook, PA 19061-0426) On November 19, 2014, for installation of a 30,000 gallon per minute cooling tower to be used to condense the gaseous propane and ethane at a facility, in Marcus Hook Borough, **Delaware County**. The plan approval is for a Title V facility. This project, by itself or aggregated with previous projects, does not trigger applicability toward PADEP's NSR regulations or the federal PSD regulations. As this project is technically and economically dependent to a previous project it is being treated as a major modification to an existing plan approval (number 23-0119). The installation of this source is not subject to any federal NSPS or NESHAP regulations. Potential annual emissions from this source are: VOC—5.52 tons, PM—0.25 ton, PM₁₀—0.23 ton, and PM_{2.5}—0.01 ton. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-0064A: CRC Industries, Inc. (885 Louis Drive, Warminster, PA 18974) On November 19, 2014, for a non-Title V, Synthetic Minor facility in Warminster Township, **Bucks County**. This plan approval will allow an increase in volatile organic compounds (VOC) for the facility. No new equipment will be added to the facility. The facility will remain a Synthetic Minor. The main emissions for this facility are VOC, of which the facility will be limited to less than 24.5 tons per year of emissions, and hazardous air pollutants, will remain at 10 tons per year for any single hazardous air pollutant and less than 25 tons per year for all of the hazardous air pollutants combined. The Plan Approval will contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-0033F: Waste Management Disposal Services of PA—WMDSPI (1425 Sell Road, Pottstown, PA 19464) On November 20, 2014, for installation of a new open landfill gas (LFG) flare. Pottstown Landfill, a closed landfill, is a Title V Facility in **Montgomery County**. This flare serves as a backup control device. There are no emission increases with this plan approval. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable State and Federal air quality requirements.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

06-05069W: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) on November 13, 2014, for removing a site level Btu limit from the permit for the Lyon Station battery manufacturing campus located in Richmond Township, Berks County. The plan approval also authorizes the transfer and use of 59.46 tons of NO_x Emission Reduction Credits (ERCs) for offset purposes from Kelman Bottles, LLC (formerly known as Port Glenshaw Glass, LLC), **Allegheny County**, to East Penn Manufacturing Co., Inc.

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

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

25-090E: Zurn Industries LLC (1301 Raspberry St., Erie, PA 16502) on November 13, 2014, has issued a plan approval for the removal of annual operation hour limits for the facility and sources 102 (Molding, Pouring, Cooling), 107 (Paint Dip Operation) and 110 (Electric Induction Melt Furnaces 4) at their facility in the City of Erie, **Erie County**.

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

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

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

09-0186E: Kinder Morgan Bulk Terminals, Inc. (1000 South Port Road, Fairless Hills, PA 19030) On November 18, 2014, for the operation of the fertilizer transfer and storage area in Falls Township, **Bucks County**.

09-0007E: Waste Management Disposal Services of PA, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) On November 18, 2014, for the operation of (2) two propane fired crystallizers in Falls Township, **Bucks County**.

09-0030A: Brightsmith, LLC (120 Enterprise Avenue, Morrisville, PA 19067) On November 19, 2014, for the operation of the prime oven oxidizer and finish prime oxidizer in Falls Township, **Bucks County**.

46-0200E: John Middleton Company (P.O. Box 85108, Richmond, VA 23285) On November 13, 2014, for the operation of the new regenerative thermal oxidizer and emissions changes in Upper Merion Township, **Montgomery County**.

46-0027C: Janssen Research & Development, LLC. (1400 McKean Road, Spring House, PA 19477) On November 13, 2014, for the operation of a 3.8 MW natural gas fired internal combustion engine in Lower Gwynedd Township, **Montgomery County**.

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

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

57-00004A: Central New York Oil & Gas Co., LLC (800 Robinson Road, Owego, NY 13827-6801) on November 17, 2014 to extend the authorization to operate a natural gas compressor station in Davidson Township, **Sullivan County** on a temporary basis to May 16, 2015. The plan approval has been extended.

59-00002C: Dominion Transmission, Inc. (445 West Main St., Clarksburg, WV 26301) on November 18, 2014, to extend the authorization for the installation of oxidation catalysts (Control Devices C101 and C102) to control the carbon monoxide and non-methane hydrocarbon emissions from the two (2) existing natural gas-fired compressor engines (Source ID P101 and P102) and to modify the volatile organic compounds emission limitations for Source IDs P101 and P102 at the Dominion Transmission, Inc. Tioga Compressor Station located in Farmington Township, **Tioga County** to May 18, 2015. The plan approval has been extended.

59-00005J: Dominion Transmission, Inc. (445 West Main St., Clarksburg, WV 26301) on November 18, 2014, to extend the authorization for the construction of a 12.07

million Btu per hour ETI model THE-1207 natural-gas fired salt bath heater (Source ID 044) and a 3.0 million Btu per hour Ajax model WRFG-3000 natural-gas fired boiler (Source ID 045) at the Sabinsville Compressor Station located in Clymer Township, **Tioga County** to May 18, 2015. The plan approval has been extended.

14-00016A: Penns Valley Area School District (4528 Penns Valley Road, Spring Mills, PA 16875) on November 18, 2014, to extend the authorization for the construction of a wood-fired boiler at their facility located in Penn Township, **Centre County** to May 18, 2015. The plan approval has been extended.

17-00063A: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on November 6, 2014, to extend the authorization an additional 180 days from November 8, 2014 to May 6, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

17-00063B: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on November 6, 2014, to extend the authorization an additional 180 days from November 8, 2014 to May 6, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

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

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

32-00424A: Western Allegheny Energy, LLC (301 Market Street, Kittanning, PA 16201) on November 17, 2014, to grant a 180 day Plan Approval extension to allow time to obtain an Operating Permit from the Department for their coal preparation plant, located in Center Township, **Indiana County**.

11-00423A: Johnstown Wire Technologies, Inc. (124 Laurel Avenue, Johnstown, Cambria County, PA 15906-2246) Plan Approval Extension issuance date effective December 17, 2014, to continue the 180-day period of temporary operation and receive an Operating Permit for their facility at Johnstown Wire Plant located in Johnstown Township, **Cambria County**.

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

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

37-332B: Amerikohl Aggregates (609 Chewton-Wurtemberg Rd., Wampum, PA 16157) on November 14, 2014, effective November 30, 2014, will issue a plan approval extension for the increase in the facility's throughput limit from 650,000 to 840,000 tpy, the installation of a second crusher, and two (2) diesel-fired engines.

42-00011-MACT: International Waxes, Inc./Farmers Valley (45 Route 446, Smethport, PA 16749-5413) on November 14, 2014, effective November 30, 2014 will issue a plan approval which will require the facility to

comply with the Boiler MACT by January 31, 2016, at your facility in **McKean County**.

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

09-00010: Teva Pharmaceuticals USA, Inc. (650 Cathill Road, Sellersville, PA 18960) On November 20, 2014, for a non-Title V, State Only, Synthetic Minor Operating Permit in West Rockhill Township, **Bucks County**. This action is a second renewal of the State Only Operating Permit. The permit was initially issued on 12/16/2004 and was subsequently renewed on 3/2/2009. TEVA Pharmaceuticals USA Inc. manufactures granular pharmaceutical products that emit volatile organic compounds in the drying process. Volatile organic compounds are limited through this permit to 24.0 tons per year from these drying processes. The facility also has three (3) boilers, two (2) emergency generators, and two (2) fire pumps that burn No. 2 fuel oil. The renewed 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 Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

22-05035: New Enterprise Stone & Lime Co., Inc. (PO Box 177, Winfield, PA 17889-0177) on November 13, 2014, for the stone crushing and batch asphalt operations at the Elizabethtown Quarry located in Washington Township, **Dauphin County**. The State-only permit was renewed.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

25-00996: Advanced Finishing USA, (7401 Klier Drive, Fairview, PA 16415) on November 18, 2014, issued the renewal of the State Only Operating Permit for the coating facility located in Fairview Township, **Erie County**. The primary sources at the facility include 2 paint booths; 10 natural gas fueled process ovens; and a 475,000 Btu/hr natural gas fueled burn off oven. The facility is a Natural Minor. Potential emissions are 12 tpy VOC; 73.43 tpy PM; 15.20 tpy NO_x; 12.77 tpy CO; less than 1 tpy SO_x; and less than 1 tpy HAPs. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

33-00147: Dominion Transmission, Inc., (455 West Main Street, Clarksburg, WV 26302) on November 12, 2014, issued the renewal of the State Only Operating Permit for the natural gas compressor station located in Gaskill Township, **Jefferson County**. The primary sources at the facility include a 1,775 hp natural gas fueled compressor engine and a glycol dehydrator equipped with a 500,000 Btu/hr natural gas fueled burner. The facility is a Natural Minor. Potential emis-

sions are 11.84 tpy VOC; 30.07 tpy CO; 6.63 tpy NO_x; 1.91 tpy for all HAPs combined; and less than 1 tpy SO_x. The compressor engine is subject to 40 CFR Part 63 Subpart ZZZZ, the NESHAP for Stationary RICE. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

61-00204: Franklin Bronze Precision Components, LLC, (655 Grant Street, Franklin, PA 16323) on November 18, 2014, issued the renewal of the State Only Operating Permit for the foundry facility located in the City of Franklin, **Venango County**. The primary sources at the facility include a 1 million Btu/hr natural gas fueled mold de-wax furnace; 2 natural gas fueled shell pre-heat furnaces, rated at 600,000 Btu/hr and 850,000 Btu/hr; 5 induction furnaces; a 750,000 Btu/hr natural gas fueled de-wax oven; saws and grinders; 9 natural gas fueled space heaters; and a parts washer. The facility is a Natural Minor. Potential emissions are 3.19 tpy NO_x; 11.21 tpy PM; 1.74 tpy CO; and less than 1 tpy SO_x, VOC, and HAPs. The facility is subject to 40 CFR Part 63 Subpart ZZZZZ, National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Iron & Steel Foundries. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

15-00086: Griffin Industries LLC—dba Bakery Feeds (97 Westbrook Drive, Honey Brook, PA 19344) On November 19, 2014, for an animal feed processing facility in Honey Brook Township, **Chester County**. Bakery Feeds is a non-Title V (State only) facility. The major operation at the facility is drying of processed bakery products by heat from a biomass burner, which is controlled for volatile organic compounds (VOC) by a regenerative thermal oxidizer (RTO) with the efficiency of 98%. Natural gas, sawdust and bakery product packaging materials are approved as fuels for the biomass burner.

The facility's permit is proposed to undergo a significant modification pursuant to Section B, Condition #011 (d) of State Only Operating Permit 15-00086. A modification that does not qualify as a minor permit modification or an administrative amendment pursuant to 25 Pa. Code §§ 127.462 and 127.450 is treated as a significant modification subject to the public notification requirements of 25 Pa. Sections 127.424 and 127.425. The following changes are proposed with the modification. Limitations for concentration of hydrogen chloride (HCl) in the stack effluent of the RTO are removed and replaced with limitations for facility wide hazardous air pollutants (HAP) of 10 tons per 12-month rolling period for a single pollutant and 25 tons per 12-month rolling period for all pollutants. HCl is a HAP pursuant to Section 112(b) of the Clean Air Act. In addition, monthly limitations are added for sawdust and bakery product packaging fuels of 660 tons per month for both fuels, with bakery packaging fuel not to exceed 430 tons per month. These limits have

been shown through the Department of Environmental Protection's (DEP) Air Modeling and Risk Analysis methodology not to present an unacceptable inhalation risk from HCl, that might be emitted from the bakery product processing. The once in 5 years testing requirement for HCl in the bakery process line stack is removed. The applicable test method, EPA Method 26, has known interferences from chlorides, other than hydrogen chloride, that may occur in bakery products.

Emission limits for criteria pollutants are not proposed to be changed and will remain at the following levels from the RTO stack: nitrogen oxides (NO_x): 5 lbs/hr and less than 25.0 tons per 12-month rolling period from the facility; particulate matter (PM) the more stringent of 0.04 grain/dscf or 8.4 lb/hr and 37.0 tons per 12-month rolling period; carbon monoxide (CO): 1.1 lb/hr and 4.8 tons per 12-month rolling period; VOC: 2.5 lb/hr and less than 25.0 tons per 12-month rolling period from the facility. Minor wording changes in standard facility wide conditions and names of process streams are made. The operating permit will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements and limitations.

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

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

41-00043: HRI, Inc. (1750 West College Avenue, State College, PA 16801), issued a revised State Only operating permit on November 13, 2014, through an administrative amendment to change the responsible official of the Williamsport Asphalt Plant located in the City of Williamsport, **Lycoming County**. This revised operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

14-00027: HRI, Inc. (1750 West College Avenue, State College, PA 16801), issued a revised State Only operating permit on November 13, 2014, through an administrative amendment to change the responsible official of the Curtain Gap Asphalt Plant located in the Marion Township, **Centre County**. This revised operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

05-05006: Columbia Gas Transmission, LLC (1700 MacCorkle Avenue SE, Charleston, WV 25314). Pursuant to 25 Pa. Code § 127.449(i), this PA Bulletin Notice is for a de minimis emissions increase of 0.51 TPY VOC resulting from the increase of the daily natural gas (NG) throughput of each of the three triethylene glycol dehydration units (Source IDs 036, 037 and 038) from 120 mmCF/day to 400 mmCF/day with an aggregate daily NG throughput of 400 mmCF/day for all three units at its Artemas Compressor Station located in Mann Township, **Bedford County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

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

56061301 and NPDES No. PA0235709. RoxCOAL, Inc., (PO Box 149, Friedens, PA 15541). To revise the permit for the Kimberly Run Mine in Somerset Township, **Somerset County** and related NPDES permit for surface support facilities and for a new NPDES discharge point. Surface Acres Proposed 40.0. Receiving Stream: Unnamed Tributary to Kimberly Run, classified for the following use: CWF. The application was considered administratively complete on May 25, 2012. Application received on October 14, 2011. Permit issued on November 13, 2014.

30841312. Consolidation Coal Company, (1 Bridge Street, Monongah, WV 26554). To revise the permit for the Blacksville Mine No. 2 in Gilmore Township, **Greene County** to install 15 degasification boreholes. Surface Acres Proposed 13.7. No additional discharges. The application was considered administratively complete on March 6, 2013. Application received on October 24, 2012. Permit issued on November 14, 2014.

11743703 and NPDES No. PA0214671. Robindale Energy Services, Inc., (PO Box 38, Blossburg, PA 16912). To renew the permit for the Lancashire No. 25 in West Carroll and Barr Townships, **Cambria County** and related NPDES permit for post-mining water treatment. No additional discharge. The application was considered administratively complete on January 31, 2006. Application received on November 28, 2005. Permit issued on November 14, 2014.

03841305. Consol Mining Company LLC, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit for the Emilie No. 1 and 2 Mine in Plumcreek and Cowanshannock Townships, **Armstrong County** from Keystone Coal Mining Corporation to Consol Mining Company LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received: January 6, 2014. Permit issued: November 14, 2014.

03801302 and NPDES No. PA0235385. Consol Mining Company LLC, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Margaret No. 7 Mine Water Treatment Plant in Plumcreek and Cowanshan-

nock Townships, **Armstrong County** from Keystone Coal Mining Corporation to Consol Mining Company LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received: January 6, 2014. Permit issued: November 17, 2014.

17823701 and NPDES No. PA0617083. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Bigler Coal Refuse Disposal Area No. 1 in Brandford Township, **Clearfield County** and related NPDES permit. No additional discharges. The application was considered administratively complete on August 6, 2013. Application received: June 17, 2013. Permit issued: November 17, 2014.

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

Permit No. 32040102 and NPDES No. PA0249491. Britt Energies, Inc., 2450 Philadelphia Street, Indiana, PA 15701, permit renewal, for reclamation only, of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 201.2 acres. Receiving stream: unnamed tributary to Yellow Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 20, 2014. Permit issued: November 12, 2014.

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

17820129 and NPDES PA0610623. Kasubick Brothers Coal Company (501 David Street, Houtzdale, PA 16651). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine located in Woodward Township, **Clearfield County** affecting 161.8 acres. Receiving streams: Unnamed Tributaries to Upper Morgan Run and North Branch to Morgan Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 5, 2014. Permit issued: November 4, 2014.

17030120 and NPDES No. PA0243663. RES Coal, LLC (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Permit renewal for reclamation only of a bituminous surface and auger mine located in Beccaria and Bigler Townships, **Clearfield County** affecting 96.3 acres. Receiving streams: Unnamed Tributary to Banian Run classified for CWF. There are no potable water supply intakes within 10 miles downstream. Application received: July 9, 2014. Permit issued: November 3, 2014.

17813048 and NPDES PA0609994. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Permit renewal for reclamation only of a bituminous surface and auger mine located Lawrence Township, **Clearfield County** affecting 407.3 acres. Receiving streams: Wolf Run and Unnamed Tributary to West Branch Susquehanna River classified for the following use(s): CWF and WWF respectively. There are no potable water supply intakes within 10 miles downstream. Application received: July 10, 2014. Permit issued: November 6, 2014.

17813901 and NPDES PA0127230. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Permit renewal for reclamation only of a bituminous surface and auger mine located in Graham and Morris Townships, **Clearfield County** affecting 196.3 acres. Receiving streams: Unnamed Tributaries to Alder Run classified for the following use(s): CWF. There are no potable water

supply intakes within 10 miles downstream. Application received: August 4, 2014. Permit issued: November 6, 2014.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 54040101R2. Char-Pac Coal Company, (PO Box 81, Minersville, PA 17954), renewal of an existing anthracite surface mine operation in Foster Township, **Schuylkill County** affecting 200.5 acres, receiving stream: Hans Yost Creek. Application received: September 3, 2014. Renewal issued: November 17, 2014.

Permit No. 54040101GP104. Char-Pac Coal Company, (PO Box 81, Minersville, PA 17954), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54040101 in Foster Township, **Schuylkill County**, receiving stream: Hans Yost Creek. Application received: September 3, 2014. Permit issued: November 17, 2014.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 06144117. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Stonecroft Village in Merion Township, **Berks County** with an expiration date of November 30, 2014. Permit issued: November 13, 2014.

Permit No. 36144161. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Warren Nolt manure pit in Penn Township, **Lancaster County** with an expiration date of December 30, 2014. Permit issued: November 13, 2014.

Permit No. 36144162. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Summerlynn Green in Ephrata Township, **Lancaster County** with an expiration date of November 30, 2015. Permit issued: November 13, 2014.

Permit No. 36144163. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Clair Beyer Farm in Clay Township, **Lancaster County** with an expiration date of May 30, 2015. Permit issued: November 13, 2014.

Permit No. 36144164. Abel Construction Co., Inc., (PO Box 476, Mountville, PA 17554), construction blasting for NRB Peters in Earl Township, **Lancaster County** with an expiration date of March 31, 2015. Permit issued: November 13, 2014.

Permit No. 38144117. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Falcon Crest Development in South Lebanon Township, **Lebanon County** with an expiration date of December 31, 2014. Permit issued: November 13, 2014.

Permit No. 09144107. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Woodlands Development in Warwick Township, **Bucks**

County with an expiration date of November 5, 2015. Permit issued: November 17, 2014.

Permit No. 09144108. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Mill Creek Development in Buckingham Township, **Bucks County** with an expiration date of November 30, 2015. Permit issued: November 17, 2014.

Permit No. 22144111. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Hershey High Meadows Campground in Derry Township, **Dauphin County** with an expiration date of May 30, 2015. Permit issued: November 17, 2014.

Permit No. 46144115. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Highland Ridge in Franconia Township, **Montgomery County** with an expiration date of November 5, 2015. Permit issued: November 17, 2014.

Permit No. 66144109. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for 879 Adams Pond Road in Berlin Township, **Wayne County** with an expiration date of November 12, 2015. Permit issued: November 17, 2014.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E30-245. PA Game Commission, 4820 Route 711, Bolivar, PA 15923; Whitely Township, **Greene County;** ACOE Pittsburgh District.

Has been given consent to re-grade the stream banks to slope of 2 (Horizontal): 1 (Vertical), and install and maintain stream bank toe rock stabilization along the stream banks, at multiple locations along an approximately 2085' long reach of Whiteley Creek (TSF), and to install and maintain rock vane deflectors and to randomly place boulders within the watercourse, to improve fish habitat. The project is located within State Game Land #223, approximately 900' east of the intersection of Kirby-Garards Fort Road and McCoy Road (Garards Fort, PA USGS Quadrangle, N: 11.27 inches; W: 9.3 inches; Latitude: 39°48'39.7"; Longitude: -80°4'19.9"), in Whiteley Township, **Greene County.**

E65-958. Municipal Authority of Westmoreland County, 124 Park and Pool Road, New Stanton, PA 15672; South Greensburg Borough and Hempfield Township, **Westmoreland County;** ACOE Pittsburgh District.

Has been given consent to construct, operate and maintain two 48-inch waterline stream crossings across Jacks Run and an unnamed tributary to Jacks Run (WWF). As a result of this project, approximately 78 LF of stream will be impacted. The project is located along Shady Lane, Broadway Avenue and Keystone Street (Greensburg, PA Quadrangle N: 4.0 inches; W: 7.4 inches, Latitude: 40° 15' 27"; Longitude: -79° 33' 23"), in South Greensburg Borough and Hempfield Township, **Westmoreland County.**

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

E0829-098: Appalachia Midstream, LLC, 400 IST Center Suite 404, Horseheads, NY 14845, Wilmot Township, **Bradford County,** ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 634 square feet of a Palustrine Emergent Wetland (EV) (Jenningsville, PA Quadrangle, Latitude: 41°35'15", Longitude: -76°12'39");
2. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 3,723 square feet of a Palustrine Emergent Wetland (EV) (Jenningsville, PA Quadrangle, Latitude: 41°35'15", Longitude: -76°12'38").

The project will result in 4,357 square feet (0.10 acre) of PEM wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County.

E5829-079: Jackson Township, Susquehanna Gathering, LLC, 1429 Oliver Road, New Milford, PA 18834, Jackson Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber bridge crossing impacting 51 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; Lat. 41° 51' 17" N., Long. -75° 35' 45" W.),

2. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 7,905 square feet (0.18 acre) of a palustrine forested wetland (PFO) (Thompson, PA Quadrangle; Lat. 41° 51' 17" N., Long. -75° 35' 44" W.),

3. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber bridge crossing impacting 56 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; Lat. 41° 51' 18" N., Long. -75° 35' 44" W.),

4. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 8,745 square feet (0.20 acre) of a palustrine forested wetland (PFO) (Thompson, PA Quadrangle; Lat. 41° 51' 20" N., Long. -75° 35' 39" W.),

5. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 4,868 square feet (0.11 acres) of a palustrine forested wetland (PFO) (Thompson, PA Quadrangle; Lat. 41° 51' 17" N., Long. -75° 35' 36" W.),

6. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 1,842 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Thompson, PA Quadrangle; Lat. 41° 51' 06" N., Long. -75° 35' 12" W.),

7. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 6,985 square feet (0.16 acre) of a palustrine forested wetland (PFO) (Thompson, PA Quadrangle; Lat. 41° 51' 06" N., Long. -75° 35' 11" W.),

8. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 22,043 square feet (0.51 acre) of a palustrine forested wetland (PFO) (Thompson, PA Quadrangle; Lat. 41° 51' 13" N., Long. -75° 35' 05" W.),

9. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 11,569 square feet (0.27 acre) of a palustrine forested wetland (PFO) (Thompson, PA Quadrangle; Lat. 41° 51' 16" N., Long. -75° 34' 56" W.),

10. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber bridge crossing impacting 65 lineal feet of the Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; Lat. 41° 51' 16" N., Long. -75° 34' 54" W.).

The Leonard Pipeline consists of a 12" gas gathering line and a 16" waterline all located within Jackson Township, Susquehanna County. The project will result in 172 linear feet of temporary stream impacts, 1,842 square feet (0.04 acre) of temporary wetland impacts, and 62,115 square feet (1.43 acre) of wetland conversion impacts; all for the purpose of conveying Marcellus Shale natural gas to market.

Wilkes-Barre: Attn: Mike Korb Environmental Program Manager, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701

EA5411-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Wilkes-Barre Office, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701. Abandoned Mine Land Reclamation Project, in Newport Township, **Luzerne County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 7 acres of Dangerous Pile and Embankment. The project will include the backfilling of 1.06 acres of open water that has developed within the open surface mine pits. (Nanticoke Quadrangle 41° 10'47", 76°1'49.564"W.)

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-2 #ESX12-019-0136A—Burgh Well Pad

Applicant R.E. Gas Development, LLC

Contact Mr. Michael Endler

Address 600 Cranberry Woods Drive, Suite 250

City Cranberry Township State PA Zip Code 16066

County Bulter Township(s) Lancaster(s)

Receiving Stream(s) and Classification(s) (2) Unnamed Tributaries to Little Yellow Creek-CWF; Little Yellow Creek-CWF; Unnamed Tributary to Scholars Run-WWF, and Slippery Rock Creek Watershed

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESX29-015-14-0083

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Bradford County

Township(s) Monroe Township
 Receiving Stream(s) and Classification(s) UNT to South
 Branch of Towanda Creek (CWF/MF);
 Secondary: South Branch of Towanda Creek (CWF/MF)

ESCGP-2 # ESX29-015-14-0081
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Bradford County
 Township(s) Smithfield Township
 Receiving Stream(s) and Classification(s) Wet Branch
 Tomjack Creek (TSF/MF);
 Secondary: Sugar Creek (WWF/MF)

ESCGP-2 # ESX09-131-0002 (03)
 Applicant Name Warren E&P, Inc.
 Contact Person Heather Burkhart
 Address 39 Washington Park Road
 City, State, Zip Tunkhannock, PA 18657
 County Wyoming County
 Township(s) Washington Township
 Receiving Stream(s) and Classification(s) Susquehanna
 River (WWF)

ESCGP-2 # ESX29-115-14-0107
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Susquehanna County
 Township(s) Auburn Township
 Receiving Stream(s) and Classification(s) UNT to Tusca-
 rora Creek (CWF);
 Secondary: Tuscarora Creek (CWF/MF)

ESCGP-2 # ESX10-015-0093 (01)
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Bradford County
 Township(s) Wells Township
 Receiving Stream(s) and Classification(s) UNT Beckwith
 Creek (CWF/MF), UNT to South Creek (CWF/MF)

ESCGP-2 # ESX10-015-0095 (01)
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Bradford County
 Township(s) Columbia Township
 Receiving Stream(s) and Classification(s) UNT to Sugar
 Creek (CWF/MF)

ESCGP-2 # ESX10-015-0250 (01)
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Bradford County
 Township(s) Orwell Township
 Receiving Stream(s) and Classification(s) UNT to Trout
 Stream (CWF/MF)

ESCGP-2 # ESX29-115-14-0096
 Applicant Name Williams Field Services Company, LLC
 Contact Person Julie Nicholas
 Address 310 State Route 29 North
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna County
 Township(s) Brooklyn Township

Receiving Stream(s) and Classification(s) Hop Bottom
 Creek (CWF/MF) and UNTs thereto

ESCGP-2 # ESX29-113-14-0025
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Randy DeLaune
 Address 400 IST Center
 City, State, Zip Horseheads, NY 14845
 County Sullivan County
 Township(s) Elkland Township
 Receiving Stream(s) and Classification(s) Elk Creek (EV/
 MF); Naturally Producing Trout Stream

ESCGP-2 # ESG29-081-14-0034
 Applicant Name Pennsylvania General Energy Company,
 LLC
 Contact Person James Ashbaugh
 Address 120 Market Street
 City, State, Zip Warren, PA 16365
 County Lycoming County
 Township(s) Cummings Township
 Receiving Stream(s) and Classification(s) UNT to Hackett
 Fork (EV), UNT to Little Pine Creek (EV)

ESCGP-2 # ESX29-115-14-0098
 Applicant Name Williams Field Services Company, LLC
 Contact Person Lauren Miladinovich
 Address Park Place Corporate Center 2, 2000 Commerce
 Drive
 City, State, Zip Pittsburgh, PA 15275
 County Susquehanna County
 Township(s) Jessup Township
 Receiving Stream(s) and Classification(s) East Branch
 Wyalusing Creek (CWF/MF) and UNTs thereto

ESCGP-2 # ESG29-115-14-0087
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Ben Younkin
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Susquehanna County
 Township(s) Little Meadows Borough, Apolacon Township
 Receiving Stream(s) and Classification(s) Cork Hill Creek
 (HQ-CWF/MF) and UNTs thereto

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr. Pittsburgh PA*

ESCGP-2 No: ESX13-059-0019 Major Revision
 Applicant Name: EQT Gathering LLC
 Contact Person Hanna McCoy
 Address: 625 Liberty Avenue Suite 1700
 City: Pittsburgh State: PA Zip Code: 15222
 County: Greene Township: Morgan Township
 Receiving Stream (s) and Classifications: Ruff Creek
 (WWF), Browns Run (WWF), Grimes Run (WWF);
 Other Ch. 93; Warm Water Fishes, Ex. Use: none

ESCGP-2 No.: ESG14-059-0032
 Applicant Name: CNX Gas Company LLC
 Contact Person: Renee Thomas
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Center
 Receiving Stream(s) and Classifications: UNT South Fork
 Ten Mile Creek & Lightner Run; HQ

ESCGP-2 No.: ESX14-125-0063
 Applicant Name: CNX Gas Company LLC
 Contact Person: Erika Whetstone
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Washington Township(s): East Finley Twp
 Receiving Stream(s) and Classifications: 3 UNTs to Enlow
 Fork & Enlow Fork; Other WWF & TSF

ESCGP-2 No.: ESG14-059-0036
 Applicant Name: EQT Production
 Contact Person: Todd Klaner
 Address: 455 Racetrack Road
 City: Washington State: PA Zip Code: 15301
 County: Greene Township(s): Morris
 Receiving Stream(s) and Classifications: Bates Fork; HQ;
 Other WWF

ESCGP-2 No.: ESG14-051-0015
 Applicant Name: T & F Exploration LP
 Contact Person: William A Straslicka
 Address: 1700 North Highland Road Suite 402

City: Upper St Clair State: PA Zip Code: 15241
 COUNTY Fayette Township(s): Wharton
 Receiving Stream(s) and Classifications: UNT 38495 and
 38496 to Beaver Creek HQ-CWF

ESCGP-2 No.: ESX14-125-0041
 Applicant Name: Rice Drilling B LLC
 Contact Person: Joseph C Mallow
 Address: 171 Hillpointe Drive Suite 301
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Somerset
 Receiving Stream(s) and Classifications: Pigeon Creek;
 Other WWF

STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 504, 1101—1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
14-04-012	Interstate Chemical Company 2797 Freedland Road Hermitage, PA 16148 Attn: Thomas Beatty	Beaver	Vanport Township	1 AST storing methanol	1,006,176 gallons
14-63-008	American Iron Oxide Company 661 Andersen Drive, Foster Plaza #7 Pittsburgh, PA 15220 Attn: Franz Mullings	Washington	Allenport Borough	2 ASTs storing hazardous substances	50,000 gallons total

SPECIAL NOTICES

City of Philadelphia, Air Management Services (AMS); Intent to Renew a Minor State Only Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief of Source Registration at 215 685 9426.

The City of Philadelphia, Air Management Services (AMS) has intent to renew a Minor State Only Operating Permit for the following facility:

S14-014: General Services Administration William J. Green Jr. Federal Building. (600 Arch Street, Philadelphia, PA 19106) for the operation of a federal building in the City of Philadelphia, **Philadelphia County**. The synthetic minor emission sources include three (3) 16.329 MMBTU/hr boilers that burn natural gas and No.2 fuel oil, three (3) 118 HP hot water heaters that burns natural gas, one (1) 746 kW and one (1) 175 kW emergency diesel generator and one (1) 650 hp natural gas emergency generator.

The operating permit will be issued under the Pennsylvania Code Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

[Pa.B. Doc. No. 14-2512. Filed for public inspection December 5, 2014, 9:00 a.m.]

Bid Opportunity

OSM 32(3245)101.1, Abandoned Mine Reclamation Project, Homer City Southwest, Homer City Borough, Indiana County. The principal items of work and approximate quantities include mobilization and demobilization; debris removal from in and around shaft 100 tons; demolish foundations; coarse aggregate 4,000 tons; soil fill 50 tons; and site restoration. This bid issues on December 5, 2014, and bids will be opened on January 6, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 14-2513. Filed for public inspection December 5, 2014, 9:00 a.m.]

Bid Opportunity

OSM 10(1482)101.1, Abandoned Mine Reclamation Project, Queens Junction Southeast, Clay Township, Butler County. The principal items of work and approximate quantities include mobilization and demobilization; implementation of the erosion and sedimentation control plan; clearing and grubbing; dewatering impoundments; grading 206,350 cubic yards; mine seal; tree planting 12,950 each; and seeding 6.4 acres. This bid issues on December 5, 2014, and bids will be opened on January 6, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 14-2514. Filed for public inspection December 5, 2014, 9:00 a.m.]

Bid Opportunity

AMD 24(6134)103.1, Acid Mine Drainage Abatement Project, Brandy Camp—Slurry Conversion, Horton Township, Elk County. The principal items of work and approximate quantities include mobilization and demobilization; electric supply; lime slurry steel tanks two each; lime slurry mixers three each; lime slurry pumps three each; 1" PVC pipe including fittings 120 linear feet; 4" PVC pipe including fittings 360 linear feet; EPDM lined tubing 400 linear feet; temporary hydrogen peroxide small bulk storage and feed system; removal of the existing hydrated lime storage and feed system; and seeding. This bid issues on December 5, 2014, and bids will be opened on January 8, 2015, at 2 p.m. Bid

documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 14-2515. Filed for public inspection December 5, 2014, 9:00 a.m.]

Coal Mining Reclamation Fee Amount for 2015

The Department of Environmental Protection (Department) announces the amount of the Reclamation Fee for 2015. This notice is required by 25 Pa. Code § 86.17 (relating to permit and reclamation fees). Effective January 1, 2015, the Reclamation Fee for calendar year 2015 will be \$0. While the fee will not be assessed in 2015, the regulations require annual adjustments. The fee amount for subsequent years will be calculated in accordance with 25 Pa. Code § 86.17. Refer to this section of the regulations for further information about the process.

This is the result of calculations presented in a report that contains a financial analysis of the revenue and expenditures from the account for Fiscal Year (FY) 2013-2014 and provides projections for FY 2014-2015. The report was reviewed with the Mining and Reclamation Advisory Board on October 23, 2014.

The report is available at www.portal.state.pa.us/portal/server.pt/community/reports/20866.

For more information, contact William S. Allen, Jr., Department of Environmental Protection, Bureau of Mining Programs, Rachel Carson State Office Building, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103, wallen@pa.gov. Persons with a disability may contact the Department by using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 14-2516. Filed for public inspection December 5, 2014, 9:00 a.m.]

DEPARTMENT OF HEALTH

Amendments to Charges for Medical Records

Under 42 Pa.C.S. §§ 6152 and 6155 (relating to subpoena of records; and rights of patients), the Secretary of Health (Secretary) is directed to adjust annually the amounts which may be charged by a health care facility or health care provider upon receipt of a request or subpoena for production of medical charts or records. These charges apply to any request for a copy of a medical chart or record except as follows:

(1) Flat fees (as listed in this notice) apply to amounts that may be charged by a health care facility or health care provider when copying medical charts or records either: (a) for the purpose of supporting any claim or

appeal under the Social Security Act or any Federal or State financial needs based program; or (b) for a district attorney.

(2) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in: (a) the Workers' Compensation Act (77 P. S. §§ 1—1041.4 and 2501—2506) and the regulations promulgated thereunder; (b) 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law) and the regulations promulgated thereunder; or (c) a contract between an insurer and any other party.

The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

Under 42 Pa.C.S. § 6152.1 (relating to limit on charges), the Secretary is directed to make a similar adjustment to the flat fee which may be charged by a health care facility or health care provider for the expense of reproducing medical charts or records where the request is: (1) for the purpose of supporting a claim or appeal under the Social Security Act or any Federal or State financial needs based benefit program; or (2) made by a district attorney.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 2013, through October 31, 2014, the Consumer Price Index was 1.7%.

Accordingly, the Secretary provides notice that, effective January 1, 2015, the following fees may be charged by a health care facility or health care provider for production of records in response to subpoena or request:

Not to Exceed

Amount charged per page for pages 1-20	\$1.46
Amount charged per page for pages 21-60	\$1.08
Amount charged per page for pages 61-end	\$0.36
Amount charged per page for microfilm copies . . .	\$2.16
Flat fee for production of records to support any claim under Social Security or any Federal or State financial needs based program	\$27.48
Flat fee for supplying records requested by a district attorney	\$21.69
* Search and retrieval of records	\$21.69

The previously listed fees shall apply for paper copies or reproductions on electronic media whether the records are stored on paper or in electronic format.

In addition to the amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

Questions or inquiries concerning this notice should be sent to James T. Steele, Jr., Deputy Chief Counsel, Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact James T. Steele, Jr. at the address or phone number listed previously, or for speech and/or hearing impaired persons, V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

*Note: Federal regulations enacted under the Health Insurance Portability and Accountability Act (HIPAA) at 45 CFR Parts 160—164 state that covered entities may charge a reasonable cost based fee that includes only the cost of copying, postage and summarizing the information (if the individual has agreed to receive a summary) when providing individuals access to their medical records. The Department of Health and Human Services has stated that the fees may not include costs associated with searching for and retrieving the requested information. For further clarification on this issue, inquiries should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F, HHH Building, Washington, DC 20201, (866) 627-7748, <http://www.hhs.gov/ocr/hipaa>.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2517. Filed for public inspection December 5, 2014, 9:00 a.m.]

Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(1) (relating to additional committees).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2518. Filed for public inspection December 5, 2014, 9:00 a.m.]

Application of Alle-Kiski Medical Center d/b/a Allegheny Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Alle-Kiski Medical Center d/b/a Allegheny Valley Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(1) (relating to additional committees).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2519. Filed for public inspection December 5, 2014, 9:00 a.m.]

Application of Forbes Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Forbes Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(1) (relating to additional committees).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2520. Filed for public inspection December 5, 2014, 9:00 a.m.]

Application of Jefferson Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Jefferson Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(1) (relating to additional committees).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2521. Filed for public inspection December 5, 2014, 9:00 a.m.]

Application of Saint Vincent Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Saint Vincent Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(1) (relating to additional committees).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2522. Filed for public inspection December 5, 2014, 9:00 a.m.]

Application of West Penn Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that West Penn Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(1) (relating to additional committees).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2523. Filed for public inspection December 5, 2014, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

ManorCare Health Services—Yeadon
14 Lincoln Avenue
Yeadon, PA 19050
FAC ID # 122002

Wesley Enhanced Living at Stapeley
6300 Greene Street
Philadelphia, PA 19144
FAC ID # 455502

These requests are on file with the Department of Health (Department). Persons may receive a copy of a

request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2524. Filed for public inspection December 5, 2014, 9:00 a.m.]

DEPARTMENT OF STATE

Bureau of Corporations and Charitable Organizations; Adopted Official Forms

The Department of State's Bureau of Corporations and Charitable Organizations (Bureau) published notice at 44 Pa.B. 6295 (October 4, 2014) of the Bureau's intent to amend the forms and instructions in 19 Pa. Code Appendix B (relating to official forms) to provide for amended forms relating to the registration of domestic nonprofit corporations (DSCB:15-5306/7102 (Articles of Incorporation—Nonprofit)), the registration of foreign limited liability companies, foreign limited liability partnerships and foreign limited partnerships (DSCB:15-8981/8211/8582 (Application for Registration—Foreign)), and the registration of domestic limited partnerships (DSCB:15-8511 (Certificate of Limited Partnership)). The forms and instructions, which do not constitute agency regulations, were subject to the opportunity for public comment under section 201 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1201). The Bureau received one comment during the intervening 30-day public comment period concerning form DSCB:15-8981/8211/8582 (Application for Registration—Foreign) and is withdrawing this form. No comments were received for DSCB:15-5306/7102 (Articles of Incorporation—Nonprofit) or DSCB:15-8511 (Certificate of Limited Partnership). Therefore, the amended forms and instructions for DSCB:15-5306/7102 (Articles of Incorporation—Nonprofit) and DSCB:15-8511 (Certificate of Limited Partnership) are being codified and inserted into 19 Pa. Code Appendix B as they were published at 44 Pa.B. 6295.

CAROL AICHELE,
Secretary

[Pa.B. Doc. No. 14-2525. Filed for public inspection December 5, 2014, 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 20, 2014, the following access route for use by the types of truck combinations as indicated:

1. (X) 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. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 4011 (Center Street)	from SR 125 to SR 25 (Main Street)	Schuylkill	5.5
SR 4013 (Schwenks Road)	from SR 4011 to SR 25 (Main Street)	Schuylkill	1.6

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, PE,
Secretary

[Pa.B. Doc. No. 14-2526. Filed for public inspection December 5, 2014, 9:00 a.m.]

Bureau of Maintenance and Operations; Access Route Revocation

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation revoked on November 20, 2014, the following access route for use by the types of truck combinations as indicated:

1. (X) 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. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 125 (Good Spring Road)	From SR 4011 to SR 25 (Main Street)	Schuylkill	2.5

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, PE,
Secretary

[Pa.B. Doc. No. 14-2527. Filed for public inspection December 5, 2014, 9:00 a.m.]

State Transportation Commission Meeting

The State Transportation Commission will hold a meeting on Thursday, December 11, 2014, from 10 a.m. to 12 p.m. in Conference Room 8N, Commonwealth Keystone Building, Harrisburg, PA. For more information contact Julie Harmantzi, (717) 787-2913, jharmantzi@pa.gov.

BARRY J. SCHOCH, PE,
Secretary

[Pa.B. Doc. No. 14-2528. Filed for public inspection December 5, 2014, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The December 16, 2014, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, February 17, 2015, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. The agenda and meeting materials for the Febru-

ary 17, 2015, meeting will be available on the Department of Environmental Protection's web site at www.dep.state.pa.us (Select "Public Participation Center," then "The Environmental Quality Board").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger, (717) 783-8727, ledinger@pa.gov.

DANA K. AUNKST,
Acting Chairperson

[Pa.B. Doc. No. 14-2529. Filed for public inspection December 5, 2014, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, November 20, 2014, and announced the following:

Action Taken—Regulations Approved:

State Board of Education #6-332: Student Attendance (amends 22 Pa. Code § 11.13)

Municipal Police Officers' Education and Training Commission #17-76: Retired Law Enforcement Officers Identification and Qualification Cards (amends 37 Pa. Code Chapter 221)

Department of Banking and Securities #3-52: Debt Management Services Continuing Education (amends 10 Pa. Code by adding Chapter 57)

Approval Order

Public Meeting Held
November 20, 2014

Commissioners Voting: John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Dennis A. Watson, Esq.

*State Board of Education—
Student Attendance;
Regulation No. 6-332 (#3076)*

On October 10, 2014, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code, Chapter 11. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking amends 22 Pa. Code § 11.13 (relating to compulsory school age) to be consistent with Article XIII (Pupils and Attendance) of the Public School Code. This regulation is in response to a Pennsylvania Supreme Court ruling which determined that kindergarten students are subject to compulsory school attendance requirements.

We have determined this regulation is consistent with the statutory authority of the Board (24 P.S. § 26-2603-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 20, 2014

Commissioners Voting: John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Dennis A. Watson, Esq.

*Municipal Police Officers' Education and Training
Commission—Retired Law Enforcement Officers
Identification and Qualification Cards;
Regulation No. 17-76 (#3077)*

On October 10, 2014, the Independent Regulatory Review Commission (Commission) received this regulation from the Municipal Police Officers' Education and Training Commission (MPOETC). This rulemaking amends 37 Pa. Code Chapter 221. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking amends the MPOETC's existing regulations to be consistent with 2010 amendments to the federal Law Enforcement Officers Safety Act, specifically changes found at 18 U.S.C § 926C.

We have determined this regulation is consistent with the statutory authority of MPOETC (53 P. S. § 753.7) 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 20, 2014

Commissioners Voting: John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Dennis A. Watson, Esq.

*Department of Banking and Securities—
Debt Management Services Continuing Education;
Regulation No. 3-52 (#3056)*

On April 24, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Banking and Securities (Department). This rulemaking amends 10 Pa. Code by adding Chapter 57. The proposed regulation was published in the May 10, 2014 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 17, 2014.

This final-form rulemaking establishes continuing education requirements for credit counselors and supervisors as required by the Debt Management Services Act of 2008.

We have determined this regulation is consistent with the statutory authority of the Department (63 P. S. §§ 2409(c) and 2417(4)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 14-2530. Filed for public inspection December 5, 2014, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of William Richard Frey; file no. 14-119-173561; CSAA Mid-Atlantic Insurance Company; Doc. No. P14-11-007; January 7, 2015, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated represen-

tatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-2531. Filed for public inspection December 5, 2014, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by December 22, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2014-2445503. Addis Airport Car Service, LLC (151 Robinson Street, Suite #38, Pittsburgh, Allegheny County, PA 15213) for the right to begin to transport as a common carrier, by motor vehicle, persons in limousine service, from points in the City of Pittsburgh and Allegheny County, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2014-2447662. Rite Lane Motors, LLC (333 Scott Road, South Abington Township, Lackawanna County, PA 18411) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Lackawanna, Luzerne, Monroe, Pike, Susquehanna, Wayne and Wyoming, to points in Pennsylvania, and return. *Attorney:* John McGovern, Jr., Suite 201, Bank Towers, 321 Spruce Street, Scranton, PA 18503.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2532. Filed for public inspection December 5, 2014, 9:00 a.m.]

Transfer of Customers and Assets

A-2014-2454151 and A-2014-2454153. ILD Corporation and its subsidiary Intellicall Operator Services, Inc. Joint Application of ILD Corporation and its subsidiary Intellicall Operator Services, Inc. for approval of the transfer of customers and assets of ILD Corporation and its subsidiary Intellicall Operator Services, Inc. to WiMacTel, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before December 22, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Joint Applicants: ILD Corporation; Intellicall Operator Services, Inc.; WiMacTel, Inc.

Through and By Counsel: Thomas M. Forte, Consultant, Technologies Management, Inc., 2600 Maitland Center Parkway, Suite 300, Maitland, FL 32751.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2533. Filed for public inspection December 5, 2014, 9:00 a.m.]

Water Service; Extension of Time to File

A-2014-2451241. Artesian Water Pennsylvania, Inc. Application of Artesian Water Pennsylvania, Inc. for approval to begin to offer, render, furnish or supply water service to the public in an additional territory in a portion of New Garden Township, Chester County.

The Pennsylvania Public Utility Commission (Commission) is extending the previously published time period of December 1, 2014, to file in this matter. See 44 Pa.B. 7332 (November 15, 2014).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before December 22, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Artesian Water Pennsylvania, Inc.

Through and By Counsel: Alan Michael Seltzer, Esquire, Brian Wauhup, Esquire, Buchanan, Ingersoll & Rooney, PC, 409 North Second Street, Suite 500, Harrisburg, PA 17101-1357

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2534. Filed for public inspection December 5, 2014, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Notice of Rescheduling of Sales of Wheelchair Accessible Taxicab Medallions

The Philadelphia Parking Authority's Board Order 14-003, published at 44 Pa.B. 5550 (August 16, 2014), directing the Taxicab and Limousine Division (TLD) to administer the sale of 46 Philadelphia taxicab medallions, each of which are designated as wheelchair accessible vehicle taxicab medallions. This notice included the date, time and location of the bid openings for each of these medallions.

Bid openings were scheduled at 11 a.m. at the TLD headquarters at 2415 South Swanson Street, Philadelphia, PA 19148 for Medallions WP-1611, WP-1612, WP-1613, WP-1614 and WP-1615 on Wednesday, November 19, 2014. However, under Paragraph No. 10 of the Board Order, TLD Director James R. Ney exercised his discretion to reschedule the sale of these medallions due to lack of participation.

Therefore, the sealed bids for these medallions will be opened by the Director at the TLD's headquarters at 11 a.m. at 2415 South Swanson Street, Philadelphia, PA 19148 as follows:

February 4, 2015: Medallion WP-1611

February 18, 2015: Medallions WP-1612, WP-1613, WP-1614 and WP-1615

Refer to Board Order 14-003, published at 44 Pa.B. 5550, for all ordered instructions and other information concerning the sale of these medallions. See also 52 Pa. Code §§ 1013.31—1013.37 (relating to medallion sales by the Authority).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 14-2535. Filed for public inspection December 5, 2014, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-134.P, Miscellaneous Roofing Materials Draw Down, until 2 p.m. on Monday, December 29, 2014. Information concerning this project can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 14-2536. Filed for public inspection December 5, 2014, 9:00 a.m.]

STATE BOARD OF MEDICINE

Bureau of Professional and Occupational Affairs v. Deborah Elaine Bishop, MD; Doc. No. 0653-49-14

On October 30, 2014, Deborah Elaine Bishop, MD, Pennsylvania license no. MD056630L, of Girard, Erie County, had her license indefinitely suspended for no less than 3 years, retroactive to April 22, 2014, based on her violation of a previous State Board of Medicine (Board) order.

Individuals may obtain a copy of the final order by writing to Wesley J. Rish, Board Counsel, State Board of Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the Board's decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ANDREW J. BEHNKE, MD,
Chairperson

[Pa.B. Doc. No. 14-2537. Filed for public inspection December 5, 2014, 9:00 a.m.]

