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PENNSYLVANIA BULLETIN

Volume 43
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Department of Education
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State Horse Racing Commission

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

No. 469, December 2013

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us.

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

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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 such a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

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

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

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW [204 PA. CODE CH. 71]

Order Amending Rule 301 of the Pennsylvania Bar Admission Rules; No. 618 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 10th day of December, 2013, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration:

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 301 of the Pennsylvania Bar Admission Rules 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 February 10, 2014.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter C. RESTRICTED PRACTICE OF LAW IN GENERAL

Rule 301. Admission pro hac vice.

(a) *General rule.* The provisions of Subchapter B of these rules (relating to admission to the bar generally) do not apply to motions for admission pro hac vice. An attorney, barrister or advocate who is qualified to practice in the courts of another state or of a foreign jurisdiction may be specially admitted to the bar of this Commonwealth for purposes limited to a particular [**matter**] **case**. An attorney, barrister or advocate admitted pro hac vice in a [**matter**] **case** shall not thereby be authorized to act as attorney of record in [**such matter**] **the case**.

(b) *Procedure.* The general requirements for applicants seeking admission pro hac vice are:

(1) Applicants shall provide such information and pay such fee to the Pennsylvania Interest on Lawyer Trust Account (IOLTA) Board as is required by the regulations concerning pro hac vice admission that have been adopted by the IOLTA Board and approved by the Court.

[(2) **Pro hac vice admissions shall be only on motion of a member of the bar of this Commonwealth. Except as otherwise prescribed by general rule, such motion shall be signed by the member of the bar, shall recite all relevant facts, including, if applicable, those averments required by regulations adopted by the IOLTA Board, and shall be**

filed with the clerk of the court in which or with the magisterial district judge before which the matter is pending at least three days prior to the appearance before the court or magisterial district judge by the attorney, barrister, or advocate seeking pro hac vice admission. Any court or magisterial district judge shall grant such a motion unless good cause for denial shall appear, which shall include failure to comply with applicable regulations promulgated by the IOLTA Board.]

(2) Upon an applicant's compliance with the administrative requirements of paragraph (b)(1):

(i) The applicant's candidacy for pro hac vice admission shall be made by motion by a sponsor, who is member of the bar of this Commonwealth in accordance with Pennsylvania Rule of Civil Procedure 1012.1 (Admission Pro Hac Vice. Motion. Content);

(ii) The motion for the applicant's candidacy for pro hac vice admission shall be filed by the sponsor with the clerk of the court in which or with the magisterial district judge before which the case is pending at least three days prior to the appearance before the court or magisterial district judge by the attorney, barrister, or advocate seeking pro hac vice admission; and

(iii) In capital cases, wherein the applicant seeks pro hac vice admission as defense counsel, the requirements of Pennsylvania Rule of Civil Procedure 1012.1(c) shall be supplemented to demonstrate compliance with the requirements of Pennsylvania Rule of Criminal Procedure 801 (Qualifications for Defense Counsel in Capital Cases).

(3) The oath shall not be required.

Official Note: Based on U.S. Supreme Court Rule 6 and on former Supreme Court Rule 13 (last paragraph).

Paragraph (b) was amended in 2013 to establish a uniform procedure for pro hac vice admissions in Pennsylvania using existing Pennsylvania Rule of Civil Procedure 1012.1. As set forth in paragraph (b)(1), applicants seeking admission first must satisfy the administrative requirements of the IOLTA Board. See 204 Pa. Code § 81.501—.506. Upon satisfaction of these requirements, the IOLTA Board will send the applicant's sponsor written certification. Pursuant to paragraph (b)(2), the sponsor is required to file a motion with the appropriate court seeking approval of the applicant's candidacy for admission pro hac vice. The required content and disposition of the motion are contained in Pennsylvania Rule of Civil Procedure 1012.1. The term, "motion," is colloquially used inasmuch as the sponsor should proceed via "application" pursuant to Pennsylvania Rule of Appellate Procedure 123 (Application for Relief) in the appellate courts and "request" pursuant to Pennsylvania Rule of Civil Procedure before Magisterial District Judges 207 in magisterial district courts.

[Pa.B. Doc. No. 13-2416. Filed for public inspection December 27, 2013, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE [210 PA. CODE CH. 1]

Order Amending the Note to Rule 120 of the Rules of Appellate Procedure; No. 239 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 10th day of December, 2013, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration:

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Note to Rule 120 of the Pennsylvania Rules of Appellate 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 February 10, 2014.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

DOCUMENTS GENERALLY

Rule 120. Entry of Appearance.

* * * * *

Official Note: See Subdivision (b) of Rule 907, Subdivision (f) of Rule 1112, Subdivision (d) of Rule 1311 and Subdivision (d) of Rule 1514.

For admission *pro hac vice*, see Pa.B.A.R. 301.

[Pa.B. Doc. No. 13-2417. Filed for public inspection December 27, 2013, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1000]

Order Amending Rule 1012.1 of the Rules of Civil Procedure; No. 590 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 10th day of December, 2013, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published for public comment at 38 Pa.B. 5591 (October 11, 2008):

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1012.1 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 February 10, 2014.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1000. ACTIONS

Subchapter A. CIVIL ACTION

VENUE AND PROCESS

Rule 1012.1. Admission Pro Hac Vice. Motion. Content.

* * * * *

(b)(1) The sponsor shall file a written motion for admission *pro hac vice* in the action for which admission is sought. **The motion shall: (i) aver that the information required by Section 81.504 of the IOLTA regulations has been provided to the IOLTA Board, and (ii) either aver that the fee required by Section 81.505(a) of the IOLTA regulations has been paid, include as an attachment a copy of a fee payment certification from the IOLTA Board, or aver that the payment of the fee is not required pursuant to Section 81.505(c) of the IOLTA regulations.**

(2) The verifications required by subdivisions (c) and (d)(2) shall be attached to the motion.

* * * * *

Explanatory Comment

In 2007, the Supreme Court promulgated Rule 1012.1 governing motions for admission *pro hac vice*. In conjunction with this, the Supreme Court also amended Pa.B.A.R. 301 and promulgated new IOLTA regulations, both of which also govern admission *pro hac vice*. Pa.B.A.R. 301 requires that the motion for admission *pro hac vice* aver that the fee required by the IOLTA regulations has been paid, or include as an attachment a copy of a fee payment certification from the IOLTA Board, unless payment of the fee is not required pursuant to Section 81.505(c) of the IOLTA regulations, and the information required by Section 81.504 of the IOLTA regulations has been provided to the IOLTA Board. The requirements of Pa.B.A.R. 301 and the IOLTA regulations have been incorporated into Rule 1012.1 to aid the practitioner in satisfying the requirements for admission *pro hac vice* in civil cases.

*By the Civil Procedural
Rules Committee*

DIANE W. PERER,
Chair

[Pa.B. Doc. No. 13-2418. Filed for public inspection December 27, 2013, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 1915]

Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; Recommendation 130

The Domestic Relations Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend the Rules of Civil Procedure relating to

domestic relations matters as set forth herein. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

Notes and explanatory comments which appear with proposed amendments have been inserted by the committee for the convenience of those using the rules. Reports, notes and comments will not constitute part of the rules and will not be officially adopted or promulgated by the Supreme Court.

The committee solicits and welcomes comments and suggestions from all interested persons prior to submission of this proposal to the Supreme Court of Pennsylvania. Please submit written comments no later than Friday, February 28, 2014 directed to:

Patricia A. Miles, Esquire
Counsel, Domestic Relations Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 6200
P. O. Box 62635
Harrisburg, PA 17106-2635
Fax: 717 231-9531
E-mail: domesticrules@pacourts.us

Deleted material is bold and [bracketed]. New material is bold.

By the Domestic Relations
Procedural Rules Committee

CAROL S. MILLS McCARTHY,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.5. Question of Jurisdiction [or], Venue or Standing. No Responsive Pleading by Defendant Required. Counterclaim. Discovery.

(a) A party must raise any question of jurisdiction of the person or venue, and may raise any question of standing, by preliminary objection filed within twenty days of service of the pleading to which objection is made or at the time of hearing, whichever first occurs. No other pleading shall be required, but if one is filed it shall not delay the hearing.

Official Note: The court may raise at any time a question of (1) jurisdiction over the subject matter of the action or (2) the exercise of its jurisdiction pursuant to § 5426 of the Uniform Child Custody Jurisdiction and Enforcement Act, relating to simultaneous proceedings in other courts, § 5427, relating to inconvenient forum, and § 5428, relating to jurisdiction declined by reason of conduct. The Uniform Child Custody Jurisdiction and Enforcement Act, 23 [Pa.C.S.A.] Pa.C.S. § 5407, provides that, upon request of a party, an action in which a question of the existence or exercise of jurisdiction is raised shall be given calendar priority and handled expeditiously. The court also may raise at any time a question of standing. See, e.g., Grom v. Burgoon, 448 Pa.Super. 616, 672 A.2d 823 (1996).

* * * * *

[Pa.B. Doc. No. 13-2419. Filed for public inspection December 27, 2013, 9:00 a.m.]

PART II. ORPHANS' COURT RULES

[231 PA. CODE PART II]

Order Amending the Note to Rule 3.1 of the Orphans' Court Rules; No. 620 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 10th day of December, 2013, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration:

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Note to Rule 3.1 of the Pennsylvania Orphans' Court Rules 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 February 10, 2014.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

RULE 3. PLEADING AND PRACTICE

Rule 3.1. Conformity to equity practice; in general.

* * * * *

Explanatory Note: The deletion of the word "Exceptions" from the title avoids confusion with the understanding of this word as it is employed in Rule 7.

Admission pro hac vice in accordance with Pennsylvania Bar Admission Rule 301 shall proceed by request, the disposition and content of which shall conform with the requirements of Pennsylvania Rule of Civil Procedure 1012.1.

[Pa.B. Doc. No. 13-2420. Filed for public inspection December 27, 2013, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CHS. 1 AND 8]

Order Amending the Comments to Rules 120 and 801 of the Rules of Criminal Procedure; No. 442 Criminal Procedural Rules Doc.

Order

Per Curiam

And Now, this 10th day of December, 2013, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration, and a Final Report to be published with this Order:

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that amendments of the Comments to Pennsylvania Rules of Criminal Procedure 120 and 801 are approved in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective February 10, 2014.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

PART B. Counsel

Rule 120. Attorneys—Appearances and Withdrawals.

* * * * *

Comment

Representation as used in this rule is intended to cover court appearances or the filing of formal motions. Investigation, interviews, or other similar pretrial matters are not prohibited by this rule.

For admission *pro hac vice*, see Pa.B.A.R. 301.

An attorney may not represent a defendant in a capital case unless the attorney meets the educational and [**experiential**] **experiential** requirements set forth in Rule 801 (Qualifications for Defense Counsel in Capital Cases).

* * * * *

Official Note: Adopted June 30, 1964, effective January 1, 1965; formerly Rule 303, renumbered Rule 302 and amended June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; amended March 22, 1993, effective January 1, 1994; renumbered Rule 120 and amended March 1, 2000, effective April 1, 2001; Comment revised February 26, 2002, effective July 1, 2002; Comment revised June 4, 2004, effective November 1, 2004; amended April 28, 2005, effective August 1, 2005; **amended December 10, 2013, effective February 10, 2014.**

Committee Explanatory Reports:

* * * * *

Final Report explaining the December 10, 2013 change to the Comment published with the Court’s Order at 43 Pa.B. 7546 (December 28, 2013).

CHAPTER 8. SPECIAL RULES FOR CASES IN WHICH DEATH SENTENCE IS AUTHORIZED

PART A. Guilt and Penalty Determination Procedures

Rule 801. Qualifications for Defense Counsel in Capital Cases.

* * * * *

Comment

The purpose of this rule is to provide minimum uniform statewide standards for the experience and education of appointed and retained counsel in capital cases, to thus ensure such counsel possess the ability, knowledge, and experience to provide representation in the most competent and professional manner possible. These require-

ments apply to counsel at all stages of a capital case, including pretrial, trial, post-conviction, and appellate.

The educational and experience requirements of the rule may not be waived by the trial or appellate court. A court may allow representation by an out-of-state attorney *pro hac vice*, if satisfied the attorney has equivalent experience and educational qualifications, and is a member in good standing of the Bar of the attorney’s home jurisdiction. **See Pa.B.A.R. 301.**

* * * * *

Official Note: Adopted June 4, 2004, effective November 1, 2004; amended April 13, 2007, effective immediately; amended October 1, 2012, effective November 1, 2012; **amended December 10, 2013, effective February 10, 2014.**

Committee Explanatory Reports:

* * * * *

Final Report explaining the December 10, 2013 change to the Comment published with the Court’s Order at 43 Pa.B. 7546 (December 28, 2013).

FINAL REPORT¹

Revision to the Comments to Pa.Rs.Crim.P. 120 & 801

Cross-References to Pro Hac Vice Bar Admission Rule

On December 10, 2013, effective February 10, 2014, the Court adopted the revision to the Comments to Rules of Criminal Procedure 120 and 801, adding a cross-reference to Pennsylvania Bar Admission Rule 301 concerning *pro hac vice* admissions.

Concomitantly with this revision, Pennsylvania Bar Admission Rule 301 will be amended to incorporate the motion procedure set forth in Pennsylvania Rule of Civil Procedure 1012.1, as amended, for all candidates seeking admission *pro hac vice* in Pennsylvania. This amendment is intended to create a uniform statewide procedure for the *pro hac vice* admission process.

In addition, Pennsylvania Bar Admission Rule 301 will require:

In capital cases, wherein the applicant seeks *pro hac vice* admission as defense counsel, the requirements of Pennsylvania Rule of Civil Procedure 1012.1(c) shall be supplemented to demonstrate compliance with the requirements of Pennsylvania Rule of Criminal Procedure 801 (Qualifications for Defense Counsel in Capital Cases).

Pa.B.A.R. 301(b)(2)(iii) (effective February 10, 2014). Reference to Pa.R.Crim.P. 801 within the Bar Admission Rule is intended give notice to applicants and sponsors of *pro hac vice* admissions of the additional qualifications necessary in capital cases.

[Pa.B. Doc. No. 13-2421. Filed for public inspection December 27, 2013, 9:00 a.m.]

¹ Final Reports should not be confused with the official Comments to the rules. Also note that the Supreme Court does not adopt the Comments or the contents of the explanatory Final Reports.

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1 AND 11]

Order Amending the Comments to Rules 150 and 1150 of the Rules of Juvenile Court Procedure; No. 619 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 10th day of December, 2013, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration:

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Comments to Rules 150 and 1150 of the Pennsylvania Rules of Juvenile Court Procedure are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective February 10, 2014.

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART B(2). COUNSEL

Rule 150. Attorneys—Appearances and Withdrawals.

* * * * *

Comment

* * * * *

Under Rule 800, the Public Defender Act, 16 P. S. § 9960.1 *et seq.*, was suspended only to the extent that the Public Defender Act conflicts with this rule and that separate counsel is to be appointed for juveniles when there is a conflict of interest. *See* Pa.R.P.C. Rules 1.7 and 1.9.

For admission *pro hac vice*, see Pa.B.A.R. 301.

Official Note: Rule 150 adopted April 1, 2005, effective October 1, 2005[; amended]. Amended February 26, 2008, effective April 1, 2008. Amended December 10, 2013, effective February 10, 2014.

Committee Explanatory Report:

* * * * *

Final Report explaining the amendments to Rule 150 published with the Court’s Order at 43 Pa.B. 7547 (December 28, 2013).

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

PART B(2). COUNSEL

Rule 1150. Attorneys—Appearances and Withdrawals.

* * * * *

Comment

See the Comment to Rule 1634 for assisting children in filing resumption of jurisdiction motions. It is best prac-

... tice for the court to appoint the guardian *ad litem* or legal counsel who was previously assigned to the child as legal counsel in the re-opened case. If there are extenuating circumstances preventing the attorney from representing the child, the attorney should make this known at the time of the filing of the motion for resumption of jurisdiction so the court can assign a new attorney.

For admission *pro hac vice*, see Pa.B.A.R. 301.

Official Note: Rule 1150 adopted August 21, 2006, effective February 1, 2007. Amended October 21, 2013, effective December 1, 2013. Amended December 10, 2013, effective February 10, 2014.

Committee Explanatory Report:

* * * * *

Final Report explaining the amendments to Rule 1150 published with the Court’s Order at 43 Pa.B. 7547 (December 28, 2013).

EXPLANATORY REPORT

December 2013

The Supreme Court of Pennsylvania has adopted revisions of the Comments to Rules 150 and 1150. These revisions are effective February 10, 2014.

Concomitantly with this revision, Pennsylvania Bar Admission Rule 301 will be amended to incorporate the motion procedure set forth in Pennsylvania Rule of Civil Procedure 1012.1, as amended, for all candidates seeking admission *pro hac vice* in Pennsylvania. This amendment is intended to create a uniform statewide procedure for the *pro hac vice* admission process.

The scope of the Comment revisions is to add a cross-reference to Pennsylvania Bar Admission Rule 301 concerning *pro hac vice* admissions.

[Pa.B. Doc. No. 13-2422. Filed for public inspection December 27, 2013, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 200]

Order Amending Rule 207 of the Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges; No. 365 Magisterial Rules Doc.

Order

Per Curiam

And Now, this 10th day of December, 2013, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration:

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 207 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges 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 February 10, 2014.

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 200. RULES OF CONSTRUCTION;
GENERAL PROVISIONS**Rule 207. Representation in Magisterial District Court Proceedings.**

(A) In magisterial district court proceedings:

(1) Individuals may be represented by themselves, by an attorney at law, or by a representative with personal knowledge of the subject matter of the litigation and written authorization from the individual to appear as the individual's representative.

(2) Partnerships may be represented by an attorney at law, a partner, or by an employee or authorized agent of the partnership with personal knowledge of the subject matter of the litigation and written authorization from a partner to appear as the partnership's representative.

(3) Corporations or similar entities and unincorporated associations may be represented by an attorney at law, by an officer of the corporation, entity, or association, or by an employee or authorized agent of the corporation, entity, or association with personal knowledge of the subject matter of the litigation and written authorization from an officer of the corporation, entity, or association to appear as its representative.

(B) A representative, employee, or authorized agent:

(1) must provide written verification of personal knowledge of the subject matter of the litigation, and

(2) may take no action on behalf of a party until the written authorization required under paragraph (A)(1), (2), or (3) is filed with the court.

(C) Admission *pro hac vice* in accordance with Pennsylvania Bar Admission Rule 301 shall proceed by request, the disposition and content of which shall conform with the requirements of Pennsylvania Rule of Civil Procedure 1012.1.

Official Note: This rule is intended to permit a non-lawyer representative, employee, or authorized agent to appear on behalf of an individual, partnership, corporation or similar entity, or unincorporated association, but not to allow a non-lawyer to establish a business for the purpose of representing others in magisterial district court proceedings.

It is intended that the designation of a non-lawyer representative, employee, or authorized agent to represent a party is to apply only on a case-by-case basis. A party may not give blanket authorization for a non-lawyer representative, employee, or authorized agent to represent the party in all cases involving the party.

As to "personal knowledge of the subject matter of the litigation" see Pa.R.E. 602 and Comment.

A business organized as a sole proprietorship may be represented in the same manner as an individual under paragraph (A)(1).

See rules in Chapter 800 as to representation of minors and incapacitated persons by guardians.

To gain admission *pro hac vice* pursuant to Pa.B.A.R. 301, the applicant must seek administrative approval by the IOLTA Board prior to the

sponsor's request for the applicant's admission before the magisterial district court. The disposition and content of the request is governed by Pa.R.C.P. No. 1012.1.

FINAL REPORT¹***Amendment to Rule 207 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges******Pro Hac Vice Admission Procedure***

On December 10, 2013, effective February 10, 2014, the Court approved amendment of Rule 207 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges concerning *pro hac vice* admissions.

I. Background and Discussion

Previously, *pro hac vice* admissions in magisterial district courts have been guided by Pennsylvania Bar Admission Rule 301, which required admission by timely motion before the magisterial district judge. However, neither the Pennsylvania Bar Admission Rules nor the Rules of Civil Procedure before Magisterial District Judges addressed the precise content and procedural requirements for the admission process. In the absence of such guidance, the admission process was either left to local practice or "borrowed" from Pennsylvania Rule of Civil Procedure 1012.1.

Additionally, by Order of October 30, 2013, the Court amended, *inter alia*, Section 81.501(e) of the Interest on Lawyers Trust Account ("IOLTA") Regulations to extend the regulations for *pro hac vice* admissions to include any Pennsylvania magisterial district court. With this extension, applicants seeking admission *pro hac vice* must first seek administrative approval by the IOLTA Board and pay the required fee before requesting admission *pro hac vice* before the magisterial district judge.

Concomitantly with the amendment of Rule 207, Pennsylvania Bar Admission Rule 301 will be amended to incorporate the motion procedure set forth in Pennsylvania Rule of Civil Procedure 1012.1, as amended, for all candidates seeking admission *pro hac vice* in Pennsylvania. Rule 207 is similarly being amended to incorporate the procedure set forth in Pennsylvania Bar Admission Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1, the purpose of which is intended to create a uniform statewide procedure for the *pro hac vice* admission process.

II. Approved Rule Change

To incorporate the procedure set forth in Pennsylvania Bar Admission Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1, Rule 207 is amended to reference these rules and to require that admissions proceed by "request" in accordance with those rules. *See also* Pa.B.A.R. 301, Official Note (the term, "motion," in Pa.B.A.R. 301 includes the Rule 207 "request," as there is no motions practice before magisterial district judges). The Official Note is also revised to inform applicants and sponsors of the requirements for prior administrative approval by the IOLTA Board.

[Pa.B. Doc. No. 13-2423. Filed for public inspection December 27, 2013, 9:00 a.m.]

¹ Final Reports should not be confused with the Official Notes to the rules. Also note that the Supreme Court does not adopt the Official Notes or the contents of the explanatory Final Reports.

PROPOSED RULEMAKING

STATE BOARD OF OSTEOPATHIC MEDICINE

[49 PA. CODE CH. 25]

Genetic Counselors

The State Board of Osteopathic Medicine (Board) proposes to amend §§ 25.215 and 25.231 (relating to definitions; and schedule of fees) and add Subchapter O (relating to genetic counselors) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

The act of December 22, 2011 (P. L. 581, No. 126) (Act 126) amended the Osteopathic Medical Practice Act (act) (63 P. S. §§ 271.1—271.18) to require the Board to issue licenses to genetic counselors, to issue temporary permits to graduates of genetic counseling education programs and to regulate the practice of genetic counseling and discipline licensees. Section 3 of Act 126 directs the Board to adopt regulations to implement the licensure of genetic counselors.

Description of Proposed Amendments

The proposed rulemaking would amend § 25.215 to add genetic counselors to the list of Board-regulated practitioners. The proposed rulemaking would also amend § 25.231 to provide for fees for the application for genetic counselor license, application for uncertified genetic counselor, biennial renewal of genetic counselor license, application for reactivation of genetic counselor license and application for temporary provisional genetic counselor license.

The proposed amendments would add Subchapter O to set forth the standards for licensure of genetic counselors. Proposed § 25.901 (relating to purpose) states the purpose of the subchapter, to implement the amendments to the act regarding genetic counselors. Section 25.902 (relating to definitions) sets forth definitions of terms used in the subchapter.

Section 25.903 (relating to application for genetic counselor license) provides the information necessary for an applicant who holds National certification to apply for a license to practice as a genetic counselor. The qualifications for licensure are in section 10.3(e) of the act (63 P. S. § 271.10c(e)) and are repeated here for clarity to applicants.

Section 25.904 (relating to application for genetic counselor license by uncertified persons) provides the information necessary for an applicant who does not hold National certification to apply for a license to practice as a genetic counselor. The qualifications for licensure are in section 10.3(f) of the act and are repeated here for clarity to applicants. Section 10.3(f) of the act provides that the Board may issue licenses to noncertified persons for 3 years after the effective date of Act 126, which was February 20, 2012. The Board included this limitation in § 25.904(b)(1).

Section 25.905 (relating to application for temporary provisional genetic counselor license) provides the infor-

mation necessary for an applicant to apply for a temporary provisional license as authorized by section 10.3(g) of the act. The statutory provision recognizes, and the regulatory provision echoes, the fact that in the field of genetic counseling it is common for graduates to take the certification examination twice. For this reason, section 10.3(g)(2) of the act provides that the provisional license would allow a person to practice, under supervision, until two examination cycles have elapsed. This unusual provision is echoed in § 25.905(d) and (e).

Section 25.906 (relating to biennial renewal of genetic counselor license) provides for the biennial registration of the genetic counselor license and effectuates the provisions of section 10.3(j) of the act regarding continuing education. Section 25.906(b)(5) requires a genetic counselor to verify that he has completed the continuing education mandated by the act as a condition of biennial renewal.

Section 25.907 (relating to inactive status of genetic counselor license; reactivation of inactive license) provides information to licensees about how a license becomes inactive, that a licensee whose license is inactive is not permitted to practice and how to reactivate an inactive license. Section 25.907(d) provides that a licensee whose license has been inactive for 4 years or more will be required to demonstrate continued competence to practice by showing current certification by the American Board of Genetic Counseling. Late fees are addressed in § 25.907(e).

Section 25.908 (relating to disciplinary action for applicants and licensed genetic counselors) provides that licensees and applicants may be subject to discipline or refusal of licensure for any of the reasons in section 15 of the act (63 P. S. § 271.15) or for engaging in unprofessional or immoral conduct as defined in § 25.908(b) and (c).

Section 25.909 (relating to continuing education for licensed genetic counselors) sets forth rules regarding continuing education. Section 10.3(j) of the act requires genetic counselors to complete 30 hours of continuing education as a condition of biennial renewal. Section 25.909 provides additional details about the continuing education requirement, including approved providers of continuing education and the documentation that licensees must maintain.

Section 25.910 (relating to professional liability insurance coverage for licensed genetic counselors) effectuates section 10.3(k) of the act, which requires licensed genetic counselors to maintain professional liability insurance coverage in the minimum amount of \$1 million per occurrence or claims made.

Fiscal Impact and Paperwork Requirements

The statutory requirements that genetic counselors obtain and renew licenses to practice genetic counseling, obtain and maintain professional liability insurance and complete at least 30 hours of continuing education biennially will have a fiscal impact and impose paperwork requirements on the regulated community of genetic counselors. Genetic counselors will be required to file applications, pay fees and provide documentation evidencing professional liability insurance and continuing education. To the degree genetic counselors are employed by small businesses, and those businesses pay the licensure fees and costs associated with professional liability insur-

ance and continuing education, the regulations may impact small businesses. The proposed rulemaking should not have an adverse fiscal impact or impose additional paperwork requirements on the Commonwealth or its political subdivisions.

Sunset Date

The Board continuously monitors its regulations. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on December 12, 2013, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey 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.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Teresa Lazo, Board Counsel, State Board of Osteopathic Medicine, P.O. Box 2649, Harrisburg, PA 17105-2649, ra-osteopathic@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

JEFFREY A. HEEBNER, DO,
Chairperson

Fiscal Note: 16A-5328. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 25. STATE BOARD OF OSTEOPATHIC MEDICINE

Subchapter D. MINIMUM STANDARDS OF PRACTICE

§ 25.215. Definitions.

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

Board-regulated practitioner—An osteopathic physician, perfusionist, physician assistant, **genetic counselor**, respiratory [**care practitioner**] **therapist**, licensed athletic trainer, acupuncturist or an applicant for a license or certificate issued by the Board.

* * * * *

Subchapter F. FEES

§ 25.231. Schedule of fees.

An applicant for a license, certificate, registration or service shall pay the following fees at the time of application:

	* * * * *
Application for temporary provisional perfusionist license	\$40
Application for genetic counselor license	\$50
Application for uncertified genetic counselor license	\$100
Application for reactivation of genetic counselor license	\$50
Application for temporary provisional genetic counselor license	\$50
Biennial renewal—genetic counselors	\$125

(Editor's Note: The following subchapter is new and printed in regular type to enhance readability.)

Subchapter O. GENETIC COUNSELORS

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§ 25.901. Purpose.

This subchapter implements section 10.3 of the act (63 P. S. § 271.10c), regarding genetic counselors.

§ 25.902. Definitions.

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

ABGC—The American Board of Genetic Counseling or an equivalent successor.

ABMG—The American Board of Medical Genetics or an equivalent successor.

Active candidate status—The designation awarded to an individual who has received approval from the ABGC or the ABMG to sit for his respective certification examination.

Genetic counseling—The provision of services to individuals, couples, families and organizations by one or more appropriately trained individuals to address the physical and psychological issues associated with the occurrence or risk of occurrence of a genetic disorder, birth defect or genetically influenced condition or disease in an individual or a family.

Genetic counselor—An individual who is licensed to practice genetic counseling by the Board or the State Board of Medicine.

Hour of continuing education—At least 50 minutes of instruction, including relevant question and answer sessions, in an approved course of continuing education or an equivalent time that an online or correspondence course would be presented live.

NSGC—The National Society of Genetic Counselors or an equivalent successor.

§ 25.903. Application for genetic counselor license.

(a) An applicant for a license to practice as a genetic counselor shall submit, on forms made available by the Board, a completed application for a license to practice as a genetic counselor, including the necessary supporting documents, and pay the application fee in § 25.231 (relating to schedule of fees).

(b) The Board may issue a license to practice as a genetic counselor to an applicant who demonstrates that the applicant:

(1) Is at least 21 years of age and of good moral character, as required under section 10.3(e)(1) and (2) of the act (63 P. S. § 271.10c(e)(1) and (2)).

(2) Has received a master's degree or doctoral degree in human genetics or genetic counseling from an ABGC-accredited or ABMG-accredited educational program or has met the requirements for certification by the ABGC or the ABMG. Proof of the degree, if applicable, shall be sent directly from the applicant's education program and include an official transcript.

(3) Has passed the examination for certification as a genetic counselor by the ABGC or the ABMG or has passed the examination for certification as a Ph.D. medical geneticist by the ABMG. Proof that the applicant has passed the examination shall be sent directly from the ABGC or the ABMG and may include proof of current certification.

(4) Has obtained professional liability insurance, or is exempt from the requirement to obtain professional liability insurance, as set forth in § 25.910 (relating to professional liability insurance coverage for licensed genetic counselors).

(c) The Board may deny an application for licensure as a genetic counselor upon the grounds for disciplinary action in § 25.908 (relating to disciplinary action for applicants and licensed genetic counselors).

§ 25.904. Application for genetic counselor license by uncertified persons.

(a) An applicant for a license to practice as a genetic counselor who has never passed the ABGC or ABMG certification examination shall submit, on forms made available by the Board, a completed application for a license to practice as a genetic counselor, including the necessary supporting documents, and pay the application fee in § 25.231 (relating to schedule of fees).

(b) The Board may issue a license to practice as a genetic counselor to an uncertified applicant who:

(1) Submits his application to the Board, along with any required supporting documentation, by February 20, 2015.

(2) Demonstrates that the applicant is at least 21 years of age and of good moral character as required under section 10.3(e)(1) and (2) of the act (63 P. S. § 271.10c(e)(1) and (2)).

(3) Demonstrates that the person has received a master's degree or higher in genetics or a related field of study and has worked as a genetic counselor for a minimum of 3 continuous years preceding December 22, 2011, or has received a bachelor's degree in genetics or a related field of study and has been employed as a genetic counselor for at least 10 continuous years prior to December 22, 2011.

(i) Proof of the degree shall be sent directly from the applicant's educational program and include an official transcript.

(ii) Related fields of study must include core courses in genetics.

(iii) Proof of employment as a genetic counselor may include Federal income tax forms or notarized letters from the applicant's employer.

(4) Submits at least three letters of recommendation, including one from a genetic counselor certified by the ABGC or the ABMG and one from either a clinical geneticist or medical geneticist certified by the ABMG. A person who submits a letter of recommendation shall have worked with the applicant in an employment setting sometime during the previous 10 continuous years and be able to attest to the applicant's competency in providing genetic counseling services.

§ 25.905. Application for temporary provisional genetic counselor license.

(a) An applicant for a temporary provisional genetic counselor license shall submit, on forms made available by the Board, a completed application, including the necessary supporting documents, and pay the fee in § 25.231 (relating to schedule of fees) for an application for a temporary provisional genetic counselor license.

(b) The Board may grant a temporary provisional genetic counselor license, which authorizes the license holder to practice only under the supervision of a genetic counselor or physician licensed under the act or under the Medical Practice Act of 1985 (63 P. S. §§ 422.1—422.51a), to an applicant who:

(1) Demonstrates that the applicant has been granted active candidate status establishing eligibility to sit for the next available certification examination offered by the ABGC.

(2) Demonstrates that the applicant is at least 21 years old, of good moral character and has completed an application form provided by the Board and paid the appropriate fee as required under section 10.3(e)(1)—(3) and (5) of the act (63 P. S. § 271.10c(e)(1)—(3) and (5)).

(3) Otherwise complies with this subchapter.

(c) The Board may deny an application for a temporary provisional genetic counselor license upon the grounds in § 25.908 (relating to disciplinary action for applicants and licensed genetic counselors).

(d) A temporary provisional genetic counselor license will expire upon the close of the second examination period for which the holder is eligible to test following issuance of the temporary provisional license and may not be renewed.

(e) A temporary provisional genetic counselor license will expire upon notice to the Board that the holder has not passed the certification examination within two examination cycles after receiving the temporary provisional license. The holder of a temporary provisional genetic counselor license who fails to pass the examination within two examination cycles shall immediately cease practicing and return the license to the Board.

(f) The holder of a temporary provisional genetic counselor license may not use the title "genetic counselor." The holder of a temporary provisional genetic counselor license may use the title "graduate genetic counselor" but may not use an abbreviation of the title.

§ 25.906. Biennial renewal of genetic counselor license.

(a) The license of a genetic counselor will expire biennially on October 31 of each even-numbered year in accordance with § 25.271 (relating to requirements for renewal). A genetic counselor may not practice after October 31 of an even-numbered year unless the genetic counselor has completed the biennial renewal process and the Board has issued a renewed license.

(b) As a condition of biennial renewal, a genetic counselor shall:

(1) Submit a completed application, including payment of the biennial renewal fee in § 25.231 (relating to schedule of fees).

(2) Disclose on the application any license to practice as a genetic counselor in another state, territory, possession or country.

(3) Disclose on the application disciplinary action pending before or taken by the appropriate health care licensing authority in any other jurisdiction since the most recent application for biennial renewal, whether or not licensed to practice in that other jurisdiction.

(4) Disclose on the application pending criminal charges and any finding or verdict of guilt, admission of guilt, plea of nolo contendere, probation without verdict, disposition instead of trial or accelerated rehabilitative disposition in any criminal matter since the most recent application for biennial renewal.

(5) Verify on the application that the licensed genetic counselor has complied with the continuing education requirements mandated by section 10.3(j) of the act (63 P. S. § 271.10c(j)) during the biennial period immediately preceding the period for which renewal is sought in accordance with § 25.909 (relating to continuing education for licensed genetic counselors).

(6) Verify on the application that, if practicing as a genetic counselor in this Commonwealth, the licensee maintains professional liability insurance coverage in accordance with section 10.3(k) of the act.

§ 25.907. Inactive status of genetic counselor license; reactivation of inactive license.

(a) A genetic counselor license will become inactive upon either of the following:

(1) The licensee requests in writing that the Board place the license on inactive status. Written confirmation of inactive status will be forwarded to the licensee.

(2) The licensee fails to renew the license by the expiration of the biennial renewal period, that is, by October 31 of each even-numbered year.

(b) A genetic counselor whose license has become inactive may not practice as a genetic counselor in this Commonwealth until the license has been reactivated.

(c) To reactivate an inactive license, the licensee shall apply on forms made available by the Board. The licensee shall:

(1) Include the documentation required under § 25.909 (relating to continuing education for licensed genetic counselors) for the immediately preceding biennium. Unless waived by the Board under section 10.3(j)(3) of the act (63 P. S. § 271.10c(j)(3)), the Board will not reactivate a license until the required continuing education for the preceding biennium has been successfully completed.

(2) Pay the current biennial renewal fee and the reactivation application fee specified in § 25.231 (relating to schedule of fees).

(3) Except as provided in subsection (e), verify that the licensee did not practice as a genetic counselor in this Commonwealth while the license was inactive.

(d) A licensee whose license has been inactive for 4 years or more shall demonstrate continued competence by showing current certification by the ABGC.

(e) A licensee who has practiced with an inactive license, and who cannot make the verification required under subsection (c)(3), shall also pay the late fees required under section 225 of the Bureau of Professional and Occupational Affairs Fee Act (63 P. S. § 1401-225) as more fully set forth in this subsection. Payment of a late fee does not preclude the Board from taking disciplinary action for practicing as a genetic counselor without a current active license.

(1) A licensee whose license was active at the end of the immediately preceding biennial renewal period and who practiced after the license became inactive shall pay a late fee of \$5 for each month or part of a month from the beginning of the current biennium until the date the reactivation application is filed.

(2) A licensee whose license has been inactive since before the beginning of the current biennium shall pay the biennial renewal fee for each biennial period during which the licensee practiced and shall pay a late fee of \$5 for each month or part of a month from the first date the licensee practiced as a genetic counselor in this Commonwealth after the license became inactive until the date the reactivation application is filed.

§ 25.908. Disciplinary action for applicants and licensed genetic counselors.

(a) A licensed genetic counselor, graduate genetic counselor or applicant for a license is subject to refusal of license or disciplinary action under section 15 of the act (63 P. S. § 271.15). Following a final determination subject to the right of notice, hearing and adjudication and the right of appeal therefrom in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), the Board may refuse licensure or impose any of the corrective actions of section 15(c) of the act.

(b) Unprofessional conduct includes:

(1) Engaging in conduct prohibited under § 25.216 (relating to sexual misconduct).

(2) Performing an act in a health care profession in a fraudulent, incompetent or negligent manner.

(3) Violating a provision of the act or this chapter setting a standard of professional conduct.

(4) Engaging in health care practice beyond the licensee's authority to practice.

(5) Representing oneself to be a physician or other health care practitioner whose profession the genetic counselor is not licensed to practice.

(6) Practicing while the licensee's ability to do so is impaired by alcohol, drugs, physical disability or mental instability.

(7) Revealing personally identifiable facts obtained as the result of a practitioner-patient relationship without the prior consent of the patient, except as authorized or required by statute or regulation.

(8) Failing to provide appropriate supervision to a genetic counselor student or a graduate genetic counselor practicing under a temporary provisional license. For purposes of this paragraph, appropriate supervision of a genetic counselor student means that the student is under the overall direction of the chair or director of the educational program. For purposes of this paragraph, appropriate supervision of a graduate genetic counselor means that the graduate genetic counselor is under the overall direction of the area supervisor and the supervisor conducts periodic review of the work of the graduate genetic counselor.

(9) Practicing outside the scope of practice for a genetic counselor as set forth in section 10.3(c) of the act (63 P. S. § 271.10c(c)).

(c) Immoral conduct includes:

(1) Misrepresenting or concealing a material fact in obtaining a license issued by the Board or renewal, reactivation or reinstatement thereof.

(2) Being convicted of a crime involving moral turpitude, dishonesty or corruption in the courts of the Commonwealth, the United States, another state, the District of Columbia, a territory of the United States or another country.

(3) Committing an act involving moral turpitude, dishonesty or corruption.

§ 25.909. Continuing education for licensed genetic counselors.

(a) *Credit hour requirements.* A licensed genetic counselor shall satisfy the following continuing education credit hour requirements:

(1) As a condition for biennial renewal, a licensed genetic counselor shall complete at least 30 hours of continuing education applicable to the practice of genetic counseling. A licensee is not required to complete continuing education during the biennium in which the licensee was first licensed.

(2) Except when reactivating an inactive license, when the Board has granted a waiver or when ordered by the Board, continuing education credits may be used to satisfy the continuing education credit hour requirements only for the biennial period in which the credits were earned. No hour of continuing education may be used to satisfy the requirement of paragraph (1) for more than one biennium.

(3) A licensed genetic counselor may request a waiver of the continuing education credit hour requirements because of serious illness, military service or other demonstrated hardship by submitting a request for waiver with the supporting documentation to the Board at least 90 days prior to the end of the biennial renewal period for which the waiver is sought. The Board may grant the waiver request in whole or in part and may extend the deadline by which the credit hour requirements shall be met.

(4) A licensed genetic counselor may be subject to disciplinary sanction as provided in section 15 of the act (63 P. S. § 271.15), including the suspension or revocation of the license, imposition of a civil penalty or other corrective measure as determined by the Board, if the licensee either submits false information to the Board regarding completion of the continuing education credit hour requirements to complete biennial renewal, or fails to complete the continuing education hour requirements and practices as a genetic counselor after the end of the biennial period.

(b) *Continuing education activities.* Credit for continuing education may be earned for activities approved by the ABGC or the NSGC.

(c) *Documentation of continuing education.* Continuing education must be documented with a certificate of attendance or completion issued by the activity provider. The certificate must include the name of the course provider, the name and date of the course, the name of the licensee, the number of credit hours based on a 50-minute hour and the category of continuing education, if applicable.

§ 25.910. Professional liability insurance coverage for licensed genetic counselors.

(a) A licensed genetic counselor shall maintain a level of professional liability insurance coverage in the minimum amount of \$1 million per occurrence or claims made as required under section 10.3(k) of the act (63 P. S. § 271.10c(k)).

(b) Proof of professional liability insurance coverage may include either:

(1) A certificate of insurance or copy of the declaration page from the insurance policy setting forth the effective date, expiration date and dollar amounts of coverage.

(2) Evidence of a plan of self-insurance approved by the Insurance Commissioner of the Commonwealth under regulations of the Insurance Department in 31 Pa. Code Chapter 243 (relating to medical malpractice and health-related self-insurance plans).

(c) A license that was issued in reliance upon a letter from the applicant's insurance carrier indicating that the applicant will be covered against professional liability effective upon the issuance of the applicant's license as permitted under section 10.3(k)(3) of the act will become inactive as a matter of law 30 days after the date of issuance of the license if the licensee has not provided proof of professional liability insurance coverage and will remain inactive until the licensee provides proof of insurance coverage.

(d) A licensee who does not have professional liability insurance coverage as required under section 10.3(k)(1) of the act may not practice as a genetic counselor in this Commonwealth.

[Pa.B. Doc. No. 13-2424. Filed for public inspection December 27, 2013, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) issues a temporary order designating Chronic Wasting Disease (CWD), Spring Viremia of Carp (SVC), Viral Hemorrhagic Septicemia (VHS) and the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1) as “dangerous transmissible diseases.” These designations are made under the authority of 3 Pa.C.S. §§ 2301—2390 (relating to Domestic Animal Law).

This temporary order is the successor to a previous temporary order with respect to the same diseases, as published at 43 Pa.B. 19 (January 5, 2013), that made the same dangerous transmissible disease designations. The previous temporary order will expire as of January 1, 2014, and will be replaced by this temporary order.

Under 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. Under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases), the Department has authority to declare a disease that has not been specifically identified in that statute as a “dangerous transmissible disease” to be a dangerous transmissible disease through issuance of a temporary order making that designation.

1. CWD

CWD is a disease of whitetail deer, elk and other cervids and is a member of the group of diseases known as transmissible spongiform encephalopathies (TSEs). Other more well-known TSEs are scrapie and bovine spongiform encephalopathy (BSE) or “mad cow” disease. All are thought to be caused by a protein that has converted to an abnormal infectious form known as a “prion.” There is some evidence, in the case of BSE, that humans may become infected through consumption of meat products containing central nervous system tissues, thus there is a significant public health interest concerning all TSEs.

A number of states have, in recent years, instituted import regulations requiring that cervids entering those states: (1) originate from herds that are participating in a surveillance program; and (2) originate from states that have authority to take action in the event that CWD is diagnosed. CWD was found in both captive and wild deer in this Commonwealth in 2013. The designation of CWD as a “dangerous transmissible disease” allowed the Department to facilitate the development and oversight of a surveillance program and quarantine orders that allowed for detection, tracing and containment of the CWD outbreak and allowed the Department to react and take action necessary to carry out its statutory duty under the Domestic Animal Law.

2. SVC

SVC is caused by a ribonucleic acid virus known as *Rhabdovirus carpio* and is considered an emerging disease in the United States. SVC poses a threat to both domestic fish health and wild fish health in this Commonwealth and has the potential to create a significant adverse economic impact on this Commonwealth’s aquaculture industry.

The SVC virus readily infects species of the *Cyprinidae* family (carp and minnows) and spreads through direct contact with infected fish and through shared infected water sources. Symptoms typically appear in the spring time as water temperatures increase. Symptoms in infected fish range from undetectable through mild disease to sudden massive die-off.

There is no specific treatment for fish infected with SVC and no vaccine to prevent the disease. Once natural water resources become infected, SVC may be impossible to eradicate and may pose a permanent threat to aquaculture facilities utilizing those water sources.

3. VHS

VHS virus is a serious pathogen of fresh and saltwater fish that is causing an emerging disease in the Great Lakes region of the United States and Canada. VHS virus is a rhabdovirus (rod shaped virus) that affects fish of all size and age ranges. It does not pose any threat to human health. VHS can cause hemorrhaging of fish tissue, including internal organs, and can cause the death of infected fish. Once a fish is infected with VHS, there is no known cure. Not all infected fish develop the disease, but they can carry and spread the disease to other fish. The World Organization of Animal Health has categorized VHS as a transmissible disease with the potential for profound socio-economic consequences.

4. Neurologic Form of EHV-1

EHV-1 is a highly contagious virus that is ubiquitous in horse populations worldwide. The age, seasonal and geographic distributions vary and are likely determined by immune status and concentration of horses. Infection with EHV-1 most commonly causes respiratory illness, characterized by fever, rhinopharyngitis and tracheo-bronchitis. Infection may also cause abortions in pregnant mares, following clinical or subclinical infection, and can be fatal to newborn foals. A further, infrequent clinical resultant effect of EHV-1 infection is the development of neurologic disease. Depending upon the location and extent of the lesions, signs of neurologic disease may vary from mild incoordination and posterior paresis to severe posterior paralysis with recumbency, loss of bladder and tail function, and loss of sensation to the skin in the perineal and inguinal areas, and even the hindlimbs. In exceptional cases, the paralysis may be progressive and culminate in quadriplegia and death.

Transmission of EHV-1 occurs by direct or indirect contact with infective nasal discharges, aborted fetuses, placentas or placental fluids. Transmission can occur by means of coughing or sneezing over a distance of up to 35 feet, as well as by direct contact with infected horses, feed and equipment.

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound management practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

Order

The Department hereby designates CWD, SVC, VHS and EHV-1 “dangerous transmissible diseases” under 3 Pa.C.S. § 2321(d). This order supplants any previous temporary order making a designation.

This order shall take effect as of January 1, 2014, and shall remain in effect until no later than January 1, 2015. This Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2015; (2) allow this temporary order to expire on January 1, 2015; (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to Craig Shultz, DVM, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

GEORGE D. GREIG,
Secretary

[Pa.B. Doc. No. 13-2425. Filed for public inspection December 27, 2013, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Proposed Grant Application by the Department of Education under Part B of the Individuals with Disabilities Education Act for Federal Fiscal Year 2014

Public comment is invited regarding the Department of Education’s (Department) proposed grant application under Part B of the Individuals with Disabilities Education Act (IDEA-B). The annual grant application provides assurances that the State’s policies and procedures in effect are consistent with the Federal requirements, to ensure that a free appropriate public education is made available to all children with a disability from 3 to 21 years of age, including children who have been suspended or expelled from school. The current policies and procedures are available on the Department’s web site at www.education.state.pa.us (click on the “Programs” tab, select “Programs S-Z,” select “Special Education,” under “Funding Sources,” select the 2009 link under “IDEA-B Policies and Procedures—Pennsylvania.”

The Education Department general administrative regulations, 34 CFR 300.165 (relating to public participation), require that states conduct public hearings, ensure adequate notice of those hearings and provide an op-

portunity for public comment, including comment from individuals with disabilities and parents of children with disabilities, before adopting policies and procedures. The Commonwealth must publish the proposed IDEA-B application and current policies and procedures related to IDEA-B, which can be found by accessing the Pennsylvania Training and Technical Assistance Network’s (PaTTAN) web site at www.pattan.net (click on the “Legal” tab at the top of the page for the link to the “Federal Law and Regulations”).

Alternative formats of the documents (for example, Braille, large print, cassette tape) will be made available upon request. Moreover, public comment is welcomed in alternative formats such as Braille, taped comments and telephone comments. Individuals who wish to submit comments by telephone should contact Beth Runkle, (717) 783-2311.

Written and verbal comments must be received by March 5, 2014. The written comments should be directed to Jean B. Inskip or Dr. Ronald Wells, Bureau of Special Education, Department of Education, 333 Market Street, 7th Floor, Harrisburg, PA 17126-0333.

Additionally, the Department will provide individuals an opportunity to testify on the proposed IDEA-B application and the current policies and procedures. Testifiers are encouraged to bring a written copy of their testimony at the time of presentation. Presentations should be limited to 15 minutes.

Dates, locations and times allotted for verbal testimony regarding the proposed grant application and current policies and procedures are as follows:

March 18, 2014	PaTTAN—Pittsburgh 3190 William Pitt Way Pittsburgh, PA 15238 (4 p.m.—6 p.m.)
March 19, 2014	PaTTAN—Harrisburg 6340 Flank Drive Harrisburg, PA 17112 (4 p.m.—6 p.m.)
March 20, 2014	PaTTAN—King of Prussia 200 Anderson Road King of Prussia, PA 19406 (4 p.m.—6 p.m.)

To schedule an opportunity to present verbal testimony, or for individuals who require an accommodation to participate in the proceedings, contact Beth Runkle, (717) 783-2311, (717) 783-8445 (TTY) or brunkle@pa.gov no later than February 26, 2014.

Following receipt of all written and verbal comments, the Department must review and consider all public comments and make any necessary modifications to the application or policies and procedures, as appropriate, before submission of the grant application to the Secretary of the United States Department of Education.

CAROLYN C. DUMARESQ,
Acting Secretary

[Pa.B. Doc. No. 13-2426. Filed for public inspection December 27, 2013, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060895 (Sewage)	Pocono Mountains Industries, Inc. (Pocono Mountains Corporate Center East WWTP) Kolb Court Tobyhanna, PA 18466	Monroe County Coolbaugh Township	UNT to Red Run (2-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0210714 (Sewage)	Mark D. & Wendy J. Watt SFTF 3383 Church Street Reynoldsville, PA 15851	Jefferson County Winslow Township	Unnamed Tributary to the Fehley Run (17-C)	Y
PA0240141 (Sewage)	Steven Sherk SFTF 20 Yohe Road, Bradford, PA 16701	McKean County Corydon Township	Unnamed Tributary to the Willow Creek (16-B)	Y

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

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

PA0020478, Sewage, SIC Code 4952, **Bloomfield Borough**, P.O. Box 144, New Bloomfield, PA 17068. Facility Name: Bloomfield Borough STP. This existing facility is located in Bloomfield Borough, **Perry 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 Trout Run, is located in State Water Plan watershed 7-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.25 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>Weekly Average</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
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
CBOD ₅	52	83	XXX	25	40	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	62	93	XXX	30	45	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	7.3	XXX	XXX	3.5	XXX	7.0
Nov 1 - Apr 30	22	XXX	XXX	10.5	XXX	21
Total Zinc	0.352	XXX	XXX	0.169	XXX	0.422

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

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

PA0081884, Sewage, SIC Code 4952, **Cuttin Company LLC**, 25 Sandoe Road, Gettysburg, PA 17325. Facility Name: Cuttin Company STP. This existing facility is located in Straban Township, **Adams 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 Beaverdam Creek, is located in State Water Plan watershed 7-F 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 0.010 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual		Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
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	0.21	XXX	0.68
CBOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids (lbs/year)	XXX	304.41	XXX	10	XXX	20
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
Nitrate-Nitrite as N (lbs/year)	XXX	Report	XXX	Report	XXX	XXX
Total Nitrogen (lbs/year)	XXX	Report	XXX	Annl Avg Report	XXX	XXX
Ammonia-Nitrogen				Annl Avg		
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0
Total Kjeldahl Nitrogen (lbs/year)	XXX	Report	XXX	Report	XXX	XXX
Total Phosphorus (lbs/year)	XXX	Report	XXX	Annl Avg Report	XXX	XXX
				Annl Avg		

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 not in effect.

PA0082147, Sewage, SIC Code 4952, **Irvin H Peifer (Holtwood Mobile Home Park)**, 204 Stone Mill Drive, PO Box 506, Elizabethtown, PA 17022. Facility Name: Holtwood Mobile Home Park. This existing facility is located in Martic Township, **Lancaster 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, UNT Susquehanna River, is located in State Water Plan watershed 7-K 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 0.015 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual		Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
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	0.21	XXX	0.69
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrate-Nitrite as N (lbs/year)	XXX	Report	XXX	Report	XXX	XXX
Total Nitrogen (lbs/year)	XXX	Report	XXX	Annl Avg Report	XXX	XXX
Ammonia-Nitrogen				Annl Avg		
May 1 - Oct 31	XXX	XXX	XXX	3.5	XXX	7.0

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual	Minimum	Average Monthly		
Nov 1 - Apr 30	XXX	XXX	XXX	10.5	XXX	21
Total Kjeldahl Nitrogen (lbs/year)	XXX	Report	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	Report	Report	XXX	XXX	XXX	XXX
	Total Mo					

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.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3664.

PA0020486, Sewage, SIC Code 4952, **Bellefonte Borough**, 236 W Lamb Street, Bellefonte, PA 16823-1502. Facility Name: Bellefonte Borough WWTP. This existing facility is located in Bellefonte Borough, **Centre 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), Spring Creek, is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes, and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.22 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅	670	1070	XXX	25	40	50
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	865	1205	XXX	30	45	60
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2000	XXX	10000
				Geo Mean		
UV Intensity (µw/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	80	120	XXX	3.0	4.5	6.0
Nov 1 - Apr 30	240	360	XXX	9.0	13.5	18
Dissolved Phosphorus	26	40	XXX	1.0	1.5	2.0
Hexavalent Chromium (µg/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Acrolein (µg/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	58812			
Net Total Phosphorus	Report	7842			

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Trading of Nutrients and

Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

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

IV. NPDES Applications for Stormwater Discharges from MS4

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

PAI132261, MS4, **Fairview Township**, 65 Shady Tree Drive, Mountain Top, PA 18707. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Fairview Township, **Luzerne County**. The receiving streams, Solomon Creek, Big Wapwallopen Creek and Bow Creek are located in State Water Plan watershed 2C and are classified for High Quality Waters—Cold Water Fishes, High Quality Waters—Cold Water Fishes and Cold Water Fishes.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is not in effect.

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030713002	PennDOT Engineering District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648	Blair	Antis Township	Sandy Run (HQ-CWF)
PAI032113006	Earthnet Energy 95 Brim Boulevard Chambersburg, PA 17201	Cumberland	South Middleton Township	UNT/Wetlands to the Letort Spring Run (EVMF)

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI050213008	Speedway, LLC. 500 Speedway Drive Enon, OH 45323	Allegheny	North Versailles Township	Long Run (HQ-TSF) and Jacks Run (HQ-TSF)

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

PAG-12 CAFOs

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

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

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

Former Penelec Bedford District Office, US Route 30, Bedford, PA 15522, Snake Spring Township, **Bedford County**. Groundwater and Environmental Services, Inc., 6 Sheraton Drive, Suite 2, Altoona, PA 16601, on behalf of Pennsylvania Electric Company / First Energy, PO Box 16001, Reading, PA 19612, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with leaded and unleaded gasoline released from an unregulated underground storage tank. The site will be remediated to a combination of Nonresidential Statewide Health and Site-Specific standards. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in the *Bedford Gazette* on November 12, 2013.

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

Windy Ridge Business & Technology Park, (formerly Windy Ridge Farm), Lot No. 2, 54 Windy

Ridge Road, Indiana, PA 15701 **Indiana County**. Stiffler, McGraw & Associates, 1731 N. Juniata Street, Hollidaysburg, PA 16648 on behalf of Indiana County Development Corporation, 801 Water Street, Indiana, PA 15701 submitted a Notice of Intent to Remediate to meet the non-residential Statewide Health Standard on December 10, 2013 concerning the remediation of site soils contaminated with fuel oil.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

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.

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

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

25-025T: GE Transportation—Erie Plant (2901 East Lake Road, Building 9-201, Erie, PA 16531) for modification of conditions from Plan Approval 25-025Q for the test cells in Lawrence Park Township, **Erie County**. This is a Title V facility.

33-172A: Original Fuels, Inc. (St. Jacobs Church Road, Punxsutawney, PA 15767) for modification of conditions for Source 101 (Primary Diesel Generator) operating under the GP9 in Perry Township, **Jefferson County**. This is a State Only facility.

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

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

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

15-0142: Mars Drinks North America LLC (1301 Wilson Drive, West Chester, PA 19380) for a coffee roaster, associated equipment and air pollution control devices at their existing packaging facility in East Goshen Township, **Chester County**. Emissions of particulate matter (PM) from the coffee roaster and a cooler are controlled by cyclones and from a destoner and briquetting press by fabric filters. The briquetting press is used to compact particulate matter collected from the cyclones. Emissions of carbon monoxide (CO) and volatile organic compounds (VOC) from the coffee roaster are controlled by an afterburner and catalytic oxidizer. Design capacity of the coffee roaster is 4400 lb/hr green beans and 7 MMBtu/hr roasting capacity. The afterburner design capacity is 3 MMBtu/hr. The coffee roaster and afterburner are fueled by natural gas. This is a minor facility, with the installation of the coffee roasting and associated equipment. Emissions from the coffee roasting operation in tons/year on a 12-month rolling basis are conservatively estimated as 0.83 VOC, 8.15 PM, 5.3 CO, 4.25 nitrogen oxides (NO_x) and 0.026 sulfur oxide (SO₂). All dust collectors will achieve less than 0.02 grains/dry stand cubic foot particulate (PM), which is considered to meet Best Available Technology (BAT). Control of CO and VOC with the afterburner/catalytic oxidizer (minimum 90% VOC destruction efficiency) is considered to meet BAT. The permittee shall monitor pressure and temperature across the catalyst bed to assure optimum operation of the oxidizer. The permittee shall keep records and meet work practice standards to minimize emissions and keep the facility operating within all applicable emission standards.

23-0119B: Sunoco Partners, Marketing & Terminals, L.P. (100 Green Street, Marcus Hook, PA 19061)

for installation of a 4-bay natural gasoline loading/unloading rack with vapor balance in **Delaware County**. The following deactivated sources will be reactivated for this project: 15-2B T05 fractionation tower and associated piping and equipment; three (3) existing spheres for storage for the pentane; four (4) existing internal floating roof tanks for storage of light naphtha; four (4) existing internal floating roof tanks for the storage of natural gasoline; and off-loading of the light naphtha through either an existing marine vessel loading dock, or via rail. The air emissions from the project will be fugitive and will not exceed 2.4 tons of VOC increase over their previous operation. All other Air emissions (NO_x, CO, SO_x, PM, and GHG) will decrease over previous years. This project does trigger applicability to PADEP's NSR regulations and 34.65 tons of VOC ERCs will be required for this project. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-0226: Nosco ODSC, Inc. (1504 Grundy Lane, Bristol, PA 19007) for installation of a new seven-color digital printing press at an existing facility in Bristol Township, **Bucks County**. The facility currently operates one flexographic printing press and one other digital printing press, which were each approved by the Department through a Request for Determination (RFD). The primary pollutant of concern from the new digital printing press will be volatile organic compounds (VOC) and hazardous air pollutants (HAP) as a result of the printing process. The plant will be a minor facility based on its potential emissions. The plan approval will include monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements

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

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

34-03005E: Energex American, Inc. (95 Energex Drive, Mifflintown, PA 17059) for construction of a small fabric filter to control nuisance dust within the wood pellet production building in Walker Township, **Juniata County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the abovementioned project. This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date.

Plan Approval 34-03005E authorizes the construction of a small fabric filter to control nuisance particulate matter emissions in the pellet production building. The Plan Approval and Operating permit will contain emission limits, along with monitoring, recordkeeping and reporting requirements to ensure the plant complies with the applicable air quality requirements. Potential particulate matter emissions from the proposed fabric filter are estimated at less than one ton per year.

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, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

Plan approvals issued to sources identified in 25 Pa. Code § 127.44(b)(1)—(4) or plan approvals issued to sources with limitations on the potential to emit may become part of the SIP, and will be submitted to EPA for review and approval.

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

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

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

21-03048: Carlisle Small Animal Veterinary Clinic (25 Shady Lane, Carlisle, PA 17013) for operation of an animal crematory at the facility located in Middlesex Township, **Cumberland County**.

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

Potential emissions at the facility are estimated to be less than one ton each of PM, NO_x, CO, SO_x, VOC and HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

67-05055: ConAgra Foods, Inc. (321 Taylor Avenue, Red Lion, PA 17356) to operate a flour mill at their facility in Red Lion Borough, **York County**.

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

Actual emissions at the facility for 2012 are estimated to be 10.2 tons of PM-10 and less than one ton of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

28-03025: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, PA 17570) for operation of their Wenger's Feed Mill in Southampton Township, **Franklin County**.

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

The PM potential emissions are estimated at around 38 tons per year. The facility is subject to 40 CFR Part 63, Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing. 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.

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

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

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

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

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

Contact: Matthew M. Williams—Telephone: 814-332-6131

43-00270: CCL Container—Advanced Monobloc Aerosol Division (One Llodio Drive, Hermitage, PA 16148) to re-issue a Synthetic Minor State Only Operating Permit to operate this can manufacturing facility, in the City of Hermitage, **Mercer County**. Emissions from this facility continue to be below the major source thresholds. Annual potential emissions are as follows: NO_x—8.8 tons, SO_x—0.04 ton, CO—5.4 tons, VOC—49.5 tons, PM₁₀—0.49 ton, Total HAPs—24.5 tons, and Individual HAPs 9.5 tons.

62-00162: Elkhorn Gas Processing—Keystone Plant (4613 East 91st Street Tulsa, OK 74137) to issue a renewal of the Natural Minor Operating Permit to operate their natural gas processing plant in Pleasant Township, **Warren County**. The facility's primary emission sources include a dehydration unit, combustion emissions for the dehydration unit, a hot oil heater, an 800 HP refrigerant compressor, potential equipment leaks, product storage tanks and loading. The refrigerant compressor engine is subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Units. The dehydration unit is subject to 40 CFR 63 Subpart HH—NESHAPs from Oil and Natural Gas Production Facilities. Actual emissions from the facility are less than the Title V emission thresholds. The conditions of the previous plan approval and operating permit were incorporated into the renewal permit.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act

(52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

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

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

Coal Applications Received

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

63981301 and NPDES No. PA0215171. Consolidation Coal Company, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317-6506). To renew the permit for the Shoemaker Mine in West Finley Township, **Washington County** and related NPDES permit. No additional discharges. The application was considered administratively complete on December 11, 2013. Application received October 9, 2013.

Noncoal Applications Received

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

Table 2

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

* The parameter is applicable at all times.

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

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

16030302 and NPDES Permit No. PA0242365. I.A. Construction Corporation (P.O. Box 568, Franklin, PA 16323) Transfer of an existing large industrial minerals mine and associated NPDES permit from Quality Aggregates, Inc. in Richland & Licking Townships, **Clarion County** affecting 143.5 acres. Receiving streams: Unnamed tributaries to Turkey Run, classified for the following uses: HQ-CWF; and unnamed tributaries to the Clarion River, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 2, 2013.

37020307. Amerikohl Aggregates, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of existing NPDES Permit No. PA0242276 in Wayne Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Beaver Run and unnamed tributaries to Snake Run, all classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is The Polish White Eagle Society. Application received: November 27, 2013.

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

64000301C3 and NPDES Permit No. PA0224073. Reading Materials, Inc., (PO Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lebanon Township, **Wayne County** affecting 225.0 acres, receiving stream: unnamed tributary to Big Brook to Dyberry Creek to Lackawaxen River, classified for the following uses: EV—cold water fishes and migratory fishes. Application received: November 12, 2013.

7773SM1A2C13 and PA0595322. Reading Materials, Inc., (PO Box 1467, Skippack, PA 19474), correction to an existing quarry operation to decrease the permitted acres from 335.0 to 243.95 acres and add clean fill for reclamation in Douglass Township, **Berks County**, receiving stream: unnamed tributary to Schuylkill River, classified for the following use: warm water fishes. Application received: November 19, 2013.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

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

Effluent Limits for Noncoal Mining Activities

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

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

* The parameter is applicable at all times.

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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

Coal NPDES Draft Permits

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

NPDES No. PA0235610 (Mining Permit No. 30031301), Dana Mining Company of Pennsylvania, LLC, (308 Dents Run Road, Morgantown, WV 26501). A revision to the NPDES and mining activity permit for the 4-West Mine in Perry Township, **Greene County** to add one new NPDES Outfall 005 for discharge from sedimentation pond. Surface Acres Affected 24.3. Receiving stream: Watkins Run, classified for the following use: WWF. Dunkard Creek TMDL. The application was considered administratively complete on January 2, 2013. Application received January 10, 2012.

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

Outfall 005 discharges to: Watkins Run

The proposed effluent limits for *Outfall 005* (Lat: 39° 44' 45" Long: 80° 03' 56") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.014	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		131	262	328
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

NPDES No. PA0214116 (Mining Permit No. 65130702 (formerly 65881701)), Consolidation Coal Company, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). A renewal to the NPDES and mining activity permit for the Hutchinson AMD Plant in Sewickley Township, **Westmoreland County**. Surface Acres Affected 23.0. Receiving stream: Sewickley Creek, classified for the following use: WWF. Sewickley Creek Watershed TMDL. The application was considered administratively complete on August 5, 2013. Application received June 27, 2013.

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

Outfall 001 discharges to: Sewickley Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 13' 16" Long: -79° 44' 08") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.56	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.9	3.9	4.8
Aluminum (mg/l)		0.75	0.75	0.75
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	62	78
Sulfates (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

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

NPDES No. PA0127230 (Mining Permit No. 17813091) Sky Haven Coal, Inc., 5510 State Park Road, Penfield, PA 15849. Revision to an NPDES permit for mine drainage treatment facilities on a discharge at monitoring point 7 (MP7) in Graham Township, **Clearfield County** affecting 196.3 acres. Receiving stream(s): Alder Run, classified for the following use(s): CWF. Alder Run Watershed TMDL. Application received: March 21, 2013.

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

The outfall(s) listed below discharge to Alder Run:

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

Outfall FTP is a parallel treatment system composed of either chemical water treatment (FTPA) at high discharge volumes or passive treatment (FTP) at low discharge volumes. Outfall FTP is a passive treatment system final discharge. Passive treatment of Outfall FTP is to be used when final discharge flow is 35 gallons per minute (GPM) or less, or whenever effluent limits are able to be achieved. The proposed effluent limits for the passive treatment outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		7.1	14.0	18.0
Aluminum (mg/l)		5.0	10.0	12.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

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

Chemical treatment of Outfall FTPA is only to be used when final discharge flow is greater than 35 GPM or whenever passive effluent limits are unable to be met. The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E45-588 Kalahari Resorts, LLC, 1305 Kalahari Drive, P.O. Box 590, Wisconsin Dells, WI 53965

Pocono Manor Investors PT-1, P.O. Box 38, The Inn at Pocono Manor, Pocono Manor, PA 18349

Tobyhanna Township, 105 Government Center Way, Pocono Pines, PA 18350, in Pocono Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

1) A 12-foot wide gravel road crossing and two 12-inch diameter ductile iron water line utility crossing of Indian Run (HQ-CWF) and 130-L.F. of the floodway consisting of a 90-L.F., 36-inch diameter HDPE culvert with concrete wingwalls and riprap apron. The impacts is located 0.2 miles northeast of the intersection of S.R. 314 and Manor Drive (Pocono Pines, PA Quadrangle Latitude: 41° 06' 25"; Longitude: -75° 22' 46") in Pocono Township, Monroe County.

2) A 12-inch diameter ductile iron water line utility crossing of an Unnamed Tributary to Indian Run (HQ-CWF) and 115-L.F. of the floodway. The impacts is located 0.4 mile east of the intersection of S.R. 314 and Fairview Ave (Mount Pocono, PA Quadrangle Latitude: 41° 06' 12"; Longitude: -75° 22' 00") in Pocono Township, Monroe County.

3) A 12-inch diameter ductile iron water line utility crossing of an Unnamed Tributary to Indian Run (HQ-CWF) and 150-L.F. of the floodway. The impacts is located 0.4 mile east of the intersection of S.R. 314 and Fairview Ave (Mount Pocono, PA Quadrangle Latitude: 41° 06' 12"; Longitude: -75° 22' 00") in Pocono Township, Monroe County.

4) An 8-inch diameter HDPE force main sewerage utility line crossing and a 6-inch diameter HDPE force main sewerage utility line crossing of Swiftwater Creek (HQ-CWF) and 80-L.F. of the floodway. The impacts is located 0.5 mile southeast of the intersection of S.R. 314 and Swiftwater Ave (Mount Pocono, PA Quadrangle Latitude: 41° 06' 1.6"; Longitude: -75° 20' 54.6") in Pocono Township, Monroe County.

5) A 12-inch diameter ductile iron water line utility crossing of Swiftwater Creek (HQ-CWF) and 48-L.F. of the floodway. The impacts is located 0.5 mile southeast of the intersection of S.R. 314 and Swiftwater Ave (Mount Pocono, PA Quadrangle Latitude: 41° 06' 1.6"; Longitude: -75° 20' 54.6") in Pocono Township, Monroe County.

6) A 12-inch diameter ductile iron water line utility crossing, an 8-inch diameter HDPE force main sewerage utility line crossing, and a 6-inch diameter HDPE force main sewerage utility line crossing of Swiftwater Creek (HQ-CWF) and 60-L.F. of the floodway. The impacts is located 0.3 mile northwest of the intersection of S.R. 314 and S.R. 611 (Mount Pocono, PA Quadrangle Latitude: 41° 05' 56.3"; Longitude: -75° 20' 4.2") in Pocono Township, Monroe County.

7) An 8-inch diameter HDPE force main sewerage utility line crossing and a 6-inch diameter HDPE force main sewerage utility line crossing of Swiftwater Creek (HQ-CWF) and 113-L.F. of the floodway. The impacts is located 0.7 mile west of the intersection of S.R. 314 and Summit Road (Mount Pocono, PA Quadrangle Latitude: 41° 06' 1.6"; Longitude: -75° 20' 56.3") in Pocono Township, Monroe County.

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

E22-597: Lower Paxton Township, 425 Prince Street, Harrisburg, PA 17109, in Lower Paxton Township, **Dauphin County**, ACOE Baltimore District

To remove existing structures and to construct and maintain 1.) an 87.0-foot long 11 foot 11 inch wide by 3 foot 7 inch high, 1.0-foot uniformly depressed plate box culvert with baffles in an unnamed tributary to Spring Creek (CWF, MF); 2.) 35 stone deflectors in an unnamed tributary to Spring Creek (CWF, MF); 3.) 5 root ball deflectors in an unnamed tributary to Spring Creek (CWF, MF); 4.) 252.0 feet of, 3.0-foot high stacked stone wall along the left bank of an unnamed tributary to Spring Creek (CWF, MF); 5.) an 18.0-inch SLCPP pipe outfall to an unnamed tributary to Spring Creek (CWF, MF); also to 1.) relocate and maintain 713.0 feet of an unnamed tributary to Spring Creek (CWF, MF); 2.) reconstruct a drainage swale in the floodway of an unnamed tributary to Spring Creek (CWF, MF); 3.) install and maintain 17 square yards of R-4 of rip rap along an

unnamed tributary to Spring Creek (CWF, MF); 4.) remove 5 feet of an existing 15.0-inch CMP from the floodway of a unnamed tributary to Spring Creek (CWF, MF); 5.) install and maintain 54 square yards of R-3 rip rap along an unnamed tributary to Spring Creek (CWF, MF); 6.) relocate an maintain 75.0 linear feet of an existing 8.0-inch PVC water line in an unnamed tributary to Spring Creek (CWF, MF); and 7.) install and maintain a 25.0-foot wide temporary road crossing in a unnamed tributary to Spring Creek (CWF, MF), all for the purpose of improving traffic safety on Dowhower Road. The project is located along Dowhower Road approximately 0.25 mile south of its intersection with Union Deposit Road (Harrisburg East, PA Quadrangle; Latitude: 40°16'33.1", Longitude: 76°48'13.3") in Lower Paxton Township, Dauphin County. No wetlands will be impacted by this project.

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

E14-554. Ferguson Township, 3147 Research Drive, State College, PA 16801-2752. Rosemont Drive / Selders Circle Storm Drain and Culvert Replacement in Ferguson Township, **Centre County**, ACOE Baltimore District (Pine Grove Mills, PA Quadrangle N: 40°24.4'20"; W: -77°52'49").

To: 1) remove an existing 32-inch by 44-inch 440 foot long ECMP culvert and a 42-inch 130-foot long CMP culvert along Selders Circle, 2) remove two 30-inch, 45-foot long culverts under Rosemont Drive, remove a 36-inch 40-foot long and an 18-inch 40-foot long CMP culvert under a farm lane, then to construct and maintain: 3) a 60-inch 360-foot long HDPE culvert with inlet and outlet systems along Selders Circle, 4) followed by a 140-foot long channel along Selders Lane, 6) followed by a 5-foot by 10-foot by 50-foot concrete box culvert with inlet and outlet aprons under Rosemont Drive, 7) that outlets to a realigned 195 foot long channel in order to mitigate flooding of residences and public roads. This project proposes to impact 870 linear feet of an intermittent reach of Slab Cabin Run, which is classified as a Cold Water Fishery.

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

E02-856-A3. Charles J. Miller, 2476 Henry Road, Sewickley, PA 15143; Cheswick Borough, **Allegheny County**; ACOE Pittsburgh District. Applicant proposes to do the following:

1. Dredge and maintain a 160' X 141' area within a cove along the Allegheny River (WWF, N), by removing approximately 2,200 cy of material from the river, for the

purpose of deepening the current 1.5' depth of water in the cove to an approximately 8' depth, to accommodate boat traffic from a boat ramp and dock, which are described below, and an existing dock, within the cove, at the Cheswick Marina;

2. Construct and maintain an approximately 190' long earth and rock berm in and along the Allegheny River, and then to place and maintain the dredge materials behind this berm, up to elevation 739', to create an approximately 4,000 ft² picnic area, at the marina;

3. Construct and maintain an approximately 14' X 100' concrete boat ramp in the cove, to launch boats within the marina;

4. Construct and maintain an approximately 1,980 ft², L-shaped, floating dock within the cove, which will be secured in place with five (5) pilings, to provide twenty (20) additional boat slips; and

5. Construct and maintain a concrete pad and gangway, to provide access from the picnic area to the dock.

The project is located at the existing Cheswick Marina, along the Allegheny River, at 100 Blockdale Street, Cheswick, PA 15024 (New Kensington West, PA Quadrangle, N: 7.21 inches; W: 7.92 inches; Latitude: 40° 32' 22.9", Longitude: -79° 48' 25.3"), in Cheswick Borough, Allegheny County.

Southwest Region: Oil and Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745

E65-07-008: CONE Gathering, LLC 200 Evergreene Drive Waynesburg, PA 15370, Washington Township, **Westmoreland County**, ACOE Pittsburgh District.

CONE Gathering, LLC is proposing to install the Mamont South Pad 2 Pipeline that will begin at the Mamont South Well Pad 1 Pipeline (40.476551, -79.591028) and will terminate at the Mamont South 2 Well Pad (40.462864, -79.575133). The project is located within the Slickville USGS 7 1/2 Minute Quadrangle Map. The project will include installation of a 1.18 mi long 10-inch permanent steel natural gas pipeline, a 16-inch diameter permanent HDPE waterline and a 6-inch diameter flex steel waterline. The project is a Joint Permit Application due to the crossing of Exceptional Value (EV) wetlands. These wetlands are designated as EV per 105.17(1)(iv). The project will result in two (2) EV Wetland crossings and five (5) watercourse crossings resulting in a total of 2,090 ft² of temporary wetland impact and 121 ft² of permanent wetland impact and 478 temporary linear feet of stream impact and 39 linear feet of permanent stream impact.

All the following crossings will be crossed by the three (3) pipes mentioned above and a timbermat bridge:

<i>Wetland Crossings</i>	<i>Latitude / Longitude</i>	<i>Area of Impact</i>
Wetland 1 (EV) Palustrine Emergent (PEM)	41.473866N, -79.573777W	Temporary: 663 ft ² (0.02 ac) Permanent: 40 ft ² (0.0001 ac)
Wetland 6 (EV) Palustrine Emergent (PEM)	40.464093N, -79.573479W	Temporary: 1,427 ft ² (0.03 ac) Permanent: 81 ft ² (0.002 ac)
<i>Stream Crossings</i>	<i>Latitude / Longitude</i>	<i>Area of Impact</i>
Intermittent Stream 2 UNT to Beaver Run (HQ-WWF)	40.473145N, -79.574089W	Temporary: 53 ln. ft. (0.003 ac) Permanent: 6 ln. ft. (0.0002 ac)
Perennial Stream 4 UNT to Beaver Run (HQ-WWF)	40.472636N, -79.574326W	Temporary: 54 ln. ft. (0.003 ac) Permanent: 7 ln. ft. (0.0002 ac)

<i>Stream Crossings</i>	<i>Latitude / Longitude</i>	<i>Area of Impact</i>
Perennial Stream 5 UNT to Beaver Run (HQ-WWF)	40.472567N, -79.574358W	Temporary: 54 ln. ft. (0.01 ac) Permanent: 7 ln. ft. (0.001 ac)
Perennial Stream 6 UNT to Beaver Run (HQ-WWF)	40.470027N, -79.572902W	Temporary: 53 ln. ft. (0.01 ac) Permanent: 12 ln. ft. (0.001 ac)

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0103331 (Sewage)	Jackson Center Borough STP Bradley Road Jackson Center, PA 16133	Mercer County Jackson Center Borough	Yellow Creek (20-A)	Y

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

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

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

WQM Permit No. WQG01621301, Sewage, **Robert J. Cooper**, 162 Egypt Hollow Road, Warren, PA 16365.

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

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI033613003 (Issued)	Melvin S. Burkholder PO Box 436 Myerstown, PA 17076	Lancaster	Elizabeth Township	UNT to Hammer Creek (HQ-CWF, MF/CWF)

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

Columbia County Conservation District: 702 Sawmill Road, Suite 204, Bloomsburg, PA 17815, (570) 784-1310, X 102

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041913001	Joel Knoebel 182 Center School Rd Elysburg PA 17824	Columbia	Cleveland Township	UNT to S Branch Roaring Creek HQ-CWF, MF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI050213006	Ross Nese 209 Sigma Drive Pittsburgh, PA 15221	Allegheny	Fox Chapel Borough	UNT to Glade Run (HQ-WWF)
PAI055613001	PA Turnpike Commission PO Box 67676 Harrisburg, PA 17106-7676	Somerset	Jefferson Township, Donegal Township, and Cook Township	Indian Creek (HQ-CWF) and Clear Run (HQ-CWF)
PAI056513005	F.V.M.S. Properties, LLC 321 Fletcher Lane Greensburg, PA 15601	Westmoreland	Delmont Borough	Beaver Run (HQ-CWF) and Turtle Creek (TSF)

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

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>
Robeson Township, Berks County	PAG02000606036R (Issued)	Rodney Trusty 159 Mail Route Road Sinking Spring, PA 19608	UNT to Indian Corn Creek (CWF, MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Wyomissing Borough, Berks County	PAG02000613047 (Issued)	David Binder Wyomissing Prof. Ctr I 875 Berkshire Blvd, Ste 102 Wyomissing, PA 19610	UNT to Tulpehocken Creek (WWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Amity Township, Berks County	PAG02000613049 (Issued)	Jay Tornetta 422 Properties LP 920 Germantown Pike Plymouth Meeting, PA 19462	Leaf Creek (WWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
North Newton Township, Cumberland County	PAG02002113045 (Issued)	Alvin Oberholtzer 9445 Molly Pitcher Highway N. Shippensburg, PA 17257	Bulls Head Branch (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
North Middleton Township, Cumberland County	PAG02002111027R (Issued)	Gettys Ventures Family LP Fred Gettys 1950 Chestnut Court Camp Hill, PA 17011	Wertz Run (WWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Silver Spring Township, Cumberland County	PAG02002113046 (Issued)	Flynn Group Tom Flynn 5006 Trindle Road Ste 100 Mechanicsburg, PA 17050	UNT to Conodoguinet Creek (WWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Lower Paxton Township, Dauphin County	PAG02002213047 (Issued)	DJH Victoria Abbey Assoc. LP 2151 Linglestown Road Harrisburg, PA 17110	Paxton Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
City of Harrisburg, Dauphin County	PAG02002213038 (Issued)	Brookwood Commons LP 2534 N 3rd Street Harrisburg, PA 17110	Paxton Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Swatara Township, Dauphin County	PAG02002211017R (Issued)	Swatara Township Board of Commissioners 599 Eisenhower Blvd Harrisburg, PA 17111	Swatara Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100

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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>
Fermanagh Township, Juniata County	PAG02033411003R (Issued)	Don Haubert 15 Central Blvd Camp Hill, PA 17011	Schweyer Run (CWF)	Juniata Co. Conservations District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717.436.8953
Annville Township, Lebanon County	PAG02003811008R (Issued)	Clifford Weaver 1737 West Main Street Ephrata, PA 17522	Quittapahilla Creek (TSF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Union Township, Lebanon County	PAG02003813013R (Issued)	Donald E. Smith 75 Mystic Harbor Bradford Woods, PA 15015	Swatara Creek (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Bethel Township, Lebanon County	PAG02003813037 (Issued)	Lynford Steiner 384 Golf Road Lebanon, PA 17046	Little Swatara Creek (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
West Manchester Township, York County	PAG02006713041 (Issued)	Glenlyn Enterprises Inc. Glenn C. Rexroth PO Box 297 Dallastown, PA 17313	UNT to SB Codorus Creek (WWF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Chanceford Township, York County	PAG02006713047 (Issued)	Guinston United Presbyterian Church Daniel Barker 14130 Guinston Forge Rd Airville, PA 17302	UNT to NB Muddy Creek (CWF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Hellam Township, York County	PAG020067070592R (Issued)	Robert Argento E.Z. Four Investors 1 Waterford Professional Center York, PA 17402	Wildcat Run and Kreutz Creek (WWF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Fairview Township, York County	PAG02003713007 (Issued)	Fairview Township Stephen Smith 599 Lewisberry Road New Cumberland, PA 17070	UNT to Yellow Breeches Creek (CWF, MF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Asylum Township Bradford County	PAG02000812002R	John Zamlen Panda Liberty LLC 4100 Spring Valley Ste 1001 Dallas TX 75244	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6

<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>
Standing Stone Twp Bradford County	PAG02000813024	Kent McManus Eureka Resources LLC	King Creek WWF Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Ferguson Township Centre County	PAG02001403041R	Thistlewood Assoc 2300 S Atherton St State College PA 16801	Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Sandy Township Clearfield County	PAG02001713009	Treasure Lake Church 226 Treasure Lake Dubois PA 15801	Juniata Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
North Fayette Township Allegheny County	PAG2000203118R	Leon Chiri 130 West Allegheny Road Imperial, PA 15126	North Branch of Allegheny River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Collier Township Allegheny County	PAG2000203123R	Maronda Homes, Inc. 1383 State Route 30 Clinton, PA 15026	Thoms Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Collier Township Allegheny County	PAG2000204102R	Maronda Homes, Inc. 11 Timberglen Drive Imperial, PA 15126	Scotts Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
South Fayette Township Allegheny County	PAG200205028-1R	Berkshires, LLC. 409 Broad Street Suite 200 Sewickley, PA 15143 Alton Industries 11 Carlton Dr. Eighty-Four, PA 15330	Dolphin Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Hampton Township Allegheny County	PAG2000205032R	ESB Bank 600 Lawrence Ave Ellwood City, PA 16117	UNT to Gourdhead Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Municipality of Monroeville Allegheny County	PAG200020206017R	Widewaters Monroeville Company, LLC. PO Box 3 5786 Widewaters Pkwy Dewitt, NY 13214-0003	Turtle Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Franklin Park Borough Allegheny County	PAG2000206081R	JGD Partnership PO Box 297 Wexford, PA 15090	Fish Run (CWF) and Pine Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Moon Township Allegheny County	PAG2000207008R1	Foltz Development Corp 1064 Surrey Woods Dr Canonsburg, PA 15219	UNT to Flaugherty Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
West Deer Township Allegheny County	PAG02000208003R	C.P.C., LLC. 511 Cedar Run Road Allison Park, PA 15101	Deer Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Jefferson Hills Borough Allegheny County	PAG2000208006R	Castor Farm Associates, Inc. 405 McNeily Road Suite 306 Pittsburgh, PA 15226	Peters Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
South Fayette Township Allegheny County	PAG02000211056R	South Fayette Township School District 3680 Old Oakdale Road South Fayette, PA 15507	UNT to Millers Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Franklin Park Borough Allegheny County	PAG02000211067R	Ridge Forest Development, LP 3468 Broadhead Road Suite 7 Monaca, PA 15061	Big Sewickley Creek (TSF) and Pine Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Municipality of Mt. Lebanon Allegheny County	PAG02000211063R	Kossman Development Company Eleven Parkway Center Suite 300 875 Greentree Road Pittsburgh, PA 15220	Painters Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Collier Township Allegheny County	PAG2000211079	Collier Township 2418 Hilltop Road Suite 100 Presto, PA 15142	Thoms Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000213052	Housing Authority of the City of Pittsburgh 200 Ross Street 9th Floor Pittsburgh, PA 15219	Allegheny River (WWF-N)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Borough of Leetsdale Allegheny County	PAG02000213064	Centerside Industrial, LP 100 Leetsdale Industrial Drive Leetsdale, PA 15056	Ohio River (WWF-N)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Hampton Township Allegheny County	PAG02000213068	Hampton Township 3101 McCully Road Allison Park, PA 15101	Pine Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Harmar Township Allegheny County	PAG02000213075	Harmarville Hotel Associates, LP 375 Southpointe Blvd Suite 410 Canonsburg, PA 15317	Allegheny River (WWF-N)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Town of McCandless Allegheny County	PAG02000213083	Allegheny County Dept. of Public Works 542 Forbes Avenue Room 501 Pittsburgh, PA 15219	Pine Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
South Fayette Township Allegheny County	PAG02000213086	Pennsylvania American Water Company 300 Galley Road McMurray, PA 15317	UNT to Chartiers Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000213087	Village Green 343 South Dearborn St. Suite 203 Chicago, IL 60604	Allegheny River (WWF-N)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Baldwin Borough Allegheny County	PAG02000213089	Michael Bros. Hauling 309 Bellwatt Drive Canonsburg, PA 15317	Lick Run (TSF) and Peters Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG02000213094	E.J. Del Monte Corp. 909 Linden Avenue Rochester, NY 14625	Montour Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Town of McCandless Allegheny County	PAG02000213098	Laroche College 900 Babcock Blvd Pittsburgh, PA 15237	UNT to Little Pine Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000213101	Oxford Development Co. One Oxford Center Suite 4500 Pittsburgh, PA 15219	Monongahela River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG02000213102	Concord Sierra Campbell Associates, LP 409 Broad Street Suite 203 Sewickley, PA 15143	Campbells Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Stowe Township Allegheny County	PAG02000213104	Brooktrout Development Inc. 906 Grandview Ave Pittsburgh, PA 15211	Ohio River (WWF-N)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Pine Township Allegheny County	PAG02000213106	#1 Cochran Automotive 4520 William Penn Hwy Monroeville, PA 15146	North Fork Pine Creek (CWF) and Wexford Run (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Center Township and Hopewell Township Beaver County	PAG02000413017	CJ Betters 100 BET-Tech Drive Aliquippa, PA 15001	Ohio River (WWF-N)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Menallen Township and South Union Township Fayette County	PAG02002613011	PA Dept of Transportation Dist. 12-0 825 N. Gallatin Ave Ext. Uniontown, PA 15401	UNT to Jennings Run (WWF), Jennings Run (WWF), and Coal Lick Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Franklin Township Greene County	PAG02003013007	Baker Capital Limited PO Box 409 Irwin, PA 15642	South Fork Ten Mile Creek (WWF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370 (724) 852-5278

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Blacklick Township and Center Township Indiana County	PAG02003213014	Homer City Generation, LP 1750 Power Plant Road Homer City, PA 15748	UNTs to Two Lick Creek (CWF)	Indiana County CD 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 471-4751
Somerset Township Somerset County	PAG02005613001	Guy Chemical Company Inc. 150 Dominion Drive Somerset, PA 15501	UNT to Kimberly Run (CWF)	Somerset County CD 6024 Glades Pike Suite 105 Somerset, PA 15601 (814) 445-4652
New Baltimore Borough Somerset County	PAG02005613002	PA Turnpike Commission PO Box 67676 Harrisburg, PA 17106	Raystown Branch of the Juniata River (CWF)	Somerset County CD 6024 Glades Pike Suite 105 Somerset, PA 15601 (814) 445-4652
Somerset Township Somerset County	PAG02005613005	Dollar General Friedens DPP VIII, LLC. 9010 Overlook Blvd Brentwood, TN 37027	UNT to Wells Creek (CWF)	Somerset County CD 6024 Glades Pike Suite 105 Somerset, PA 15601 (814) 445-4652
Robinson Township, Mt. Pleasant Township, and Cecil Township Washington County	PAG02006313020	PA Turnpike Commission PO Box 67676 Harrisburg, PA 17106	UNTs to St. Patrick Run (WWF), UNTs to Little Raccoon Run (WWF), Little Raccoon Run (WWF), UNTs to Robinson Run (WWF), Robinson Run (WWF), UNTs to Millers Run (WWF), Millers Run (WWF) UNTs to Coal Run (WWF), Coal Run (WWF), UNTs to Chartiers Creek (WWF), UNTs to McPherson Run (WWF), McPherson Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
North Strabane Township Washington County	PAG02006313030	Meadows Hotel Associates, LLC. 625 Liberty Avenue Pittsburgh, PA 15222	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

General Permit Type—PAG-4

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Glade Township Warren County	PAG041126	Robert J. Cooper 162 Egypt Hollow Road, Warren, PA 16365	Hatch Run 16-B	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

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

PAG102296

Williams Field
Services Co. LLC
1212 South Abington
Road
Clarks Summit, PA
18411-2234Unnamed
Tributaries of East
Branch Martins
Creek—4-FDEP Northeast
Regional Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2511**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>
Malcolm Sonnen 101 Sonnen Road Richland, PA 17087	Lebanon	0	256.44	Poultry - Layer	NA	Approved
Chris Barry Barry Farms 230 Obie Rd Newmanstown, PA 17073	Lebanon	560.5	970.63	Beef, Swine and Equine	NA	Approved
Donald Martin 331 Greble Road Jonestown, PA 17038	Lebanon	90.5	302.78	Poultry - Layer	NA	Approved
Kerek Musser 2604 Hossler Rd Manheim, PA 17545	Lancaster	189.2	937.03	Layers	None	A
Henry & Kathy Hershey 135 Herr Drive Peach Bottom, PA 17563	Lancaster	140.8	391.22	Broiler/Dairy	HQ	A
Mike Buckwalter 350 Rock Point Rd Marietta, PA 17547	Lancaster	335.7	478.34	Swine/Steers	NA	A
Ron Clark 754 Solanco Rd Quarryville, PA 17566	Lancaster	256.8	825.88	Dairy	HQ	A

<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>
Joel Rutt 178 White Oak Rd Manheim, PA 17545	Lancaster	250	410.2	Swine/ Beef/Poultry	NA	A
Richard Rutt 375 Nissley Rd Mount Joy, PA 17552	Lancaster	102	439.4	Swine	HQ	A

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 (35 P. S. §§ 721.1—721.17).

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

Permit No. 3613505, Public Water Supply.

Applicant	Northwestern Lancaster County Authority
Municipality	Penn Township
County	Lancaster
Responsible Official	David Stewart PE, Chairman 97 North Penryn Road Manheim, PA 17545

Type of Facility	Permitting of Well No. 3 and installation of additional modules to increase the capacity of the Siemens Membrane Filtration Plant.
Consulting Engineer	Mark L Homan, P.E. Becker Engineering LLC 111 Millersville Road Lancaster, PA 17603
Permit to Construct Issued:	12/11/2013

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:

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

Windy Ridge Business & Technology Park, (formerly Windy Ridge Farm), Lot No. 2, 54 Windy Ridge Road, Indiana, PA 15701 **Indiana County.** Stiffler, McGraw & Associates, 1731 N. Juniata Street, Hollidaysburg, PA 16648 on behalf of Indiana County Development Corporation, 801 Water Street, Indiana, PA 15701 submitted a final report on December 10, 2013 concerning the remediation of site soils contaminated with fuel oil. The final report is intended to show attainment of the non-residential Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

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

submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

US Silica Company/Mapleton Depot Site, 12942 Oriskany Road, Mapleton Depot, PA, Brady Township, **Huntingdon County.** Mountain Research LLC, 825 25th Street, Altoona, PA 16601, on behalf of US Silica Company, 8490 Progress Drive, Suite 300, Frederick, MD 21701 submitted a Remedial Investigation Report concerning the remediation of site soils and groundwater contaminated with diesel fuel and gasoline. The report was approved by the Department on December 11, 2013. The site is being remediated to a Site Specific standard.

AIR QUALITY

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

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

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

GP3-58-014: Popple Construction, Inc. (215 E. Saylor Avenue, Laffin, PA 18702) on December 10, 2013, to construct and operate a Portable Crushing Operation with watersprays at their Rushville Aggregates Quarry in Rush Township, **Susquehanna County.**

GP9-58-014: Popple Construction Inc. (215 E. Saylor Avenue, Laffin, PA 18702) on December 10, 2013, to install and operate a Diesel I/C engine at their Rushville Aggregates Quarry in Rush Township, **Susquehanna County.**

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

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

GP3-42-205C: Duffy, Inc.—Duffy Stone Quarry (Route 6 East, Port Allegany, PA 16743) on December 6, 2013, to construct a new portable nonmetallic mineral processing plant consisting of a crusher, Kolberg—Pioneer Fast Trac Model No. FT2650 portable jaw crusher rated for 500 tph (BAQ-GPA/GP-3) in Liberty Township, **McKean County.**

GP11-42-205D: Duffy, Inc.—Duffy Stone Quarry (Route 6 East, Port Allegany, PA 16743) on December 6, 2013, to operate a Caterpillar, C9 FT2650 diesel engine

generator, Serial No. JSC01285, 275 bhp diesel engine (BAQ-GPA/GP-11) in Liberty Township, **McKean County**.

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

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

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

36-05079D: Chester County Solid Waste Authority (7224 Division Highway, Honey Brook, PA 19344) on December 11, 2013, for the Area E expansion of their Lanchester Landfill in Caernarvon Township, **Lancaster County**. The plan approval was extended.

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

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

25-025Q: General Electric Transportation—Erie Plant (2901 East Lake Road, Bldg 9-201, Erie, PA 16531) on December 10, 2013, effective December 31, 2013, will issue a plan approval extension for the modification of plan approval 25-025O with regards to the test cells in buildings 4E and 63 in Lawrence Park Township, **Erie County**. This is a Title V facility.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

28-03041: Spectrum Industrial Coatings, Inc. (9226 Mountain Brook Road, Saint Thomas, PA 17252-9778) on December 10, 2013, for their surface coating facility in Saint Thomas Township, **Franklin County**. The State-only permit was renewed.

36-03103: Kunzler & Co., Inc. (652 Manor Street, Lancaster, PA 17603-5108) on December 10, 2013, for their meat processing facility in Lancaster City, **Lancaster County**. The State-only permit was renewed.

36-03182: Charles F. Snyder Funeral Home, Inc. (3110 Lititz Pike, Lititz, PA 17543) on December 10, 2013, for the human crematory unit at their funeral home in Manheim Township, **Lancaster County**.

38-05018: Lebanon VA Medical Center (1700 South Lincoln Avenue, Lebanon, PA 17042-7529) on December 10, 2013, for the veterans' hospital in South Lebanon Township, **Lebanon County**. The State-only permit was renewed.

22-03013: Pinnacle Health Hospital (218 S. 2nd Street, Harrisburg, PA 17104-1601) on December 10, 2013 for the boilers and generators at the Harrisburg Hospital in Harrisburg City, **Dauphin County**. The State-only permit was renewed.

06-03054: Martin Stone Quarries, Inc. (1355 North Reading Avenue, Bechtelsville, PA 19505-9236) on

December 10, 2013, for their Bechtelsville Quarry in Colebrookdale Township, **Berks County**. The State-only permit was renewed.

01-03022: Agricultural Commodities, Inc. (1585 Granite Station Road, Gettysburg, PA 17325-8345) on December 9, 2013, for their animal feed manufacturing facility in Straban Township, **Adams County**. The State-only permit was renewed.

21-05012: Mt. Holly Springs Specialty Paper, Inc. (1 Mountain Street, Mount Holly Springs, PA 17065-1406) on December 11, 2013, for their specialty paper manufacturing facility in Mount Holly Springs Borough, **Cumberland County**. The State-only permit was renewed.

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

Contact: Edward Wiener, Chief—Telephone: 215-685-9426

The City of Philadelphia, Air Management Services (AMS) issued Minor State Only Operating Permits for the following facilities:

S13-013: Clean Earth of Philadelphia (3201 South 61st Street, Philadelphia, PA 19153) for operation of for their operation of a soil and non-soil treatment facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include one (1) thermal desorption unit, one (1) thermal oxidizer and cyclone separator, one (1) baghouse, one (1) carbon adsorption unit, one (1) carbon adsorption unit with fabric filter, Pretreated Media Process Building operations, and particulate fugitive sources from plant roadways sweeping, outdoor storage pile, crushers and screeners and material transfer operations.

S13-004: Cross Connect Solutions, Inc. (at 401 North Broad Street, Philadelphia, PA 19108) for operation of a network data center in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes four diesel emergency generators with Selective Catalytic Reduction (SCR) each less than 500 kW, one 1020kW, one 1000kW and a 1500 kW diesel emergency generators with Selective Catalytic Reduction control device to reduce NO_x emissions from each source.

AMS N13-008: U.S. Custom House (200 Chestnut Street, Philadelphia, PA 19106) the facility's air emission source includes two boilers each 6.8 MMBTU/hr and two 399,000 BTU/h State hot water heater, each firing natural gas, and one (1) 450 Kw.

N13-013: Verizon-Pennsylvania—Sherwood Central Office (5650 Chestnut St, Philadelphia, PA 19103) for operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 200-kilowatt, one (1) 350 kilowatt and one (1) 750 kilowatt emergency generators firing diesel fuel oil.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

09-00196: Abington Reldan Metals, LLC (550 Old Bordentown Road, Fairless Hills, PA 19030) on December 6, 2013, has been amended to incorporate Plan Approval No. 09-0196G requirements in accordance with 25 Pa. Code 127.450. The amended State-Only Operating Permit contains all of the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits designed to keep the facility operating within all applicable air quality requirements.

09-00135: Met-Pro Technologies LLC (700 Emlen Way, Telford, PA 18969) on December 6, 2013, for a change of ownership from Met-Pro Corporation to Met-Pro Technologies LLC. The facility is a natural minor facility for VOC and HAP emissions. This facility is limited to 3.5 tons per year of VOC/HAP emissions. This Operating Permit includes emission restrictions, monitoring, recordkeeping and work practice requirements designed to ensure this facility complies with all applicable air quality regulations.

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

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500

26040105 and NPDES Permit No. PA0250635. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Permit renewal issued for continued treatment and reclamation activities to an existing bituminous surface mine, located in Dunbar Township, **Fayette County**, affecting 382.7 acres. Receiving streams: unnamed tributaries to Ferguson Run and Laurel Run. Application received: May 27, 2011. Permit issued: December 10, 2013.

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

33030110 and NPDES Permit No. PA0242454. RES Coal, LLC (P.O. Box 228, Armagh, PA 15920) Renewal of an existing bituminous surface mine in Snyder Township, **Jefferson County**, affecting 122.5 acres. Receiving streams: Unnamed tributaries to Toby Creek. Application received: September 25, 2013. Permit Issued: December 4, 2013.

16080102. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Redbank Township, **Clarion County**,

affecting 73.5 acres. Receiving streams: Two unnamed tributaries to Town Run. This renewal is issued for reclamation only. Application received: October 16, 2013. Permit Issued: December 10, 2013.

10930111 and NPDES Permit No. PA0211834. JMW Enterprises, Inc. (P.O. Box 282, Acme, PA 15610) Renewal of an existing bituminous surface and auger mine in Washington Township, **Butler County** affecting 115.5 acres. Receiving streams: Unnamed tributaries to South Branch Slippery Rock Creek and unnamed tributary to Bear Creek. Application received: October 2, 2013. Permit Issued: December 11, 2013.

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

17020115 and NPDES PA0243370. Hepburnia Coal Company (P. O. Box I, 1127 Haytown Road, Grampian, PA 16838). Permit renewal for reclamation only to an existing bituminous surface mine in Ferguson Township, **Clearfield County** affecting 69 acres. Receiving stream(s): Watts Creek and Little Clearfield Creek classified for the following use(s): High Quality Waters—Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 2, 2013. Permit issued: December 6, 2013.

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

54030201R2. Devil's Hole, Inc., (PO Box 559, Schuylkill Haven, PA 17972), renewal for reclamation activities only of an existing anthracite coal refuse reprocessing operation in Frailey Township, **Schuylkill County** affecting 28.0 acres, receiving stream: Good Spring Creek. Application received: February 14, 2013. Permit issued: December 10, 2013.

54030201GP104. Devil's Hole, Inc., (PO Box 559, Schuylkill Haven, PA 17972), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54030201 in Frailey Township, **Schuylkill County**, receiving stream: Good Spring Creek. Application received: February 14, 2013. Permit issued: December 10, 2013.

13070101R. Keystone Anthracite Marketing Corp. d/b/a KAMC, (PO Box 273, Danville, PA 17821), renewal of an existing anthracite surface mine operation in Nesquehoning Borough, **Carbon County** affecting 252.3 acres, receiving stream: Nesquehoning Creek. Application received: January 24, 2013. Renewal issued: December 10, 2013.

13070101GP104. Keystone Anthracite Marketing Corp. d/b/a KAMC, (PO Box 273, Danville, PA 17821), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 13070101 in Nesquehoning Borough, **Carbon County**, receiving stream: Nesquehoning Creek. Application received: January 24, 2013. Permit issued: December 10, 2013.

Noncoal Permits Issued

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

Permit No. 44030301 and NPDES Permit No. PA0269247, Glenn O. Hawbaker, 1952 Waddle Road, State College, PA 16803, new NPDES permit, Armagh Township, **Mifflin County**. Receiving stream: Honey Creek classified for the following use: high quality cold water fishery. There are no potable water supply intakes

within 10 miles downstream. Application received September 4, 2013. Permit Issued: December 9, 2013.

Greensburg District Mining Office: Armbrust Professional Center; 8205 Route 819, Greensburg, PA 15601, 724-925-5500

65100401 and NPDES Permit No. PA0252051. Amerikohl Aggregates, Inc. (1384 State Route 711, Stahlstown, PA 15687). Permit issued for commencement, operation and reclamation of a large noncoal surface mine, located in Fairfield Township, **Westmoreland County**, affecting 173.9 acres. Receiving streams: unnamed tributaries to Freeman Run. Application received: December 7, 2010. Permit issued: December 11, 2013.

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

43990802. Griffin Excavating, Inc. (360 Sopher Road, Grove City, PA 16127). Final bond release for a small industrial minerals surface mine in Pine and Wolf Creek Townships, **Mercer County**. Restoration of 4.5 acres completed. Receiving streams: Unnamed tributary to Wolf Creek. Application Received: November 12, 2013. Final bond release approved: December 5, 2013.

37050302 and NPDES Permit No. PA0242632. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Transfer of an existing large industrial minerals mine and associated NPDES permit from Quality Aggregates, Inc. in Slippery Rock Township, **Lawrence County**, affecting 100.0 acres. Receiving streams: Unnamed tributaries to Slippery Rock Creek. Application received: July 25, 2013. Permit Issued: December 4, 2013.

37880304 and NPDES Permit No. PA0204906. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Transfer of an existing large industrial minerals mine and associated NPDES permit from Quality Aggregates, Inc. in Slippery Rock Township, **Lawrence County**, affecting 227.5 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: July 25, 2013. Permit Issued: December 4, 2013.

37880304. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES Permit No. PA0204906 in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: July 25, 2013. Permit Issued: December 4, 2013.

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

08000805. Wilmer Chilson (235 Woodleigh Lane, Towanda, PA 18848). Final bond release for a small industrial minerals surface mine located in Asylum Township, **Bradford County**. Restoration of 1.0 acre completed. Receiving stream(s): Unnamed Tributary to Durell Creek and Durell Creek. Application received: November 18, 2013. Final bond release approved: December 10, 2013.

08110304 and NPDES PA 0257575. TMT Gravel and Contracting, Inc. (1841 Pennsylvania Avenue, Pine City, NY 14871-9100). Revision to an existing large noncoal permit to add 4.63 acres to permit area for use as an internal access roadway located in Wells Township, **Bradford County** affecting 64.96 acres. Receiving stream(s): Seeley Creek classified for the following use(s): Cold Water Fishes and Migratory Fishes. Application received: June 18, 2013. Permit issued December 9, 2013.

SURFACE MINE RECLAMATION PROJECT

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, Telephone (814) 342-8127

Surface Mine
Reclamation Project

PBF 14022802.1

Location

Liberty Township, **Center County** Pennsylvania

Description

Mark Soster - Eagleville Stone Quarry

Contractor

G & R Charles Excavating, LTD
4729 South Susquehanna Trail
Port Trevorton, PA 17864

Amount

\$14,793.27

Date of Award

November 12, 2013

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

24134004. ARG Resources, Inc. (285 Custom Lumber Lane, Kane, PA 16735) Blasting activity permit to build a road for their own use in Highland Township, **Elk County**. This blasting activity permit expires on July 31, 2014. Permit Issued: December 10, 2013.

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

41134109. Brubacher Excavating, Inc. (P.O. Box 528, Bowmansville, PA 17507-0528). Blasting for Gamble Pad K located in Lewis Township, **Lycoming County** with an expiration date of December 1, 2014. Permit issued: December 10, 2013.

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

36134162. M & J Explosives, Inc., (P.O. Box 608, Carlisle, PA 17013), construction blasting for Strasburg Commons in Strasburg Borough, **Lancaster County** with an expiration date of December 6, 2014. Permit issued: December 10, 2013.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E47-096. Washingtonville Municipal Authority, PO Box 147, Washingtonville, PA 17880. Rt 54 Pump Station,

in Washingtonville Borough, **Montour County**, ACOE Baltimore District (Washingtonville, PA Quadrangle Latitude: 41° 3' 14.4"; Longitude: -76° 40' 37.4").

The Washingtonville Municipal Authority is permitted to remove the existing control panel and to construct, operate and maintain four support posts and step assembly for an elevated platform within the floodplain of Chillisquaque Creek. The platform will be installed 3.05 ft. above the FEMA 100 yr. base flood elevation and 1.8 feet above the known elevation of Hurricane Lee. Attached to the platform will be the new control panel. This project is located at the intersection of Strawberry Ridge and SR 0054 in the Borough of Washingtonville.

E60-214. Joseph C. Moyer, 4748 State Route 304, Winfield, PA 17889-9341. Moyer River Home in Union Township, **Union County**, ACOE Baltimore District (Northumberland, PA Quadrangle N: 40°54'05"; W: -76°50'13.65").

To 1) demolish and remove an existing mobile home, 2) construct and maintain a 1,500 square foot manufactured home elevated at least 1.67 feet above the FEMA 100-year flood elevation of 454 feet on a flood compliant concrete masonry unit (CMU) foundation system located 150 feet downstream of the first upstream house on Lees Lane. This permit was issued under Section 105.13(e) "Small Projects."

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

E02-1690. Deutscher Sport Verein Von 1924 (Pittsburgh German Club), 2124 Walton Avenue, Pittsburgh PA 15210; City of Pittsburgh, **Allegheny County**; ACOE Pittsburgh District.

Has been given consent to remove the existing structures and to place and maintain fill in the right bank floodway of Sawmill Run (WWF) for the purpose of constructing a new building to house the Pittsburgh German Club located on the east side of Underwood Street, approximately 170.0 feet north from the intersection of Underwood Street and Ivyglen Street (Pittsburgh East N: 1.44 inches; W: 16.74 inches; Latitude: 40° 22' 58.5"; Longitude: 79° 59' 42.8") in the City of Pittsburgh, Allegheny County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
03138003	Peoples Natural Gas 1201 Pitts Street Pittsburgh, PA 15221	Armstrong	Multiple	Marshall Run (CWF), UNTs to Marshall Run (CWF), Blackleggs Creek (CWF), Nesbit Run (CWF), UNTs to Nesbit Run (CWF), Whisky Run (CWF), UNTs to Whisky Run (CWF), UNTs to Lindsay Run (WWF), UNTs to Crooked Creek (WWF), Crooked Creek (WWF), Fagley Run (WWF), Long Run (WWF), UNTs to Cherry Run (CWF), UNTs to Huskins Run (WWF), Huskins Run (WWF)
30118004-2	Equitrans, LP 625 Liberty Ave. Pittsburgh, PA 15222	Greene	Gilmore Township	Blockhouse Run (WWF)
63108001-6	MarkWest Liberty Midstream & Resources, LLC. 4600 J. Barry Court Suite 500 Canonsburg, PA 15317	Washington	Chartiers Township, Mt Pleasant Township, Canton Township, Hopewell Township, Buffalo Township, Blaine Township, Donegal Township, and W. Finley Township	UNTs to Brush Run (HQ-WWF), Brush Run (HQ-WWF), UNTs to Chartiers Creek (WWF), UNTs to Georges Run (WWF), Georges Run (WWF), UNTs to Chartiers Run (WWF), Chartiers Run (WWF), UNTs to Spottedtail Run (WWF), UNTs to Robinson Fork (WWF), UNTs to Beham run (WWF), Beham Run (WWF), Blockhouse Run (WWF), UNTs to Blockhouse Run (WWF), UNTs to Bonar Creek (HQ-WWF), Dutch Fork (HQ-WWF), UNTs to Dutch Fork (HQ-WWF), Buffalo Creek (HQ-WWF), UNTs to Wolf Run (HQ-WWF), Westland Run (WWF), and Enlow Fork (TSF)

[Pa.B. Doc. No. 13-2427. Filed for public inspection December 27, 2013, 9:00 a.m.]

Availability of Rebates through the Pennsylvania Alternative Fuels Incentive Grant

The Department of Environmental Protection (Department) announces the continued availability of grants to Commonwealth residents under the Pennsylvania Alternative Fuel Vehicle Rebate Program (program). The program, administered by the Department through the Alternative Fuels Incentive Grant Program, provides rebates to Commonwealth residents to assist individuals with the incremental costs of purchasing an alternative fuel vehicle.

To qualify for the rebate, the alternative fuel vehicle must be registered in this Commonwealth and be oper-

ated primarily within this Commonwealth. The rebate will be offered on a first-come, first-served basis in the order in which they are received. Rebate request forms and required documentation must be submitted to the Department no later than 6 months after the vehicle is purchased.

The following rebates are offered:

- \$2,000 rebate for a plug-in hybrid electric vehicle (PHEV) (battery system capacity equal/greater than 10 kWh) or battery electric vehicle (EV) (battery system capacity equal/greater than 10 kWh) (does not include electric motorcycle, scooter, all-terrain vehicle (ATV) or low speed electric vehicle).

- \$1,000 rebate for a PHEV or EV (battery system capacity less than 10 kWh) (does not include electric motorcycle, scooter, ATV or low speed electric vehicle).
- \$1,000 rebate for a natural gas fueled vehicle. OEM/certified retrofit only.
- \$1,000 rebate for a propane fueled vehicles. OEM/certified retrofit only.
- \$1,000 rebate for a hydrogen vehicle or fuel cell vehicle, or both.
- \$500 rebate for an electric motorcycle, scooter, ATV or other low speed electric vehicle if registered in this Commonwealth.

There are only a limited number of rebates left at \$3,000. Upon payment of the first 500 rebates at \$3,000, the rebate amount for PHEVs and EVs (battery system capacity equal/greater than 10 kWh) will be reduced to \$2,000 for the next 500 qualified applicants or until June 30, 2014, whichever occurs first. The rebate amount offered in the future will be reassessed at that time.

The Department encourages interested applicants to visit the web site for rebate forms and an up-to-date listing of rebate availability at www.dep.state.pa.us, keyword: Alternative Fuel Vehicle Rebates. The remaining rebates available for PHEVs or EVs (battery system capacity equal/greater than 10 kWh) will be updated weekly.

E. CHRISTOPHER ABRUZZO,
Secretary

[Pa.B. Doc. No. 13-2428. Filed for public inspection December 27, 2013, 9:00 a.m.]

Bid Opportunity

OOGM 13-13, Cleaning Out and Plugging One Orphan Oil/Gas Well (Chartiers Township, c/o Jodi L. Noble, Manager, Property), Chartiers Township, Washington County. The principal items of work and approximate quantities are to clean out and plug one orphan oil/gas well, estimated to be 3,500 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well site; and to mobilize and demobilize plugging equipment. This project issues on December 20, 2013, and bids will be opened on January 28, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid meeting will be held on January 8, 2014, at 12 p.m. Contact the Construction Contracts Section at (717) 787-7820 or dhopp@pa.gov for more information on this bid.

E. CHRISTOPHER ABRUZZO,
Secretary

[Pa.B. Doc. No. 13-2429. Filed for public inspection December 27, 2013, 9:00 a.m.]

Bid Opportunity

OOGM 13-11, Cleaning Out and Plugging Two Orphan Oil/Gas Wells (Larry E. Remaley Property), Redbank Township, Armstrong County. The principal items of work and approximate quantities are to clean out and plug two orphan oil/gas wells, estimated to be 3,500 feet in depth, to Department of Environmental

Protection specifications; to prepare and restore well sites; and to mobilize and demobilize plugging equipment. This project issues on December 20, 2013, and bids will be opened on January 28, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid meeting will be held on January 7, 2014, at 12 p.m. Contact the Construction Contracts Section at (717) 787-7820 or dhopp@pa.gov for more information on this bid.

E. CHRISTOPHER ABRUZZO,
Secretary

[Pa.B. Doc. No. 13-2430. Filed for public inspection December 27, 2013, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Retail Space to the Commonwealth Montgomery County

Proposals are invited to provide the Department of General Services with 4,000 to 5,000 usable square feet of retail space for the Liquor Control Board in Pottstown, PA. For more information on SFP No. 94535, which is due on January 17, 2014, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,
Secretary

[Pa.B. Doc. No. 13-2431. Filed for public inspection December 27, 2013, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Conemaugh Valley Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Conemaugh Valley Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 105.11 (relating to access).

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 Division at the previously listed address or phone number, or for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-2432. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of Divine Providence Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Divine Providence Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.4.5.1(1) and 2.2-3.4.5.3(1) (relating to space requirements; and patient toilet).

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. 13-2433. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of Gettysburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gettysburg Hospital has requested an exception to the requirements of 28 Pa. Code § 127.31(b) (relating to policies and procedures).

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.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-2434. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of Langhorne Access Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Langhorne Access Center has requested an exception to the requirements of 28 Pa. Code § 569.35 (relating to general safety precautions).

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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-2435. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of Reading Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-2.4.2 (relating to airborne infection isolation rooms).

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. 13-2436. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of Reading Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.1(1) and 3.1-3.2.2.2(2) (relating to corridor width; and clearances).

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. 13-2437. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of The Reading Hospital—Reading Health System for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Reading Hospital—Reading Health System has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-8.5.3.2 (relating to size (TDR)).

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. 13-2438. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of The Reading Hospital—Reading Health System for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Reading Hospital—Reading Health System has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.16.2.9 (relating to patient lift systems).

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. 13-2439. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of St. Luke's Hospital Quakertown for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital Quakertown has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-3.2 (relating to examination/treatment room area).

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. 13-2440. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of UPMC McKeesport for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC McKeesport has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by request-

ing 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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-2441. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of UPMC Mercy for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Mercy has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-2442. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of Vincera Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Vincera Surgery Center, LLC has requested

an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.4.1.2(2) and 3.7-7.2.2.1(1) (relating to clearances; and public corridors).

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. 13-2443. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of Wayne Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Wayne Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.1.4.4(2) (relating to the secure holding room).

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. 13-2444. Filed for public inspection December 27, 2013, 9:00 a.m.]

Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 107.12(11) (relating to content of bylaws, rules and regulations).

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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-2445. Filed for public inspection December 27, 2013, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, January 15, 2014, and Thursday, January 16, 2014, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth

McGarvey at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-2446. Filed for public inspection December 27, 2013, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking exceptions to 28 Pa. Code §§ 205.26(b), 205.32(b), 205.36(h), 205.38(f), 207.2(b) and 211.12(e):

The Green House Homes of Vie Care Beaver, LLC
2500 Hospital Drive
Aliquippa, PA 15001

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.28(c)(3) (relating to nurses' station):

Normandie Ridge
1700 Normandie Drive
York, PA 17404

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Clearview Nursing and Rehabilitation Center
14663 Route 68
Sligo, PA 16225
FAC ID 034502

Schuylkill County Home—Rest Haven
401 University Drive
Schuylkill Haven, PA 17972
FAC ID 701002

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. 13-2447. Filed for public inspection December 27, 2013, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery systems), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective January 1, 2014, through March 31, 2014, the Maximum Allowable Prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.33
Beans/Peas—Dry—16 oz.	\$2.18
Canned Fish—Pink Salmon	\$2.35
Canned Fish—Sardines	\$1.46
Canned Fish—Tuna	\$1.28
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$7.31
Eggs	\$1.99
Gerber Infant Cereal—8 oz.	\$2.24
Infant Fruits, 100%—4 oz.	\$0.65
Infant Vegetables, 100%—4 oz.	\$0.65
Infant Meats, 100%—2.5 oz.	\$1.04
Juice—11.5/12 oz.	\$2.36
Juice—48 oz.	\$3.07
Juice—64 oz.	\$3.99
Kosher Cheese—16 oz.	\$8.40
Kosher Low Fat Milk—quart	\$1.80
Kosher Low Fat Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.76
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.29
Milk, Dry—25.6 oz.	\$9.00
Milk, Evaporated—12 oz.	\$1.40
Milk, Low Fat—quart	\$1.40
Milk, Low Fat—1/2 gallon	\$2.61
Milk, Low Fat Lactose Free—quart	\$2.44
Milk, Low Fat Lactose Free—1/2 gallon	\$3.95
Milk, Whole—quart	\$1.43
Milk, Whole—1/2 gallon	\$2.64
Milk, Whole Lactose Free—quart	\$2.47
Milk, Whole Lactose Free—1/2 gallon	\$4.03
Peanut Butter—16-18 oz.	\$3.46
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.24
Soy Beverage—8th Continent 64 oz.	\$3.37
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Bread, 24 oz.	\$4.19
Whole Grain—Brown Rice, 16 oz.	\$1.86
Whole Grain—Brown Rice, 24 oz.	\$3.04
Whole Grain—Oats, 16 oz.	\$2.40
Whole Grain—Oats, 24 oz.	\$5.40
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.57
Boost RTF Formula—8 oz.	\$1.72
EnfaCare RTF Formula—32 oz.	\$7.50

<i>Description</i>	<i>Maximum Allowable Price</i>
EnfaCare w/Iron Powder Formula—12.8 oz.	\$16.42
Nutramigen Concentrate Formula—13 oz.	\$7.37
Nutramigen RTF Formula—32 oz.	\$9.55
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$24.31
Pediasure RTF Formula—8 oz.	\$1.81
Pediasure w/Fiber RTF Formula—8 oz.	\$1.93
Pediasure Sidekicks RTF Formula—8 oz.	\$2.00
Similac Advance Concentrate Formula—Blue— 13 oz.	\$4.83
Similac Advance RTF Formula—Blue—32 oz.	\$7.60
Similac Advance Powder Formula—Blue— 12.4 oz.	\$15.17
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.40
Similac Expert Care Alimentum Powder Formula—16 oz.	\$27.59
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$6.79
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$7.69
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.06
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.	\$22.19
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs.	\$22.25
Similac for Spit Up RTF Formula—Green— 32 oz.	\$7.89
Similac for Spit Up Powder Formula—Green— 12.3 oz.	\$15.84
Similac Sensitive Concentrate Formula— Orange—13 oz.	\$4.83
Similac Sensitive RTF Formula—Orange— 32 oz.	\$7.60
Similac Sensitive Powder Formula—Orange— 12.6 oz.	\$15.17
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$4.95
Similac Soy Isomil RTF Formula—Pink— 32 oz.	\$7.89
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$15.84
Similac Total Comfort Powder Formula— Purple—12.6 oz.	\$15.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2014, through March 31, 2014, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.23
Beans/Peas—Dry—16 oz.	\$2.00
Canned Fish—Pink Salmon	\$2.26

<i>Description</i>	<i>Competitive Prices</i>
Canned Fish—Sardines	\$1.41
Canned Fish—Tuna	\$1.18
Cereal (per oz.)	\$0.31
Cheese, 16 oz.	\$6.84
Eggs	\$1.89
Gerber Infant Cereal—8 oz.	\$2.20
Infant Fruits, 100%—4 oz.	\$0.64
Infant Vegetables, 100%—4 oz.	\$0.64
Infant Meats, 100%—2.5 oz.	\$1.03
Juice—11.5/12 oz.	\$2.22
Juice—48 oz.	\$3.00
Juice—64 oz.	\$3.66
Kosher Cheese—16 oz.	\$7.82
Kosher Low Fat Milk—1/2 gallon	\$3.17
Kosher Whole Milk—1/2 gallon	\$3.17
Milk, Low Fat—1/2 gallon	\$2.30
Milk, Whole—1/2 gallon	\$2.32
Peanut Butter—16-18 oz.	\$3.24
Whole Grain—Bread, 16 oz.	\$3.31
Whole Grain—Brown Rice, 16 oz.	\$1.71
Whole Grain—Oats, 16 oz.	\$2.35
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.43
Similac Advance Concentrate Formula—Blue— 13 oz.	\$4.83
Similac Advance Powder Formula—Blue— 12.4 oz.	\$15.17
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$4.95
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$15.84

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective January 1, 2014, through March 31, 2014, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.37
Beans/Peas—Dry—16 oz.	\$2.24
Canned Fish—Pink Salmon	\$2.35
Canned Fish—Sardines	\$1.60
Canned Fish—Tuna	\$1.37
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.33
Eggs	\$1.99
Gerber Infant Cereal—8 oz.	\$2.24
Infant Fruits, 100%—4 oz.	\$0.70
Infant Vegetables, 100%—4 oz.	\$0.70
Infant Meats, 100%—2.5 oz.	\$1.12
Juice—11.5/12 oz.	\$2.51
Juice—48 oz.	\$3.12
Juice—64 oz.	\$4.15
Kosher Cheese—16 oz.	\$8.40
Kosher Low Fat Milk—quart	\$1.80
Kosher Low Fat Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.76

<i>Description</i>	<i>Maximum Allowable Price</i>
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.48
Milk, Dry—25.6 oz.	\$9.48
Milk, Evaporated—12 oz.	\$1.50
Milk, Low Fat—quart	\$1.40
Milk, Low Fat—1/2 gallon	\$2.61
Milk, Low Fat Lactose Free—quart	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon	\$4.31
Milk, Whole—quart	\$1.43
Milk, Whole—1/2 gallon	\$2.64
Milk, Whole Lactose Free—quart	\$2.56
Milk, Whole Lactose Free—1/2 gallon	\$4.33
Peanut Butter—16-18 oz.	\$3.55
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.24
Soy Beverage—8th Continent 64 oz.	\$3.68
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.63
Whole Grain—Bread, 24 oz.	\$4.19
Whole Grain—Brown Rice, 16 oz.	\$2.00
Whole Grain—Brown Rice, 24 oz.	\$3.04
Whole Grain—Oats, 16 oz.	\$2.60
Whole Grain—Oats, 24 oz.	\$6.22
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.57
Boost RTF Formula—8 oz.	\$1.79
EnfaCare RTF Formula—32 oz.	\$7.50
EnfaCare w/Iron Powder Formula—12.8 oz.	\$16.42
Nutramigen Concentrate Formula—13 oz.	\$7.43
Nutramigen RTF Formula—32 oz.	\$9.59
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$24.42
Pediasure RTF Formula—8 oz.	\$1.89
Pediasure w/Fiber RTF Formula—8 oz.	\$1.94
Pediasure Sidekicks RTF Formula—8 oz.	\$2.00
Similac Advance Concentrate—Blue Formula—13 oz.	\$4.83
Similac Advance RTF—Blue Formula—32 oz.	\$7.60
Similac Advance Powder—Blue Formula—12.4 oz.	\$15.34
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.40
Similac Expert Care Alimentum Powder Formula—16 oz.	\$28.28
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$6.79
Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.74
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.16
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.	\$22.41
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs.	\$22.47
Similac for Spit Up RTF Formula—Green—32 oz.	\$7.89
Similac for Spit Up Powder Formula—Green—12.3 oz.	\$16.01
Similac Sensitive Concentrate Formula—Orange—13 oz.	\$4.83
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.60
Similac Sensitive Powder Formula—Orange—12.6 oz.	\$15.34
Similac Soy Isomil Concentrate—Pink Formula—13 oz.	\$4.95

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Soy Isomil RTF—Pink Formula—32 oz.	\$7.89
Similac Soy Isomil Powder—Pink Formula—12.4 oz.	\$16.01
Similac Total Comfort Powder Formula—Purple—12.6 oz.	\$16.16

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2014, through March 31, 2014, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.27
Beans/Peas—Dry—16 oz.	\$2.08
Canned Fish—Pink Salmon	\$2.27
Canned Fish—Sardines	\$1.47
Canned Fish—Tuna	\$1.25
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.86
Eggs	\$1.89
Gerber Infant Cereal—8 oz.	\$2.23
Infant Fruits, 100%—4 oz.	\$0.69
Infant Vegetables, 100%—4 oz.	\$0.69
Infant Meats, 100%—2.5 oz.	\$1.10
Juice—11.5/12 oz.	\$2.40
Juice—48 oz.	\$3.06
Juice—64 oz.	\$3.83
Kosher Cheese—16 oz.	\$8.30
Kosher Low Fat Milk—1/2 gallon	\$3.17
Kosher Whole Milk—1/2 gallon	\$3.17
Milk, Low Fat—1/2 gallon	\$2.30
Milk, Whole—1/2 gallon	\$2.32
Peanut Butter—16-18 oz.	\$3.51
Whole Grain—Bread, 16 oz.	\$3.52
Whole Grain—Brown Rice, 16 oz.	\$1.71
Whole Grain—Oats, 16 oz.	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.43
Similac Advance Concentrate Formula—Blue—13 oz.	\$4.83
Similac Advance Powder Formula—Blue—12.4 oz.	\$15.34
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$4.95
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$16.01

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective January 1, 2014, through March 31, 2014, the Maximum Allowable Prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz.	\$1.37
Beans/Peas—Dry—16 oz.	\$2.26
Canned Fish—Pink Salmon	\$2.35
Canned Fish—Sardines	\$1.60
Canned Fish—Tuna	\$1.37
Cereal (per oz.)	\$0.36
Cheese, 16 oz.	\$7.35
Eggs	\$1.99
Gerber Infant Cereal—8 oz.	\$2.24
Infant Fruits, 100%—4 oz.	\$0.71
Infant Vegetables, 100%—4 oz.	\$0.71
Infant Meats, 100%—2.5 oz.	\$1.15
Juice—11.5/12 oz.	\$2.56
Juice—48 oz.	\$3.23
Juice—64 oz.	\$4.20
Kosher Cheese—16 oz.	\$8.40
Kosher Low Fat Milk—quart	\$1.80
Kosher Low Fat Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.76
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.70
Milk, Dry—25.6 oz.	\$9.53
Milk, Evaporated—12 oz.	\$1.57
Milk, Low Fat—quart	\$1.41
Milk, Low Fat—1/2 gallon	\$2.62
Milk, Low Fat Lactose Free—quart	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon	\$4.31
Milk, Whole—quart	\$1.50
Milk, Whole—1/2 gallon	\$2.64
Milk, Whole Lactose Free—quart	\$2.56
Milk, Whole Lactose Free—1/2 gallon	\$4.33
Peanut Butter—16-18 oz.	\$3.55
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.24
Soy Beverage—8th Continent 64 oz.	\$3.90
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.63
Whole Grain—Bread, 24 oz.	\$4.19
Whole Grain—Brown Rice, 16 oz.	\$2.15
Whole Grain—Brown Rice, 24 oz.	\$3.29
Whole Grain—Oats, 16 oz.	\$2.79
Whole Grain—Oats, 24 oz.	\$6.22
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.64
Boost RTF Formula—8 oz.	\$1.85
EnfaCare RTF Formula—32 oz.	\$7.50
EnfaCare w/Iron Powder Formula—12.8 oz.	\$17.20
Nutramigen Concentrate Formula—13 oz.	\$7.49
Nutramigen RTF Formula—32 oz.	\$9.65
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$24.42
Pediasure RTF Formula—8 oz.	\$2.10
Pediasure w/Fiber RTF Formula—8 oz.	\$1.94
Pediasure Sidekicks RTF Formula—8 oz.	\$2.00
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.25
Similac Advance RTF Formula—Blue—32 oz.	\$7.60
Similac Advance Powder Formula—Blue— 12.4 oz.	\$15.68
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.40

Maximum Allowable Price

Description	Maximum Allowable Price
Similac Expert Care Alimentum Powder Formula—16 oz.	\$28.28
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$6.99
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$7.79
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.25
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.	\$22.97
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs.	\$23.03
Similac for Spit Up RTF Formula—Green— 32 oz.	\$7.89
Similac for Spit Up Powder Formula—Green— 12.3 oz.	\$16.35
Similac Sensitive Concentrate Formula— Orange—13 oz.	\$5.25
Similac Sensitive RTF Formula—Orange— 32 oz.	\$7.60
Similac Sensitive Powder Formula—Orange— 12.6 oz.	\$15.68
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.37
Similac Soy Isomil RTF Formula—Pink— 32 oz.	\$7.89
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$16.35
Similac Total Comfort Powder Formula—Purple— 12.6 oz.	\$16.50

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2014, through March 31, 2014, the Competitive Prices for WIC authorization for Type 3 Stores in Regular Cost Counties are as follows:

Description	Competitive Prices
Beans, Canned—15.5/16 oz.	\$1.27
Beans/Peas—Dry—16 oz.	\$2.10
Canned Fish—Pink Salmon	\$2.27
Canned Fish—Sardines	\$1.54
Canned Fish—Tuna	\$1.28
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$6.88
Eggs	\$1.89
Gerber Infant Cereal—8 oz.	\$2.23
Infant Fruits, 100%—4 oz.	\$0.70
Infant Vegetables, 100%—4 oz.	\$0.70
Infant Meats, 100%—2.5 oz.	\$1.13
Juice—11.5/12 oz.	\$2.46
Juice—48 oz.	\$3.16
Juice—64 oz.	\$3.97
Kosher Cheese—16 oz.	\$8.30
Kosher Low Fat Milk—1/2 gallon	\$3.17
Kosher Whole Milk—1/2 gallon	\$3.17

<i>Description</i>	<i>Competitive Prices</i>
Milk, Low Fat—1/2 gallon	\$2.30
Milk, Whole—1/2 gallon	\$2.32
Peanut Butter—16-18 oz.	\$3.51
Whole Grain—Bread, 16 oz.	\$3.56
Whole Grain—Brown Rice, 16 oz.	\$2.11
Whole Grain—Oats, 16 oz.	\$2.70
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.59
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.25
Similac Advance Powder Formula—Blue— 12.4 oz.	\$15.68
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.37
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$16.35

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

Maximum Allowable Prices

Effective January 1, 2014, through March 31, 2014, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.35
Beans/Peas—Dry—16 oz.	\$2.24
Canned Fish—Pink Salmon	\$2.35
Canned Fish—Sardines	\$1.82
Canned Fish—Tuna	\$1.28
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.45
Eggs	\$2.09
Gerber Infant Cereal—8 oz.	\$2.30
Infant Fruits, 100%—4 oz.	\$0.71
Infant Vegetables, 100%—4 oz.	\$0.71
Infant Meats, 100%—2.5 oz.	\$1.06
Juice—11.5/12 oz.	\$2.40
Juice—48 oz.	\$3.15
Juice—64 oz.	\$3.99
Kosher Cheese—16 oz.	\$8.80
Kosher Low Fat Milk—quart	\$1.80
Kosher Low Fat Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.76
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.40
Milk, Dry—25.6 oz.	\$9.15
Milk, Evaporated—12 oz.	\$1.43
Milk, Low Fat—quart	\$1.42
Milk, Low Fat—1/2 gallon	\$2.69
Milk, Low Fat Lactose Free—quart	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon	\$4.00
Milk, Whole—quart	\$1.45
Milk, Whole—1/2 gallon	\$2.72
Milk, Whole Lactose Free—quart	\$2.56
Milk, Whole Lactose Free—1/2 gallon	\$4.05
Peanut Butter—16-18 oz.	\$3.55
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.40
Soy Beverage—8th Continent 64 oz.	\$3.51

<i>Description</i>	<i>Maximum Allowable Price</i>
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.63
Whole Grain—Bread, 24 oz.	\$4.19
Whole Grain—Brown Rice, 16 oz.	\$1.95
Whole Grain—Brown Rice, 24 oz.	\$3.79
Whole Grain—Oats, 16 oz.	\$2.64
Whole Grain—Oats, 24 oz.	\$5.70
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.62
Boost RTF Formula—8 oz.	\$1.75
EnfaCare RTF Formula—32 oz.	\$7.80
EnfaCare w/Iron Powder Formula—12.8 oz.	\$16.63
Nutramigen Concentrate Formula—13 oz.	\$7.40
Nutramigen RTF Formula—32 oz.	\$9.65
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$24.52
Pediasure RTF Formula—8 oz.	\$1.89
Pediasure w/Fiber RTF Formula—8 oz.	\$1.99
Pediasure Sidekicks RTF Formula—8 oz.	\$2.00
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.04
Similac Advance RTF Formula—Blue—32 oz. ...	\$7.60
Similac Advance Powder Formula—Blue— 12.4 oz.	\$15.37
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.50
Similac Expert Care Alimentum Powder Formula—16 oz.	\$27.93
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$6.97
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$7.86
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.20
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.	\$22.80
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs.	\$22.86
Similac for Spit Up RTF Formula—Green— 32 oz.	\$7.89
Similac for Spit Up Powder Formula—Green— 12.3 oz.	\$16.04
Similac Sensitive Concentrate Formula— Orange—13 oz.	\$5.04
Similac Sensitive RTF Formula—Orange— 32 oz.	\$7.60
Similac Sensitive Powder Formula—Orange— 12.6 oz.	\$15.37
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.16
Similac Soy Isomil RTF Formula—Pink—32 oz. .	\$7.89
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$16.04
Similac Total Comfort Powder Formula—Purple— 12.6 oz.	\$16.19

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items

at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2014, through March 31, 2014, the Competitive Prices for WIC authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.25
Beans/Peas—Dry—16 oz.	\$2.03
Canned Fish—Pink Salmon	\$2.27
Canned Fish—Sardines	\$1.68
Canned Fish—Tuna	\$1.18
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.91
Eggs	\$1.99
Gerber Infant Cereal—8 oz.	\$2.25
Infant Fruits, 100%—4 oz.	\$0.68
Infant Vegetables, 100%—4 oz.	\$0.68
Infant Meats, 100%—2.5 oz.	\$1.03
Juice—11.5/12 oz.	\$2.23
Juice—48 oz.	\$3.06
Juice—64 oz.	\$3.66
Kosher Cheese—16 oz.	\$8.70
Kosher Low Fat Milk—1/2 gallon	\$3.17
Kosher Whole Milk—1/2 gallon	\$3.17
Milk, Low Fat—1/2 gallon	\$2.38
Milk, Whole—1/2 gallon	\$2.40
Peanut Butter—16-18 oz.	\$3.35
Whole Grain—Bread, 16 oz.	\$3.31
Whole Grain—Brown Rice, 16 oz.	\$1.80
Whole Grain—Oats, 16 oz.	\$2.59
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.48
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.04
Similac Advance Powder Formula—Blue— 12.4 oz.	\$15.37
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.16
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$16.04

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective January 1, 2014, through March 31, 2014, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.37
Beans/Peas—Dry—16 oz.	\$2.25
Canned Fish—Pink Salmon	\$2.35
Canned Fish—Sardines	\$1.82
Canned Fish—Tuna	\$1.37
Cereal (per oz.)	\$0.36
Cheese, 16 oz.	\$7.45
Eggs	\$2.09
Gerber Infant Cereal—8 oz.	\$2.30
Infant Fruits, 100%—4 oz.	\$0.71
Infant Vegetables, 100%—4 oz.	\$0.71

<i>Description</i>	<i>Maximum Allowable Price</i>
Infant Meats, 100%—2.5 oz.	\$1.12
Juice—11.5/12 oz.	\$2.51
Juice—48 oz.	\$3.30
Juice—64 oz.	\$4.24
Kosher Cheese—16 oz.	\$8.80
Kosher Low Fat Milk—quart	\$1.80
Kosher Low Fat Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.76
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.52
Milk, Dry—25.6 oz.	\$9.57
Milk, Evaporated—12 oz.	\$1.55
Milk, Low Fat—quart	\$1.47
Milk, Low Fat—1/2 gallon	\$2.69
Milk, Low Fat Lactose Free—quart	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon	\$4.31
Milk, Whole—quart	\$1.50
Milk, Whole—1/2 gallon	\$2.72
Milk, Whole Lactose Free—quart	\$2.56
Milk, Whole Lactose Free—1/2 gallon	\$4.37
Peanut Butter—16-18 oz.	\$3.55
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.40
Soy Beverage—8th Continent 64 oz.	\$3.71
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.63
Whole Grain—Bread, 24 oz.	\$4.19
Whole Grain—Brown Rice, 16 oz.	\$2.01
Whole Grain—Brown Rice, 24 oz.	\$3.79
Whole Grain—Oats, 16 oz.	\$3.00
Whole Grain—Oats, 24 oz.	\$6.22
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.62
Boost RTF Formula—8 oz.	\$1.79
EnfaCare RTF Formula—32 oz.	\$7.80
EnfaCare w/Iron Powder Formula—12.8 oz.	\$16.63
Nutramigen Concentrate Formula—13 oz.	\$7.49
Nutramigen RTF Formula—32 oz.	\$9.65
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$24.57
Pediasure RTF Formula—8 oz.	\$2.24
Pediasure w/Fiber RTF Formula—8 oz.	\$1.99
Pediasure Sidekicks RTF Formula—8 oz.	\$2.00
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.11
Similac Advance RTF Formula—Blue—32 oz.	\$7.60
Similac Advance Powder Formula—Blue— 12.4 oz.	\$15.54
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.55
Similac Expert Care Alimentum Powder Formula—16 oz.	\$28.34
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$7.43
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$8.06
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.80
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.	\$23.06
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs.	\$23.12
Similac for Spit Up RTF Formula—Green— 32 oz.	\$7.89
Similac for Spit Up Powder Formula—Green— 12.3 oz.	\$16.21

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

Maximum Allowable Prices

Effective January 1, 2014, through March 31, 2014, the Maximum Allowable Prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.44
Beans/Peas—Dry—16 oz.	\$2.27
Canned Fish—Pink Salmon	\$2.39
Canned Fish—Sardines	\$1.82
Canned Fish—Tuna	\$1.37
Cereal (per oz.)	\$0.37
Cheese, 16 oz.	\$7.79
Eggs	\$2.09
Gerber Infant Cereal—8 oz.	\$2.56
Infant Fruits, 100%—4 oz.	\$0.85
Infant Vegetables, 100%—4 oz.	\$0.85
Infant Meats, 100%—2.5 oz.	\$1.17
Juice—11.5/12 oz.	\$2.56
Juice—48 oz.	\$3.34
Juice—64 oz.	\$4.25
Kosher Cheese—16 oz.	\$9.04
Kosher Low Fat Milk—quart	\$1.92
Kosher Low Fat Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.76
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.70
Milk, Dry—25.6 oz.	\$9.60
Milk, Evaporated—12 oz.	\$1.60
Milk, Low Fat—quart	\$1.55
Milk, Low Fat—1/2 gallon	\$2.73
Milk, Low Fat Lactose Free—quart	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon	\$4.31
Milk, Whole—quart	\$1.62
Milk, Whole—1/2 gallon	\$2.86
Milk, Whole Lactose Free—quart	\$2.56
Milk, Whole Lactose Free—1/2 gallon	\$4.37
Peanut Butter—16-18 oz.	\$3.65
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.40
Soy Beverage—8th Continent 64 oz.	\$3.90
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.63
Whole Grain—Bread, 24 oz.	\$4.19
Whole Grain—Brown Rice, 16 oz.	\$2.35
Whole Grain—Brown Rice, 24 oz.	\$3.79
Whole Grain—Oats, 16 oz.	\$3.00
Whole Grain—Oats, 24 oz.	\$6.22
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.64
Boost RTF Formula—8 oz.	\$1.85
EnfaCare RTF Formula—32 oz.	\$8.03
EnfaCare w/Iron Powder Formula—12.8 oz.	\$17.20
Nutramigen Concentrate Formula—13 oz.	\$8.10
Nutramigen RTF Formula—32 oz.	\$9.74
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$25.00
Pediasure RTF Formula—8 oz.	\$2.38
Pediasure w/Fiber RTF Formula—8 oz.	\$2.33
Pediasure Sidekicks RTF Formula—8 oz.	\$2.35

Maximum Allowable Price

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Sensitive Concentrate Formula— Orange—13 oz.	\$5.11
Similac Sensitive RTF Formula—Orange— 32 oz.	\$7.60
Similac Sensitive Powder Formula—Orange— 12.6 oz.	\$15.54
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.23
Similac Soy Isomil RTF Formula—Pink— 32 oz.	\$7.89
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$16.21
Similac Total Comfort Powder Formula—Purple— 12.6 oz.	\$16.36

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2014, through March 31, 2014, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.27
Beans/Peas—Dry—16 oz.	\$2.10
Canned Fish—Pink Salmon	\$2.27
Canned Fish—Sardines	\$1.68
Canned Fish—Tuna	\$1.25
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$6.91
Eggs	\$1.99
Gerber Infant Cereal—8 oz.	\$2.28
Infant Fruits, 100%—4 oz.	\$0.69
Infant Vegetables, 100%—4 oz.	\$0.69
Infant Meats, 100%—2.5 oz.	\$1.10
Juice—11.5/12 oz.	\$2.40
Juice—48 oz.	\$3.16
Juice—64 oz.	\$3.93
Kosher Cheese—16 oz.	\$8.70
Kosher Low Fat Milk—1/2 gallon	\$3.17
Kosher Whole Milk—1/2 gallon	\$3.17
Milk, Low Fat—1/2 gallon	\$2.38
Milk, Whole—1/2 gallon	\$2.40
Peanut Butter—16-18 oz.	\$3.51
Whole Grain—Bread, 16 oz.	\$3.52
Whole Grain—Brown Rice, 16 oz.	\$1.94
Whole Grain—Oats, 16 oz.	\$2.97
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.56
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.11
Similac Advance Powder Formula—Blue— 12.4 oz.	\$15.54
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.23
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$16.21

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.57
Similac Advance RTF Formula—Blue—32 oz.	\$8.02
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.70
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.55
Similac Expert Care Alimentum Powder Formula—16 oz.	\$29.93
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$8.05
Similac Expert Care NeoSure RTF Formula—32 oz.	\$8.25
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.88
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.	\$23.79
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs.	\$23.85
Similac for Spit Up RTF Formula—Green—32 oz.	\$7.99
Similac for Spit Up Powder Formula—Green—12.3 oz.	\$17.37
Similac Sensitive Concentrate Formula—Orange—13 oz.	\$5.57
Similac Sensitive RTF Formula—Orange—32 oz.	\$8.02
Similac Sensitive Powder Formula—Orange—12.6 oz.	\$16.70
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.69
Similac Soy Isomil RTF Formula—Pink—32 oz.	\$7.99
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$17.37
Similac Total Comfort Powder Formula—Purple—12.6 oz.	\$17.52

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2014, through March 31, 2014, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.36
Beans/Peas—Dry—16 oz.	\$2.11
Canned Fish—Pink Salmon	\$2.28
Canned Fish—Sardines	\$1.68
Canned Fish—Tuna	\$1.28
Cereal (per oz.)	\$0.35
Cheese, 16 oz.	\$7.25
Eggs	\$1.99
Gerber Infant Cereal—8 oz.	\$2.53
Infant Fruits, 100%—4 oz.	\$0.85
Infant Vegetables, 100%—4 oz.	\$0.85

<i>Description</i>	<i>Competitive Prices</i>
Infant Meats, 100%—2.5 oz.	\$1.17
Juice—11.5/12 oz.	\$2.48
Juice—48 oz.	\$3.30
Juice—64 oz.	\$4.15
Kosher Cheese—16 oz.	\$8.94
Kosher Low Fat Milk—1/2 gallon	\$3.17
Kosher Whole Milk—1/2 gallon	\$3.17
Milk, Low Fat—1/2 gallon	\$2.45
Milk, Whole—1/2 gallon	\$2.47
Peanut Butter—16-18 oz.	\$3.57
Whole Grain—Bread, 16 oz.	\$3.56
Whole Grain—Brown Rice, 16 oz.	\$2.32
Whole Grain—Oats, 16 oz.	\$2.97
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.59
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.57
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.70
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.69
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$17.37

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille) should contact Renee Sadler, Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-2448. Filed for public inspection December 27, 2013, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Fee Schedule Rates and Department-Established Fees for Consolidated and Person/Family Directed Support Waivers Services, Targeted Services Management and the Community Intellectual Disability Base-Funded Program

The Department of Public Welfare (Department) is providing final notice of the Fee Schedule Rates for select services funded through the Consolidated and Person/Family Directed Support waivers, the Department-established fees for residential ineligible services and fee for Targeted Service Management (TSM) effective July 1, 2013. These Fee Schedule Rates also serve as the Department-established fees under 55 Pa. Code § 4300.115(a) (relating to Department established fees) for base-funded services managed through county programs for individuals with an intellectual disability under the Mental Health and Intellectual Disability Act of 1966 (50 P.S. §§ 4104—4704), 55 Pa. Code Chapter 4300 (relating to county mental health and mental retardation fiscal manual) and 55 Pa. Code Chapter 51 (relating to Office of Developmental Programs home and community-based services). The Department published its

proposed fee schedule rates, Department-established fees for residential ineligible services and fee for TSM at 43 Pa.B. 3588 (June 29, 2013) and will implement the rates as proposed with the exception of the rates for Agency with Choice/Financial Management Services (AWC/FMS).

Change to AWC/FMS Fee Schedule Rates

When developing the proposed rates for AWC/FMS (including and excluding benefit allowance), the Department considered as part of the rate development process the impact the Federal Patient Protection and Affordable Care Act (ACA) (Pub. L. No. 111-148) may have on provider costs to provide services. At the time of the publication of the proposed Fee Schedule Rates, the ACA required employers with 50 or more full-time employees to offer meaningful and affordable health insurance options to full-time employees beginning January 1, 2014. The ACA defines a full-time employee as an employee who on average works 30 or more hours per week. The Department determined that AWC/FMS providers would be subject to the same provisions of the ACA as traditional agency employers. Because the Fee Schedule Rates for AWC services did not include costs associated with employer-paid health care coverage, the Department adjusted the proposed Fee Schedule Rates for AWC services to include consideration for costs associated with employer-paid health care coverage.

On July 2, 2013, the United States Department of Treasury announced that the requirement to provide meaningful and affordable health insurance options to full-time employees was being postponed a year and would be effective January 1, 2015. For this reason, the Department is removing costs associated with employer-paid health care coverage from the proposed rates for AWC/FMS.

No other adjustments are being made to the proposed rates for AWC/FMS. The proposed Fee Schedule Rates for AWC services published at 43 Pa.B. 3588 will be effective from July 1, 2013, through December 31, 2013.

The final Fee Schedule Rates for AWC services in this notice will be effective beginning January 1, 2014.

Fiscal Impact

It is anticipated there will be an approximate cost to the Commonwealth of \$21.126 million (\$10.118 million State funds) in Fiscal Year (FY) 2013-2014 and \$20.801 million (\$10.263 million State funds) in FY 2014-2015.

Public Comment

Copies of this notice may be obtained at the local Mental Health/Intellectual Disability (MH/ID) County Program, Administrative Entity (AE) or regional Office of Developmental Programs (ODP) in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144

- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503, (570) 963-4749

- *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245

- *Central region:* Room 430, Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507

Contact information for the local MH/ID County Program or AE may be found through a link at <https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/PRCNT.ASP>, or contact the previously referenced regional ODP.

Interested persons are invited to submit written comments regarding this notice to the Department to the ODP rate-setting mailbox at ra-ratesetting@state.pa.us, use subject header "PN Fee Schedule." Written comments may be mailed to Department of Public Welfare, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, Forster and Commonwealth Avenues, Harrisburg, PA 17120.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

AWC/FMS Fee Schedule Rate Tables: Effective January 1, 2014

Agency with Choice Financial Management Services, Including Benefit Allowance***

***No modifier is needed to indicate the benefit allowance is included.

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>
Companion, level 3	W1727		54	540	15 min.	\$3.84	\$3.64	\$3.40
Supported Employment	W7235		54	540	15 min.	\$6.52	\$6.17	\$5.77
Unlicensed Habilitation, level 3	W7060		54	540	15 min.	\$5.77	\$5.46	\$5.11
Unlicensed Habilitation, level 3, enhanced	W7061		54	540	15 min.	\$8.92	\$8.45	\$7.89
		TD						
		TE						
Unlicensed Habilitation, level 4	W7068		54	540	15 min.	\$11.54	\$10.93	\$10.21
Unlicensed Habilitation, level 4, enhanced	W7069		54	540	15 min.	\$17.84	\$16.89	\$15.79
		TD						
		TE						
Supports Broker	W7096		54	540	15 min.	\$6.50	\$6.15	\$5.75

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>
Respite—unlicensed, in home, level 2	W7250		54	540	1 day	\$273.69	\$259.16	\$242.20
	W7258		54	540	15 min.	\$4.28	\$4.05	\$3.79
Respite—unlicensed, in home, level 2, enhanced	W7251		54	540	1 day	\$516.87	\$489.43	\$457.41
		TD						
		TE						
	W7264		54	540	15 min.	\$8.05	\$7.62	\$7.12
		TD						
		TE						
Respite—unlicensed, in home, level 3	W7252		54	540	1 day	\$547.39	\$518.33	\$484.42
	W7265		54	540	15 min.	\$8.55	\$8.10	\$7.57
Respite—unlicensed, in home, level 3, enhanced	W7253		54	540	1 day	\$1,033.74	\$978.85	\$914.81
		TD						
		TE						
	W7266		54	540	15 min.	\$16.09	\$15.24	\$14.24
		TD						
		TE						
Homemaker/ Chore	W7283		54	540	1 hour	\$16.43	\$15.56	\$14.54
		UA						
Respite—unlicensed, out of home, level 2	W8002		54	540	1 day	\$273.69	\$259.16	\$242.20
	W8012		54	540	15 min.	\$4.28	\$4.05	\$3.79
Respite—unlicensed, out of home, level 2, enhanced	W8003		54	540	1 day	\$516.87	\$489.43	\$457.41
		TD						
		TE						
	W8013		54	540	15 min.	\$8.05	\$7.62	\$7.12
		TD						
		TE						
Respite—unlicensed, out of home, level 3	W8004		54	540	1 day	\$547.39	\$518.33	\$484.42
	W8014		54	540	15 min.	\$8.55	\$8.10	\$7.57
Respite—unlicensed, out of home, level 3, enhanced	W8005		54	540	1 day	\$1,033.74	\$978.85	\$914.81
		TD						
		TE						
	W8015		54	540	15 min.	\$16.09	\$15.24	\$14.24
		TD						
		TE						

Agency with Choice Financial Management Services, Excluding Benefit Allowance**

**Modifier U4 must be used with all procedures codes when billing for services excluding benefit allowance.

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier**</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>
Companion, level 3	W1727	U4	54	540	15 min.	\$2.92	\$2.76	\$2.58
Supported Employment	W7235	U4	54	540	15 min.	\$5.64	\$5.34	\$4.99
Unlicensed Habilitation, level 3	W7060	U4	54	540	15 min.	\$4.84	\$4.58	\$4.28
Unlicensed Habilitation, level 3, enhanced	W7061	U4	54	540	15 min.	\$8.00	\$7.58	\$7.08
		TD & U4						
		TE & U4						
Unlicensed Habilitation, level 4	W7068	U4	54	540	15 min.	\$9.68	\$9.17	\$8.57

NOTICES

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<i>Service</i>	<i>Procedure Code</i>	<i>Modifier**</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>
Unlicensed Habilitation, level 4, enhanced	W7069	U4	54	540	15 min.	\$15.99	\$15.14	\$14.15
		TD & U4						
		TE & U4						
Supports Broker	W7096	U4	54	540	15 min.	\$5.60	\$5.30	\$4.96
Respite—unlicensed, in home, level 2	W7250	U4	54	540	1 day	\$216.81	\$205.30	\$191.87
	W7258	U4	54	540	15 min.	\$3.35	\$3.17	\$2.96
Respite—unlicensed, in home, level 2, enhanced	W7251	U4	54	540	1 day	\$459.95	\$435.53	\$407.04
		TD & U4						
		TE & U4						
	W7264	U4	54	540	15 min.	\$7.11	\$6.73	\$6.29
		TD & U4						
		TE & U4						
Respite—unlicensed in home, level 3	W7252	U4	54	540	1 day	\$433.61	\$410.59	\$383.73
	W7265	U4	54	540	15 min.	\$6.72	\$6.36	\$5.95
Respite—unlicensed, in home, level 3, enhanced	W7253	U4	54	540	1 day	\$919.90	\$871.06	\$814.07
		TD & U4						
		TE & U4						
	W7266	U4	54	540	15 min.	\$14.24	\$13.48	\$12.60
		TD & U4						
		TE & U4						
Homemaker/ Chore	W7283	U4	54	540	1 hour	\$12.76	\$12.08	\$11.29
		UA & U4						
Respite—unlicensed, out of home, level 2	W8002	U4	54	540	1day	\$216.81	\$205.30	\$191.87
	W8012	U4	54	540	15 min.	\$3.35	\$3.17	\$2.96
Respite—unlicensed, out of home, level 2, enhanced	W8003	U4	54	540	1 day	\$459.95	\$435.53	\$407.04
		TD & U4						
		TE & U4						
	W8013	U4	54	540	15 min.	\$7.11	\$6.73	\$6.29
		TD & U4						
		TE & U4						
Respite—unlicensed, out of home, level 3	W8004	U4	54	540	1 day	\$433.61	\$410.59	\$383.73
	W8014	U4	54	540	15 min.	\$6.72	\$6.36	\$5.95
Respite—unlicensed, out of home, level 3, enhanced	W8005	U4	54	540	1 day	\$919.90	\$871.06	\$814.07
		TD & U4						
		TE & U4						
	W8015	U4	54	540	15 min.	\$14.24	\$13.48	\$12.60

BEVERLY D. MACKERETH,
Secretary

Fiscal Note: 14-NOT-850. (1) General Fund;

(7) Intellectual Disabilities—Community Waiver Program; (2) Implementing Year 2013-14 is \$9,814,000; (3) 1st Succeeding Year 2014-15 is \$9,952,000; 2nd Succeeding Year 2015-16 through 5th Succeeding Year 2018-19 are \$10,036,000; (4) 2012-13 Program—\$931,885,000; 2011-12 Program—\$854,863,000; 2010-11 Program—\$672,376,000;

(7) Intellectual Disabilities—Community Base Program; (2) Implementing Year 2013-14 is \$304,000; (3) 1st Succeeding Year 2014-15 is \$311,000; 2nd Succeeding Year 2015-16 through 5th Succeeding Year 2018-19 are \$313,000; (4) 2012-13 Program—\$151,223,000; 2011-12 Program—\$158,194,000; 2010-11 Program—\$155,958,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase. The additional costs identified for the Base Program will be absorbed within existing funding levels.

[Pa.B. Doc. No. 13-2449. Filed for public inspection December 27, 2013, 9:00 a.m.]

Rate-Setting Methodology for Consolidated and Person/Family Directed Support Waiver- and Base-Funded Services for Individuals Participating in the Office of Developmental Programs Service System

The Department of Public Welfare (Department) is providing final notice of the methodology used in the Prospective Payment System (PPS) to develop rates for residential habilitation eligible and transportation trip services, funded through the Consolidated and Person/Family Directed Support waivers. The Department published notice of the methodology used in the PPS at 43 Pa.B. 3596 (June 29, 2013) and will implement the methodology described in that notice since there are no changes to the methodology.

Fiscal Impact

It is anticipated that there will be an approximate cost to the Commonwealth of \$1.533 million (\$0.736 million State funds) in Fiscal Year 2013-2014 and subsequent years.

Public Comment

Copies of this notice may be obtained at the local Mental Health/Intellectual Disability (MH/ID) County Program, Administrative Entity (AE) or regional Office of Developmental Programs (ODP) in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144
- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503, (570) 963-4749
- *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245
- *Central region:* Room 430, Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507

Contact information for the local MH/ID County Program or AE may be found at <https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/PRCNT.ASP>, or contact the previously referenced regional ODP.

Interested persons are invited to submit written comments regarding this notice to the Department at the ODP's rate-setting mailbox at ra-ratesetting@state.pa.us, use subject header "PN PPS Methodology." Written comments may be mailed to the Department of Public Welfare, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, Forster and Commonwealth Avenues, Harrisburg, PA 17120.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,
Secretary

Fiscal Note: 14-NOT-853. (1) General Fund;

(7) Intellectual Disabilities—Community Waiver Program; (2) Implementing Year 2013-14 is \$666,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$666,000; (4) 2012-13 Program—\$931,885,000; 2011-12 Program—\$854,863,000; 2010-11 Program—\$672,376,000;

(7) Intellectual Disabilities—Community Base Program; (2) Implementing Year 2013-14 is \$70,000; (3) 1st Succeeding Year 2014-2015 through 5th Succeeding Year 2018-19 are \$70,000; (4) 2012-13 Program—\$151,223,000; 2011-12 Program—\$158,194,000; 2010-11 Program—\$155,958,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase. The additional costs identified for the Base Program will be absorbed within existing funding levels.

[Pa.B. Doc. No. 13-2450. Filed for public inspection December 27, 2013, 9:00 a.m.]

DEPARTMENT OF REVENUE

Interest Rate Notice

Under sections 806 and 806.1 of The Fiscal Code (72 P. S. §§ 806 and 806.1), the Secretary of Revenue announces that, for the calendar year beginning January 1, 2014, all underpayments of tax which became due and payable to the Commonwealth shall bear interest at the rate of 3% per annum. All overpayments of the tax paid during this calendar year under Article III of the Tax Reform Code of 1971 (72 P. S. §§ 7301—7361) shall bear interest at the rate of 3% per annum. All other overpayments of tax paid during this calendar year shall bear interest at the rate of 1% per annum. These rates will remain constant until December 31, 2014. These rates will be codified under 61 Pa. Code § 4.2(a) (relating to rate of interest).

These rates have been established based upon the rate established by the Secretary of the Treasury of the United States under section 6621(a)(2) of the Internal Revenue Code to be effective January 1, 2014.

Although the Tax Reform Act of 1986 amended section 6621 of the Internal Revenue Code by requiring that the Secretary of the Treasury of the United States establish quarterly rates of interest to become effective for Federal purposes on the first month of each calendar quarter, these amendments do not affect Commonwealth law. The Fiscal Code requires that the interest rate be established effective January 1 of each calendar year without regard to any change in the Federal interest rate during the calendar year.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 13-2451. Filed for public inspection December 27, 2013, 9:00 a.m.]

FISH AND BOAT COMMISSION

Temporary Changes to Fishing Regulations; Display of License Button

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fish-

ing regulations), has taken immediate action to amend 58 Pa. Code § 63.2 (relating to display of fishing license and verification of license purchase) to allow the display of license buttons as an alternative to the current display requirement for fishing license certificates. Section 63.2 of 58 Pa. Code presently provides that a person required by 30 Pa.C.S. Chapter 27 (relating to fishing licenses) to purchase a fishing license to fish in the waters of this Commonwealth or in boundary waters must display the license certificate on a hat or outer garment while fishing. Starting sometime in February 2014, the Commission will make license buttons available for sale and anglers may display them instead of a license certificate. If an angler chooses to display a license button instead of the usual license certificate, he must carry the license certificate on his person and produce it upon the request of an officer.

The Executive Director has found that this action is necessary and appropriate to conserve and preserve fishing opportunities. This temporary modification will go into effect on January 1, 2014, and will remain in effect until the Commission, by appropriate action, amends 58 Pa. Code § 63.2. In the absence of the action, the temporary modification will expire on December 31, 2014.

JOHN A. ARWAY
Executive Director

[Pa.B. Doc. No. 13-2452. Filed for public inspection December 27, 2013, 9:00 a.m.]

Temporary Changes to Fishing Regulations; Mentored Youth Fishing Day Program

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to allow individuals participating in the Mentored Youth Fishing Day Program to fish for trout on March 22, and April 5, 2014, beginning at 8 a.m. and ending at 7:30 p.m., on waters designated by the Executive Director that are normally closed to trout fishing on those dates. To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and current trout/salmon permit and be accompanied by a youth (less than 16 years of age) who has obtained a permit from the Commission. Youth anglers must obtain a permit from the Commission and be accompanied by an adult angler to participate.

The minimum size will be 7 inches; the creel limit will be 2 trout (combined species). Other Commonwealth inland regulations will apply. It is unlawful for adult anglers to fish in waters designated under the Mentored Youth Fishing Day Program without a valid fishing license and trout permit and without being accompanied by a youth who has a permit.

The waters included in the Mentored Youth Fishing Day Program on March 22, 2014, are:

<i>County</i>	<i>Water</i>
Berks	Antietam Lake
Berks	Scotts Run Lake—French Creek State Park
Bucks	Levittown Lake
Cumberland	Children's Lake

<i>County</i>	<i>Water</i>
Cumberland	Doubling Gap Lake—Colonel Denning State Park
Dauphin	Middletown Reservoir
Lebanon	Lions Lake
Lehigh	Lehigh Canal, Section 08
Montgomery	Deep Creek Dam—Green Lane Park
Perry	Little Buffalo Lake—Little Buffalo State Park
Schuylkill	Locust Lake

The waters included in the Mentored Youth Fishing Day Program on April 5, 2014, are:

<i>County</i>	<i>Water</i>
Allegheny	North Park Lake
Butler	Harbar Acres Lake
Cambria	Lake Rowena
Centre	Cold Stream Dam
Clearfield	Janesville Dam
Clearfield	Parker Lake—Parker Dam State Park
Columbia	Briar Creek Lake
Elk	Twin Lakes
Erie	East and West Basin Ponds—Presque Isle State Park
Erie	Upper Gravel Pit
Fayette	Dunlap Creek Lake
Fulton	Cowans Gap Lake—Cowans Gap State Park
Huntingdon	Whipple Lake—Whipple Dam State Park
Jefferson	Cloe Lake
Lackawanna	Eston Wilson Lake
Luzerne	Lake Frances—Nescopeck State Park
Lycoming	Little Pine Lake
McKean	Hamlin Lake
Mercer	Buhl Lake
Monroe	Hidden Lake
Pike	Lily Pond
Potter	Lyman Run Reservoir—Lyman Run State Park
Somerset	Laurel Hill Lake—Laurel Hill State Park
Tioga	Hamilton Lake
Union	Halfway Lake—RB Winter State Park
Warren	Chapman Dam Reservoir—Chapman State Park
Washington	Canonsburg Lake
Westmoreland	Mammoth Lake
Westmoreland	Twin Lakes Number One Reservoir (Lower)

The Executive Director will cause this temporary modification to fishing regulations to be posted in the vicinity of the affected waters and the modified regulation will be fully effective and enforceable. The Executive

Director has found that this action is necessary and appropriate to conserve and preserve fishing opportunities.

This temporary modification will go into effect on January 1, 2014, and will remain in effect until the Commission, by appropriate action, amends its regulations to create a Mentored Youth Fishing Day Program. In the absence of such action, the temporary modification will expire on December 31, 2014.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 13-2453. Filed for public inspection December 27, 2013, 9:00 a.m.]

HOUSING FINANCE AGENCY

Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund (PHARE) Principles and Elements of Plan; 2014 Draft Plan

Background

Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund (PHARE)

The PHARE Fund was established by the act of November 23, 2010 (P. L. 1035, No. 105) (PHARE Act) to provide the mechanism by which certain allocated State or Federal funds, as well as funds from other outside sources, would be used to assist with the creation, rehabilitation and support of affordable housing throughout this Commonwealth.

The PHARE Act did not allocate any funding but did outline specific requirements that include preferences, considerations, match funding options and obligations to utilize a percentage of the funds to assist households below 50% of the median area income. The PHARE Act provides a fairly broad canvas regarding the types of programs and the specific uses of any funding to allow flexibility in working with other State and Federal acts and programs.

Marcellus Shale Impact Fee

The Marcellus Shale impact fee legislation, the act of February 14, 2012 (P. L. 87, No. 13) (Impact Fee Act) specifically allocates certain amounts from the impact fee into the PHARE Fund to address the following needs, including:

- Support for projects that increase the availability of affordable housing for low and moderate income persons and families, persons with disabilities and elderly persons in counties where unconventional gas wells have been drilled (regardless of production levels).
- Provide rental assistance, in counties where unconventional gas wells have been drilled, for persons or families whose household income does not exceed the area median income.
- Specifies that no less than 50% of the funds are to be used in fifth, sixth, seventh and eighth class counties.

Direct Allocation—The PHARE Fund will receive a direct yearly allocation from the portion of funds set aside

for local distribution. The direct allocation is as follows: \$5 million each fiscal year beginning in 2012 and thereafter.

Windfall/Spillover Funds—Additional funds may become available because the Impact Fee Act limits amounts allocated to qualifying municipalities (as defined in the Impact Fee Act) and provides that any money remaining, after all allocations have been made to qualified municipalities, would also be deposited into the PHARE Fund.

Purpose

The PHARE Act provides the mechanism to address the housing needs in impacted counties/communities of the Marcellus Shale region.

Principles

In accordance with the PHARE Act and the Impact Fee Act, the moneys will be used to address significant housing needs in impacted counties and communities with the following additional criteria:

- 50% of the funds must be spent in 5th through 8th class counties.
- 30% of the funds must benefit persons/families below 50% of the median area income.

1) *Maximize resource leveraging*—To the greatest extent possible, the resources allocated will be used as leverage for other public and private resources. Additionally, local nonfinancial assets should be identified and leveraged when possible—including transportation, schools, recreation, employment, health, community and economic development support and other amenities. *Preference*: Applications that also include Optional Affordable Housing funds (under 53 Pa.C.S. Chapter 60 (relating to optional affordable housing funding) or local share portions of the impact fee, or both.

2) *Address greatest need*—The moneys will be allocated in communities where the greatest housing needs are identified based on housing needs studies and assessments, interviews, real estate price factors, housing stock analysis, market studies and consideration of the extent of gas wells drilled and related activity. The limited resources available should be used to meet the most significant and pressing housing needs but may also be used to address longer term housing needs. *Preference*: Projects/programs that: 1) Assist with the rehabilitation of blighted, abandoned or otherwise at risk housing and the reuse of vacant land where housing was once located; or 2) Provide funding for owner-occupied rehabilitation, first time homebuyers and rental assistance.

3) *Foster partnerships*—The funds should be used to maximize sustainable partnerships that will be committed to addressing the housing needs in these communities over a significant period of time. While the funds are to be used to directly support housing to meet the needs in the impacted communities, the projects should also help establish capacity to address those needs over the longer term. *Preference*: Projects/programs that incorporate social service entities that offer additional services to the residents within the community where the project/program is taking place.

4) *Effective and efficient*—Ensure that the resources are used effectively and efficiently to meet the housing needs of the impacted communities. Given the expectation that demand for many types of housing will greatly exceed the funds available, it will be critical to maximize the effectiveness and efficiency for housing investments

by the PHARE Fund. *Preference:* Projects/programs that assist the residents with the greatest need in that particular region.

5) *Equitable and transparent*—Create a plan and allocation process that will equitably meet the housing needs in impacted communities and establish a process that provides transparency to all stakeholders. Funding decisions and reporting will be done in accordance with the legislative requirements.

Elements of the Plan

Analysis of Need—One of the most critical components of the plan is to continually assess housing need in these communities. From both a quantitative and qualitative perspective the requirement to have accurate, reliable data from which funding decisions can be made is imperative.

It is important to recognize that this data will need to be municipality-specific to capture the unique and likely different housing needs in the various communities. In addition, the housing/real estate markets are diverse across the impacted communities and the analysis of need will require an understanding (qualitative and quantitative) of individual markets to make appropriate resource allocation decisions.

Building upon analysis already undertaken by the Housing Finance Agency (Agency) and the Commonwealth, additional analysis may be performed to assess specific housing issues in the impacted communities and to identify housing needs (persons with special needs, elderly, larger households, physical disabilities, homeless, and the like) to appropriately target PHARE Fund resources to those in greatest need of housing, especially due to the impact of the Marcellus Shale development. In addition to types of housing analysis, the Agency will consider different income levels, nature of housing stock and the housing needs of those across a broad spectrum (homeless, near homeless, very low income, low income, temporary and seasonal workers and permanent work force, and the like).

Understanding of real estate market dynamics—The plan for the utilization of these resources has been developed to address and continuously reevaluate the specific housing real estate markets in each community. The “micro” markets could be significantly different in the impacted communities and the plan is sufficiently flexible to address those differences.

The housing and real estate development “capacity” will also have significant impact on the ability of these funds to be used effectively and efficiently to meet the needs of the communities. Based on the preliminary finding from the Lycoming College research available at http://www.phfa.org/forms/housing_study/2011/marcellus_report.pdf, the Agency has some insight into the existing housing development capacity in some of the impacted communities. This will serve as a foundation for investment in increasing the capacity. There will be need for ongoing analysis of capacity (private, nonprofit, public) as part of the plan. In some of these communities there has been no significant housing market in decades while in others there is a robust market that may be addressing some part of the housing needs. The plan will help determine where additional housing development capacity may be necessary or where other strategies may be implemented for meeting the housing needs in those communities.

Allocation and use—The funding vehicle’s allocation process, created by the plan, must also be supportive, of and responsive to the needs of the housing and real

estate development market and should foster coordinated local trust fund plans and resources. Funds may be used to support predevelopment, site acquisition and infrastructure development, planning and preconstruction activity in addition to direct support of development and operation of projects and housing programs including employee assisted housing programs. Funds may be provided in various forms designed to best support the particular activity including grants; market rate, amortizing, balloon, bridge or soft loans; capital contributions; capital financing subsidy support; operating and supportive service reserve funding; rental or homeowner assistance. Funds may be specifically allocated to address timing issues presented in the development of affordable housing projects, when other financing is available, construction season, local zoning or other approvals. In addition, funding may be directed for administration by the Agency for certain projects approved for low income housing tax credits or other Agency resources. Preliminary allocations may be made for projects/programs awaiting approval of additional resources. Projects/programs that do not begin within 1 year may have the preliminary allocation withdrawn.

High quality design and construction—A vital element of the plan will be the development of housing that is both of good quality design and construction and will be sustainable over a long period of time.

The opportunity to meet the growing housing needs in these communities will necessitate that this housing be available as an asset for the community for many generations. To meet that objective it will require that projects funded with these resources meet the highest design and construction quality standards available and that all projects ensure sustainability to the long term (both financial and physical). Funds may be specifically allocated to support green and renewable energy sources and as leverage to consumer programs available through utility companies or other business partners.

Targeting of resources—It is likely that the funds in this program will not be sufficient to meet all the housing needs and mitigate every housing impact created by the shale gas development; therefore investment decisions will target the limited funds to projects that meet the principles outlined previously and most comprehensively address the elements of the plan.

When possible these funds will be targeted and stay focused on mitigating the very specific housing impacts created by the shale development in the impacted and designated communities. This element will likely result in the determination that while there may be worthy housing projects that could be funded with these resources, the focus of development will be on most comprehensively addressing the direct and tangible housing impacts. Priority may be given to target resources in tandem with approved county housing trust fund plans or plans for the utilization of local share impact fee funds, or both.

Stakeholder input—The plan for allocation of resources will provide for broad stakeholder input concerning the principles and elements of the plan.

There are many diverse interests that are concerned about the anticipated housing impact and therefore how these resources will be allocated to address the need. To the greatest extent possible opportunities should be created for relevant and legitimate stakeholders to comment and advise the plan. This element will need to be managed for practicality and efficiency to maximize input. *Preference:* Applicants who provide a process where

members of the community and other stakeholders may provide input on the application prior to submission.

Application/Allocation Process

Based on both the legislative requirements of the PHARE Act and the Impact Fee Act, the Agency has developed an application/request for proposals (RFP) for eligible applicants interested in applying for the funds.

Eligible applicants include counties that have adopted impact fees as well as municipalities who have further contributed to PHARE by means of windfall/spill over funds from the impact fee. While only eligible applicants may apply, nonprofit and for profit organizations may be part of the application process.

The elements of the application and allocation process include:

- Adoption of “plan” for managing the anticipated funds by the Agency.
- Announcement of application and possible training/information session concerning the elements of the application.
- Applications accepted and reviewed by the Agency staff based on the application and plan requirements.
- Project recommendations reviewed by the Agency.
- Announcement of preliminary funding approval.
- The Agency will establish an annual application process that will allow the Agency to address housing needs in the impacted communities.
- The Agency may amend the plan, application and the allocation process at any time, upon written publication of such amendments.
- The Agency, as part of the RFP process, will require all applicants to target a minimum of 30% of their funding to support households with incomes below 50% of median area income.

• The Agency will require applicants to include information on how the county is using its Act 137 (Local Housing Trust Fund) moneys to address housing needs in the community. This will be included as part of the Comprehensive Plan section of the RFP.

• Starting in 2014, the Agency proposes to provide eligible applicants (counties) with an estimate of the likely PHARE/Marcellus Shale allocation based on information provided by the Pennsylvania Public Utility Commission. This estimate will be calculated on the “base” allocation received by the Agency and the number of operational gas wells in the county. The purpose of providing these figures will be to assist counties and their partners in developing a more strategic approach for the use of the PHARE funds.

Preliminary approval and funding of applications is contingent upon receipt of funds under the Impact Fee Act.

BRIAN A. HUDSON, Sr.,
Executive Director

[Pa.B. Doc. No. 13-2454. Filed for public inspection December 27, 2013, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, December 12, 2013, and announced the following:

Action Taken—Regulations Approved:

Department of Community and Economic Development #4-96: Manufactured Housing Improvement Program (amends 12 Pa. Code Chapter 149)

State Board of Osteopathic Medicine #16A-5321: Physician Assistants and Respiratory Therapists (amends 49 Pa. Code Chapter 25)

State Board of Medicine #16A-4930: Physician Assistants and Respiratory Therapists (amends 49 Pa. Code Chapters 16 and 18)

Navigation Commission for the Delaware River & Its Navigable Tributaries #16A-663: General Revisions (amends 4 Pa. Code §§ 405.7, 405.8, 405.12 and 405.36)

Pennsylvania Gaming Control Board #125-162: Slot Machine and Table Game Device Testing and Control; Possession of Slot Machines and Fully Automated Electronic Gaming Tables; Slot Machine Tournaments; Accounting and Internal Controls; Possession of Table Game and Table Game Devices; Rules of Play (amends 58 Pa. Code Chapters 461a, 463a, 465a, 627a, 629a, 631a and 633a and adds Chapters 464a and 607a)

Pennsylvania Gaming Control Board #125-166: Slot Machines and Table Game Controls, Equipment, Credit and Rules (amends 58 Pa. Code Chs. 461a, 465a, 603a, 609a, 623a, 627a, 629a, 631a, 633a, 635a, 637a, 649a, 659a, 661a, 663a, and 665a)

Approval Order

Public Meeting Held
December 12, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*Department of Community and Economic Development—
Manufactured Housing Improvement Program;
Regulation No. 4-96 (#3014)*

On May 24, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Community and Economic Development (Department). This rulemaking amends 12 Pa. Code Chapter 149. The proposed regulation was published in the June 8, 2013 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 24, 2013.

In 2012, the General Assembly amended the Manufactured Housing Improvement Act (Act) to require that the Department promulgate regulations to establish an installation and construction standard for manufactured homes previously installed that are

relocated to a site in Pennsylvania. This regulation establishes the installation and construction standard required by the Act.

We have determined this regulation is consistent with the statutory authority of the Department (35 P.S. § 1658.1 *et seq.*) 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
December 12, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*State Board of Osteopathic Medicine—
Physician Assistants and Respiratory Therapists;
Regulation No. 16A-5321 (#2941)*

On May 2, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Osteopathic Medicine (Board). This rulemaking amends 49 Pa. Code Chapter 25. The proposed regulation was published in the May 12, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 29, 2013.

This final-form rulemaking incorporates statutory changes made by Act 56 of 2004 and Act 46 of 2008 to the Osteopathic Medical Practice Act.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 271.10(h), 271.10a(c), 271.10b(f) and 271.16) 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
December 12, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*State Board of Medicine—
Physician Assistants and Respiratory Therapists;
Regulation No. 16A-4930 (#2942)*

On May 2, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Chapters 16 and 18. The proposed regulation was published in the May 12, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 29, 2013.

This rulemaking aligns the Board's existing regulations with statutory changes made by Act 45 of 2008 to the Medical Practice Act of 1985.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 422.8, 422.8a, 422.13(c) and 422.13a(c)) 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
December 12, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*Navigation Commission for the Delaware River &
Its Navigable Tributaries—
General Revisions;
Regulation No. 16A-663 (#2995)*

On March 21, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Navigation Commission for the Delaware River & Its Navigable Tributaries. This rulemaking amends 4 Pa. Code §§ 405.7, 405.8, 405.12 and 405.36. The proposed regulation was published in the April 6, 2013 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 6, 2013.

This final-form regulation brings consistency to various sections of the Commission's regulations and recognizes the current practice of licensed pilots in Pennsylvania. Primarily, this regulation aligns Pennsylvania's regulations with those of the United States Coast Guard, Delaware and other states with similar state commissions. The regulation requires licensed pilots to hold a Federal pilot's license in order to apply for or renew a state license. The regulation also amends requirements related to applications or renewal of applications, medical evaluations, and disclosures, as well as removes obsolete provisions.

We have determined this regulation is consistent with the statutory authority of the Navigation Commission for the Delaware River & Its Navigable Tributaries (55 P.S. § 31) 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
December 12, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Gaming Control Board—
Slot Machine and Table Game Device Testing and Control;
Possession of Slot Machines and Fully Automated
Electronic Gaming Tables; Slot Machine Tournaments;
Accounting and Internal Controls; Possession of Table
Game and Table Game Devices; Rules of Play;
Regulation No. 125-162 (#2975)*

On October 17, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking amends 58 Pa. Code Chapters 461a, 463a, 465a, 627a, 629a, 631a and 633a and adds Chapters 464a and 607a. The proposed regulation was published in the October 27, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 6, 2013.

This rulemaking modifies the requirements for termination or transfer of progressive jackpots, requires operators to provide monthly table game device master lists to the Bureau of Gaming Laboratory Operations, codifies the Board's policy on slot machine tournaments, and adds an additional side wager to Baccarat games.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. § 1202(b)(30)) 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
December 12, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Gaming Control Board—
Slot Machines and Table Game Controls, Equipment,
Credit and Rules;
Regulation No. 125-166 (#2981)*

On January 29, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking amends 58 Pa. Code Chs. 461a, 465a, 603a, 609a, 623a, 627a, 629a, 631a, 633a, 635a, 637a, 649a, 659a, 661a, 663a, and 665a. The proposed regulation was published in the February 9, 2013 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 6, 2013.

The regulation amends Chapters 461a, 465a, 603a, 609a, 623a, 627a, 629a, 631a, 633a, 635a, 637a and 649a; rescinds Chapters 525, 575, 577 and 579; and adds Chapters 659a, 661a, 663a and 665a. The purpose of the rulemaking is to transition the requirements for Match Play Coupons and the game rules for Asia Poker, Three Dice Football and Five Card Hi-Lo from temporary to final-form regulations. Additionally, the rulemaking package adds several new table game side wagers and variations of the games.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1207(3), (9) and §§ 13A02(1), (2) and (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.

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 13-2455. Filed for public inspection December 27, 2013, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
11-252	Insurance Department Rules and Procedural Requirements for Insurance Holding Company Systems 43 Pa.B. 5996 (October 12, 2013)	11/12/13	12/12/13

**Insurance Department
Regulation #11-252 (IRRC #3030)
Rules and Procedural Requirements for Insurance
Holding Company Systems
December 12, 2013**

We submit for your consideration the following comments on the proposed rulemaking published in the October 12, 2013 *Pennsylvania Bulletin*. Our comments

are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Insurance Department (Department) to respond to all comments received from us or any other source.

**1. Section 25.12. Forms—General Requirements.—
Need.**

The Insurance Federation of Pennsylvania (IFP) commented that Subsection (c) should be amended “to delete

the absolute confidentiality for personal financial statements of nonpublicly held ultimate controlling persons making Form A filings.” IFP does not believe this provision is consistent with Act 136 of 2012 (Act 136) and that there would remain sufficient protection in Subsection (c) to protect confidential information. We ask the Department to explain the need for this provision and how it is consistent with the statute.

2. Section 25.21. Transactions subject to prior notice—notice filing.—Clarity.

Leases involving a domestic insurer and any person in its holding company system

In its comments, IFP also asked for a clarification of Subsection (d) relating to leases between a domestic insurer and any person in its holding company system. IFP discusses a need to carefully categorize these leases because it will affect what information must be filed.

We recognize that the Department included in Subsection (d) language directly from Act 136 (e.g.—“management agreements, service contracts, tax allocation agreements, guarantees and cost-saving arrangements”). However, it appears from IFP’s comment that a clarification of Act 136 is needed for these leases. Therefore, we ask the Department to clarify in the regulation how to report a lease involving a domestic insurer and a person in its insurance holding company system.

NAIC Accounting Practices and Procedure Manual

Subparagraph (d)(2)(iii) states “. . . and compliance with the Accounting Practices and Procedures Manual.” We note that Form D, Item 6, C.(4) requires a statement regarding compliance with the “NAIC Accounting Practices and Procedure Manual.” Emphasis added. Should the acronym “NAIC” be added to Subparagraph (d)(2)(iii) to clarify what manual to comply with?

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 13-2456. Filed for public inspection December 27, 2013, 9:00 a.m.]

INSURANCE DEPARTMENT

CMFG Life Insurance Company; Rate Increase Filing for Several LTC Forms

CMFG Life Insurance Company is requesting approval to increase the premium 50% on 550 policyholders with the following individual LTC policy form numbers: 2002-LTC-FAC(PA) and 2002-LTCR-HCC(PA).

Unless formal administrative action is taken prior to March 13, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov. Under the tab “How to Find . . .” click on the link “PA Bulletin.”

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department’s Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square,

Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-2457. Filed for public inspection December 27, 2013, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have 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 insureds’ 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 Philadelphia, 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 Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Danielle and Ryan Paddick; file no. 13-116-151770; American States Insurance Company; Doc. No. P13-12-007; February 5, 2014, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party’s case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-2458. Filed for public inspection December 27, 2013, 9:00 a.m.]

OFFICE OF THE BUDGET

Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P. L. 160, No. 39) as amended by section 2 of the act of October 19, 1995 (P. L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 20, 2013, that the salaries covered by that law shall be increased by 0.3% effective January 1, 2014. The following chart sets out the agency head position, the salary prior to the adjustment, the percentage amount of the adjustment, and the new salary:

COLA Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51

COLA Adjustment is Based on the Percent Change in the CPI-U for PA-DE-NJ-MD, CMSA, for the 12-Month Period Ending October 2013

<i>Position</i>	<i>Salary Prior to 1/1/2014</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2014</i>
Governor	\$187,256	0.3%	\$187,818
Lieutenant Governor	\$157,293	0.3%	\$157,765
State Treasurer	\$155,797	0.3%	\$156,264
Auditor General	\$155,797	0.3%	\$156,264
Attorney General	\$155,797	0.3%	\$156,264
Large Agency Head	\$149,804	0.3%	\$150,253
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Public Welfare			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$142,314	0.3%	\$142,741
Secretary of Aging			
Secretary of Commerce & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$134,824	0.3%	\$135,228
Adjutant General			
Secretary of Agriculture			
Secretary of Banking			
Secretary of the Commonwealth			
Insurance Commissioner			
Secretary of Drug and Alcohol Programs*****			
Liquor Control Board			
Chairman	\$76,099	0.3%	\$76,327
Member	\$73,102	0.3%	\$73,321
Civil Service Commission****			
Chairman	\$85,630	0.3%	\$85,887
Member	\$82,336	0.3%	\$82,583
State Tax Equalization Board			
Chairman	\$26,216	0.3%	\$26,295
Member	\$24,343	0.3%	\$24,416
Milk Marketing Board			
Chairman	\$24,343	0.3%	\$24,416
Member	\$23,407	0.3%	\$23,477
Securities Commission***			

<i>Position</i>	<i>Salary Prior to 1/1/2014</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2014</i>
Chairman	\$40,958	0.3%	\$41,081
Member	\$37,367	0.3%	\$37,479
Athletic Commission			
Chairman	\$19,664	0.3%	\$19,723
Member	\$18,724	0.3%	\$18,780
Board of Pardons			
Member	\$17,227	0.3%	\$17,279
Public Utility Commission			
Chairman	\$144,814	**	\$145,241
Member	\$142,314	0.3%	\$142,741
Environmental Hearing Board*			
Chairman	\$144,814	*	\$145,241
Member	\$142,314	*	\$142,741
Board of Claims*****			
Chairman	\$138,305	0.3%	\$138,720
Member	\$131,024	0.3%	\$131,417

* The Environmental Hearing Board is not contained in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

** Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

*** Per Act 1998-51.

**** Per Act 2002-140, effective November 27, 2002.

***** Per Act 2002-118, effective October 2, 2002.

***** The salary for the Secretary of Drug and Alcohol Programs has not yet been set by statute.

CHARLES B. ZOGBY,
Secretary

[Pa.B. Doc. No. 13-2459. Filed for public inspection December 27, 2013, 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 January 13, 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.

Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of household goods by transfer of rights as described under the application.*

A-2013-2387553. L & J Transportation Companies, Inc. (36 Mountainside Road, Temple, PA 19560) for the

additional right to begin to transport, as a common carrier, by motor vehicle, by motor vehicle, household goods in use, between points in Pennsylvania; which is to be a transfer of all right authorized under the certificate issued at A-00104711 and A-00104711AMA to Morgan Moving & Storage, LTD, subject to the same limitations and conditions. *Attorney:* Richard T. Mulcahey, Jr., Esquire, 121 South Broad Street, 20th Floor, Philadelphia, PA 19107-4533.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-2460. Filed for public inspection December 27, 2013, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimant's request concerning the indicated account.

The hearings will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

February 12, 2014	David R. Boyd (Purchase of Service)	1 p.m.
February 26, 2014	Jean M. Imdorf (Accuracy of Account)	1 p.m.

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Book, Assistant to the Executive Director at (717) 720-4617 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 13-2461. Filed for public inspection December 27, 2013, 9:00 a.m.]

STATE BOARD OF NURSING

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs vs. Sharon Hoke Wolfe, LPN, Respondent; File No. 12-51-04991; Doc. No. 1465-51-13

On October 7, 2013, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Practical Nurse Law, Act of March 2, 1956, P. L. (1955) 1211, ("Act"). Pursuant to 1 Pa. Code § 33.31

and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing for service of process upon you by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P. O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 13-2462. Filed for public inspection December 27, 2013, 9:00 a.m.]

STATE HORSE RACING COMMISSION

Schedule of Therapeutic Substances

The State Horse Racing Commission (Commission), in accordance with the Race Horse Industry Reform Act (4 P. S. §§ 325.101—325.402), and more specifically 58 Pa. Code § 163.304 (relating to substances of therapeutic value), adopts the schedule of therapeutic medications established by the Racing Medication and Testing Consortium (RMTC) and adopted by the Association of Racing Commissioners International (ARCI).

Under 58 Pa. Code § 163.304, the Commission may approve and adopt by reference the RMTC/ARCI schedule of therapeutic medications and their respective threshold levels. On July 11, 2013, at its public meeting the Commission formally approved the schedule set forth as follows. This schedule shall take effect on January 1, 2014. The Commission will publish any subsequent amendments or additions to the RMTC/ARCI therapeutic schedule.

The Commission did not engage in an independent testing evaluation of the administration times or administration dosage for these medications. Individuals using the enumerated therapeutic medications are encouraged to seek the advice of their respective Veterinarians.

**RMTC
Controlled Therapeutic Medications**

<i>Substance</i>	<i>Restricted Administration Time</i>	<i>Threshold</i>	<i>Route of Administration</i>	<i>Experimental Administration Dosage</i>
Acepromazine	48 hours	HEPS—10 ng/mL of urine	Intravenous	0.05 mg/kg
Betamethasone	7 days	10 pg/mL in plasma or serum	Intra-articular	9 mg total in one articular space
Butorphanol	48 hours	Free butorphanol—2 ng/mL of plasma, or Total butorphanol—300 ng/mL of urine.	Intravenous	0.1 mg/kg
Clenbuterol	14 days	140 pg/mL of urine or LOD in plasma	Oral	0.8 mcg/kg
Dantrolene	48 hours	5-OH dantrolene—0.1 ng/mL of plasma or serum	Oral	500 mg total dose
Detomidine	72 hours	1 ng/mL of carboxy-detomidine in urine; LOD for detomidine in plasma	Sublingual detomidine (Domosedan gel)	40 mcg/kg
Dexamethasone	72 hours	5 pg/mL of plasma or serum	Oral, Intravenous, IM	0.05 mg/kg
Diclofenac	48 hours	5 ng/mL of plasma or serum	Topical	5" ribbon of Surpass every 12 hours to one site
DMSO	48 hours	10 mcg/mL of plasma or serum	Oral or IV	
Firocoxib	14 days	20 ng/mL of plasma or serum	Oral	0.1 mg/kg for 4 days
Flunixin	24 hours	20 ng/mL of plasma or serum	Intravenous	1.1 mg/kg
Furosemide	4 hours	100 ng/mL in blood and urine specific gravity < 1.010	Intravenous	Up to 500 mg total dose
Glycopyrrolate	48 hours	3 pg/mL of plasma or serum	Intravenous	1 mg total dose
Ketoprofen	24 hours	10 ng/mL of plasma or serum	Intravenous	2.2 mg/kg
Lidocaine (interim)	72 hours	20 pg/mL of total 30H-lidocaine in plasma	Subcutaneous—distal limb	200 mg of lidocaine Hydrochloride salt
Mepivacaine	72 hours	30H-mepivacaine—10 ng/mL in urine or mepivacaine at LOD in plasma	Subcutaneous—distal limb	0.07 mg/kg
Methocarbamol	48 hours	1 ng/mL of plasma or serum	IV or Oral	15 mg/kg IV, 5 g oral
Methylprednisolone	7 days	100 pg/mL in plasma or serum	Intra-articular	100 mg total in one articular space *
Omeprazole	24 hours	omeprazole sulfide—1 ng/mL in urine	Oral	3.9 mg/kg
Phenylbutazone	24 hours	2 mcg/mL of plasma or serum	Intravenous	4 mg/kg
Prednisolone	48 hours	1 ng/mL of plasma or serum	Oral	1 mg/kg
Procaine penicillin	Time of entry	25 ng/mL of plasma	Intra-muscular	
Triamcinolone acetonide	7 days	100 pg/mL of plasma or serum	Intra-muscular	9mg total in one articular space
Xylazine (interim)	48 hours	0.01 ng/mL of plasma	Intravenous	

* Note: At the 100 mg experimental dose, the safe time for administration to meet the 100 pg/mL threshold was 21 days—the 7 day withdrawal time anticipates that protocols vary and a smaller dose may be utilized which may allow plasma concentrations to fall below the threshold more quickly.

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