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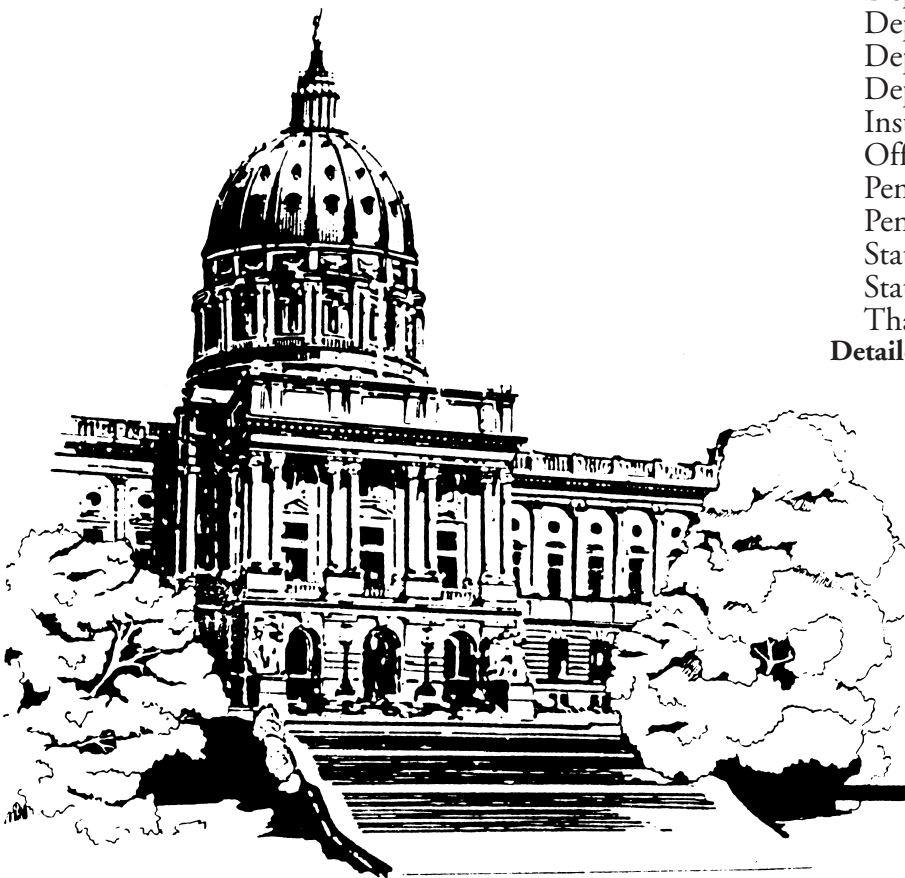
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# PENNSYLVANIA BULLETIN

Volume 44  
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Number 52  
Pages 8001—8078

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Department of Conservation and Natural Resources  
Department of Education  
Department of Environmental Protection  
Department of Health  
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Department of Revenue  
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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 481, December 2014**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 8 ]

### Proposed Amendments to Pa.R.Crim.P. 801

The Criminal Procedural Rules Committee is considering recommending that the Supreme Court of Pennsylvania amend Rule 801 (Qualifications for Defense Counsel in Capital Cases) to correct the description of the prosecutor and to clarify that experience as a prosecutor should be considered to satisfy the experiential requirements of the rule. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed amendments to the rule precede the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal in writing to the Committee through counsel,

Jeffrey M. Wasileski, Counsel  
Supreme Court of Pennsylvania  
Criminal Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
Harrisburg, PA 17106-2635  
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no later than Friday, February 27, 2015.

By the Criminal Procedural Rules Committee

PAUL M. YATRON,  
Chair

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE

#### 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.

In all cases in which the [ **district** ] attorney for the **Commonwealth** has filed a Notice of Aggravating Circumstances pursuant to Rule 802, before an attorney may participate in any stage of the case either as retained or appointed counsel, the attorney must meet the educational and experiential criteria set forth in this rule.

\* \* \* \* \*

#### 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 requirements 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.

#### For purposes of the requirements of paragraph (1), experience in the role of either prosecutor or defense counsel should be considered.

An attorney may serve as "second chair" in a capital case without meeting the educational or experience requirements of this rule. "Second chair" attorneys may not have primary responsibility for the presentation of significant evidence or argument, but may present minor or perfunctory evidence or argument, if deemed appropriate in the discretion of the court. Service as a "second chair" in a homicide case will count as a trial for purposes of evaluating that attorney's experience under paragraph (1)(c) of this rule.

\* \* \* \* \*

**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; **amended** , **2014, effective** , **2014**.

Committee Explanatory Reports:

\* \* \* \* \*

**Report explaining the proposed amendments correcting a reference to the prosecutor and clarifying the experiential requirements of the rule published for comment at 44 Pa.B. 8011 (December 27, 2014).**

#### REPORT

#### Proposed Amendments to Pa.R.Crim.P. 801

#### Qualifications of Capital Case Counsel; Prosecutorial Experience

Rule 801 was adopted by the Court on June 4, 2004.<sup>1</sup> Rule 801 provides standards for experience and continuing legal education required of criminal defense counsel representing defendants in proceedings involving possible capital punishment, including pretrial, trial, post-conviction, and appellate proceedings. Before an attorney may represent a defendant in a capital case, either as retained or appointed counsel, he or she must meet the following standards:

- be a member of the Bar in good standing;
- have at least five years of experience in criminal litigation;
- serve as lead or co-counsel in a minimum of 8 significant cases which were tried to verdict before a jury. Representation in appellate proceedings requires prior

<sup>1</sup>Rule 801 was not developed by the Committee but rather was the product of a special *ad hoc* group formed by the Supreme Court.

appellate or post-conviction representation in a minimum of 8 significant cases. A “significant case” for purposes of this rule shall be a murder, including manslaughter and vehicular homicide, or a felony of the first or second degree.

- Within the preceding three years, undertake a minimum of 18 hours of training relevant to representation in capital cases, as approved by the Pennsylvania Continuing Legal Education Board. Rule 801(2)(b) provides an extensive list of areas of training that would satisfy this requirement.

The rule also provides for “second chair” counsel and *pro hac vice* representation.

The Committee has been presented with the question of whether experience acquired as a prosecutor could be counted toward the requirements of Rule 801(1). Although this is not explicitly stated in the rule, it seems logical that the experience acquired in significant cases be counted regardless upon which side a counsel served. Even though the function of a prosecutor is obviously different, many of the trial and practice skills are complementary. Such an interpretation would provide a reasonable inclusiveness in an already limited pool of counsel. Furthermore, the Committee understands that this is the common practice in most jurisdictions. Therefore, the Comment to Rule 801 would be revised to indicate that such experience should be considered in determining whether counsel meets the qualifications under the rule.

Additionally, there was a suggestion to broaden the language of the initial paragraph of the rule regarding the filing of the notice of aggravating circumstances from the term “district attorney” to “attorney for the Commonwealth.” There are times when the Office of the Attorney General prosecutes a murder as a capital offense, either arising out of their primary jurisdiction or after a case has been referred to them by a district attorney. Therefore, the terminology in the rule would be changed.

[Pa.B. Doc. No. 14-2673. Filed for public inspection December 26, 2014, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [ 246 PA. CODE CH. 600 ]

#### Proposed Rules 601—606 of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt new Rules 601—606 of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee’s considerations in formulating this proposal. The Committee’s Report should not be confused with the Committee’s Official Notes to the rules. The Supreme Court does not adopt the Committee’s Official Notes or the contents of explanatory reports.

The text of the proposed new rules precedes the Report, and is entirely new.

We request that interested persons submit written suggestions, comments, or objections concerning this proposal to the Committee through counsel,

Pamela S. Walker, Counsel  
Supreme Court of Pennsylvania  
Minor Court Rules Committee  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
Fax: 717-231-9546

or email to: [minorrules@pacourts.us](mailto:minorrules@pacourts.us)

no later than January 30, 2015.

By the Minor Court Rules Committee

BRADLEY K. MOSS,  
Chair

### Annex A

#### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 600. AUTOMATED RED LIGHT ENFORCEMENT APPEALS

Rule	
601.	Definitions.
602.	Time and Method of Appeal.
603.	Service; Setting the Date for Hearing.
604.	Hearings and Evidence.
605.	Failure of a Party to Appear at the Hearing.
606.	Judgment; Notice of Judgment and the Right to Appeal; Payment of Civil Fines; Enforcement of Judgment.

#### Explanatory Comment

The rules in this chapter were adopted to provide for appeals from violations captured by automated red light enforcement systems. 75 Pa.C.S. § 3117, effective October 1, 2012, generally authorizes “[a] municipality, upon passage of an ordinance . . . to enforce [75 Pa.C.S.] § 3112(a)(3) (relating to traffic-control signals) by recording violations using an automated red light enforcement system approved by [PennDot].” *See* 75 Pa.C.S. § 3117(a). The statute requires that the municipality receive PennDot approval prior to the installation of the red light enforcement system. When a violation is captured by the system, a “system administrator” will prepare and send a violation notice to the registered vehicle owner identified by the system. *See* § 3117(i). A vehicle owner may request a hearing before a “hearing officer” to contest the alleged violation. *See* § 3117(n)(1). The statute provides that an appeal of the hearing officer’s decision will be made to a magisterial district judge. “If the owner requests in writing that the decision of the hearing officer be appealed to the magisterial district judge, the system administrator shall file the notice of violation and supporting documents with the magisterial district judge, who shall hear and decide the matter *de novo*.” *See* § 3117(n)(4).

#### Rule 601. Definitions.

As used in this chapter:

(1) *Appeal*: An appeal from a decision of a hearing officer following a hearing to contest an alleged violation of 75 Pa.C.S. § 3112(a)(3) as recorded by an automated red light enforcement system.

(2) *Automated Red Light Enforcement System*: A system authorized pursuant to 75 Pa.C.S. § 3117 to record violations of 75 Pa.C.S. § 3112(a)(3).

(3) *Hearing Officer*: A person designated by a municipality to conduct hearings contesting liability for violations of 75 Pa.C.S. § 3112(a)(3) as recorded by an automated red light enforcement system.

(4) *Magisterial District Court*: The magisterial district court in the magisterial district in which the notice of violation was issued.

(5) *Notice of Violation*: The document issued by a police officer employed by the police department with primary jurisdiction over the area where the violation of 75 Pa.C.S. § 3112(a)(3) occurred, and containing the information set forth in 75 Pa.C.S. § 3117(i)(3).

(6) *Owner*: The registered owner or co-owners of the vehicle identified in a notice of violation.

(7) *System Administrator*: The municipality or its designee that supervises and coordinates the administration of notices of violation issued pursuant to 75 Pa.C.S. § 3117.

**Official Note:** The above definitions are derived from the statute authorizing the use of automated red light enforcement systems by municipalities, 75 Pa.C.S. § 3117.

#### **Rule 602. Time and Method of Appeal.**

(A) The owner shall file a notice of appeal along with a copy of the determination of the hearing officer with the magisterial district court within thirty (30) days after the date of the determination. No bond or other security shall be required for appeal.

(B) The notice of appeal filed with the magisterial district court shall be on a form as prescribed by the State Court Administrator. The magisterial district court shall not accept a notice of appeal that is presented after the expiration of the time period specified above.

**Official Note:** Thirty days is the standard period of time for taking an appeal. See 42 Pa.C.S. § 5571; Pa.R.A.P. 903.

See Rules 1003, 1008A, which do not require the filing of a bond or other security in appeals from judgments entered in civil matters.

#### **Rule 603. Service; Setting the Date for Hearing.**

(A) Upon receipt of the notice of appeal, the magisterial district court shall set a hearing date, which shall be not less than twelve (12) or more than sixty (60) days from the date the notice of appeal is filed.

(B) The magisterial district court shall insert the hearing time and date, and the address of the magisterial district court in the notice of appeal form.

(C) The magisterial district court shall serve the notice of appeal, with the hearing time and date thereon, on the system administrator by mailing a copy of the notice of appeal to the system administrator at the address noted on the notice of violation. The service copy of the notice of appeal shall include an instruction that the system administrator shall file the notice of violation and supporting documents with the magisterial district court no later than the date of the hearing.

(D) The magisterial district court shall mail a copy of the notice of appeal form with the hearing time and date thereon to the owner.

(E) Upon receipt of the notice of appeal, the system administrator shall file a copy of the notice of violation

and supporting documents with the magisterial district judge no later than the date of the hearing.

**Official Note:** Rule 603 is derived from 75 Pa.C.S. § 3117(n)(4), as well as Rules 305, 307—308.

It is anticipated that the system administrator's address will be found on the determination of the hearing officer attached to the notice of appeal form.

#### **Rule 604. Hearings and Evidence.**

(A) The proceeding on appeal shall be conducted de novo.

(B) The hearing is subject to the standards of evidence set forth in Rule 321, except that photographs, videos, vehicle titles and police reports may also be entered as evidence by any party without affidavit or other evidence of its truth, accuracy or authenticity.

**Official Note:** See 75 Pa.C.S. § 3117(n)(4); Rule 321. Photographs, videos, vehicle titles and police reports were added to subdivision (B), and deemed necessary because they are the proofs most likely to be used to support the permitted defenses to a notice of violation, specifically, (1) that the person named in the notice of violation was not the vehicle operator at the time of the violation, (2) that the vehicle was reported as stolen during the time of the violation, and (3) that the person receiving notice of the violation was not the owner or lessor of the vehicle at the time of the offense. See 75 Pa.C.S. § 3117(g).

#### **Rule 605. Failure of a Party to Appear at the Hearing.**

When one or both parties fail to appear for the hearing:

(1) If the owner does not appear at the hearing, but the system administrator does appear, the magisterial district judge shall enter judgment for the system administrator.

(2) If the owner appears at the hearing, but the system administrator does not appear, the magisterial district judge shall enter judgment for the owner.

(3) If neither party appears at the hearing, the magisterial district judge shall enter judgment for the owner.

**Official Note:** Rule 605 is derived from Rule 319.

#### **Rule 606. Judgment; Notice of Judgment and the Right to Appeal; Payment of Civil Fines; Enforcement of Judgment.**

(A) Judgment shall be given at the conclusion of the hearing or within five (5) days thereafter and shall be entered on the notice of appeal form.

(B) Upon the entry of judgment, the magisterial district court shall promptly give or mail the owner and the system administrator written notice of the judgment.

(C) The written notice of judgment shall contain notice of the right of the parties to appeal, the time within which the appeal must be taken, and that the appeal is to the court of common pleas.

(D) Any civil fines payable pursuant to 75 Pa.C.S. § 3117(m) shall be made to the system administrator, and not to the magisterial district court.

**Official Note:** See Rules 322, 324 regarding entry of judgment.

A magisterial district court does not collect civil fines. See Rule 323. Enforcement of judgments for civil fines may be sought by following the procedures established in Rules 401—482, pertaining to entry of and execution upon judgments.

## REPORT

*New Rules 601—606 of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges***Appeals from Hearing Officer Determinations in Automated Red Light Enforcement Actions**I. *Introduction*

The Minor Court Rules Committee (“Committee”) is proposing new rules to accommodate statutory changes to the Vehicle Code providing for the use of automated red light enforcement systems in certain municipalities. As described in greater detail below, the proposed rules provide a framework for the newly authorized appeals from a hearing officer determination of an automated red light enforcement violation.

II. *Discussion*

In 2012, the General Assembly adopted the Act of July 2, 2012, P. L. 735, No. 84, which concerned motor vehicles. Among other things, the legislation authorized the use of automated red light enforcement systems in certain municipalities, subject to conditions and approvals by the Pennsylvania Department of Transportation. Section 4(a) of the Act provides that “[a] municipality, upon passage of an ordinance, is authorized to enforce section 3112(a)(3) [of the Vehicle Code] (relating to traffic-control signals) by recording violations using an automated red light enforcement system approved by the [Pennsylvania Department of Transportation].” 75 Pa.C.S. § 3117(a). Similar legislation providing for automated red light enforcement systems in Philadelphia was enacted in 2002. *See* Act of October 4, 2002, P. L. 845, No. 123, § 4, 75 Pa.C.S. § 3116.

The legislation requires that the municipality receive approval from the Pennsylvania Department of Transportation prior to the installation of the red light enforcement system. 75 Pa.C.S. § 3117(b). When a red light violation is captured by the system, a “system administrator” will prepare and send a violation notice to the registered vehicle owner identified by the system. 75 Pa.C.S. § 3117(i). The vehicle owner may request a hearing before a “hearing officer” to contest the alleged violation. 75 Pa.C.S. § 3117(n)(1). The statute provides that an appeal of the hearing officer’s decision will be made to a magisterial district judge. “If the owner requests in writing that the decision of the hearing officer be appealed to the magisterial district judge, the system administrator shall file the notice of violation and supporting documents with the magisterial district judge, who shall hear and decide the matter *de novo*.” 75 Pa.C.S. § 3117(n)(4). Notably, the legislation provides that “[a] penalty imposed under this section shall not be deemed a criminal conviction.” 75 Pa.C.S. § 3117(c)(5).

After reviewing the provisions of the legislation, the Committee concluded that these new appeals from hearing officer determinations were not covered by existing rules governing civil actions, and proceeded to draft rules accommodating such actions.

III. *Proposed Rule Changes*

The proposal begins with a table of contents and an explanatory comment regarding the new rules. Rule 601 provides definitions for terms used in the proposed new rules as derived from the statutory language. Rule 602 establishes the time and method of appeal, and requires that an appeal of a hearing officer determination must be filed with the magisterial district court within thirty days after the date of the determination. Rule 603 sets forth service requirements, as well as the timeframes for

setting the hearing date. Rule 604 provides that the hearing is conducted *de novo*, meaning that it is held as if initially filed in the magisterial district court, and it is not a review of the action before the hearing officer. Rule 604 also establishes the standards of evidence, including exceptions for photographs, videos, vehicle titles and police reports to be entered without affidavit or other evidence of their truth, accuracy or authenticity. Rule 605 sets forth the consequences of one or both parties failing to appear at the hearing. Finally, Rule 606 provides for the entry of judgment, the right to appeal a judgment, and the payment of civil fines.

[Pa.B. Doc. No. 14-2674. Filed for public inspection December 26, 2014, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### BEAVER COUNTY

#### Local Rules of Civil Procedure; No. 11811-2014

##### Administrative Order

The following amendments to the Beaver County Local Rules of Civil Procedure are hereby adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, in accordance with Pa.R.C.P. No. 239(d). L.R. 210, L.R. 1028(c), L.R. 1034(a), L.R. 1035.2(a) and L.R. 4011 governing Form of Briefs, Disposition of Preliminary Objections, Disposition of Motions for Judgment on the Pleadings, Disposition of Motions for Summary Judgment and Limitation of Scope of Written Discovery and Depositions, are adopted. (Added language is bold.)

The District Court Administrator is Directed to:

- (1) file one (1) certified copy of the Local Rules with the Administrative Office of Pennsylvania Courts;
- (2) submit two (2) certified copies of the Local Rules and a copy on computer diskette or CD-ROM containing the text of the Local Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
- (3) submit one (1) certified copy of the Local Rules to the Civil Procedural Rules Committee of the Pennsylvania Supreme Court;
- (4) keep a copy continuously available for public inspection and copying in the Office of the Prothonotary of Beaver County; and
- (5) keep a copy continuously available for public inspection and copying in the Beaver County Law Library.

*By the Court*

JOHN D. McBRIDE,  
*President Judge*

### BUSINESS OF THE COURTS

#### LR210. Form of Briefs.

In addition to the requirements of Pa.R.C.P. No. 210, briefs shall comply with the following requirements:

A. Except for quotations, briefs shall be double spaced, **single sided** on white paper size 8 1/2 x 11 inches and **shall not exceed 10 pages, excluding exhibits and cover sheets, in length unless otherwise permitted by Order of Court for cause shown or by agreement of the parties by filed stipulation.**

B. Briefs shall contain:

1. a procedural history of the case;
2. a statement or counter-statement of facts;
3. a statement of the questions involved;
4. legible copies of any documents which are attached thereto;
5. an argument with citations to the authority relied upon.
6. a conclusion setting forth the requested relief sought.

C. Any exhibits attached thereto must be tabbed and identified.

### CIVIL ACTION

#### **LR1028(c). Procedures for Disposition of Preliminary Objections.**

**Except as otherwise permitted by Order of Court for cause shown or by agreement of the parties by filed stipulation, Preliminary Objections shall not exceed five (5) pages in length and supporting briefs as well as briefs in opposition shall not exceed 10 pages in length.** Preliminary objections shall be placed on the argument list by the Court Administrator upon the filing of a Praeceptum for Argument by either party.

(1) A Praeceptum for Argument form can be secured from the Prothonotary. The original must be filed with the Prothonotary and a copy must be delivered by the filing party to the Court Administrator, along with a copy of the preliminary objections.

(2) Upon receipt of a copy of the Praeceptum for Argument and the preliminary objection, the Court Administrator shall place the case on a list to be argued, assign the case to a judge and send notice of the date, time and place of oral argument. In appropriate cases, the court may order the matter to be decided on briefs only unless a party requests oral argument thereafter.

(3) The briefing schedule is governed by LR211C unless otherwise ordered by the court.

#### **LR1034(a). Disposition of a Motion for Judgment on the Pleadings.**

**Except as otherwise permitted by Order of Court for cause shown or by agreement of the parties by filed stipulation, Motions for Judgment on the Pleadings shall not exceed five (5) pages in length and supporting briefs as well as briefs in opposition shall not exceed 10 pages in length.** Motions for Judgment on the Pleadings shall be placed on the argument list by the Court Administrator upon the filing of a Praeceptum for Argument by either party.

(1) A Praeceptum for Argument form can be secured from the Prothonotary. The original Praeceptum must be filed with the Prothonotary and a copy must be delivered by the filing party to the Court Administrator, along with a copy of the Motion for Judgment on the Pleadings.

(2) Upon receipt of a copy of the Praeceptum for Argument and the Motion for Judgment on the Pleadings, the Court Administrator shall place the case on the list to be argued, assign the case to a judge and send notice of the date, time and place of oral argument.

(3) The briefing schedule is governed by LR211C unless otherwise ordered by the court.

#### **LR1035.2(a). Disposition of Motions for Summary Judgment.**

**Except as otherwise permitted by Order of Court for cause shown or by agreement of the parties by filed stipulation, Motions for Summary Judgment shall not exceed five (5) pages in length and supporting briefs as well as briefs in opposition shall not exceed 10 pages in length.** Motions for Summary Judgment shall be placed on the argument list by the Court Administrator upon the filing of a Praeceptum for Argument by either party.

(1) A Praeceptum for Argument form can be secured from the Prothonotary. The original Praeceptum must be filed with the Prothonotary and a copy must be delivered by the filing party to the Court Administrator, along with a copy of the Motion for Summary Judgment.

(2) Upon receipt of a copy of the Praeceptum for Argument and the Motion for Summary Judgment, the Court Administrator shall place the case on the list to be argued, assign the case to a judge and send notice of the date, time and place of oral argument.

(3) The briefing schedule is governed by LR211C unless otherwise ordered by the court.

### DEPOSITIONS AND DISCOVERY

#### **LR4011. Limitation of Scope of Written Discovery and Deposition.**

A. Written discovery in all civil cases shall be limited to 30 written questions, including subparts, except in those cases governed by Pa.R.C.P. 1930.5 (domestic relations matters) and LR1301A et seq. (compulsory arbitration).

B. In order to avoid unreasonable annoyance or expense, all requests for discovery or depositions in cases governed by Rule LR1301A et seq. (compulsory arbitration) shall be limited in scope to the standard interrogatories, attached hereto as Form A and Form B, unless leave of court to seek additional discovery is first secured for cause shown.

**C. In order to avoid unreasonable annoyance or expense, unless otherwise ordered by the Court for cause shown, or by agreement of the parties, discovery depositions shall be limited to 1 1/2 hours in length with an additional 1/2 hour per each additional party. The total accumulated time allotted each side for all discovery depositions shall not exceed five (5) hours.**

[Pa.B. Doc. No. 14-2675. Filed for public inspection December 26, 2014, 9:00 a.m.]

### BEAVER COUNTY

#### **Probation as a Sanction for Custody and Protection From Abuse Contempts; No. 11811 2014**

##### **Administrative Order**

Pursuant to the authority granted at 23 Pa.C.S.A. § 6114(b) (relative to imposition of sentence for Indirect Criminal Contempt for violating a Protection From Abuse Order), and 23 Pa.C.S.A. § 5323(G) (relative to imposition of punishment for Contempt for noncompliance with a Custody Order), findings of Contempt by Court Order are



punishable, in part, by imposition of a term of probation for a period of not more than six (6) months.

It is hereby Ordered and Directed that in each case in which the contemptuous conduct results in the Court imposing a period of probation as punishment, the contemner shall be assessed the same identical Supervision Fee as authorized by 18 P.S. § 11.1102 and this Court's Administrative Order dated April 7, 2009, i.e., \$60.00 per month. Said fee shall be assessed and collected by the Prothonotary against all contemnners placed on probation for violation of a Protection From Abuse Order or a Custody Order.

It is further Ordered and Directed that this Administrative Order shall be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*, as required by the Pennsylvania Rules of Judicial Administration (Pa.R.J.A. No. 103(c)(4)).

It is further Ordered and Directed that the District Court Administrator shall file one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts and submit two (2) certified paper copies of this Administrative Order and a copy on computer diskette or CD-ROM or agreed upon alternative format, to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

Finally, it is Ordered and Directed that a copy of this Administrative Order shall be kept continuously available for public inspection and copying in the Office of the Prothonotary of Beaver County and in the Beaver County Law Library.

*By the Court*

JOHN D. McBRIDE,  
*President Judge*

[Pa.B. Doc. No. 14-2676. Filed for public inspection December 26, 2014, 9:00 a.m.]

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**SNYDER COUNTY**

**Judicial Administration; No. MC-0049-2014 Full Court**

**Order**

*And Now*, this 5th day of December, 2014, the 17th Judicial District Local Rule of Judicial Administration Local Rule 17 CV-1915.4 and Local Rule 1940.3 are both amended to include the addition of the Kids First Program and mediation fee increase, and hereby adopt for use in Snyder County, Court of Common Pleas of the 17th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 17th Judicial District Court Administrator is Ordered and Directed to do the following:

1) File Seven (7) certified copies of this Order and Rule with the Administrative Office of the Pennsylvania Courts.

2) Forward two (2) certified copies of this Order and Rule and a computer diskette containing the text of the Rule of the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Forward one (1) certified copy of this Order and Rule to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.

4) Copies shall be kept continuously available for public inspection in the Office of the Snyder County Prothonotary.

*By the Court*

MICHAEL T. HUDOCK,  
*President Judge*

**Rule 17-CV-1915.4. Prompt Disposition of Custody Cases: Mediation Orientation Session and Kids First Program.**

(a). In any custody action the parties shall within forty-five (45) days of the date of filing of the pleading raising the custody claim attend the Court-approved, Kids First Program and mediation orientation session, as provided for in Pa.R.C.P. No. 1940.3 and 17CV1940.3. The Kids First Program and mediation orientation session shall be completed before any hearing is scheduled with the Court.

(b). The term "custody action" includes: any action for divorce containing a claim for custody, partial custody, or visitation; any initial action for custody, partial custody, or visitation; any counterclaim for custody, partial custody, or visitation; any petition for modification of an existing custody order; and any petition for contempt in regard to an existing order of custody.

(c). The parties governed by these rules include parents, persons in loco parentis, and grandparents.

(d). At the time of the filing of the custody action there shall be submitted to the Court a Mediation Orientation Session/Kids First Program Order containing the case caption which shall be substantially in the following form:

**MEDIATION ORIENTATION SESSION/ KIDS FIRST PROGRAM ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, it is hereby ORDERED that the above-named parties shall within ten (10) days of the date of receipt of a copy of this Order contact the Court-approved Mediation Program Administrator at 570-374-1718, to schedule both a Kids First Program session and a mediation orientation session, such sessions to be conducted within forty-five (45) days of the filing date of the custody pleading accompanying this Order. No hearing shall be scheduled before the Court until both Kids First Program and mediation orientation sessions have been completed.

**FAILURE TO COMPLY WITH THE FOREGOING ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS (INCLUDING A DISMISSAL OF THE CUSTODY ACTION, DENIAL OF A HEARING, OR AWARD OF COUNSEL FEES) AND/OR A FINDING OF CONTEMPT.**

**RELOCATION NOTICE**

Anyone that has custody rights to any child MAY NOT relocate (move) from their current address unless:

(1) All parties having custody rights have been given written consent to the relocation.

OR

(2) The relocation has been authorized by Court Order.

Anyone intending to relocate MUST give at least sixty (60) days advance written notice of the relocation to ALL PARTIES pursuant to 23 Pa.C.S.A. § 5337. Any party may file an objection to the relocation with the Court pursuant to 23 Pa.C.S.A. § 5337.

The filing party shall serve this Order upon all other parties along with a copy of this custody pleading and file a proof of service with the Court.

There shall be a \$30.00 fee imposed on each party to defray the costs of the mediation, this fee shall be paid at the first (1st) Mediation Orientation session or Kids First Program session.

BY THE COURT:

\_\_\_\_\_  
J.

Copies to: Plaintiff  
Defendant  
Mediation Program Administrator

(e). After the Mediation Orientation Session/Kids First Program Order has been signed by the Court and filed of record the filing party shall, in addition to making service of any pleading filed by the party as required by law, at the same time and in the same manner serve a copy of the side Order on any other party. The filing party shall immediately file a proof of service with the Court. The Court shall be responsible for sending a copy of the Mediation Orientation Session/Kids First Program Order to the Mediation Program Administrator.

(f). Each party shall contact the court approved Mediation Program Administrator at the phone number set forth in the Mediation Orientation Session Order/Kids First Program Order to schedule their attendance and registration for both sessions.

(g). There shall be imposed on each party a \$30.00 fee to be paid to the Central Susquehanna Valley Mediation Center, Inc. This fee shall be paid at the first (1st) Kids First Program session for the purposes of deferring the cost of the services. This fee also includes the Mediation Orientation session to be completed thereafter. In extraordinary circumstances as determined by the Mediator this fee may be waived for either party.

**Rule 17-CV-1940.3. Order for Orientation Session and Kids First Program.**

(a). Except as set forth in subsection (d) or otherwise ordered by the Court all parties to a custody action shall participate in both the Kids First Program and mediation orientation sessions pursuant to 17CV1915.4. The mediation orientation session and Kids First Program shall be completed before any hearing is scheduled with the Court.

(b). The Kids First Program is a two and a 1/2 hour educational program designed for families to help their children cope with the difficulties of separation, divorce and family conflict. Participants are presented with information and experiences to help them learn how parental relationships have a direct effect on children, how children might respond by age and gender, how to reduce separation distress in children, how to deal with parent-child alliances, how parents might free themselves from entrenched conflict and how to develop a functional co-parenting relationship.

The mediation orientation session is an initial meeting between the parties and a qualified mediator which is intended to educate the parties concerning the mediation process so that an informed choice can be made by the parties about participation in mediation. The mediation orientation session shall be considered part of the mediation process and shall be confidential.

(c). The Mediation Program Administrator shall immediately notify the Court upon the occurrence of any of the following events:

(1.) A party fails to contact the Mediation Program to schedule a Kids First Program and mediation sessions within (10) ten days.

(2.) The party does not appear for a scheduled Kids First Program session.

(3.) The party does not appear for a scheduled Orientation session.

(4.) The parties are unable to complete either the orientation session, mediation or the Kids First Program.

(d). No orientation session shall be required if a party or a child of a party is or has been the subject of domestic violence or child abuse by another party either during the pendency of the custody action or with 24 months preceding the filing of the custody action. The parties shall, however, attend the Kids First Program before any hearing is scheduled with the Court, at the imposed fee of \$15.00.

[Pa.B. Doc. No. 14-2677. Filed for public inspection December 26, 2014, 9:00 a.m.]

\_\_\_\_\_  
**UNION COUNTY**  
**Judicial Administration; No. 14 796**

**Order**

*And Now*, this 8th day of December, 2014, the 17th Judicial District Local Rule of Judicial Administration Local Rule 17 CV-1915.4 and Local Rule 17 CV-1940.3 are both amended to include the addition of the Kids First Program and mediation fee increase, and hereby adopt for use in Union County, Court of Common Pleas of the 17th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 17th Judicial District Court Administrator is Ordered and Directed to do the following:

1) File Seven (7) certified copies of this Order and Rule with the Administrative Office of the Pennsylvania Courts.

2) Forward two (2) certified copies of this Order and Rule and a computer diskette containing the text of the Rule of the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Forward one (1) certified copy of this Order and Rule to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.

4) Copies shall be kept continuously available for public inspection in the Office of the Union County Prothonotary.

*By the Court*

MICHAEL T. HUDOCK,  
*President Judge*

**Rule 17-CV-1915.4. Prompt Disposition of Custody Cases: Mediation Orientation Session and Kids First Program.**

(a). In any custody action the parties shall within forty-five (45) days of the date of filing of the pleading raising the custody claim attend the Court-approved, Kids First Program and mediation orientation session, as provided for in Pa.R.C.P. No. 1940.3 and 17CV1940.3. The

Kids First Program and mediation orientation session shall be completed before any hearing is scheduled with the Court.

(b). The term "custody action" includes: any action for divorce containing a claim for custody, partial custody, or visitation; any initial action for custody, partial custody, or visitation; any counterclaim for custody, partial custody, or visitation; any petition for modification of an existing custody order; and any petition for contempt in regard to an existing order of custody.

(c). The parties governed by these rules include parents, persons in loco parentis, and grandparents.

(d). At the time of the filing of the custody action there shall be submitted to the Court a Mediation Orientation Session/Kids First Program Order containing the case caption which shall be substantially in the following form:

**MEDIATION ORIENTATION SESSION/ KIDS FIRST PROGRAM ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is hereby ORDERED that the above-named parties shall within ten (10) days of the date of receipt of a copy of this Order contact the Court-approved Mediation Program Administrator at 570-374-1718, to schedule both a Kids First Program session and a mediation orientation session, such sessions to be conducted within forty-five (45) days of the filing date of the custody pleading accompanying this Order. No hearing shall be scheduled before the Court until both Kids First Program and mediation orientation sessions have been completed.

FAILURE TO COMPLY WITH THE FOREGOING ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS (INCLUDING A DISMISSAL OF THE CUSTODY ACTION, DENIAL OF A HEARING, OR AWARD OF COUNSEL FEES) AND/OR A FINDING OF CONTEMPT.

**RELOCATION NOTICE**

Anyone that has custody rights to any child MAY NOT relocate (move) from their current address unless:

(1) All parties having custody rights have been given written consent to the relocation.

OR

(2) The relocation has been authorized by Court Order.

Anyone intending to relocate MUST give at least sixty (60) days advance written notice of the relocation to ALL PARTIES pursuant to 23 Pa.C.S.A. § 5337. Any party may file an objection to the relocation with the Court pursuant to 23 Pa.C.S.A. § 5337.

The filing party shall serve this Order upon all other parties along with a copy of this custody pleading and file a proof of service with the Court.

There shall be a \$30.00 fee imposed on each party to defray the costs of the mediation, this fee shall be paid at the first (1st) Mediation Orientation session or Kids First Program session.

BY THE COURT:

\_\_\_\_\_  
J.

Copies to: Plaintiff  
Defendant  
Mediation Program Administrator

(e). After the Mediation Orientation Session/Kids First Program Order has been signed by the Court and filed of record the filing party shall, in addition to making service of any pleading filed by the party as required by law, at the same time and in the same manner serve a copy of the side Order on any other party. The filing party shall immediately file a proof of service with the Court. The Court shall be responsible for sending a copy of the Mediation Orientation Session/Kids First Program Order to the Mediation Program Administrator.

(f). Each party shall contact the court approved Mediation Program Administrator at the phone number set forth in the Mediation Orientation Session Order/Kids First Program Order to schedule their attendance and registration for both sessions.

(g). There shall be imposed on each party a \$30.00 fee to be paid to the Central Susquehanna Valley Mediation Center, Inc. This fee shall be paid at the first (1st) Kids First Program session for the purposes of deferring the cost of the services. This fee also includes the Mediation Orientation session to be completed thereafter. In extraordinary circumstances as determined by the Mediator this fee may be waived for either party.

**Rule 17-CV-1940.3. Order for Orientation Session and Kids First Program.**

(a). Except as set forth in subsection (d) or otherwise ordered by the Court all parties to a custody action shall participate in both the Kids First Program and mediation orientation sessions pursuant to 17CV1915.4. The mediation orientation session and Kids First Program shall be completed before any hearing is scheduled with the Court.

(b). The Kids First Program is a two and a 1/2 hour educational program designed for families to help their children cope with the difficulties of separation, divorce and family conflict. Participants are presented with information and experiences to help them learn how parental relationships have a direct effect on children, how children might respond by age and gender, how to reduce separation distress in children, how to deal with parent-child alliances, how parents might free themselves from entrenched conflict and how to develop a functional co-parenting relationship.

The mediation orientation session is an initial meeting between the parties and a qualified mediator which is intended to educate the parties concerning the mediation process so that an informed choice can be made by the parties about participation in mediation. The mediation orientation session shall be considered part of the mediation process and shall be confidential.

(c). The Mediation Program Administrator shall immediately notify the Court upon the occurrence of any of the following events:

(1.) A party fails to contact the Mediation Program to schedule a Kids First Program and mediation sessions within (10) ten days.

(2.) The party does not appear for a scheduled Kids First Program session.

(3.) The party does not appear for a scheduled Orientation session.

(4.) The parties are unable to complete either the orientation session, mediation or the Kids First Program.

(d). No orientation session shall be required if a party or a child of a party is or has been the subject of domestic violence or child abuse by another party either during the

pendency of the custody action or with 24 months preceding the filing of the custody action. The parties shall, however, attend the Kids First Program before any hearing is scheduled with the Court, at the imposed fee of \$15.00.

[Pa.B. Doc. No. 14-2678. Filed for public inspection December 26, 2014, 9:00 a.m.]

## WASHINGTON COUNTY

### **New Rule 1901—Prompt Disposition of Matters; Termination of Inactive Cases; Rescind Rule L-230.2—Inactive Cases; No. 2013-1**

#### **Order**

*And Now*, this 4th, day of December, 2014; *It Is Hereby Ordered* that Local Rule 1901—Prompt Disposition of Matters; Termination of Inactive Cases be adopted as follows and that Local Rule 230.2—Inactive Cases be rescinded.

These rule changes will become effective thirty days after publication in the *Pennsylvania Bulletin*.

*By the Court*

JOSEPH M. JAMES,  
*Administrative Judge*

### **Local Rule of Judicial Administration—1901. Prompt Disposition of Matters; Termination of Inactive Cases.**

(a) The Court Administrator, no less than once per year, shall prepare, or cause the Prothonotary to prepare, a list of civil cases for general call in which no steps or proceedings have been taken for two years or more prior thereto, and shall give notice thereof to counsel of record, and to the parties for whom no appearance has been entered, as provided by Pa.R.J.A 1901(c). Thereafter, if a written objection, or written intention to proceed, is not docketed in such a manner prior to the commencement of the general call, the Court Administrator shall strike the matter from the list, and cause an order to be entered as of course dismissing the matter with prejudice for failure to prosecute, under the provisions of this rule.

(1) If a written objection, or written intention to proceed, is docketed prior to the general call, a hearing shall be promptly scheduled by the court to determine if good cause exists for continuing the matter. No case in which a period of inactivity is greater than two years shall proceed in the absence of good cause.

(i) The hearing shall be conducted by the judge to whom the case is assigned. If the case is unassigned, the Court Administrator shall assign the case.

(ii) A copy of the written objection, or written intention to proceed, shall be served on the Court Administrator.

(iii) In any matter which is permitted to proceed, the court shall enter a case management order to govern further proceedings in the case.

(b) The Court Administrator, no less than once per year, shall prepare, or cause the Clerk of Courts to prepare, a list of criminal cases for general call in which no steps or proceedings have been taken for two years or more prior thereto, and shall give notice thereof to the district attorney, or private prosecutor, and the defendant, as provided by Pa.R.J.A. 1901(c).

(i) If an intention to proceed with a matter is evidenced at the general call, the court shall promptly schedule a hearing to determine if good cause exists for continuing the matter. No case in which a period of inactivity is greater than two years shall proceed in the absence of good cause.

(ii) The hearing shall be conducted by the judge to whom the case is assigned. If the case is unassigned, the Court Administrator shall assign the case.

(c) Notice of proposed termination shall be made to the last address of record of the parties or their counsel of record, and set forth a brief identification of the matter to be terminated. If notice by mail cannot be given, or has been returned undeliverable, the Court Administrator shall cause notice of proposed termination to be given by publication in the Washington County Reports.

(ii) A separate general call shall be designated when notice of proposed termination is made by publication, and such date shall be set by the Court Administrator.

[Pa.B. Doc. No. 14-2679. Filed for public inspection December 26, 2014, 9:00 a.m.]

## **DISCIPLINARY BOARD OF THE SUPREME COURT**

### **Notice of Disbarment**

Notice is hereby given that Michelle Hamilton Davy, (#58214) having been disbarred from the practice of law in the State of Maryland by Order of the Court of Appeals of Maryland dated September 5, 2013; the Supreme Court of Pennsylvania issued an Order on December 10, 2014, disbaring Michelle Hamilton Davy from the Bar of this Commonwealth, effective January 9, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*

*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 14-2680. Filed for public inspection December 26, 2014, 9:00 a.m.]

## **SUPREME COURT**

### **Practice of Law by and Qualifications of Law Clerks Employed in the Unified Judicial System of Pennsylvania; No. 438 Judicial Administration Doc.**

#### **Order**

*Per Curiam*

*And Now*, this 11th day of December, 2014, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that this Court's *Per Curiam* Order dated December 21, 2004 is amended to provide as follows.

All law clerks employed in the Unified Judicial System are prohibited from appearing as counsel in the division/section of the court in which they are employed or in which the judge by whom they are employed serves. Further, in courts which have no formally established divisions or sections, the law clerks are prohibited from appearing as counsel in the court itself. See also Pa.R.A.P. 3121 (prohibiting the practice of law by appellate court staff except in limited circumstances).

Any outside employment or commercial activities by law clerks must be reported in writing in advance to their employing judge or supervisor and to the Chief Justice or president judge, depending on which court employs the law clerk.

Law clerks must either be members of the Bar of Pennsylvania, or must have received without exception an earned Bachelor of Laws or Juris Doctor degree from a law school that was an accredited law school at the time the law clerk matriculated or graduated.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective nine months from the date of this *Order* for all current and future law clerks.

[Pa.B. Doc. No. 14-2681. Filed for public inspection December 26, 2014, 9:00 a.m.]

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**Reestablishment of the Magisterial Districts within the 28th Judicial District; No. 340 Magisterial Rules Doc.**

**Amended Order**

*And Now*, this 10th day of December, 2014, all prior orders regarding the Reestablishment of the Magisterial Districts of the 28th Judicial District (Venango County) of the Commonwealth of Pennsylvania, are hereby *Rescinded*. It is hereby *Ordered* that Magisterial District 28-3-02 shall be eliminated effective January 1, 2015 and

Magisterial Districts 28-3-01 and 28-3-04 realigned effective January 1, 2015. Magisterial District 28-3-03 shall be reestablished.

Said Magisterial Districts shall be as follows:

Magisterial District 28-3-01 City of Oil City  
 Magisterial District Cooperstown Borough  
 Judge Andrew F. Fish Pleasantville Borough  
 Rouseville Borough  
 Allegheny Township  
 Cherrytree Township  
 Cornplanter Township  
 Jackson Township  
 Oakland Township  
 Oil Creek Township  
 Plum Township

Magisterial District 28-3-03 City of Franklin  
 Magisterial District Polk Borough  
 Judge Michael D. Snyder Utica Borough  
 Canal Township  
 Frenchcreek Township  
 Mineral Township  
 Sandycreek Township  
 Victory Township

Magisterial District 28-3-04 Barkeyville Borough  
 Magisterial District Clintonville Borough  
 Judge Patrick E. Lowrey Emlenton Borough  
 Sugar Creek Borough  
 Clinton Township  
 Cranberry Township  
 Irwin Township  
 Pinegrove Township  
 Richland Township  
 President Township  
 Rockland Township  
 Scrubgrass Township

*By the Court*

RONALD D. CASTILLE,  
*Chief Justice of Pennsylvania*

[Pa.B. Doc. No. 14-2682. Filed for public inspection December 26, 2014, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 16, 2014.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>						
12-15-2014	<p><i>From:</i> The First National Bank of Mercersburg Mercersburg Franklin County</p> <p><i>To:</i> The First Community Bank of Mercersburg Mercersburg Franklin County</p> <p>Conversion from a National banking association to a Pennsylvania State-chartered bank. First Community Bank of Mercersburg is a wholly-owned subsidiary of Mercersburg Financial Corporation (5028572), Mercersburg, an existing bank holding company.</p> <p>Branch offices operated by First Community Bank of Mercersburg:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">454 Loudon Road Mercersburg Franklin County</td> <td style="width: 50%;">92 Path Valley Rd Fort Loudon Franklin County</td> </tr> <tr> <td>1680 Orchard Drive Chambersburg Franklin County</td> <td>821 South Washington Street Extended Greencastle Franklin County</td> </tr> <tr> <td>3141 Black Gap Road Chambersburg Franklin County</td> <td></td> </tr> </table>	454 Loudon Road Mercersburg Franklin County	92 Path Valley Rd Fort Loudon Franklin County	1680 Orchard Drive Chambersburg Franklin County	821 South Washington Street Extended Greencastle Franklin County	3141 Black Gap Road Chambersburg Franklin County		Effective
454 Loudon Road Mercersburg Franklin County	92 Path Valley Rd Fort Loudon Franklin County							
1680 Orchard Drive Chambersburg Franklin County	821 South Washington Street Extended Greencastle Franklin County							
3141 Black Gap Road Chambersburg Franklin County								

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
12-10-2014	<p>Luzerne Bank Luzerne Luzerne County</p> <p>Amendment to Article III of the institution's Articles of Incorporation provides for the elimination of authority to exercise Fiduciary Powers.</p>	Filed

#### CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-2683. Filed for public inspection December 26, 2014, 9:00 a.m.]

# DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Request for Bids

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

*FDC-200-100584.1—Scour Repair, Bridge A: No. 6202-0200 Indian Cabin Road over Toms Run, Cook Forest State Park, Forest County; Bridge B: No. 6207-0503, Main Park Road over Laurel Hill Creek, Laurel Hill State Park, Somerset County; Bridge C: No. 6216-1400, Main Day Use Road over Little Yellow Creek, Yellow Creek State Park, Indiana County.* Work included under this contract consists of performing scour repair of three existing structures. The scope of work consists of repairing scour holes with riprap and underpinning footings with grout bags.

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

*FDC-001-6191.1—Michaux Ranger House, Install New Septic System, Forest District #1, Franklin County.* Work included under this contract consists of includes the furnishing of all labor, superintendence, materials, tools and equipment, miscellaneous items, and performing all work necessary to complete all construction the complete construction and start-up of a new residential sandmound style septic sewage disposal system at the Michaux State Forest Ranger House. In particular, major items of work include:

- a. Removal and disposal of the contents of the existing cesspool.
- b. Miscellaneous demolition.
- c. Installation of an onlot disposal system and related site work.
- d. Installation of one new 1,500-gallon dual compartment concrete septic tank with solids retainer.
- e. Installation of one new 500-gallon concrete dosing tank with simplex pump system and electrical control panel.
- f. Installation of approximately 200' of 1" diameter CTS SDR-9 HDPE tubing and fittings.
- g. Installation of pressure and gravity sewage pipes.
- h. Electrical construction related to new on lot system.
- i. Miscellaneous appurtenances as necessary to provide complete and functional systems as shown on the drawings and described in these specifications shall be furnished.
- j. System startup and testing.

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

*FDC-417-6756.1—Replace Dam Control Tower, Ricketts Glen State Park, Luzerne County.* Work included under this contract consists of dewatering and diversion and care of water; excavation of dam embankment; removal of an existing concrete control tower including wing walls, footings, sluice gate, piping and trash rack; construction

of a new concrete control tower complete with sluice gates, gratings, railing, ladder and trash rack; concrete repairs to the spillway structure and outlet conduit structure; rolled embankment; and placement of riprap.

*FDC-318-101031.1—Remove Three Underground Tanks, 1 Diesel and 2 Oil, Canoe Creek State Park, Blair County.* Work included under this contract consists of removing and disposing two 850-gallon in-ground heating oil tanks, one 850-gallon in-ground diesel tank, two brine tanks, existing fuel lines and electrical. Work also includes backfilling, topsoil and seeding.

Bid documents will be available on or after December 31, 2014. The bid opening will be held on January 29, 2015.

ELLEN FERRETTI,  
Secretary

[Pa.B. Doc. No. 14-2684. Filed for public inspection December 26, 2014, 9:00 a.m.]

# DEPARTMENT OF EDUCATION

## Application by Arcadia University to Amend Articles of Incorporation

### Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Arcadia University to amend its Articles of Incorporation.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

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

[Pa.B. Doc. No. 14-2685. Filed for public inspection December 26, 2014, 9:00 a.m.]

**Application by Delaware Valley College to Amend Articles of Incorporation**

**Notice of Opportunity for Hearing and Invitation to Protest**

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Delaware Valley College to amend its Articles of Incorporation for a name change to Delaware Valley University.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

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

[Pa.B. Doc. No. 14-2686. Filed for public inspection December 26, 2014, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Applications, Actions and Special Notices**

**APPLICATIONS**

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

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

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

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

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

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

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of



this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0246603 (CAFO)	Lazy Hog Farm Chris Hoffman 4390 Mountain Road McAlisterville, PA 17049	Juniata County / Fayette Township	13-A	Y
PA0080241 (Sew)	West Perry School District— High School & Middle School 2606 Shermans Valley Road Ellitsburg, PA 17024	Perry County / Spring Township	Montour Creek / 7-A	Y
PA0080799 (Sew)	Newburg Hopewell Joint Authority PO Box 128 Newburg, PA 17240	Hopewell Township / Cumberland County	Newburg Run / 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0113913 (Industrial Waste)	Irvin's Country Tinware 115 Cedar Lane Mt. Pleasant Mills, PA 17853-8016	Snyder County West Perry Township	Unnamed Tributary to North Branch Mahantango Creek (6-C)	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0216101	Kerry Beener SR STP 144 Berry Road Rockwood, PA 15557	Somerset County Milford Township	South Glade Creek (19-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0041564 (Sewage)	Pine Valley Estates High Acres Road Harmony, PA 16037	Butler County Lancaster Township	Unnamed Tributary to Doe Run (20-C)	Y
PA0103781 (Industrial Waste)	Wheatland Tube Mill Street Plant 134 Mill Street Sharon, PA 16146	Mercer County Sharon City	Shenango River (20-A)	Y

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

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

**PA0275701**, Stormwater, SIC Code 2086, **Coca Cola Bottling Company of Lehigh Valley**, 2150 Industrial Drive, Bethlehem, PA 18017-2136. Facility Name: Coca Cola Bottling. This facility is located in Bethlehem City, **Lehigh County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD (stormwater).

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

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD (stormwater).

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

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (stormwater).

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

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD (stormwater).

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

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

- Other Requirements applicable to Stormwater Outfalls including: PPC plan, Stormwater BMPs, Annual Inspection and Compliance Evaluation.

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

The EPA Waiver is in effect.

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

**PA0085871**, Industrial Waste, SIC Code 4941, **Mount Joy Borough Authority**, P. O. Box 25, Mount Joy, PA 17552. Facility Name: Carmany Road Water Treatment Plant. This existing facility is located in East Donegal Township, **Lancaster County**.

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

The receiving stream, Unnamed Tributary to Donegal Creek, is located in State Water Plan watershed 7-G and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	535	665

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.

**PA0083551**, Sewage, SIC Code 6515, **Tyrone Township**, 5280 Old Harrisburg Road, York Springs, PA 17372. Facility Name: Walnut Grove Mobile Home Park. This existing facility is located in Tyrone 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 of Conewago 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 0.064 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Total Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		<i>Instant. Maximum</i>
Flow (MGD)	Report Avg Mo	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.19	XXX	0.61
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30	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 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5.0
Nov 1 - Apr 30	XXX	XXX	XXX	7.5	XXX	15
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				

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.

**PA0084964**, Sewage, SIC Code 4952, **Bethel Township Sewer Authority**, P. O. Box 239, Warfordsburg, PA 17267. Facility Name: Bethel Township STP. This existing facility is located in Bethel Township, **Fulton 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, Little Tonoloway Creek, is located in State Water Plan watershed 13-B 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 0.048 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX

<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>	
CBOD <sub>5</sub>	10	16 Wkly Avg	XXX	25	40	50
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	12	18 Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen	5.8	XXX	XXX	14.5	XXX	40
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

**PA0110442**, Sewage, SIC Code 6515, **Florence E Shockey Trust**, PO Box 1233, Falling Waters, WV 25419. Facility Name: Brookwood Countryside Comm MHP. This existing facility is located in Bedford Township, **Bedford 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), Brush Run, is located in State Water Plan watershed 11-C and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 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
Total Residual Chlorine	XXX	XXX	XXX	0.20	XXX	0.65
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30	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 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

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

**PA0232530**, Industrial Stormwater, SIC Code 1389, **Key Energy Services, LLC**, 6 Desta Drive Suite 4300, Midland, TX 79705. Facility Name: Mill Hall Fluid Management Service Facility. This proposed facility is located in Porter Township, **Clinton County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated industrial stormwater. This notice replaces the incorrect earlier notice for a permit renewal for the facility.

The receiving stream(s), Fishing Creek, is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000 MGD.

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

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

The EPA Waiver is in effect.

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

**PA0254886**, **Tom & Barbara Mannion**, 1986 Aleppo Road, Wind Ridge, PA 15380-1324. Facility Name: Tom & Barbara Mannion SRSTP. This proposed facility is located in Aleppo Township, **Greene County**.

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

The receiving stream(s), Unnamed Tributary to South Fork Dunkard Fork, is located in State Water Plan watershed 20-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly		Minimum	Average Monthly		Instant. Maximum
Flow (MGD)	0.0004	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	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 Geo Mean	XXX	10,000

The EPA Waiver is in effect.

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

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

**WQM Permit No. 5214402**, Sewage, **Aqua Pennsylvania Wastewater, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

This facility is located in Lackawaxen Township, **Pike County**.

Description of Proposed Action/Activity: The project is for the addition of a new influent screen, the addition of a new blower and diffuser assembly for each of the two sequencing batch reactor tanks, the addition of two new chemical metering pumps for feed of magnesium hydroxide solution, and the replacement of the two existing jet aeration blowers at the Woodloch Springs wastewater treatment facility.

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

**WQM Permit No. 6791203, Amendment #2**, Industrial Waste, **Exelon Generation Company, LLC**, 300 Exelon Way, Kennett Square, PA 19348.

This proposed facility is located in Drumore Township, **Lancaster County**.

Description of Proposed Action/Activity: Installation of an ultraviolet disinfection system to replace hypochlorite disinfection system at the Muddy Run Pump Storage Plant.

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

**WQM Permit No. 0473211-T1, Amendment No. 1, Industrial Waste, FirstEnergy Nuclear Operating Company, 76 S Main St, Akron, OH 44308.**

This existing facility is located in Shippingport Borough, **Beaver County**.

Description of Proposed Action/Activity: Chemical injection and dechlorination upgrades to the Beaver Valley Power Station's river and service water circulating systems.

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

**WQM Permit No. 1004402, Amendment No.1, Sewage, Breakneck Creek Regional Authority, P.O. Box 1180, Mars, PA 16046-1180.**

This proposed facility is located in Adams Township, **Butler County**.

Description of Proposed Action/Activity: Construction of 1,800 LF of 4-inch force main, replace one grinder pump station at the Marburger Road pump station and upgrade pumps at the Mars-Evans City Road pup station.

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

**APPLICATIONS**

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Lamar Horst 11599 Koons Road Waynesboro, PA 17268	Franklin	235	240.33	Poultry	NA	Renewal
Larry E. Breneman 774 Bunker Hill Road Strasburg, PA 17579	Lancaster	153	405.04	Swine	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be

considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published

in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

### SAFE DRINKING WATER

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

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

##### Application No. 3914508 MA, Minor Amendment.

Applicant	<b>City Of Allentown</b>
[Township or Borough]	Allentown City, Lehigh County
Responsible Official	Craig W. Messinger Interim Public Works Director 641 South 10th Street, 3rd Floor Allentown, PA 18103
Type of Facility	Public Water Supply
Consulting Engineer	Jason G. Saylor, P.E. Utility Service Company, Inc. 53 Courteny Hodges Blvd. Perry, GA 31069
Application Received Date	Dec 1, 2014
Description of Action	Renovation of existing 150,000 gallon elevated tank and 118,000 gallon standpipe tank.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the

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

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

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

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

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

**James Property**, 25 Center Avenue, Schuylkill Haven Borough, **Schuylkill County**. Ira Walton, United Environmental Services Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Patrick James, 51 Longview Dr., Schuylkill Haven, PA 17972, concerning the remediation of soil found to have been impacted by #2 fuel oil as a result of a mistaken delivery to the property. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. The intended future use of the site is residential. A summary of the Notice of Intent to remediate was published in *The Express Times* on March 26, 2012.

**Jeffers Farm Pipeline Right-of-Way**, Harford Township, **Susquehanna County**. Steven Vedder, EP&S of Vermont Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Jeffers Farms Inc., 12330 Pennsylvania 106, Kingsley, PA 18826, and Loomis Lake Association Inc., 20 Lakewood Road, Tunkhannock, PA 18657, concerning the remediation of soil found to have been impacted by Brine related compounds as a result of malfunction on a natural gas pipeline. The applicant proposes to remediate the site to meet the Background Standard, and Residential Statewide Health Standard for soil. The intended future use of the site is a natural gas pipeline right of way surrounded by undeveloped fields/

wooded lands. A summary of the Notice of Intent to remediate was published in *The Scranton Times* on October 9, 2012.

**Synthetic Thread Facility**, City of Bethlehem, **Lehigh County**. Douglas Sammak, American Analytical & Environmental Inc., has submitted a Notice of Intent to Remediate on behalf of his client, 378 Development, LP, 1177 6th Street, Whitehall, PA 18052-5212, concerning the remediation of soil and groundwater found to have been impacted by heating oil as a result of a release discovered during the removal of previously abandoned underground storage tanks. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil and groundwater. The intended future use of the site is commercial/residential. A summary of the Notice of Intent to Remediate was published in *The Times News* on October 29, 2012.

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

**Shirley Altland Residence**, 467 Capitol Hill Road, Dillsburg, PA 17019, Franklin Township, **York County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Shirley Altland, 467 Capitol Hill Road, Dillsburg, PA 17019, submitted a Notice of Intent to Remediate site soils contaminated with #2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *Dillsburg Banner* on November 13, 2014.

**Danielle Hairston-Green Residence**, 608 Muench Street, Harrisburg, PA 17102, City of Harrisburg, **Dauphin County**. Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance PA Fire Claims, PO Box 106110, Atlanta GA 30348-6110, and Danielle Hairston-Green, 12034 Kleinmeadow Drive, Houston, TX 77066-4723, submitted a Notice of Intent to Remediate site soils contaminated with #2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *Patriot News* on November 11, 2014.

**South Middleton WWTP/Blower Building**, 345 Lear Lane, Boiling Springs, PA 17007, Monroe Township, **Cumberland County**. Advantage Engineers, LLC, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of South Middleton Township Municipal Authority, 345 Lear Lane, Boiling Springs, PA 17007, submitted a Notice of Intent to Remediate site soils contaminated with diesel fuel. The site will be remediated to a combination of Non-Residential Statewide Health and Site Specific Standards. Future use of the site remains a wastewater treatment plant. The Notice of Intent to Remediate was published in *The Sentinel* on November 5, 2014.

#### RESIDUAL WASTE GENERAL PERMITS

**Application Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit Application No. WMGR097R027. NJ Zinc Brownfield, LLC**, 1120 Mauch Chunk Road, Palmerton, PA 18071-1110, **Carbon County**. This application is for research and development. The proposed research and development project involves the processing of drill cuttings and sediments generated from shale gas exploration from pad sites throughout the Commonwealth for beneficial use to construct a protective cap at the former NJ Zinc Company West Plant remediation site. The application was determined to be administratively complete by Central Office on November 18, 2014.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenudeall@pa.gov. When submitting via e-mail, place "Comments on WMGR097R027" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing



will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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

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

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

**08-00051A: Seaboard International, Inc.** (1612 SE Twenty-Third Street, Oklahoma City, OK 73129-7661) for the construction of a wellhead equipment repair operation at the Seaboard International facility located in Athens Township, **Bradford County**.

The Department of Environmental Protection's (Department) review of the information submitted by Seaboard International indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including 25 Pa. Code §§ 129.52 and 129.63 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emission from each proposed source included in this project will not exceed the following limits: 4.65 tons of particulate matter per year, 6.43 tons of volatile organic compounds per year and 2.47 tons of volatile hazardous air pollutants per year.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements. The plan approval includes conditions

limiting short-term particulate emissions, annual usage limits on specific coating products, solvents, thinners and cleaning solvents, requirement of certain spray gun technology pursuant to best available technology requirements, work practice requirements and inclusion of specific periodic recordkeeping and reporting.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 08-00051A, the requirements established in the plan approval will be incorporated into a state only operating permit pursuant to 25 Pa. Code § 127.421.

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

### OPERATING PERMITS

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

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

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

**46-00013: Hatfield Quality Meats, Inc.** (aka Clemens Food Group) (2700 Funks Rd., Hatfield, PA 19440) for a Title V operating permit in Hatfield Township, **Montgomery County**. This action is a renewal of the Title V Operating Permit. The existing permit was initially renewed on 12-29-1998 and was subsequently renewed on 8-4-2004. The facility is a meat processing plant that operates boilers and emergency generators. As a result of potential emissions of NO<sub>x</sub>, SO<sub>x</sub>, and PM, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal includes any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

**15-00017: Transcontinental Gas Pipeline Company, LLC** (60 Bacton Hill Road, Frazer, PA 19355) for renewal of the Title V Operating Permit in East Whiteland Township, **Chester County**. The facility transports natural gas through pipelines. The major sources of air emissions are four (4) engines that emit major levels of nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), volatile organic compounds (VOC), and formaldehyde (a hazardous air pollutant (HAP)). The facility is a major stationary source, as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is subject to the requirements of 40 C.F.R. 63 Subparts ZZZZ and DDDDD, which have been incorporated into this renewal. The Title V Operating Permit renewal will contain emission limitations, monitoring, recordkeeping, reporting requirements, and work practice standards to keep the facility operating within all applicable air quality.

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

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

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

**09-00209: Univar USA, Inc.** (4 Steel Road, Morrisville, PA 19067) submitted a renewal application for a Non-Title V Facility, State-Only, Natural Minor Permit in Falls Township, **Bucks County**. Univar USA Inc is a chemical and allied products merchant wholesaler. The sources of emissions include: storage tanks and transfer stations. The facility has a HAP emission limit of 24.4 tons per year calculated on a 12-month rolling sum and a VOC emission limit of 22 tons per year. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**46-00142: Custom Processing Services, LLC** (461 State Street, East Greenville, PA 18041), for renewal of a State-Only Operating Permit manufacturing treated minerals in East Greenville Borough, **Montgomery County**. This Operating Permit contains all applicable state and federal regulations applicable to the facility including emission limitations, operating restrictions, work practice, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00008: Tavo Packaging Inc.** (2 Canal Road, Fairless Hills, PA19030), located in Falls Township, **Bucks County**. This action is a renewal of the State Only Operating Permit (Natural Minor). The company has commercial printing operation. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00261: U.S. Tape Company, Inc.** (2452 Quakertown Road, Pennsburg, PA 18073), for a renewal of the State Only Operating Permit in Upper Hanover Township, **Montgomery County**. The company has a nickel plating operation and a special printing operation to print on measuring tapes. The facility is limited to VOC emissions of 24.9 tons per year on a 12-month rolling basis. The permit will include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

**46-00100: Saint-Gobain, Inc.** (200 Commerce Drive, Montgomeryville, PA 18936) for renewal of the State Only Operating Permit for an abrasive materials manufacturing facility comprising three surface coating lines. Changes with the renewal include incorporation of the recordkeeping and emissions limitations for a new ultraviolet cure surface coating line, approved under RFD 1279. The new coating line is limited to volatile organic compound (VOC) emissions of 3 lbs/hr, 15 lbs per day and 2.7 lbs per calendar year. The renewal includes removal of the conditions for a fourth surface coating line which has been dismantled. Removal of the dismantled line is associated with a reduction of 3.10 tons/year allowable VOC emissions. Emissions from Lines 1 and 2 at the facility are ducted to a regenerative thermal oxidizer, which will be maintained with a 95% destruction efficiency requirement in the renewal. Coating lines at the facility are subject to the applicable conditions of 25 Pa. Code § 129.52b. Lines 1 and 2 will comply with the

requirements of the regulation by maintaining the destruction efficiency of 95%. A testing condition to confirm the 95% destruction efficiency once in 5 years or once in the life of the permit was added to the permit. All 3 lines are required to comply with work practice regulations for minimizing emissions from cleaning solvents. These work practice conditions were included in the renewal. With the renewal, recordkeeping conditions not needed for calculation of VOC emissions from Lines 1 and 2 are removed. An emergency generator at the facility is subject to the applicable requirements of 40 CFR Part 63 Subpart ZZZZ, which were included with the renewal. The renewal also includes minor changes in standard conditions in accordance with Department of Environmental Protection (DEP) guidelines. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**34-03007: Dominion Transmission, Inc.** (445 W Main St, Clarksburg, WV 26301) to issue a State Only Operating Permit for Perulack Compressor Station located in Lack Township, **Juniata County**. The primary emissions from the facility are CO and NO<sub>x</sub>; the actual 2013 emissions from the facility were less than 1 tpy each. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for Source IDs 01 and 02 derived from 25 Pa. Code §§ 123, 127.441, 127.442 and 135.3 for restrictions, monitoring, recordkeeping, and reporting.

**21-03111: Keystone Holding LLC**, (2850 Appleton Street, Camp Hill, PA 17011) to issue a State Only Operating Permit for the operation of a biodiesel manufacturing plant in Lower Allen Township, **Cumberland County**. The estimated potential emissions are 0.1 ton of PM per year; 2.5 tons of CO per year; 6.6 tons of NO<sub>x</sub> per year; 0.03 ton of SO<sub>x</sub> per year; and 19.6 tons of VOCs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart VVa-Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced after November 7, 2006.

**36-03171A: York Building Products Company, Inc.** (828 East Earl Road, New Holland, PA 17557) to issue a State Only Operating Permit for the concrete plant located in East Earl Township, **Lancaster County**. The potential emissions from the facility are estimated at 5.5 tpy of NO<sub>x</sub>, 4.6 tpy of CO, 0.4 tpy of PM, 0.3 tpy of VOC and 0.1 tpy of Hexane. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.63 Degreasing Operations.

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

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

**49-00065: Polar Tech Industries, Inc.** (1017 West Valley Avenue, Elysburg, PA 17824-7259) to issue a state only operating permit for their facility located in Ralph Township, **Northumberland County**. The facility is currently operating under Plan Approval 49-00065A. The facility's sources include a 9.8 million Btu per hour, natural gas-fired boiler, thirteen natural gas-fired space heaters, each rated less than 2.5 million Btu per hour, an expandable polystyrene foam processing operation and a mold cleaning operation.

The facility has potential emissions of 10.42 tons per year of nitrogen oxides, 6.17 tons per year of carbon monoxide, 15.80 tons per year of volatile organic compounds, 0.82 ton per year of particulate matter, 0.07 ton per year of sulfur oxides and 13,049 tons per year of carbon dioxide equivalent emissions (greenhouse gases). No emission or equipment changes are being proposed by this action.

The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

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

**59-00028: SWEPI LP** (2100 Georgetown Drive, Suite 400, Sewickley, PA 15143) to issue a State Only Operating Permit to authorize the operation and transfer of ownership of the State 815 Well Site located in Elk Township, **Tioga County** from Ultra Resources, Inc. The facility is currently operating under General Permit GP5-59-212A. The facility's main sources include one 384 bhp 2-stroke lean-burn natural gas-fired compressor engine, one 2.0 MMBtu natural gas-fired line heater, one 20.0 MMBtu/day glycol dehydrator associated with a 0.50 MMBtu/hr reboiler, and two 42,000 gallon produced water storage tanks.

The facility has potential annual emissions of 8.5 tons of nitrogen oxides, 5.4 tons of carbon monoxide, 0.7 ton of particulate matter, 4.3 tons of volatile organic compounds, 1.5 ton of hazardous air pollutants, including formaldehyde, and 10,577 tons of carbon dioxide equivalents (greenhouse gas). The compressor engine is subject to 40 CFR Part 60, Subpart JJJJ—New Source Performance Standards for Stationary Spark Ignition Internal Combustion Engines and the glycol dehydrator is subject to 40 CFR Part 63, Subpart HH—National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities.

The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been de-

ived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Parts 60 and 63.

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

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

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

**25-00395: Eriez Magnetics** (2200 Asbury Road, Erie, PA 16506-1440), to issue a renewal State Only Operating Permit for the facility located in Millcreek Township, **Erie County**. The facility is a Natural Minor. The primary sources at the facility include a natural gas boiler and two furnaces for comfort heat, two spray booths, two paint spray gun cleaners, a parts washer, and an emergency generator. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. VOC emissions from the facility are limited to 9.7 TPY on a 12-month rolling period. HAP emissions from the facility are limited to 6.4 TPY on a 12-month rolling period.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

#### *Coal Applications Received*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 56070110 and NPDES No. PA0262498, PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, revision of a bituminous surface mine, by adding 36 acres to the total SMP acres for support activities and highwall mining, including overburden blasting in Stonycreek Township, **Somerset County**, affecting 249 acres. Receiving streams: Schrock Run and unnamed tributary #2 to Glades Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 1, 2014.

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

**SMP 17030102 and NPDES PA0243426. River Hill Coal Company, Inc.** (P.O. Box 141, Kylertown, PA 16847). Permit renewal for continued operation and resto-

ration of a bituminous surface mine located in Decatur Township, **Clearfield County** affecting 104.0 acres. Receiving stream(s): Little Laurel Run and Unnamed Tributaries to Little Laurel Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 30, 2014.

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

**03793072 and NPDES Permit No. PA061237. Consol Mining Co., LLC** (CNX Center, 1000 Consol Energy Dr., Canonsburg, PA 15317). Renewal application for continued treatment to an existing reclaimed bituminous surface mine, located in Kiskiminetas and Young Townships, **Armstrong and Indiana Counties**, affecting 302 acres. Receiving streams: unnamed tributary to Big Run and to Long Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 8, 2014.

#### *Noncoal Applications Received*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 11940301 and NPDES No. PA0212873, Cambria Industrial Metals, Inc.**, 306 Rose Road, Boswell, PA 15531, transfer of an existing large noncoal (industrial minerals) surface mine from Jigging Technologies, LLC, 950 Riders Road, Johnstown, PA 15906 located in East Taylor Township, **Cambria County** affecting 19.6 acres. Receiving stream: Hinckson Run classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 18, 2014.

## MINING ACTIVITY NPDES DRAFT PERMITS

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

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

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

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

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

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

\* The parameter is applicable at all times.

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 limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

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 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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

*Coal NPDES Draft Permits*

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

**NPDES No. PA0223239 (Mining permit no. 01930302), Specialty Granules, Inc.**, 1455 Old Waynesboro Rd., Blue Ridge Summit, PA 17214 renewal of an NPDES permit for a noncoal surface mine operation in Hamiltonban Township, **Adams County**, affecting 313.2 acres. Receiving streams: Miney Branch to Toms Creek classified for the following uses: high quality cold water fishery; migratory fishery. Application received: March 17, 2014.

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

The outfalls listed below discharge to Miney Branch to Toms Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Pond 1	N
002—Pond 2	N
003—Pond 7	Y

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

<i>Outfalls: 001, 002 &amp; 003.</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Average Discharge	0.72 MGD		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

Outfall Numbers 001, 002 and 003 on the Specialty Granules, Inc. LNC # 01930302 permit have water pumped periodically to Outfall Number 001 (PA0009059) located on the adjacent Specialty Granules, Inc. LNC # 6477SM5 permit.

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

Revised from November 8, 2014 publication:

**NPDES No. PA0126375 (Mining permit no. 03803044), Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, renewal and revised NPDES permit for an existing bituminous surface mine in East Franklin Township, **Armstrong County**, affecting 97.9 acres. Receiving streams: unnamed tributaries to Limestone Run, classified for the following use: WWF. Application received: June 24, 2014.

The treated wastewater outfall(s) listed below discharge to unnamed tributaries to Limestone Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	Y	MDT
004	N	MDT

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to unnamed tributaries to Limestone Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	Y	SW
003	N	SW

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

#### *Noncoal NPDES Draft Permits*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**NPDES Permit No. PA0612171 on Surface Mining Permit No. 36820301. Haines & Kibblehouse, Inc.**, (PO Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a diabase quarry operation in Brecknock Township, **Lancaster County**, affecting 131.7 acres. Receiving stream: unnamed tributary to Black Creek, classified for the following use: HQ—warm water fishes. Application received: July 11, 2012.

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

The outfall(s) listed below discharge to unnamed tributary to Black Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
SHQ-001	N	E&S/Stormwater

**NPDES Permit No. PA0224235 on Surface Mining Permit No. 45020301. Haines & Kibblehouse, Inc.**, (PO Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a sandstone quarry operation in Smithfield Township, **Monroe County**, affecting 61.6 acres. Receiving stream: Marshall's Creek, classified for the following use: HQ—cold water fishes. Application received: December 7, 2012.

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

The outfall(s) listed below discharge to Marshall's Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
DP-001	N	E&S/Stormwater
DP-002	N	E&S/Stormwater

**NPDES Permit No. PA0613151 on Surface Mining Permit No. 7975SM2. Haines & Kibblehouse, Inc.,** (PO Box 196, Skippack, PA 19474), renewal of an NPDES Permit for an argillite quarry operation in Plumstead Township, **Bucks County**, affecting 13.5 acres. Receiving stream: Geddes Run to Tohicken Creek, classified for the following use: cold water fishes. Application received: August 26, 2013.

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

The outfall(s) listed below discharge to Geddes Run to Tohicken Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	E&S/Stormwater
002	No	E&S/Stormwater

**NPDES Permit No. PA0224693 on Surface Mining Permit No. 64080301. Reading Materials, Inc.,** (PO Box 1467, Skippack, PA 19474), renewal of an NPDES Permit for a sandstone quarry operation in Palmyra Township, **Wayne County**, affecting 79.2 acres. Receiving stream: Lake Wallenpaupack, classified for the following use: HQ—warm water fishes. Application received: August 28, 2013.

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

The outfall(s) listed below discharge to Lake Wallenpaupack.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
002	No	E&S/Stormwater

**NPDES Permit No. PA0223794 on Surface Mining Permit No. 06970302. Haines & Kibblehouse, Inc.** (PO Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a limestone quarry operation in Robeson and Union Townships, **Berks County**, affecting 289.6 acres. Receiving stream: Hay Creek, classified for the following use: Exceptional Value. Application received: September 3, 2013.

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

The outfall(s) listed below discharge to Hay Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
BM-001	No	E&S
BM-002	No	E&S
BM-003	No	wetland mitigation area

**NPDES Permit No. PA0224073 on Surface Mining Permit No. 64000301. Reading Materials, Inc.** (PO Box 1467, Skippack, PA 19474), renewal of an NPDES Permit for a sandstone quarry operation in Lebanon Township, **Wayne County**, affecting 225.0 acres. Receiving stream: unnamed tributary to Big Brook, classified for the following uses: EV—cold water and migratory fishes. Application received: November 12, 2013.

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

The outfall(s) listed below discharge to unnamed tributary to Big Brook.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
HM-001	No	E&S/Stormwater: Groundwater
HM-002	No	E&S/Stormwater

**NPDES Permit No. PA0594229 on Surface Mining Permit No. 66880301. Reading Materials, Inc.,** (PO Box 1467, Skippack, PA 19474), renewal of an NPDES Permit for a sandstone quarry operation in Falls Township, **Wyoming County**, affecting 94.6 acres. Receiving stream: Buttermilk Creek, classified for the following use: cold water fishes. Application received: December 11, 2013.

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

The outfall(s) listed below discharge to Buttermilk Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	E&S/Stormwater
002	No	Groundwater/Pit Sump

**NPDES Permit No. PA0010235 on Surface Mining Permit No. 67870301. York Building Products Co., Inc.**, (PO Box 1708, York, PA 17405), renewal of an NPDES Permit for a limestone quarry operation in City of York and West Manchester Township, **York County**, affecting 245.2 acres. Receiving stream: Willis Run, classified for the following use: warm water fishes. Application received: December 11, 2013.

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

The outfall(s) listed below discharge to Willis Run.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	E&S/Stormwater
002	No	Groundwater/Pit Sump
003	No	Groundwater/Pit Sump

**NPDES Permit No. PA0612791 on Surface Mining Permit No. 06820601. Allan A. Myers, LP d/b/a Independence Construction Materials, Inc.**, (638 Lancaster Avenue, Malvern, PA 19355), renewal of an NPDES Permit for a diabase quarry operation in New Morgan Borough, **Berks County**, affecting 97.6 acres. Receiving stream: unnamed tributary to East Branch Conestoga River, classified for the following uses: warm water and migratory fishes. Application received: February 7, 2014.

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

The outfall(s) listed below discharge to unnamed tributary to East Branch Conestoga River.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	on-site seep

**NPDES Permit No. PA0614203 on Surface Mining Permit No. 15830602. Allan A. Myers, LP d/b/a Independence Construction Materials, Inc.**, (638 Lancaster Avenue, Malvern, PA 19355), renewal of an NPDES Permit for a granite quarry operation in Charlestown Township, **Chester County**, affecting 87.74 acres. Receiving stream: unnamed tributary to Pickering Creek, classified for the following uses: HQ—trout stock fishes and migratory fishes. Application received: May 1, 2014.

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

The outfall(s) listed below discharge to unnamed tributary to Pickering Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Groundwater/Pit Sump

**NPDES Permit No. PA0224715 on Surface Mining Permit No. 06080301. Dyer Quarry, Inc.**, (PO Box 188, Birdsboro, PA 19508), renewal of an NPDES Permit for a diabase quarry operation in Robeson Township, **Berks County**, affecting 101.61 acres. Receiving stream: Indian Corn Creek, classified for the following use: cold water fishes. Application received: July 18, 2014.

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

The outfall(s) listed below discharge to Indian Corn Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
1	No	E&S/Stormwater: Groundwater/Pit Sump
2	No	E&S/Stormwater

## 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.*

**E39-533. Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106, in Washington Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain 125-foot, 4.5-inch wide dual three-span steel plate girder bridge across Cedar Creek having a 533-foot span and an 88-foot approximate underclearance. To construct and maintain three outfalls in the floodway of an Unnamed Tributary to Trout Creek (CWF, MF) each consisting of an 18-inch diameter corrugated metal pipe, endwall and riprap apron. To construct and maintain two outfalls in the floodway of Trout Creek (CWF, MF) each consisting of an 18-inch diameter thermo-plastic pipe, endwall and riprap apron. The project is located on the PA Turnpike Northeast Extension (I-476) at MP 68.53. (Leighton, PA Quadrangle, Latitude: 40°44'33.7"; Longitude: -75°37'48.2").

**E40-761. Nathan J. Chaney**, Two North Ninth Street, Allentown, PA 18101, in Buck Township, **Luzerne County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain various water obstructions and encroachments associated with the Luzerne County portion of the West Pocono-North Pocono 230kV Transmission Line Reliability Project, including five (5) wetland crossings and two (2) aerial stream crossings of Kendall Creek (EV) and an unnamed tributary of Choke Creek (EV). The project begins approximately 0.50 mile northeast from the intersection of State Route 115 and Thornhurst Road (Thornhurst, PA Quadrangle Latitude 41° 8' 47.41"; Longitude: -75° 38' 16.54" and ends Lackawanna County/Luzerne County Line approximately 0.80 mile northeast of River (Thornhurst, PA Quadrangle Latitude 41° 10' 2.86"; Longitude: -75° 36' 51.69" in Buck Township, Luzerne County (Thornhurst, PA Quadrangle, Latitude: 41°14'23.28"; Longitude: -75°30'40.32").

**E35-456. PPL Electric Utilities Corporation**, Two North Ninth Street, Allentown, PA 18101, in Thornhurst, Clifton and Covington Townships, **Lackawanna County**, U.S. Army Corps of Engineers, Philadelphia District.

Construct and maintain various water obstructions and encroachments associated with the Lackawanna County portion of the West Pocono-North Pocono 230kV Transmission Line Reliability Project, including twenty two (22) aerial wetland crossings, twenty two (22) aerial stream crossings and eight (8) access road crossings of Choke Creek (EV), Sand Spring Creek (EV) and unnamed tributaries thereof, Pond Creek (EV) and unnamed tributaries thereof, Buckey Run (EV), Spruce Run (EV), Fenner Mill Run (EV), Ash Creek (EV) and unnamed tributary thereof, Silver Creek (EV) and unnamed tribu-

aries thereof, Rucks Run (EV) and unnamed tributaries thereof, Meadow Brook (EV), Emerson Run, Lake Run and Roaring Brook. The project begins at the Lackawanna County/Luzerne County Line approximately 0.80 mile northeast of River (Thornhurst, PA Quadrangle Latitude 41° 10' 2.86"; Longitude: -75° 36' 51.69") and ends 0.10 mile east of Freytown Road in Road (Sterling, PA Quadrangle Latitude 41° 17' 12.81"; Longitude: -75° 27' 2.25") in Covington Township, Lackawanna County. (Thornhurst, Moscow & Sterling, PA Quadrangle, Latitude: 41°14'23"; Longitude: -75°30'40").

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

**E18-491. PPL Electric Utilities**, 2 North Ninth Street, Mail Stop: GEN N3, Allentown, PA 18101-1139. Lycoming-Lock Haven #1 and #2 Rebuild Project, in Castanea Borough Porter/Pine Creek/Wayne Townships, **Clinton & Lycoming Counties**, ACOE Baltimore District (Mill Hall, Lock Haven, Jersey Shore and Loganton, PA Quadrangles, with a western terminus of N: 41.123782°; W: -77.434584°).

To replace approximately 335 existing electric transmission structures and conductor from Jersey Shore to Lock Haven in the 100-year floodplain of 23 water bodies: Nichols Run, Pine Creek, UNT to Pine Creek, seven unnamed tributaries to the West Branch Susquehanna River, McElhattan Creek, UNT to McElhattan Creek, Harvey's Run / West Kammerdiner Run, seven UNTs to Bald Eagle Creek and two crossings of Bald Eagle Creek. This project proposes to temporary impact 8.839 acres from workspace and access in the floodway, which are classified as most Warm Water Fishery floodplains and a couple High Quality floodplains. The power line crossing of the waterways and the temporary vehicle crossings of wetlands waterways will be authorized separately under General Permit 11 and 8 permits.

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

**E26-369. CSX Transportation, Inc.** 500 Water Street, J275, Jacksonville, Florida 32202-5052; Newell Borough, Jefferson Township, Washington Township, **Fayette County**; ACOE Pittsburgh District.

The applicant is proposing to construct and maintain fill within the floodway of the Monongahela River (WWF) for the purpose of constructing an additional rail line. The project starts approximately 500 feet south of the confluence of Little Redstone Creek and the Monongahela River (Fayette City, PA USGS topographic quadrangle N: 16.2 inches; W: 12.3 inches, Latitude: 40° 5' 17"; Longitude: 79° 50' 16") in Washington Township, Fayette County. The project continues south into Jefferson Township and ends approximately 7,000 feet east of Newell Borough, Fayette County (Fayette City, PA USGS topographic quadrangle N: 13.6 inches; W: 16.2 inches, Latitude: 40° 4' 28"; Longitude: 79° 51' 54"). The applicant will dispose of excess material within the floodplain of the Monongahela River approximately 1,000 feet east of Newell Borough, Fayette County (California, PA USGS topographic quadrangle N: 14.1 inches; W: 1.4 inches, Latitude: 40° 4' 35"; Longitude: -79° 52' 49").

**E63-658. National Fuel Gas Supply Corp.**, 1100 State Street, Erie, PA 16501-1912; Mount Pleasant, Robinson, and Smith Townships, **Washington County**; ACOE Pittsburgh District.

The applicant is proposing to construct and maintain a 24-inch diameter natural gas pipeline in approximately 0.16 acre of a wetland, as part of the approximately 23 mile long, multi-county, West Side Expansion and Modernization Project (Clinton, PA USGS topographic quadrangle; Lat: 40° 27' 24.58"; Long: -80° 20' 24.95"), Robinson Township, Washington County, Pittsburgh ACOE District, Subbasin 20D—Bigger Run watershed (WWF). This project will also include thirty-four (34) utility line stream crossings and thirty-three (33) temporary road crossings, in Mount Pleasant, Robinson and Smith Townships that will be constructed in accordance with the terms and conditions of General Permit No. 5 (GP-5), regarding utility line stream crossings and General Permit No. 8 (GP-8), regarding temporary road crossings respectively. These structures will cumulatively affect 1,227' of watercourses (including unnamed tributaries (UNTs) of Cross Creek (HQ-CWF), Burgetts Fork and associated UNTs (WWF), Raccoon Creek and associated UNTs (WWF), Little Raccoon Run and associated UNTs, Saint Patrick Run and associated UNTs (WWF) and Bigger Run and associated UNTs) and 0.33 acre of wetlands (including the aforementioned wetland). This project will also temporarily affect 1,807' of watercourses and 0.76 acre of wetlands in Washington County. Mitigation for the impacts to the affected watercourses and wetlands will primarily consist of restoring original grades and re-vegetating, after construction. This 24-inch natural gas pipeline will be installed within a 75' right-of-way, alongside the existing Line N 20-inch diameter pipeline, at an approximately 25' offset. This existing 20-inch pipeline will be operated and maintained for future use as a transmission or gathering pipeline.

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

**E4129-096: Regency Marcellus Gas Gathering, LLC**, 101 West Third Street, Williamsport, PA 17701, Eldred Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 8-inch gas pipeline, one 8-inch water pipeline, and a timber mat bridge impacting 50 linear feet of an unnamed tributary to Loyalsock Creek (EV) and 1,840 square feet of adjacent palustrine emergent (PEM) wetlands (Montoursville North, PA Quadrangle 41°19'39"N 76°55'49"W);

2) one 8-inch gas pipeline, one 8-inch water pipeline, and a timber mat bridge impacting 59 linear feet of an unnamed tributary to Loyalsock Creek (EV), 1,859 square feet of adjacent palustrine emergent (PEM) wetland, and

909 square feet of adjacent palustrine scrub-shrub (PSS) wetland (Montoursville North, PA Quadrangle 41°19'57"N 76°55'44"W).

The project will result in a total of 0.11 acre of wetland impacts and 109 linear feet of stream impacts all for the purpose of installing water line, natural gas gathering line, and access roadway to a natural gas well site for Marcellus well development.

*Wilkes-Barre: Attn: Mike Korb Environmental Program Manager, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701*

**EA5411-001. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Wilkes-Barre Office, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701. Abandoned Mine Land Reclamation Project, in Newport Township, **Luzerne County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 7 acres of Dangerous Pile and Embankment. The project will include the backfilling of 1.06 acre of open water that has developed within the open surface mine pits. (Nanticoke Quadrangle 41° 10'47", 76°1'49.564"W)

#### ENVIRONMENTAL ASSESSMENT

*Central Office: Attention Brian Bradley, Environmental Program Manager, P.O. Box 69205, Harrisburg, PA 17106.*

**EA3510-001. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, P.O. Box 69205, Harrisburg, PA 17106. Abandoned Mine Land Reclamation Project, in Carbondale City, **Lackawanna County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 3,000 linear feet of dangerous highwall. The project will include the backfilling of 0.46 acre of open water and 0.22 acre of wetlands that have developed within the open surface mine pits. (Carbondale Quadrangle 41°33'42.23" N and 75°30'28.61" W).

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460*

**D51-012. East Park Reservoir Dam**, Aramark Tower, 2nd Floor, 1101 Market Street, Philadelphia, PA 19103. To modify, operate, and maintain East Park Reservoir Dam within Schuylkill River Watershed for the purpose of meeting the Commonwealth's regulations. (Philadelphia, PA Quadrangle Latitude: 35.985833; Longitude: -75.188333) in Philadelphia City, **Philadelphia County**.

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## ACTIONS

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

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

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

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

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

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

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

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

### **I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061395 (Industrial Waste)	Tumbling Run WTP Tumbling Run Road Schuylkill Haven, PA 17972	Schuylkill County North Manheim Township	Tumbling Run (03A)	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0083941 (IW)	Community Refuse Service, Inc.—Cumberland County Landfill 135 Vaughn Road Shippensburg, PA 17257	Cumberland County/Hopewell Township	UNT Conodoguinet Creek/7-B	Y
PA0088978 (Sew)	West Pennsboro Township Municipal Authority 2150 Newville Road Carlisle, PA 17013-8957	Cumberland County/West Pennsboro Township	Conodoguinet Creek/ 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0041831 (Sewage)	Northwest Crawford County Sewer Authority STP PO Box 56, 105 Project Street, Springboro, PA 16435-0056	Crawford County Spingboro Borough	Conneaut Creek (15-A)	Y
PA0221236 (Sewage)	Brocklehurst MHP 350 Fox Mine Road Jackson Center, PA 16133	Mercer County Jackson Township	Unnamed Tributary to Fox Run (20-A)	Y

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


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

**NPDES Permit No. PA0024228, Amendment #1**, Industrial Waste, **BC Natural Chicken, LLC**, PO Box 80, Fredericksburg, PA 17026.

This proposed facility is located in Bethel Township, **Lebanon County**.

Description of Proposed Action/Activity: Permit authorization to discharge to Beach Run and Deep Run in Watershed 7-D.

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


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

**WQM Permit No. 0500407, Amendment #2**, Sewerage, **South Woodbury Township**, 125 North End Road, New Enterprise, PA 16664-9121.

This proposed facility is located in South Woodbury Township, **Bedford County**.

Description of Proposed Action/Activity: Permit amendment approval to convert the existing macadam sludge drying beds to reed beds.

**WQM Permit No. 3197403, Amendment #1**, Sewerage, **Mapleton Borough Area Joint Municipal Authority**, 13343 Smith Valley Road, PO Box 415, Mapleton Depot, PA 17052-0415.

This proposed facility is located in Union Township, **Huntingdon County**.

Description of Proposed Action/Activity: Permit amendment approval for Replacement of impellers in both pumps at the Pump Station #1; Installation of a new fine screen; Modification to the existing Headworks will include removal of the existing comminutor and bar screen and installing a new course bar screen in the existing channel; and Remove the existing single UV unit and install two identical new UV units in the same place.

**WQM Permit No. 3192405, Amendment #12-1**, Sewerage, **Wood-Broad Top-Wells Joint Municipal Authority**, PO Box 7, Wood, PA 16694.

This proposed facility is located in Wood Township, **Huntingdon County**.

Description of Proposed Action/Activity: Permit amendment approval to re-rate the hydraulic and organic capacity of the treatment plant. Increase the Maximum Monthly flow (MMF) from 0.084 mgd to 0.170 mgd and increase the Maximum Monthly Organic Loading from 170#/day to 340#/day.

**WQM Permit No. 0114201**, CAFO, **Hillandale Gettysburg, LP**, Site 1, 370 Spicer Road, Gettysburg, PA 17325.

This proposed facility is located in Tyrone Township, **Adams County**.

Description of Proposed Action/Activity: Permit approval for the construction of a 60 mil HDPE-lined egg washwater storage lagoon at the Hillandale Gettysburg LP—site 1 Farm in Tyrone Township, Adams County. The HDPE liner will be placed on a 12 oz geotextile later. The lagoon will be 185' x 120' x 12' deep with a storage capacity of 1,127,298 gallons at a 2-foot freeboard. The storage lagoon will be provided with footer drains and a leak detection drain equipped with a shut off valve. A concrete pump out ramp will also be added for manure removal. The lagoon will be fed from the existing lagoon; washwater will be pumped in as needed.

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


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

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


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PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage

PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02*

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford County Smithfield Township	PAG02000814015	Chris Wissell Tyson Milan Energy LLC 6051 Wallace Rd Ext Ste 100 Wexford, PA 15090	Buck Creek WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Lycoming County Limestone Township	PAG02004114020	Melissa M. Young 1430 Route 880 Jersey Shore, PA 17740	Rauchtown Creek CWF, MF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Collier Township Allegheny County	PAG02000211071R	Collier Township 2418 Hilltop Road Presto, PA 15142	UNT to Chartiers Creek (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241 7645
Sewickley Borough Allegheny County	PAG02000214122	Charter Homes & Neighborhoods 1190 Dellerville Road Lancaster, PA 17601	UNT to Ohio River (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241 7645
City of Duquesne Allegheny County	PAG02000214097	Regional Industrial Development Corp 210 Sixth Avenue, Suite 3620 Pittsburgh, PA 15222	Monongahela River (WWF—N)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241 7645
Plum Borough Allegheny County	PAG02000214131	New Texas Road Associates, L.P. 772 Pine Valley Drive Pittsburgh, PA 15239	UNT to Abers Creek (TSF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241 7645
Monroeville Municipality Allegheny County	PAG02000214103	Monroeville FDS 711421, LLC 3735 Beam Road, Suite B, Charlotte, NC 28217	Abers Creek (TSF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241 7645

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Philadelphia City Philadelphia County	PAR600056	B & L Auto Parts Inc. 3404 South 61st Street Philadelphia, PA 19153	Schuylkill River—3-F	Southeast Region Clean Water Program 484.250.5970
Norristown Borough Montgomery County	PAR800126	Waste Management of PA Inc. d/b/a Norristown Transfer Station 310 W. Washington St Norristown, PA 19401	Schuylkill River & Stony Creek—3-F	Southeast Region Clean Water Program 484.250.5970
Plymouth Township Montgomery County	PAR800156	Gosin Family LP 1777 Sentry Parkway W Blue Bell, PA 19422	Diamond Run—3-F	Southeast Region Clean Water Program 484.250.5970
Philadelphia City Philadelphia County	PAR600096	Atlantic Used Auto Parts Inc. 6544 Essington Avenue Philadelphia, PA 19153	Unnamed Tributary to Schuylkill River—3-F	Southeast Region Clean Water Program 484.250.5970
Philadelphia City Philadelphia County	PAR600076	Jack's Auto Parts & Glass Inc. 3517-55 S 61st Street Philadelphia, PA 19153	Schuylkill River—3-F	Southeast Region Clean Water Program 484.250.5970
Dauphin County/ Middletown Borough	PAR803601	193rd Special Operations Wing—Pennsylvania Air National Guard 62 Olmstead Blvd. Middletown, PA 17057	UNT Susquehanna River/WWF/7C	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Erie City Erie County	PAR128306	Meadow Brook Dairy Co. Inc. 2365 Buffalo Road, Erie, PA 16510-1459	City of Erie storm sewers to Lake Erie 15	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Louise Hoover 241 Hard Hill Road Kutztown, PA 19530	PAG043567	Louise Hoover 241 Hard Hill Road Kutztown, PA 19530	UNT Maiden Creek/3-B	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Typ—PAG-7*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County/ Columbia Borough	PAG073510	Columbia Municipal Authority 308 Locust Street Columbia, PA 17512	Columbia Municipal Authority Wastewater Facility 440 South Front Street Columbia, PA 17512	DEP—SCRO— Clean Water Program 909 Elmerton Ave. Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-9 (SSN)*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Metal Township Franklin County	PAG093541	Art Beidel Enterprises LLC 11468 Creek Road Fannettsburg, PA 17221	Howard Shearer Farm	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-10*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Jessup Township Susquehanna County	PAG102326	Williams Field Services Co. LLC Park Place Corporate Center 2 2000 Commerce Drive Pittsburgh, PA 15275	Unnamed Tributary to East Branch Wyalusing Creek-4-D	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Statewide	PAG109601	Dominion Trans Inc. 445 West Main Street Clarksburg, WV 26301	Statewide	Division of Planning and Permits Bureau of Point and Non-Point Source Management 400 Market Street, RCSOB Harrisburg, PA 17105-8774 717.787.8184

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County/ East Donegal Township	PAG123752, (A1)	Shelmar Acres LLC (Harold Shellenberger) 304 Colebrook Road Mount Joy, PA 17552	UNT Donegal Creek/TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County/ Lurgan Township	PAG123776	Brian Blevins Blevins Blue Mountain Finishing Farm, LLC 10315 Otterbein Church Road Newburg, PA 17240-9630	UNT Clipperings Run/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

**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>
Leon Zimmerman 2011 Maytown Road Elizabethtown, PA 17022	Lancaster	222.6	1,209.47	Steer/ Swine/Pullets	NA	Approved
Rohrer Farms LLC 750 Doe Run Road Lititz, PA 17543	Lancaster	326.4	1,841.54	Swine/Pullets	NA	Approved
Doug Wolgemuth 2914 Orchard Road Mount Joy, PA 17552	Lancaster	938.7	1,229.05	Swine/Poultry	NA	Approved
Geoffrey Rohrer 3392 Blue Rock Road Lancaster, PA 17603	Lancaster	868.6	1,144.36	Dairy/Broiler	NA	Approved
Keystone Dairy Ventures, LLC 324 Balance Meeting Road Peach Bottom, PA 17563	Lancaster	655.3	1,408.5	Dairy	HQ	Approved
Zartman Farms LLC Thomas Zartman 820 Hilltop Road Ephrata, PA 17522	Lancaster	600	620.25	Swine	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Operations Permit # 4614527** issued to: **Superior Water Company** P.O. Box 525 Gilbertsville, PA 19525, [(PWSID)] New Hanover Township, **Montgomery County** on December 12, 2014 for the operation of Hoffmansville Road Booster Station facilities approved under construction permit #4614512.

**Operations Permit #0914524** issued to: **Trumbauersville Borough** 1 Evergreen Drive, Trumbauersville, PA 18970. [(PWSID)] Trumbauersville Borough, **Bucks County** on December 10, 2014 for Certification of 4-Log Treatment of Viruses at Entry Point 102.

**Permit No. 1514522**, Public Water Supply.

Applicant	<b>Tel Hai Retirement Community</b> 1200 Tel Hai Circle Honey Brook, PA 19344
Township	Honey Brook
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Whitehill Consulting Engineers 763 Conowingo Road Quarryville, PA 17566
Permit to Construct Issued	December 10, 2014

**Permit No. 4614522, Minor Amendment.** Public Water Supply.

Applicant	<b>North Penn Water Authority</b> 300 Forty Foot Road Lansdale, PA 19446
Township	Lower Salford
County	<b>Montgomery</b>
Type of Facility	PWS



Consulting Engineer CKS Engineering, Inc.  
88 South Main Street  
Doylestown, PA 18901

Permit to Construct December 11, 2014  
Issued

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

**Permit No. 2580048, Operations Permit** Public Water Supply.

Applicant **Trehab at Tiffany Pines, LLC**  
P.O. Box 366  
36 Public Avenue  
Montrose, PA 18801

[Borough or Township] Bridgewater Township

County **Susquehanna**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate December 11, 2014  
Issued

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

**Permit No. 2814505, Public Water Supply.**

Applicant **Bear Valley Franklin County Pennsylvania Joint Authority**

Municipality Peters Township

County **Franklin**

Responsible Official Wayne Henry, Chairman  
218 School House Road  
St. Thomas, PA 17752-0308

Type of Facility Construction of five new water supply wells and 1.0 million gallon per day filter plant which will include, chemical oxidation, chemical coagulation, static mixing, flocculation, sedimentation, membrane filtration, UV light disinfection, sodium hypochlorite disinfection, clearwell, bulk loading station, and distribution infrastructure.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is the intended funding source for this project. The Department of Environmental Protection's (Department) review of the project and the information received in the Uniform Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department approved the Uniform Environmental Assessment on December 10, 2014.

Consulting Engineer Christopher M. Echenrode, P.E.  
Gwin, Dobson & Foreman, Inc.  
3121 Fairway Drive  
Altoona, PA 16602

Permit to Construct 12/11/2014  
Issued

**Operation Permit No. 6714502 MA** issued to: **The York Water Company (PWS ID No. 7670100)**, Springettsbury Township, **York County** on 12/9/2014 for facilities approved under Construction Permit No. 6714502 MA.

**Operation Permit No. 3614506** issued to: **Linville Hill Mennonite School** (PWS ID No. 7360620), Paradise Township, **Lancaster County** on 8/12/2014 for facilities approved under Construction Permit No. 3614506.

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

**Operation Permit** issued to **The Scenic Rivers Young Men's Christian Association**, PWSID No. 6160896, Ashland Township, **Clarion County**. Permit Number 1614501 issued December 9, 2014 for the operation of the water treatment upgrades at the public water system serving Oil City YMCA—Camp Coffman. This permit is issued in response to a pre-operation inspection conducted by the Department of Environmental Protection personnel on November 12, 2014.

**Permit No., 1014503** Public Water Supply

Applicant **Pennsylvania American Water Company**

Township or Borough City of Butler

County **Butler**

Type of Facility Public Water Supply

Consulting Engineer William Lage, Project Manager  
Pennsylvania American Water Co.  
2736 Ellwood Road  
New Castle, PA 16101

Permit to Construct December 10, 2014  
Issued

**Permit No., 4314501** Public Water Supply

Applicant **Heath Oil, Inc.**

Township or Borough Jackson Township

County **Mercer**

Type of Facility Public Water Supply

Consulting Engineer K. Daniel Hall, P.E.  
DHI Engineering & Environmental Services  
3037 School Street  
P.O. Box 29  
Claridge, PA 15623

Permit to Construct December 9, 2014  
Issued

**Permit No., 2414501** Public Water Supply

Applicant **Jay Township Water Authority**

Township or Borough Jay Township

County **Elk**

Type of Facility Public Water Supply

Consulting Engineer James S. Garvin, Jr., P.E.  
Garvin Engineering & Municipal  
Mgmt.  
184 East Market Street  
Blairsville, PA 15717

Permit to Construct December 10, 2014  
Issued

### WATER ALLOCATIONS

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

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

**WA 24-758C, Water Allocations. Jay Township Water Authority**, 16 Taylor Street, Byrnedale, PA 15827, Jay Township, **Elk County**. This permit grants the right to withdraw a maximum of 395,000 gallons per day (gpd), when available from the Byrnes Run Infiltration Gallery or the Kersey Run Infiltration Gallery and a maximum total of 395,000 gallons per day, when available, from the combined surface water sources.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

#### Plan Location:

Borough or Township	Borough or Township Address	County
Hopewell Township	413 Three Square Hollow Rd, Newburg, PA 17240	Cumberland

*Plan Description:* The planning module for Isaac Z. Stoltzfus, DEP Code No. A3-21911-239-1, APS Id 859248, consisting of one single family residential lot using an individual on-lot sewage disposal system, is disapproved. The proposed development is located on the south side of West Creek Road in Hopewell Township, Cumberland County. The plan is disapproved because the module failed to support the use of replacement area testing as the method of providing long-term sewage disposal in accordance with the instructions for the Component 1 form, which require that at least one soil evaluation probe and complete percolation test has been conducted for both the primary and replacement absorption areas on each lot. Additionally, the municipality must complete Section K of the Component 1 form to select replacement area testing as the method of providing long-term sewage disposal.

## 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:

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

**752-778 Union Boulevard Property**, 752-778 Union Boulevard, City of Allentown, **Lehigh County**, Jamie Kleinle, Barry Isett & Associates Inc., 85 South Route 100, Allentown, PA 18106, has submitted a Final Report on behalf of his client, Timothy Cole, MantaCole LLC, 500 Office Center Drive, Suite 440, Fort Washington, PA 19034, concerning the remediation of soil contaminated with various chemicals related to, gasoline, high octane gasoline, diesel fuel and kerosene, due to historical operations at the site. The applicant proposes to remediate the site to meet the Statewide Health Standards for soil. The intended use of the site will be for non-residential purposes. A summary of the Final Report was published in *The Morning Call* on October 30, 2014.

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

**South Middleton WWTP/Blower Building**, 345 Lear Lane, Boiling Springs, PA 17007, Monroe Township, **Cumberland County**. Advantage Engineers, LLC, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of South Middleton Township Municipal Authority, 345 Lear Lane, Boiling Springs, PA 17007, submitted a combined Remedial Investigation Report/Final Report concerning remediation of site soils contaminated with

diesel fuel. The report is intended to document remediation of the site to meet a combination of Non-Residential Statewide Health and Site Specific Standards.

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

**XTO Energy—Luther S. Williams #4**, Old Route 119 Highway North, White Township, **Indiana County**. Groundwater & Environmental Services, 301 Commerce Park, Cranberry Township, PA 16066 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana PA 15701 has submitted a Final Report concerning site soils contaminated from a spill from a tank overflow of production water at the well site containing primarily chlorides and some metals. The report is intended to document remediation of the site to meet a combination of Statewide Health and Site Specific standards. Notice of the Final Report was published in the *Indiana Gazette* on November 20, 2014.

**Former Top's Diner Property**, 410 Central Avenue, Johnstown, PA 15902, **Cambria County**. P. Joseph Lehman, Inc, 117 Old Farm Office Road, Suite 113, Duncansville, PA 16635 on behalf of Sheetz, Inc., 5700 6th Avenue, Altoona, PA 16601 has submitted a Remedial Investigation Report (RIR) concerning the remediation of 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and benzene in soil and 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, toluene ethylbenzene, naphthalene, and dissolved lead in groundwater. The report is intended to document remediation of the site to meet the Site Specific standard. Notice of the RIR was published in the *Tribune-Democrat* on December 3, 2014.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

**CNH America LLC/Former UST L31 Area/Buildings 16 & 19**, 120 Brubaker Avenue, New Holland, PA 17557, New Holland Borough, **Lancaster County**. Woodard & Curran, Inc., 300 Penn Center Boulevard, Suite 800, Pittsburgh, PA 15235, on behalf of CNH Industrial America LLC, 700 State Street, Racine, WI, 53404, submitted Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 10, 2014.

**South Middleton WWTP/Blower Building**, 345 Lear Lane, Boiling Springs, PA 17007, Monroe Township, **Cumberland County**. Advantage Engineers, LLC, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of South Middleton Township Municipal Authority, 345 Lear Lane, Boiling Springs, PA 17007, submitted a combined Remedial Investigation Report/Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet a combination of Non-Residential Statewide Health and Site Specific Standards. The combined Report was administratively incomplete, and was disapproved by the Department on December 11, 2014.

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

**XTO Energy—Wyatt Seanor #7 Well Site**, Bigam Road, Salem Township, **Westmoreland County**. Groundwater & Environmental Services, Inc., 301 Commerce Drive, Cranberry Township, PA 16066 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 submitted a Final Report concerning the remediation of site soils contaminated with volatile and semi-volatile organic compounds (VOC's & SVOC's), metals and chlorides from a release of crude oil and brine that occurred at the well site. The Final Report demonstrated attainment of the Site Specific standard for chlorides, a non-residential Statewide Health standard for arsenic, and a residential

Statewide Health standard for all other constituents analyzed and was approved by the Department on December 10, 2014.

**DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS**

**Application for Determination of Applicability for General Permit Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101–4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

**General Permit Application No. WMGM043SE001. Envirowaste, LLC**, 13 Pattison Avenue, Philadelphia PA 19148-5607. This application for determination of applicability (DOA) is for the acceptance, transfer, and processing prior to beneficial use of construction and demolition waste materials at a rail and truck served C&D processing facility to be constructed and operated under General Permit No. (WMGM043) at Envirowaste C&D Beneficial Use Facility located at 13 Pattison Avenue, Philadelphia, PA 19148 in the City of Philadelphia, **Philadelphia County**. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on December 9, 2014.

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

**Permit(s) issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit Application No. 301306. Sunbury Generation LP**, P.O. Box 517, Old Trail Road, Shamokin, PA 17876, Monroe Township, **Snyder County**. The minor permit modification is for Sunbury Generation LP to expand temporary laydown area within Ash Basin No. 1. The permit was issued by Northcentral Regional office on December 10, 2014.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**AIR QUALITY**

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

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

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

**GP11-09-0058: Oldcastle Lawn & Garden** (500 East Pumping Station Road, Quakertown, PA 18951) On December 11, 2014, was authorized to operate No. 2 fuel oil-fired engine in Richland Township, **Bucks County**.

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

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

**GP5-08-393A: Angelina Gathering Company, LLC** (2350 N. Sam Houston Pkwy East, Suite 125, Houston, TX 77032) on December 11, 2014, for the construction and operation of three (3) 1,380 bhp Caterpillar model #G3516BLE natural gas-fired compressor engines, each equipped with a Powertherm catalytic oxidizer, one (1) 190 bhp Kohler model #125REZGC natural gas-fired emergency generator engine, equipped with a three-way catalyst, two (2) 2,100 gallon compressor fluids storage tanks, and various fugitive emissions, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Moyer Compression Facility located in Herrick Township, **Bradford County**.

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

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-5226*

**GP5-32-00437: Mountain Gathering, LLC** (810 Houston Street, Fort Worth, TX 76102) on December 8, 2014, to authorize continued operation of previously installed equipment consisting of one (1) Ajax, 2-Stroke natural gas-fired lean burn engine, Model # DCP-2802 LE, rated at 400 bhp; one (1) TEG dehydrator, rated at 2.0 MMsefd including a reboiler rated at 0.25 MMBtu/hr, and four (4) storage tanks to store produced fluids with various capacities at their Pineton Compressor Station, located in Greene Township, **Indiana County**.

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

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

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

**46-0025L: Johnson Matthey, Inc.** (900 River Road, Conshohocken, PA 19428) On December 11, 2014, for the removal of an Odex Scrubber & liquid seal pot at an existing facility 1. The company manufactures fine organic chemicals used in pharmaceutical industry. The Plan Approval and Operating permit will include monitoring, record keeping & reporting requirements designed to address all applicable air quality requirements.

**09-0142C: ML 35, LLC.** (35 Runway Road, Levittown, PA 19057) On December 11, 2014, for increasing its eleven (11) existing emergency generators demand response hours, and requesting stack test for CO emissions from engines G7 through G11 at its data center in Bristol Township, **Bucks County**. This facility is a synthetic minor facility for nitrogen oxides (NO<sub>x</sub>) and carbon monoxide (CO) emissions. The facility wide NO<sub>x</sub> emissions are limited to below 25 tons per year. The engines are subject to the requirements of 40 C.F.R. Part 60 Subpart IIII or Part 63 Subpart ZZZZ—Standards for compression ignition internal combustion engines. The

Plan Approval and Operating Permit will contain all applicable requirements that apply to each engine including recordkeeping, reporting, work practice, etc. designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**36-05106B: Premier Custom Built, Inc.** (110 Short Street, New Holland, PA 17557) on December 4, 2014, for installation of three (3) spray booths at their cabinet manufacturing facility in East Earl Township, **Lancaster County**.

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

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

**25-1030A: Burton Funeral Homes & Crematory, Inc.** (602 West 10th Street, Erie, PA 16502) on December 9, 2014 has issued a plan approval for changes in their method of operating one existing human crematory (relating to door opening) at their facility in the City of Erie, **Erie County**.

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

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

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

**09-0223: Morton Salt, Inc.** (12 Roebling Road, Fairless Hills, PA 19030) on December 11, 2014, for a transfer of Plan Approval No. 09-0223 from the former International Salt Company, LLC (ISCo) to Morton Salt, Inc. On January 24, 2014, DEP issued the Plan Approval to ISCo for the installation of a vibrating fluidized bed dryer and associated cyclone, as well as additional salt processing equipment (i.e., hoppers, screens, belt conveyors, and truck loadout chute), at its existing salt processing and packaging facility located in Falls Township, **Bucks County**. On September 29, 2014, ISCo merged with Morton Salt, Inc., with the latter being the surviving entity.

The transfer of the Plan Approval is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.32.

**15-0060G: Southeastern Chester County Refuse Authority (SECCRA)** (P.O. Box 221, Kennett Square, PA 19348) On December 11, 2014, for the operation of a landfill expansion called Willa Expansion, landfill gas collection and control system in London Grove Township, **Chester County**.

**15-0110B: Pepperidge Farm, Inc.** (421 Boot Road, Downingtown, PA 19335) On December 11, 2014, for the operation of two (2) 25 tons capacity use bins for deliveries of flour in Downingtown Borough, **Chester County**.

**15-0021A: Glasgow, Inc.** (660 North Morehall Road, Malvern, PA 19355) On December 11, 2014, for the operation of the primary crusher and the D1 scalping screen in East Whiteland Township, **Chester County**.

**23-0047F: Evonik Degussa Corporation** (1200 West Front Street, Chester, PA 19013) On December 11, 2014, for the operation of baghouses in City of Chester, **Delaware County**.

**23-0220: Eddystone Rail Company, LLC.** (5 Industrial Highway, Eddystone, PA 19022) On December 11, 2014, for the operation of a marine vessel loading facility in Eddystone Borough, **Delaware County**.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**21-05053B: PPL Renewable Energy, LLC** (Two North Ninth Street, Allentown, PA 18101) on December 9, 2014, for construction of one landfill gas (LFG)-fired reciprocating internal combustion engine (RICE) at the Cumberland County Landfill in Hopewell Township, **Cumberland County**. The plan approval was extended.

**05-05027A: CORLE Building Systems** (114 Rosemont Lane, Imler, PA 16655) on December 9, 2014, for construction of a surface coating system, including four paint spray booths along with support facilities for paint mixing and handling, for finishing metal building panels at the facility in King Township, **Bedford County**. The plan approval was extended, with an added requirement to comply with 40 CFR Part 63, Subpart Mmmm.

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

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

**49-00065A: Polar Tech Industries, Inc.** (1017 West Valley Avenue, Elysburg, PA 17824-7259), issued a revised plan approval on December 11, 2014 for a change of ownership of the facility from Polar Tech Industries of Pennsylvania, Inc. to Polar Tech Industries, Inc. This facility is located in Ralpho Township, **Northumberland County**. This revised plan approval contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

**18-00026D: First Quality Products, Inc.** (121 North Road, McElhattan, PA 17748) on November 20, 2014, to extend the authorization to operate two Curt G. Joa underpad machines (Line 35 and 36) at their facility in Wayne Township, **Clinton County** on a temporary basis to May 29, 2015. The plan approval has been extended.

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

*Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150*

**65-00839B: Texas Eastern Transmission, L.P.** (PO Box 1642, Houston, TX 77251) on December 10, 2014, to allow temporary operation (if necessitated by unexpected loss of compression capacity or significant increase in demand, and only until electric compression capacity is restored) of the Frame 5 turbine and KVS-412 engines at the Delmont Compressor Station located in Salem Town-

ship, **Westmoreland County**. Temporary operation is also authorized to facilitate shakedown of the Titan 250 turbine and the plan approval expiration date has been changed to May 25, 2015.

**65-01027A: Leedsworld, Inc.** (400 Hunt Valley Road, New Kensington, PA 15068) on December 10, 2014, to extend the period of temporary operation of the logo printing facility located in Upper Burrell and Washington Townships, **Westmoreland County**. The new expiration date is July, 9, 2015.

**32-00428A: Creps United Publications, LLP** (1163 Water Street, Indiana, PA 15701) Extension effective December 13, 2014, to extend the period of temporary operation until June 13, 2015, for Creps United Publications, LLP's new commercial printing facility located in White Township, **Indiana County**.

**65-00101C: MAX Environmental Technologies, Inc.** (1815 Washington Road, Pittsburgh, PA 15241) Extension effective December 15, 2014, to extend the period of temporary operation of the electric arc furnace dust treatment system and dust collector authorized under plan approval PA-65-00101C until June 15, 2015, at the Yukon Facility located in South Huntingdon Township, **Westmoreland County**.

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

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

**10-079D: BNZ Materials** (191 Front Street, Zelienople, PA 16063) on December 11, 2014, effective December 31, 2014, will issue a plan approval extension for the reactivation of Kiln #3 and associated drying and finishing operations last operated during 2004 in Zelienople Borough, **Butler County**. This is a Title V facility.

**25-1034A: Emkey Gas Processing** (Concord Road, Union City, PA 16438) on December 11, 2014, effective December 31, 2014, will issue a plan approval extension for the construction of a 10 mmscf/d gas processing facility in Union City Township, **Erie County**. This is a State Only facility.

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

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

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

**56-00166: PBS Coals, Inc.** (1576 Stoystown Road, Friedens, PA 25541) On December 9, 2014, the Department renewed the Title V Operating Permit for the continued operation of a coal preparation plant, known as the Shade Creek Coal Preparation Plant, located in Shade Township, **Somerset County**.

The facility is a coal preparation plant. Coal is blended and crushed at this facility. The applicant can process bituminous coal through each of the processes at the maximum rates listed below. Coal brought to the site for processing is off-loaded from trucks. There are storage piles for coal refuse, as well as run of mine (ROM) and processed coal. These throughput rates are physical, not regulatory limitations. The coal throughput of the plant is

both mined at the site and delivered to the facility from other sites for processing. Coal breakers, screens, and raw coal transfer points are totally enclosed. Process coal transfer points are partially enclosed. Plant roads are swept and watered.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52 and 60 and PA Code Title 25, Article III, Chapters 121 through 145.

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

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**36-03037: New Enterprise Stone & Lime Co., Inc. dba Martin Limestone, Inc.** (PO Box 550, Blue Ball, PA 17506-0550) on December 3, 2014, for their stone crushing and concrete batch operations at the Kurtz Quarry in East Cocalico Township, **Lancaster County**. The State-only permit was renewed.

**36-05074: New Holland Custom Woodworking, LTD** (313 Prospect Street, PO Box 217, New Holland, PA 17557-0217) on December 10, 2014, for their wood furniture manufacturing facility in New Holland Borough, **Lancaster County**. The State-only permit was renewed.

**36-03051: McNeil Consumer Pharmaceuticals Co.** (1838 Colonial Village Lane, Lancaster, PA 17601-6700) on December 9, 2014, for the pharmaceutical manufacturing facility in East Lampeter Township, **Lancaster County**. The State-only permit was renewed.

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

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**34-03005: Energex American, Inc.** (95 Energex Drive, Mifflintown, PA 17059-7748) on December 9, 2014, for their wood pellet manufacturing facility in Walker Township, **Juniata County**. The State-only permit was administratively amended to incorporate the requirements of Plan Approval No. 34-03005E.

**01-03030: Cooperative Milling, Inc.** (1892 York Road, Gettysburg, PA 17325-8205) on December 8, 2014, for their animal feed mill in Straban Township, **Adams County**. The State-only permit underwent a minor modification to address the replacement of an existing grain elevator with a new grain cleaner and cyclone system in

Source 101. Also, the Forseberg crack corn separator will still be used, attached to the baghouse that is already listed in the permit.

**67-05056: Ardent Mills LLC** (2800 Black Bridge Road, York, PA 17406-9703) on December 10, 2014, for the flour mill in Manchester Township, **York County**. The State-only permit underwent a minor modification to modify the flour storage and loading system (Source 105) to include a new sifter and scale controlled by a new baghouse. This is a replacement of these units. The change is not expected to increase emissions from the facility.

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

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

**49-00012: Northumberland Terminal Corporation** (PO Box 2621, Harrisburg, PA 17105-2621), issued a modification of state only operating permit on September 30, 2014 for their facility located in Point Township, **Northumberland County**. This operating permit modification allows installation of a John Zink Model AAT-X-609-8-8-8-X vapor recovery unit as a backup control device for the gasoline/distillate loading operation. The modification limits the volatile organic compounds (VOCs) concentration of the effluent gas of the vapor recovery unit to not exceed 20 milligrams per liter of gasoline loaded, at any time and limits the throughput of gasoline-distillate to not exceed 1,176,000 gallons per day. The modification also requires to stack test the vapor recovery unit within 180 days of operation to verify compliance with the VOCs emissions limit of 20 milligrams per liter.

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

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

**65-00207: OMNOVA Solutions, Inc.—Jeannette Plant** (1001 Chambers Ave. Jeannette, PA 15644-3207) on December 10, 2014, to issue an administrative amendment to the Title V Operating Permit for the operation of a plastic film plant in the City of Jeannette, **Westmoreland County**. The amendment incorporated the change of Responsible Official. All sources, control devices, and conditions remain the same as in the previous issued operating permit.

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**14-00022: State College Area School District** (131 West Nittany Avenue, State College, PA 16801-4899), terminated State Only (Natural Minor) operating permit on December 11, 2014, for their high school facility located in State College Borough, **Centre County**. The facility's air contaminant emissions are below all Air Quality Program permitting limits.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).**

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*Coal Permits Issued*

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

**65130702 (formerly 65881701) and NPDES No. PA0214116. Consol Mining Company LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the Hutchinson AMD Plant in Sewickley Township, **Westmoreland County** for post-mining water treatment. No additional discharges. The application was considered administratively complete on August 5, 2013. Application received on June 27, 2013. Permit issued on December 8, 2014.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 32130106 and NPDES No. PA0269344. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, commencement, operation, and restoration of a bituminous surface mine in Montgomery Township, **Indiana County** affecting 61.9 acres. Receiving streams: Kilns Run and unnamed tributaries to Cush Cushion Creek to the west branch of the Susquehanna River classified for the following uses: cold water fisheries, high quality cold water fisheries and warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: January 21, 2014. Permit issued: November 25, 2014.

**Permit No. 56080103 and NPDES No. PA0262617. AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit renewal for the continued operation and restoration of a bituminous surface mine in Milford Township, **Somerset County**, affecting 105.5 acres. Receiving streams: unnamed tributaries to and South Glad Creek to the Casselman River to the Youghiogheny River classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 18, 2014. Permit issued: December 2, 2014.

**Permit No. 56090104 and NPDES No. PA0262749. Rosebud Mining Co.**, 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley

Township, **Somerset County**, affecting 60 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 6, 2014. Permit issued: December 5, 2014.

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

**17130106 and NPDES PA0269620. Horton Coal Company, LLC** (446 Wm Cemetery Road, Curwensville, PA 16833). Commencement, operation, and restoration of a bituminous surface and noncoal (topsoil, shale and/or sandstone) mine located in Bloom Township, **Clearfield County** affecting 16.0 acres. Receiving stream: Unnamed Tributary to Anderson Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 12, 2014. Permit issued: December 8, 2014.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**Permit No. 54851603R5 and NPDES Permit No. PA0592897. Carbon & Metal Technologies, LLC**, (821 Westwood Avenue, Staten Island, NY 10314), renewal of an existing anthracite coal preparation plant operation and NPDES Permit for discharge of treated mine drainage in Huble Township, **Schuylkill County** affecting 23.6 acres, receiving stream: Pine Creek. Application received: May 9, 2011. Renewal issued: December 10, 2014.

**Permit No. 54830207R6. Blaschak Coal Corp.**, (PO Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite surface mine, coal refuse reprocessing and preparation plant operation in Mahanoy Township, **Schuylkill County** affecting 280.0 acres, receiving stream: Mahanoy Creek. Application received: January 17, 2014. Renewal issued: December 10, 2014.

**Permit No. 54830207GP104R. Blaschak Coal Corp.**, (PO Box 12, Mahanoy City, PA 17948), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54830207 in Mahanoy Township, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: January 17, 2014. Renewal issued: December 10, 2014.

**Permit No. 54-305-001GP12R2. Blaschak Coal Corp.**, (PO Box 12, Mahanoy City, PA 17948), renewal of general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54830207 in Mahanoy Township, **Schuylkill County**. Application received: January 17, 2014. Renewal issued: December 10, 2014.

#### 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.

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

ESCP 2 # ESG 00000140001

Applicant Name Enterprise Products Operating, LLC

Contact Person Mike Brown

Address 9240 Sam Houston Pkwy N

City, State, Zip Houston, TX 77064-6317

County Cameron, Clearfield, Clinton, Elk, Potter & Tioga Township(s) Various Townships

Receiving Stream(s) and Classification(s) **Cameron**

**County**—Trib 24529 of Sanders Draft, HQ-CWF;

Laurel Draft, HQ-CWF; Trib 24045 to White Oak Draft,

HW-CWF; White Oak Draft, HQ-CWF; Right Fork

Beaverdam Run, EV; Red Run, HQ-CWF; Trib 24529 of

Sanders Draft, HQ-CWF; Trib 24529 of Sanders Draft,

HQ-CWF; Trib 24531 of Sanders Draft, HQ-CWF; Trib

24531 of Sanders Draft, HQ-CWF; Trib 24531 of Sand-

ers Draft, HQ-CWF; Trib 24531 of Sanders Draft,

HQ-CWF; Laurel Draft, HQ-CWF; Laurel Draft, HQ-

CWF; Sinnemahoning Creek, WWF; Sinnemahoning

Creek, WWF; Sinnemahoning Creek, WWF; Sin-

nemahoning Creek, WWF; Sinnemahoning Creek,

WWF; Left Fork Grove Run, HQ-CWF; Pepperhill Run,

HQ-CWF; Joes Run, HQ-CWF; First Fork Sinnemahon-

ing Creek, HQ-TSF; First Fork Sinnemahoning Creek,

HQ-TSF; First Fork Sinnemahoning Creek, HQ-TSF;

First Fork Sinnemahoning Creek, HQ-TSF; First Fork

Sinnemahoning Creek, HQ-TSF; Short Bend Run, HQ-

CWF; Trib 24097 to Short Bend Run, HQ-CWF; Trib

24097 to Short Bend Run, HQ-CWF; Trib 27028 to

Whisky Run, CWF;

**Clearfield County**—Lost Run, HQ-CWF; Trib 26776

to Curry Run, CWF; Trib 26776 to Curry Run, CWF;

Irish Run, CWF; Trib 26770 to Irish Run, CWF; Trib

26770 to Irish Run, CWF; Laurel Branch Run, HQ-

CWF; Laurel Branch Run, HQ-CWF; Trib 26694 to

Little Anderson Creek, CWF; Trib 26694 to Little

Anderson Creek, CWF; Little Anderson Creek, CWF;

Little Anderson Creek, CWF; Little Anderson Creek,

CWF; Little Anderson Creek, CWF; Trib 26688 to Little

Anderson Creek, CWF; Trib 26707 to Coupler Run,

HQ-CWF; Anderson Creek, HQ-CWF; Trib to Lick Run,

HQ-CWF; Stone Run, HQ-CWF; Trib 26074 to Trout

Run, HQ-CWF; Trib 26074 to Trout Run, HQ-CWF;

Trib 26068 to Roberts Run, HQ-CWF; Trib 24804 to

Medix Run, HQ-CWF; McNerney Run, HQ-CWF; Trib

25691 of Mosquito Creek, HQ-CWF; Trib 25691 of

Mosquito Creek, HQ-CWF; Clover Run, HQ-CWF; Clo-

ver Run, HQ-CWF; Clover Run, HQ-CWF; Curry Run,

CWF; Curry Run, CWF; Irish Run, CWF; Trib to 26770

to Irish Run, CWF; Trib to 26770 to Irish Run, CWF;

Irish Run, CWF; Trib 26688 to Little Anderson Creek,

CWF; Trib to Stony Run, HQ-CWF; Trib 26103 to Lick



Run, HQ-CWF; Trib 26103 to Lick Run, HQ-CWF; Trib 26065 to Trout Run, HQ-CWF; Trout Run, HQ-CWF; Trout Run, HQ-CWF; Trib 25661 to Gifford Run, HQ-CWF;

**Clinton County**—Right Fork Beaverdam Run, EV; Wykoff Branch, EV; Greene Branch, EV; Greene Branch, EV; Greene Branch, EV;

**Potter County**—Little Kettle Creek, EV;

**Tioga County**—Long Run, CWF; Blair Creek, WWF; Crooked Creek, WWF; Trib 31265 to Crooked Creek, WWF; Losey Creek, WWF; Losey Creek, WWF; Thorn-bottom Creek, WWF; Trib 31010 to Cummings Creek, WWF; Pine Creek, EV; Trib 22002 to Bloody Run, HQ-CWF; Pine Creek, EV; Pine Creek, EV; Trib 21947 to Shin Hollow, HQ-CWF; Pine Creek, EV; Trib 31014 to Cummings Creek, WWF; Pine Creek, EV; Pine Creek, EV.

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-2 #ESX14-019-0065—Bloom to Michael Pipeline Project

Applicant MarkWest Liberty Bluestone, LLC

Contact Mr. Rick Lowry

Address 4600 J. Barry Court, Suite 500

City Canonsburg State PA Zip Code 15317

County Butler Township(s) Connoquenessing(s)

Receiving Stream(s) and Classification(s) Unnamed Tributaries to Little Connoquenessing Creek/Little Connoquenessing Creek Watershed

ESCGP-2 #ESX14-031-0002—Huey Pipeline Project

Applicant EQT Production Company

Contact Mr. Todd Klaner

Address 455 Racetrack Road, Suite 101

City Washington State PA Zip Code 15301

County Clarion Township(s) Toby(s)

Receiving Stream(s) and Classification(s) UNT 49289, 49290, 64183, to Cherry Run, UNT to Little Licking Creek, and UNT 48110 to Wild Cat Run CWF

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX29-115-14-0111

Applicant Name Cabot Oil & Gas

Contact Person Kenneth Marcum

Address 5 Penn Center West, Suite 401

City, State, Zip Pittsburgh, PA 15276

County Susquehanna County

Township(s) Harford Township

Receiving Stream(s) and Classification(s) Sterling Brook, Partners Creek (CWF);

Secondary: Tunkhannock Creek (CWF)

ESCGP-2 # ESX12-117-0037(2)

Applicant Name SWEPI LP

Contact Person Jason Shoemaker

Address 2100 Georgetown Drive, Suite 400

City, State, Zip Sewickley, PA 15143

County Tioga County

Township(s) Richmond Township

Receiving Stream(s) and Classification(s) UNT to Canoe Camp Creek (CWF/MF);

Secondary: Canoe Camp Creek

ESCGP-2 # ESX29-115-14-0109

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Susquehanna County

Township(s) Auburn Township

Receiving Stream(s) and Classification(s) UNT Tuscarora Creek (CWF/MF);

Secondary: Tuscarora Creek (CWF/MF)

ESCGP-2 # ESG29-113-14-0023

Applicant Name Southwestern Energy Production Co.

Contact Person Dave Sweeley

Address 917 State Route 92 North

City, State, Zip Tunkhannock, PA 18657

County Sullivan County

Township(s) Colley Township

Receiving Stream(s) and Classification(s) Pigeon Creek (CWF/MF, NRT);

Secondary: Loyalsock Creek (CWF/MF, NRT)

ESCGP-2 # ESX29-115-14-0105

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Susquehanna County

Township(s) Auburn Township

Receiving Stream(s) and Classification(s) Tuscarora Creek (CWF/MF);

Secondary: Susquehanna River (WWF/MF)

ESCGP-2 # ESX12-015-0157 (01)

Applicant Name Talisman Energy USA, Inc.

Contact Person Joseph Katruska

Address 50 Pennwood Drive

City, State, Zip Warrendale, PA 15086

County Bradford County

Township(s) Windham Township

Receiving Stream(s) and Classification(s) Babcock Run (CWF/MF)

[Pa.B. Doc. No. 14-2687. Filed for public inspection December 26, 2014, 9:00 a.m.]

## Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

*Draft Technical Guidance: Substantive Revisions*

**DEP ID:** 563-2000-301. **Title:** Use of Reclamation Fill at Active Noncoal Sites. **Description:** This guidance describes the process of and conditions in which the Department may permit the use of certain fill materials (deemed "Reclamation Fill") obtained from an off-site source in the reclamation plan of an active noncoal mine site. This revised version, drafted in cooperation with the Pennsylvania Aggregate and Concrete Association, replaces the previously published version. Changes were made to Appendix A. After consultation with the Department's Land Recycling Program, the derived tables were replaced with references to the Statewide Health Standards tables in 25 Pa. Code Chapter 250 (relating to administration of land recycling program).

**Written Comments:** Interested persons may submit written comments on this draft technical guidance document by January 26, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail must include the originator's name and address. Written comments should be submitted to Sharon Hill, Department of Environmental Protection, Bureau of Mining Programs, Rachel Carson State Office Building, P. O. Box 8461, Harrisburg PA 17105-8461, shill@pa.gov.

**Contact:** Sharon Hill, (717) 787-6842, shill@pa.gov.

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

**DEP ID:** 563-2112-115. **Title:** Developing National Pollutant Discharge Elimination system (NPDES) Permits for Mining Activities. **Description:** This guidance is being revised to amend Appendix A: Mining Effluent Characterization Table: the "small business exemption" was removed as it is not applicable to the Table IV column, and submittal differences between Coal and Noncoal permit requirements are clarified in Table III column. These changes were prompted through communication with the United States Environmental Protection Agency.

**Written Comments:** Interested persons may submit written comments on this draft technical guidance document by January 26, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Sharon Hill, Department of Environmental Protection, Rachel Carson State Office Building, P. O. Box 8461, Harrisburg, PA 17105-8461, shill@pa.gov.

**Contact:** Sharon Hill (717) 787-6842, shill@pa.gov.

**Effective Date:** Upon publication as final in the *Pennsylvania Bulletin*.

DANA K. AUNKST,  
Acting Secretary

[Pa.B. Doc. No. 14-2688. Filed for public inspection December 26, 2014, 9:00 a.m.]

**Board and Committee Meeting Schedules for 2015**

The following is a list of 2015 meetings of advisory and other boards and committees associated with the Department of Environmental Protection (Department). These schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keywords: Public Participa-

tion, Participate). Prior to each meeting, the Department encourages individuals to visit its web site to confirm meeting date, time and location.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the individual listed for each board or committee, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

*Aggregate Advisory Board*

The Aggregate Advisory Board meetings for 2015 have not yet been scheduled. Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

**Contact:** Daniel Snowden, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA 17101, (717) 787-5103, dsnowden@pa.gov.

*Agricultural Advisory Board*

The Agricultural Advisory Board meetings for 2015 have not yet been scheduled. Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

**Contact:** Steven Taglang, Bureau of Conservation and Restoration, P. O. Box 8555, Harrisburg, PA 17105, (717) 783-7577, staglang@pa.gov.

*Air Quality Technical Advisory Committee*

The Air Quality Technical Advisory Committee will meet from 9:15 a.m. until 3 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 12, 2015  
April 16, 2015  
June 11, 2015  
August 6, 2015  
October 8, 2015  
December 10, 2015

**Contact:** Nancy Herb, Bureau of Air Quality, 400 Market Street, Harrisburg, PA 17101, (717) 783-9269, nherb@pa.gov.

*Board of Coal Mine Safety*

The Board of Coal Mine Safety will meet from 10 a.m. until 12 p.m. at the Department's Cambria Office, 286 Industrial Park Road, Ebensburg, PA. The meeting dates are as follows:

March 10, 2015  
June 9, 2015  
September 8, 2015  
December 8, 2015

**Contact:** Allison Gaida, Bureau of Mine Safety, New Stanton District Mining Office, 131 Broadview Road, New Stanton, PA 15672, (724) 404-3147, agaida@pa.gov.

*Certification Program Advisory Committee*

The Certification Program Advisory Committee will meet from 9 a.m. until 12 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 11, 2015  
May 28, 2015

Notices for additional meetings will be published in the future.

*Contact:* Cheri Sansoni, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101, (717) 772-5158, csansoni@state.pa.us.

*Chesapeake Bay Management Team*

The Chesapeake Bay Management Team will meet from 9:30 a.m. until 12 p.m. in the Susquehanna Conference Rooms A and B, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA. The meeting date is as follows:

January 29, 2015

*Contact:* Rhonda Manning, Interstate Waters Office, 400 Market Street, Harrisburg, PA 17101, (717) 772-4472, rmanning@pa.gov.

*Citizens Advisory Council*

The Citizens Advisory Council (CAC) will meet from 10 a.m. until 2 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. CAC does not meet in August and December. The meeting dates are as follows:

January 21, 2015

(Wednesday due to Inauguration Day on January 20, 2015)

February 17, 2015

March 17, 2015

April 21, 2015

May 20, 2015

(Wednesday due to Pennsylvania Primary Election on May 19, 2015)

June 16, 2015

July 21, 2015

September 15, 2015

October 20, 2015

November 17, 2015

*Contact:* Michele Tate, Executive Director, Citizens Advisory Council, P. O. Box 8459, Harrisburg, PA 17105-8459, (717) 783-2300, mtate@pa.gov.

*Cleanup Standards Scientific Advisory Board*

The Cleanup Standards Scientific Advisory Board will meet from 9 a.m. until 4 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

April 22, 2015

August 26, 2015

December 16, 2015

*Contact:* Mike Maddigan, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17101, (717) 772-3609, mmaddigan@pa.gov.

*Climate Change Advisory Committee*

The Climate Change Advisory Committee will meet from 10 a.m. until 3 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted. The meeting dates are as follows:

January 6, 2015

February 6, 2015

April 21, 2015\*

June 9, 2015

August 18, 2015\*

October 2, 2015\*

December 4, 2015

\* Meetings will be held in the 12th Floor Conference Room

*Contact:* Mark Brojakowski, Bureau of Air Quality, 400 Market Street, Harrisburg, PA 17101, (717) 772-3429, mbrojakows@pa.gov.

*Coal and Clay Mine Subsidence Insurance Fund Board*

Meetings are scheduled on an as-needed basis; there are no meetings scheduled for 2015.

*Contact:* Lawrence Ruane, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA 17101, (717) 783-9590, lruane@pa.gov.

*Coastal Zone Advisory Committee*

The Coastal Zone Advisory Committee will meet from 9:30 a.m. until 12 p.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 14, 2015

June 3, 2015

*Contact:* Stacey Box, Interstate Waters Office, 400 Market Street, Harrisburg, PA 17101, (717) 772-5622, sbox@pa.gov.

*Environmental Justice Advisory Board*

The Environmental Justice Advisory Board will meet from 8:30 a.m. until 2:30 p.m. in the Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 5, 2015 (Weather date: February 24, 2015)

May 19, 2015

August 4, 2015

November 5, 2015

*Contact:* Kimberly Morewood, Office of Environmental Advocate, 400 Market Street, Harrisburg, PA 17101, (717) 783-9731, kmorewood@pa.gov.

*Environmental Quality Board*

The Environmental Quality Board will meet from 9 a.m. until 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Meetings will only be held when there are a sufficient number of agenda items for consideration. The meeting dates are as follows:

February 17, 2015

March 17, 2015

April 21, 2015

May 20, 2015

(Wednesday due to Pennsylvania Primary Election on May 19, 2015)

June 16, 2015

July 21, 2015

August 18, 2015

September 15, 2015

October 20, 2015

November 17, 2015

December 15, 2015

*Contact:* Laura Edinger, Environmental Quality Board, 400 Market Street, Harrisburg, PA 17101, (717) 772-3277, ledinger@pa.gov.

*Laboratory Accreditation Advisory Committee*

The Laboratory Accreditation Advisory Committee will meet from 9 a.m. until 12 p.m. in the Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA. The meeting dates are as follows:

March 11, 2015

June 24, 2015

September 30, 2015

December 2, 2015

*Contact:* Aaren Alger, Bureau of Laboratories, 2575 Interstate Drive, Harrisburg, PA 17110, (717) 346-7200, aalger@pa.gov.

*Low-Level Waste Advisory Committee*

The Low-Level Waste Advisory Committee will meet from 10 a.m. until 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

October 2, 2015

*Contact:* Rich Janati, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA 17101, (717) 787-2147, rjanati@pa.gov.

*Mine Families First Response and Communications Advisory Council*

The Mine Families First Response and Communications Advisory Council will meet from 10 a.m. until 12 p.m. in the Fayette Room, Department of Environmental Protection, New Stanton Office, 131 Broadview Road, New Stanton, PA. The meeting date is as follows:

April 29, 2015

*Contact:* Allison Gaida, Bureau of Mine Safety, Department of Environmental Protection, New Stanton Office, 131 Broadview Road, New Stanton, PA 15672, (724) 404-3147, agaida@pa.gov.

*Mining and Reclamation Advisory Board*

The Mining and Reclamation Advisory Board will meet from 10 a.m. until 12 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted. The meeting dates are as follows:

January 22, 2015\*

April 23, 2015

July 9, 2015\*\*

October 22, 2015

\* Meeting will be held in the 12th Floor Conference Room

\*\* Meeting will be held at a District Mining Office (to be determined)

*Contact:* Daniel Snowden, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA 17101, (717) 787-5103, dsnowden@pa.gov.

*Oil and Gas Technical Advisory Board*

The Oil and Gas Technical Advisory Board will meet from 10 a.m. until 2 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 22, 2015

March 5, 2015

Additional meeting dates in 2015 will be scheduled through action of the Oil and Gas Technical Advisory Board as needed to consider Department regulations and guidance. The Department will provide notice of additional meeting dates as they are scheduled.

*Contact:* Kurt Klapkowski, Bureau of Oil and Gas Planning and Program Management, 400 Market Street, Harrisburg, PA 17101, (717) 772-2199, kklapkowski@pa.gov.

*Pennsylvania Energy Development Authority*

The Pennsylvania Energy Development Authority board meetings for 2015 have not yet been scheduled. Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

*Contact:* Dave Althoff, Office of Pollution, Prevention and Energy Assistance, 400 Market Street, Harrisburg, PA 17101, (717) 783-8411, dalthoff@pa.gov.

*Radiation Protection Advisory Committee*

The Radiation Protection Advisory Committee will meet from 9 a.m. until 3 p.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

April 2, 2015

June 4, 2015

September 24, 2015

*Contact:* Joseph Melnic, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA 17101, (717) 783-9730, jmelnic@pa.gov.

*Recycling Fund Advisory Committee*

The Recycling Fund Advisory Committee will meet from 10 a.m. until 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

September 24, 2015

(joint meeting with Solid Waste Advisory Committee)

*Contact:* Keith Ashley, Bureau of Waste Management, 400 Market Street, Harrisburg, PA 17101, (717) 787-2553, riashley@pa.gov.

*Sewage Advisory Committee*

The Sewage Advisory Committee will meet at 10:30 a.m. until 12 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 24, 2015

September 22, 2015

*Contact:* John Diehl, Bureau of Point and Non-Point Source Management, 400 Market Street, Harrisburg, PA 17101, (717) 783-2941, jdiehl@pa.gov.

*Small Business Compliance Advisory Committee*

The Small Business Compliance Advisory Committee will meet from 10 a.m. until 12 p.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 28, 2015

April 22, 2015

July 22, 2015

October 28, 2015

*Contact:* Susan Foster, Bureau of Air Quality, 400 Market Street, Harrisburg, PA 17101, (717) 787-7019, sufoster@pa.gov.

*Small Water Systems Technical Assistance Center Board*

The Small Water Systems Technical Assistance Center Board will meet from 9 a.m. until 3 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 19, 2015

June 30, 2015

September 17, 2015

December 17, 2015

*Contact:* H. Thomas Fridirici, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101, (717) 787-2172, hfridirici@pa.gov.

*Solid Waste Advisory Committee*

The Solid Waste Advisory Committee will meet from 10 a.m. until 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 15, 2015

April 2, 2015

June 4, 2015

September 24, 2015

(joint meeting with Recycling Fund Advisory Committee)

*Contact:* Keith Ashley, Bureau of Waste Management, 400 Market Street, Harrisburg, PA 17101, (717) 787-2553, riashley@pa.gov.

*State Board for Certification of Sewage Enforcement Officers*

The State Board for Certification of Sewage Enforcement Officers will meet from 10 a.m. until 12 p.m. in Conference Room 11B, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 18, 2015

June 24, 2015

September 23, 2015

December 16, 2015

*Contact:* Kristen Szwajkowski, Bureau of Point Non-Point Source Management, 400 Market Street, Harrisburg, PA 17101, (717) 772-2186, kszwajkows@pa.gov.

*State Board for Certification of Water and Wastewater System Operators*

The State Board for Certification of Water and Wastewater Systems Operators will meet from 10 a.m. until 12 p.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 11, 2015

April 15, 2015

June 17, 2015

August 12, 2015

October 29, 2015

December 10, 2015

*Contact:* Cheri Sansoni, Bureau of Safe Drinking Water, Operator Certification, 400 Market Street, Harrisburg, PA 17101, (717) 772-5158, csansoni@pa.gov.

*Storage Tank Advisory Committee*

The Storage Tank Advisory Committee will meet from 10 a.m. until 12 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted. The meeting dates and locations are as follows:

March 3, 2015

June 2, 2015\*

September 1, 2015

December 8, 2015

\* Meeting will be held in the 14th Floor Conference Room

*Contact:* Charles M. Swokel, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17101, (717) 772-5806 or (800) 428-2657 (42-TANKS) within this Commonwealth, cswokel@pa.gov.

*Technical Advisory Committee on Diesel-Powered Equipment*

The Technical Advisory Committee on Diesel-Powered Equipment will meet from 10 a.m. until 12 p.m. in the Westmoreland Room, Department of Environmental Protection, New Stanton Office, 131 Broadview Road, New Stanton, PA. The meeting dates are as follows:

January 14, 2015

April 8, 2015

July 8, 2015

October 14, 2015

*Contact:* Allison Gaida, Bureau of Mine Safety, Department of Environmental Protection, New Stanton Office, 131 Broadview Road, New Stanton, PA 15672, (724) 404-3147, agaida@pa.gov.

*Water Resources Advisory Committee*

The Water Resources Advisory Committee will meet from 9:30 a.m. until 12 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 18, 2015

August 12, 2015

Notices for additional meetings will be published in the future.

*Contact:* Sean Gimbel, Office of Water Management, 400 Market Street, Harrisburg, PA 17101, (717) 783-4693, sgimbel@pa.gov.

DANA K. AUNKST,  
*Acting Secretary*

[Pa.B. Doc. No. 14-2689. Filed for public inspection December 26, 2014, 9:00 a.m.]

**Pennsylvania Alternative Fuels Incentive Grant Program; Availability of Rebates**

The Department of Environmental Protection (Department) announces the continued availability of grants to Commonwealth residents under Pennsylvania's Alternative Fuel Vehicle Rebate Program (program). The program, administered by the Department through the 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 operated primarily within this Commonwealth. Rebates 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; original equipment manufacturer (OEM)/certified retrofit only.
- \$1,000 rebate for a propane fueled vehicle; OEM/certified retrofit only.
- \$1,000 rebate for a hydrogen 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 a limited number of rebates left at \$2,000. The rebate program offered will be reassessed upon payment of the first 500 rebates at \$2,000 or June 30, 2015, whichever occurs first. 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](http://www.dep.state.pa.us) (Keyword: Alternative Fuel Vehicle Rebates).

DANA K. AUNKST,  
*Acting Secretary*

[Pa.B. Doc. No. 14-2690. Filed for public inspection December 26, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Butler Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Butler 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: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 2.2-3.12.2.2(2), 2.2-3.12.6.10(2) and 4-7.5.2(a) (relating to clearances; hand-washing stations; and bronchoscopy).

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](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-2691. Filed for public inspection December 26, 2014, 9:00 a.m.]

### Emergency Medical Services Operating Fund Funding Priorities for Fiscal Year 2014-2015

Under 28 Pa. Code §§ 1021.24 and 1021.25 (relating to use of EMSOF funding by a regional EMS council; and allocation of EMSOF funds to regional EMS councils), the Department of Health (Department) gives notice of priorities for the distribution by the regional emergency medical services (EMS) councils of funding from the Emergency Medical Services Operating Fund (EMSOF) for the fiscal year beginning July 1, 2014, and ending June 30, 2015.

EMSOF moneys are to be used to provide funding to maintain, improve and develop the quality of the EMS system within this Commonwealth. The Department finds that EMSOF is not sufficient to fully fund the EMS system. Therefore, it gives notice, under 28 Pa. Code § 1021.24(e), that recipients of EMSOF funding from regional EMS councils may be required to provide matching funds toward all purchases, acquisitions and projects for which the Department permits the use of EMSOF moneys.

The funding priorities, requirements and criteria established for Fiscal Year (FY) 2013-2014 as published at 43 Pa.B. 3062 (June 1, 2013) remain in effect for FY 2014-2015.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact George Aupperlee, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 787-8740. Speech or hearing impaired persons may use V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-2692. Filed for public inspection December 26, 2014, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

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

Maplewood Nursing and Rehabilitation Center  
125 West Schoolhouse Lane  
Philadelphia, PA 19144  
FAC ID # 033002

Silver Lake Center  
905 Tower Road  
Bristol, PA 19007  
FAC ID # 131902

Towne Manor West  
205 East Johnson Highway  
Norristown, PA 19401  
FAC ID # 124302

Tucker House Nursing and Rehabilitation Center  
1001-11 Wallace Street  
Philadelphia, PA 19123  
FAC ID # 369402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Harmony Physical Rehabilitation  
4365 Northern Pike  
Monroeville, PA 15146  
FAC ID # 24280201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a) (relating to utility room):

Harmony Physical Rehabilitation  
4365 Northern Pike  
Monroeville, PA 15146  
FAC ID # 24280201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Harmony Physical Rehabilitation  
4365 Northern Pike  
Monroeville, PA 15146  
FAC ID # 24280201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

Cross Keys Village—The Brethren Home Community  
P. O. Box 128, 2990 Carlisle Pike  
New Oxford, PA 17350-0128  
FAC ID # 022502

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-2693. Filed for public inspection December 26, 2014, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Additional Class of Disproportionate Share Hospital Payments

The Department of Human Services (Department) is announcing its intent to increase funding for acute care general hospitals that serve the indigent population of cities in this Commonwealth with an average per capita income significantly below the Statewide average. These payments are intended to provide additional financial support to hospitals providing inpatient hospital services and that serve an inordinate amount of low-income individuals and Medical Assistance (MA) beneficiaries in impoverished areas of this Commonwealth. The Department intends to increase funding from Fiscal Year (FY) 2013-2014. There will be no change in the current qualifying criteria or payment methodology for these payments.

#### *Fiscal Impact*

The FY 2014-2015 impact is \$10.355 million (\$4.989 million in State general funds).

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, Attention, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-930. (1) General Fund; (2) Implementing Year 2014-15 is \$4,989,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$163,862,000; 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000; (7) MA—Inpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-2694. Filed for public inspection December 26, 2014, 9:00 a.m.]

### Availability of Amendments to the Office of Long-Term Living's OBRA Waiver; Additional Amendments to the Aging and Attendant Care Waivers; Renewal of the Community Care (CommCare) Waiver and Independence Waiver; and Accompanying Home and Community-Based Settings Transition Plans for the CommCare and OBRA Waivers; Correction

An error occurred in the notice published at 44 Pa.B. 7966, 7967 (December 20, 2014). An incorrect web site address was provided under the "Transition Plans" and "Dates, Times and Information to Participate in the

Webinars” headings. The correct web site address is <http://www.dhs.state.pa.us/dhsorganization/officeoflongtermliving/index.htm>.

[Pa.B. Doc. No. 14-2695. Filed for public inspection December 26, 2014, 9:00 a.m.]

### Nonpayment of Unloaded Ground or Air Ambulance Mileage

The Department of Human Services (Department) is announcing that it will no longer pay ambulance providers for unloaded ground or air ambulance mileage, effective with dates of service on and after December 28, 2014.

#### Discussion

As a result of a State Plan submission and discussions with the Centers for Medicare and Medicaid Services (CMS), CMS advised the Department that Federal Financial Participation is not allowed for unloaded ground or air ambulance mileage.

Effective with dates of service on or after December 28, 2014, the Department will no longer pay ambulance providers for unloaded ground or air ambulance mileage. The Department will continue to pay for loaded ground or air ambulance mileage at the rate listed on the Medical Assistance (MA) Program Fee Schedule.

The Department will issue an MA Bulletin to provide further information to ambulance providers regarding the discontinuance of payment for unloaded ground or air ambulance mileage.

#### Fiscal Impact

This change is anticipated to result in minimal savings.

#### Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the MA Program Fee Schedule.

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-931. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-2696. Filed for public inspection December 26, 2014, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Interest Rate Notice

Under the provisions of sections 806 and 806.1 of the act of April 9, 1929 (P.L. 343, No. 176), known as the Fiscal Code, the Secretary of Revenue announces that, for the calendar year commencing January 1, 2015, 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 act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Code of 1971, 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, 2015. 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 the provisions of section 6621(a)(2) of the Internal Revenue Code to be effective January 1, 2015.

Although the Tax Reform Act of 1986 amended the Internal Revenue Code section 6621, 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 Pennsylvania law. The Fiscal Code, as herein cited, 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. 14-2697. Filed for public inspection December 26, 2014, 9:00 a.m.]

### MONOPOLY MILLIONAIRES' CLUB Terminal-Based Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the suspension of the MONOPOLY MILLIONAIRES' CLUB terminal-based lottery game published at 44 Pa.B. 6722 (October 18, 2014); and amended at 44 Pa.B. 7252 (November 15, 2014). Sales of MONOPOLY MILLIONAIRES' CLUB game tickets will be suspended after 10:15 p.m. eastern prevailing time December 26, 2014.

In accordance with section 8(d) of the game rules (relating to prizes available to be won and determination of prize winners), which appeared at 44 Pa.B. 6722—6729, the Secretary of Revenue hereby announces that in the event no ticket is sold containing the winning numbers necessary to claim the Top Prize for the MONOPOLY MILLIONAIRES' CLUB drawing to take place on December 26, 2014, the distribution of remaining prize money will be determined by the Product Group and the determination will be posted to the Lottery's publically accessible website.

In accordance with section 11(c) of the game rules (relating to MONOPOLY MILLIONAIRES' CLUB TV Game Show), which appeared at 44 Pa.B. 7252—7253, the Secretary of Revenue hereby announces that the procedure for awarding drawing entries, the entry periods and drawing dates for remaining MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings will be posted to the Lottery's publically accessible website.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-2698. Filed for public inspection December 26, 2014, 9:00 a.m.]



# DEPARTMENT OF TRANSPORTATION

## Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles (Bureau), under 75 Pa.C.S. § 3368 (relating to speed timing devices), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following: electronic speed-timing devices (radar); electronic speed-timing devices (nonradar), which measure elapsed time between measured road surface points by using two sensors; and electronic speed-timing devices (nonradar), which calculate average speed between any two points.

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing devices (radar) when used in the stationary mode only:

(1) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(2) Falcon HR Hand-held model. Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(3) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(4) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(5) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(6) KR-10SP, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(7) Pro 1000(DS), Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(8) Genesis-I. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company 3433 East Wood Street, Phoenix, AZ 85040.

(9) Genesis-II Select. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(10) Genesis GHS Hand-held model. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(11) Genesis GHD Hand-held model. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(12) Genesis GVP-D battery operated Hand-held model. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(13) Raptor RP-1. Manufactured by Kustom Signals Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(14) Scout Handheld. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(15) Stalker Dual. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(16) Stalker Dual SL. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(17) Stalker Dual DSR. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(18) Stalker Basic. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(19) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, PA 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, RD 2, Hallstead, PA 18822.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, PA 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, MN 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, RD 2, Hallstead, PA 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(7) Enradd, Model EJU-91. Manufactured by Y.I.S. Incorporated, 1100 North Hartley Street, York, PA 17404.

(8) Enradd, Model EJU-91 with Non-Contact Road Switch System. Manufactured by Y.I.S. Incorporated, 1100 North Hartley Street, York, PA 17404.

(9) Enradd, Model EJU-91 Wireless System. Manufactured by Y.I.S. Incorporated, 1100 North Hartley Street, York, PA 17404.

Under 75 Pa.C.S. § 3368(c)(1) and (3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code Chapter 105 (relating to mechanical, electrical and electronic speed-timing devices). The Department issues an approved speed-timing device certificate for the device, as required under 67 Pa. Code § 105.72 (relating to equipment approval procedure). The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy, which was issued within 60 days of the citation, and an approved speed-timing device certificate issued by the Bureau.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which calculate average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(3) VASCAR-plus III. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(4) VASCAR-plus IIIc. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(5) V-SPEC. Manufactured by Y.I.S. Incorporated, 1100 North Hartley Street, York, PA 17404.

(6) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

The Department, under 75 Pa.C.S. § 3368(d), has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for radar devices, which may only be used by members of the State Police:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969. (Appointed: 12/22/01, Station R8).

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, PA 17111-4511. (Appointed: 01/27/97, Station R2).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063. (Appointed: 08/15/03, Station R11).

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, PA 18103. (Appointed: 09/19/96, Station R9).

Wisco Calibration Services, Inc., 820 Washington Boulevard, Pittsburgh, Allegheny County, PA 15206. (Appointed: 07/14/99, Station R10).

Y.I.S. Inc., 1100 North Hartley Street, York, York County, PA 17404. (Appointed: 01/14/75, Station R3).

Y.I.S./Cowden Group, Inc., 1100 North Hartley Street, York, York County, PA 17404. (Appointed: 8/20/04 Station R12).

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, PA 16501. (Appointed: 03/25/93, Station S39). Device—Maxwell Dynamometer.

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 11/25/63, Station S19). Devices—Mustang Dynamometer, Davidheiser Storage Generator Speedometer Calibrator Mile-O-Meter.

George's Garage, 868 Providence Road, Scranton, Lackawanna County, PA 18508. (Appointed: 04/15/98, Station S8). Device—Clayton Dynamometer.

K & M Automotive Electric Service, 1004 24th Street, Beaver Falls, Beaver County, PA 15010. (Appointed: 11/13/67, Station S23). Device—Allen Eco-Trac Dynamometer.

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317. (Appointed: 01/03/84, Station S7). Devices—Speed-Master Quartz Speedometer Tester, Stewart Warner Strobetachometer.

Maruti Auto Service Inc., 4030 New Falls Road, Bristol, Bucks County, PA 19007. (Appointed 11/4/2008, Station S11). Device—Maha Snap-On Dynamometer.

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, PA 17601—Also authorized to use mobile units. (Appointed: 06/09/97, Station S82). Device—YIS, Inc. Electronic Mile-O-Meter.

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 06/29/62, Station S67). Devices—Clayton Dynamometer, Mustang Dynamometer, Model MD-AWD-3K-ST.

S & D Calibration Services, 1963 Route 837, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/22/83, Station S35). Devices—Clayton Dynamometer, Mustang Dynamometer, Stewart Warner Strobetachometer, Speed-Master Quartz Speedometer Tester.

Y.I.S./Cowden Group Inc., 1100 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units. (Appointed: 8/20/04, Station S9). Device—YIS, Inc. Electronic Mile-O-Meter.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for nonradar devices, which measure elapsed time between measured road surface points by using two sensors:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 04/07/93, Station EL3).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 02/27/92, Station EL22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station EL1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 09/14/82, Station EL11).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Cannonsburg, Washington County, PA 15317. (Appointed: 07/31/97, Station EL18).

Y.I.S./Cowden Group, 1100 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units. (Appointed: 02/20/80, Station EL7).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Cal Tech Labs, 501 Mansfield Avenue, Pittsburgh, Allegheny County, PA 15205. (Appointed: 12/22/07, Station W70).

Department of General Services, Bureau of Procurement, 2221 Forster Street, Harrisburg, Dauphin County, PA 17125. (Appointed: 03/09/79, Station W18).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 10/28/77, Station W29).

Leitzel's Jewelry, 607 East Lincoln Avenue, Myerstown, Lebanon County, PA 17067. (Appointed: 09/01/87, Station W58).

Pinto Calibration Services, 2868 Cedar Street, Bethel Park, Allegheny County, PA 15102—Also authorized to use mobile units. (Appointed: 10/24/14, Station W5).

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, PA 19107. (Appointed: 09/24/80, Station W54).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 09/15/86, Station W56).

R & R Timing, 203 Shuster Hollow Road, Leechburg, Westmoreland County, PA 15656. (Appointed: 6/16/04 Station W10).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station W1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 10/10/89, Station W61).

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, PA 16630. (Appointed: 05/18/78, Station W40).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units. (Appointed: 05/07/91, Station W64).

Y.I.S./Cowden Group, 1100 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units. (Appointed: 08/30/89, Station W60).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for nonradar devices which calculate average speed between any two points:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 02/11/93, Station EM23).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 02/27/92, Station EM22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station EM1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 09/14/82, Station EM6).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317. (Appointed: 08/13/97, Station EM12).

Pinto Calibration Services, 2868 Cedar Street, Bethel Park, Allegheny County, PA 15102—Also authorized to use mobile units. (Appointed: 10/24/14, Station EM4).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units. (Appointed: 05/07/91, Station EM21).

Y.I.S./Cowden Group, 1100 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units. (Appointed: 12/20/80, Station EM5).

Comments, suggestions or questions may be directed to Michael Smith, Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-7016.

BARRY J. SCHOCH, PE,  
*Secretary*

[Pa.B. Doc. No. 14-2699. Filed for public inspection December 26, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of Philadelphia Financial Life Assurance Company

LIA Holdings Ltd., a Cayman Islands company, has filed an application to acquire control of Philadelphia Financial Life Assurance Company, a Pennsylvania domiciled stock life insurance company. The filing was received on December 1, 2014, and was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Eric Baker, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, erbaker@pa.gov. Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-2700. Filed for public inspection December 26, 2014, 9:00 a.m.]

### Pennsylvania Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On December 15, 2014, the Insurance Department received from the Pennsylvania Compensation Rating Bureau (Bureau) a filing for a loss cost level change for Workers' Compensation insurance. The filing was made in accordance with section 705 of the act of July 2, 1993 (P. L. 190, No. 44).

The filing proposes an April 1, 2015, effective date for both new and renewal business and includes the following revisions:

- An overall 5.99% decrease in collectible loss costs.
- An Employer Assessment Factor of 1.64%, as compared to the currently approved provision of 1.95%.
- Updates to a variety of other rating values to reflect the most recent available experience.

The entire April 1, 2015, loss cost filing is available for review on the Bureau's web site at [www.pcrb.com](http://www.pcrb.com) under "Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [gzhou@pa.gov](mailto:gzhou@pa.gov), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-2701. Filed for public inspection December 26, 2014, 9:00 a.m.]

#### Qualified Unlicensed Reinsurers List

Under section 319.1 of The Insurance Company Law of 1921 (40 P. S. § 442.1), the Insurance Commissioner (Commissioner) hereby lists reinsurers not licensed by the Insurance Department (Department) which shall be considered qualified to accept reinsurance from insurers licensed by the Department.

#### Qualified Unlicensed Reinsurers List

1. 26883 AIG Specialty Insurance Company, Chicago, Illinois
2. 10852 Allstate New Jersey Insurance Company, Northbrook, Illinois
3. 37990 American Empire Insurance Company, Cincinnati, Ohio
4. 10316 Appalachian Insurance Company, Johnston, Rhode Island
5. 14673 Aspen Bermuda, Limited, Hamilton, Bermuda
6. 11680 Aspen Insurance UK Limited, London, England
7. 27189 Associated International Insurance Company, Deerfield, Illinois
8. 14927 AXIS Specialty Limited, Pembroke, Bermuda
9. 98167 Blue Cross Blue Shield of Florida, Jacksonville, Florida
10. 27081 Bond Safeguard Insurance Company, Sioux Falls, South Dakota
11. 30511 Castle Key Insurance Company, Northbrook, Illinois
12. 36951 Century Surety Company, Westerville, Ohio
13. 36552 Coliseum Reinsurance Company, Wilmington, Delaware
14. 39993 Colony Insurance Company, Richmond, Virginia

15. 27812 Columbia Insurance Company, Omaha, Nebraska
16. 40371 Columbia Mutual Insurance Company, Columbia, Missouri
17. 15539 CSAA Insurance Exchange, Walnut Creek, California
18. 14034 DaVinci Reinsurance Limited, Pembroke, Bermuda
19. 40509 EMC Reinsurance Company, Des Moines, Iowa
20. 39020 Essex Insurance Company, Wilmington, Delaware
21. 35378 Evanston Insurance Company, Deerfield, Illinois
22. 21555 Farm Bureau Mutual Insurance Company of Michigan, Lansing, Michigan
23. 37532 Great American E & S Insurance Company, Wilmington, Delaware
24. 41858 Great American Fidelity Insurance Company, Wilmington, Delaware
25. 14117 Grinnell Mutual Reinsurance Company, Grinnell, Iowa
26. 88340 Hannover Life Reassurance Company of America, Orlando, Florida
27. 10241 Hannover Ruck SE, Hannover, Germany
28. 93505 Hartford International Life Reassurance Corporation, Simsbury, Connecticut
29. 54828 Highmark West Virginia, Parkersburg, West Virginia
30. 42374 Houston Casualty Company, Houston, Texas
31. 12936 Houston Specialty Insurance Company, Houston, Texas
32. 27960 Illinois Union Insurance Company, Chicago, Illinois
33. 22829 Interstate Fire & Casualty Company, Chicago, Illinois
34. 25445 Ironshore Specialty Insurance Company, Scottsdale, Arizona
35. 22993 Kentucky Farm Bureau Mutual Insurance Company, Louisville, Kentucky
36. 14925 Lancashire Insurance Company, Limited, Hamilton, Bermuda
37. 19437 Lexington Insurance Company, Wilmington, Delaware
38. Lloyd's Underwriters, London, England
39. 12324 Mapfre Re, Compania de Reaseguros, S.A., Madrid, Spain
40. 10744 Markel International Insurance Company Limited, London, England
41. 26743 Maxum Indemnity Company, Wilmington, Delaware
42. 13921 Montpelier Reinsurance Limited, Pembroke, Bermuda
43. 20079 National Fire & Marine Insurance Company, Omaha, Nebraska

44. 41629 New England Reinsurance Corporation, Hartford, Connecticut

45. 17400 Noetic Specialty Insurance Company, Montpelier, Vermont

46. 31143 Old Republic Union Insurance Company, Chicago, Illinois

47. 88099 Optimum Re Insurance Company, Dallas, Texas

48. 13787 Partner Reinsurance Company Limited, Pembroke, Bermuda

49. 38636 Partner Reinsurance Company of the U. S., New York, New York

50. 88536 Protective Life and Annuity Insurance Company, Birmingham, Alabama

51. 29807 PXRE Reinsurance Company, Hartford, Connecticut

52. 11515 QBE Specialty Insurance Company, Bismarck, North Dakota

53. 14033 Renaissance Reinsurance Limited, Pembroke, Bermuda

54. 12318 RiverStone Insurance (UK) Limited, Brighton, England

55. 21911 San Francisco Reinsurance Company, Novato, California

56. 87017 SCOR Global Life Re Insurance Company of Delaware, Wilmington, Delaware

57. 97071 SCOR Global Life USA Reinsurance Company, Leawood, Kansas

58. 87572 Scottish Re (US) Inc., Dover, Delaware

59. 41297 Scottsdale Insurance Company, Columbus, Ohio

60. 23388 Shelter Mutual Insurance Company, Columbia, Missouri

61. 26557 Shelter Reinsurance Company, Columbia, Missouri

62. 13064 Starr Surplus Lines Insurance Company, Chicago, Illinois

63. 39187 Suecia Insurance Company, Nanuet, New York

64. 15529 Tokio Millennium Re AG, Stamford, Connecticut

65. 19887 Trinity Universal Insurance Company, Dallas, Texas

66. 37982 Tudor Insurance Company, Keene, New Hampshire

67. 10292 Unionamerica Insurance Company Limited, Guildford, England

68. 36048 Unione Italiana Reinsurance Company of America, Inc., Flushing, New York

69. 10172 Westchester Surplus Lines Insurance Company, Alpharetta, Georgia

70. 13196 Western World Insurance Company, Keene, New Hampshire

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-2702. Filed for public inspection December 26, 2014, 9:00 a.m.]

## OFFICE OF THE BUDGET

### Commonwealth Financing Authority Certification for Fiscal Year 2014-2015

I, Charles B. Zogby, Secretary of the Budget, hereby certify in accordance with, and as required by, section 1543(e) of the Act of April 1, 2004 (P. L. 163, No. 22), 64 Pa.C.S. § 1543(e), that:

(1) sufficient surplus revenue will exist in the General Fund for Commonwealth Fiscal Years 2015-2016 and 2016-2017 to pay any liabilities which will be incurred by the Commonwealth during those Fiscal Years if the Commonwealth Financing Authority incurs an additional \$250,000,000 of indebtedness; and,

(2) the aggregate amount of liabilities which will be incurred by the Commonwealth for its Fiscal Years 2015-2016 and 2016-2017 as a result of the activities of the Commonwealth Financing Authority are \$92,000,000 and \$92,000,000 respectively.

CHARLES B. ZOGBY,  
*Secretary*

[Pa.B. Doc. No. 14-2703. Filed for public inspection December 26, 2014, 9:00 a.m.]

### 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, 2014, that the salaries covered by that law shall be increased by 1.6% effective January 1, 2015. The following chart lists the position, the salary prior to the adjustment, the percentage increase 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 2014

<i>Position</i>	<i>Salary Prior to 1/1/2015</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2015</i>
Governor	\$187,818	1.6%	\$190,823
Lieutenant Governor	\$157,765	1.6%	\$160,289
State Treasurer	\$156,264	1.6%	\$158,764
Auditor General	\$156,264	1.6%	\$158,764
Attorney General	\$156,264	1.6%	\$158,764
Large Agency Head	\$150,253	1.6%	\$152,657
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	\$142,741	1.6%	\$145,025
Secretary of Aging			
Secretary of Community & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$135,228	1.6%	\$137,392
Adjutant General			
Secretary of Agriculture			
Secretary of Banking			
Secretary of the Commonwealth			
Insurance Commissioner			
Secretary of Drug and Alcohol Programs *****			
Liquor Control Board			
Chairman	\$76,327	1.6%	\$77,548
Member	\$73,321	1.6%	\$74,494
Civil Service Commission****			
Chairman	\$85,887	1.6%	\$87,261
Member	\$82,583	1.6%	\$83,904
State Tax Equalization Board			
Chairman	\$26,295	1.6%	\$26,716
Member	\$24,416	1.6%	\$24,807
Milk Marketing Board			
Chairman	\$24,416	1.6%	\$24,807
Member	\$23,477	1.6%	\$23,853
Securities Commission***			
Chairman	\$41,081	1.6%	\$41,738
Member	\$37,479	1.6%	\$38,079
Athletic Commission			
Chairman	\$19,723	1.6%	\$20,039
Member	\$18,780	1.6%	\$19,080
Board of Pardons			
Member	\$17,279	1.6%	\$17,555
Public Utility Commission			
Chairman	\$145,241	**	\$147,525
Member	\$142,741	1.6%	\$145,025
Environmental Hearing Board*			
Chairman	\$145,241	*	\$147,525
Member	\$142,741	*	\$145,025

<i>Position</i>	<i>Salary Prior to 1/1/2015</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2015</i>
Board of Claims*****			
Chairman	\$138,720	1.6%	\$140,940
Member	\$131,417	1.6%	\$133,520

\* The Environmental Hearing Board is not listed 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. 14-2704. Filed for public inspection December 26, 2014, 9:00 a.m.]

# PENNSYLVANIA eHEALTH PARTNERSHIP AUTHORITY

## Financial Statements

### INDEPENDENT AUDITORS' REPORT

Board of Directors  
Pennsylvania eHealth Partnership Authority  
Harrisburg, Pennsylvania

We have audited the accompanying financial statements of the business-type activities of the PENNSYLVANIA eHEALTH PARTNERSHIP AUTHORITY ("The Authority"), a component unit of the Commonwealth of Pennsylvania, as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

#### *Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

#### *Auditors' Responsibility*

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### *Opinion*

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities of the Authority as of June 30, 2014, and the changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### *Adoption of Governmental Accounting Standards Board Statements*

As discussed in Note 1 to the financial statements, during the year ending June 30, 2014, The Authority adopted the provisions of Governmental Accounting Standards Board's Statement No. 65, "Items Previously Reported as Assets and

Liabilities”, Statement No. 66, “Technical Corrections—2012—An Amendment of GASB Statements No. 10 and No. 62”, Statement No. 67, “Financial Reporting for Pension Plans—an amendment of GASB Statement No. 25”, and Statement No. 70 “Accounting and Financial Reporting for Nonexchange Financial Guarantees”. Our opinion is not modified with respect to these matters.

*Other Matters*

*Omission of Management’s Discussion and Analysis*

Management has omitted the management’s discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

ZELNKOFKSKE AXELROD LLC

Harrisburg, Pennsylvania  
October 1, 2014

**STATEMENT OF NET POSITION**

**JUNE 30, 2014**

<b>ASSETS</b>	
Investments	\$ 2,222,219
Interest Receivable	303
Due from Primary Government	2,000,007
Grants Receivable	8,567,280
Other Asset	<u>131</u>
<b>TOTAL ASSETS</b>	<u>12,789,940</u>
<b>LIABILITIES</b>	
Current Liabilities:	
Accounts Payable	144,624
Due to Primary Government	8,566,764
Other Liabilities	2,619
Noncurrent Liabilities:	
Compensated Absences	<u>51,476</u>
<b>TOTAL LIABILITIES</b>	<u>8,765,483</u>
<b>NET POSITION</b>	
Restricted	<u>4,024,457</u>
<b>TOTAL NET POSITION</b>	<u>\$ 4,024,457</u>

The accompanying notes are an integral part of the financial statements.

**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION  
YEAR ENDED JUNE 30, 2014**

<b>Operating Revenues</b>	
Grantee Contributions	\$ 464,500
Contributions:	
PA eHealth Collaborative	1,539,669
Commonwealth	2,000,000
Intergovernmental Revenue	<u>8,477,741</u>
<b>TOTAL OPERATING REVENUES</b>	<u>12,481,910</u>
<b>Operating Expenses</b>	
Personnel	913,929
Operations	<u>9,347,116</u>
<b>TOTAL OPERATING EXPENSES</b>	<u>10,261,045</u>
<b>OPERATING INCOME</b>	<u>2,220,865</u>
<b>Nonoperating Revenues</b>	
Interest income	<u>3,623</u>
<b>NONOPERATING REVENUES</b>	<u>3,623</u>



Operating Revenues	
Increase in Net Position	2,224,488
NET POSITION, Beginning of Year	<u>1,799,969</u>
NET POSITION, End of Year	<u>\$ 4,024,457</u>

The accompanying notes are an integral part of the financial statements.

#### STATEMENT OF CASH FLOWS YEAR ENDED JUNE 30, 2014

Cash Flows from Operating Activities:	
Cash receipts from contributions	\$ 4,004,169
Cash receipts from intergovernmental revenues	11,963
Cash paid for personnel services	(890,602)
Cash paid for operating expenses	<u>(2,768,064)</u>
Net cash provided by operating activities	<u>357,466</u>
Cash Flows from Investing Activities:	
Net investment activity	(361,032)
Interest on investments	<u>3,566</u>
Net cash used in investing activities	<u>(357,466)</u>
Change in cash	—
Cash, Beginning of Year	<u>—</u>
Cash, End of Year	<u>\$ —</u>
Reconciliation of Operating Income to Cash Flows Provided by Operating Activities:	
Operating Income	\$ 2,220,865
Adjustments to reconcile operating income to net cash provided by operating activities:	
Effects of changes in operating assets and liabilities:	
Grants receivable	(8,465,778)
Accounts payable	144,471
Other Assets	(131)
Due to primary government	6,432,093
Compensated absences	23,327
Other Liabilities	<u>2,619</u>
Net cash provided by operating activities	<u>\$ 357,466</u>

The accompanying notes are an integral part of the financial statements.

#### NOTES TO FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2014

##### NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

###### A. Organization

The Pennsylvania eHealth Partnership Authority (the "Authority") was established by Act 121 of 2012 (effective July 5, 2012), as an independent agency of the Commonwealth of Pennsylvania (the "Commonwealth"). The Authority took over the work of its predecessor, the PA eHealth Collaborative, a separate fund of the Commonwealth. The purpose of the Authority is to improve healthcare delivery and healthcare outcomes in Pennsylvania by providing, as appropriate, leadership and strategic direction for public and private, federally-funded and state-funded investments in health information technology (HIT) initiatives, including health information exchange (HIE) capabilities and other related HIT initiatives.

The Commonwealth of Pennsylvania, Governor's Office of Health Care Reform/Office of the Budget received a

federal award of \$17,140,446 (Award #90HT0015/01). The project and budget period of this award was February 8, 2010 through February 7, 2014. This funding was provided under the American Recovery and Reinvestment Act of 2009, Title XIII—Health Information Technology, Subtitle B-Incentives for the Use of Health Information Technology, Section 3013, State Grants to Promote Health Information Technology.

With the establishment of the Authority, the remaining federal award was reallocated from the Commonwealth to the Authority. The issue date of the Notice of Award was September 18, 2014, effective for expenses incurred from August 1, 2013 through October 17, 2014. The amount of the Notice of Award was \$8,836,739.

The Authority's operations are administered by a board of directors consisting of fifteen members including the following: the Secretary of Health or a designee; the Secretary of Public Welfare, or a designee; seven members are appointed by the Governor; three members are appointed by the President pro tempore of the Senate, in consultation with the Majority and Minority Leaders of the Senate; and three members are appointed by the

Speaker of the House of Representatives, in consultation with the Majority and the Minority Leaders of the House of Representatives.

The Authority is a component unit of the Commonwealth reporting entity due to the Commonwealth's ability to impose its will on the Authority. The Authority is presented as an enterprise fund on the accrual basis of accounting.

#### B. *Measurement Focus and Basis of Accounting*

The Authority follows Generally Accepted Accounting Principles (GAAP). GAAP allows specialized accounting for government entities, which is governed by pronouncements set by the Government Accounting Standards Board (GASB).

The Authority is considered a special-purpose government since it is engaged solely in business-type activities under GASB Statement No. 34. The Authority's financial statements are prepared using the economic resources measurement focus and accrual basis of accounting. Under the accrual basis of accounting revenues are recorded when earned and expenses are recorded when they have been incurred. The statements are intended to report the Authority as an economic unit that includes all measurable assets and liabilities, financial and capital, of the institution.

All activities of the Authority are accounted for within a single proprietary (enterprise) fund. A proprietary fund is used to account for operations that are (a) financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination or revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, account ability, or other purpose.

The Authority follows the Government Accounting Standards Board (GASB) Statement No. 34, Basic Financial Statements and Management's Discussion and Analysis. Within the Statements of Revenues, Expenses and Changes in Net Position, Statement No. 34 requires operating income and expenses to be separated from non-operating income in order to show net operating income. Operating income and expenses are defined as those activities directly related to the Authority's primary business of providing employment through economic development lending. Non-operating revenues and expenses consist of those revenues and expenses that are related to financing and investing types of activities and result from non-exchange transactions, such as investment income/loss.

When an expense is incurred for purposes for which both restricted and unrestricted net positions are available, the Authority's policy is to apply restricted net position first, then unrestricted net position as they are needed.

#### C. *Net Position*

**Restricted Net Position**—This category presents external restrictions imposed by creditors, grantors, contributors or laws and regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation.

#### D. *Investments*

The Authority values its investments at fair value. The fair value of the Authority's investments are based upon values provided by external investment managers and quoted market prices.

#### E. *Use of Estimates*

The preparation of financial statements requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

#### F. *Statement of Cash Flows*

The Authority considers all highly liquid investments with a maturity of three months or less at the time of purchase to be cash equivalents. Cash equivalents are stated at cost, which approximates fair value.

#### G. *Deferred Outflows/Inflows of Resources*

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The Authority did not have an item that qualifies for reporting in this category.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The Authority did not have an item that qualifies for reporting in this category.

#### H. *Adoption of Governmental Accounting Standards Board Statements*

In March 2012, the GASB issued Statement No. 65, "Items Previously Reported as Assets and Liabilities". The adoption of this statement had no effect on the previous reported amounts.

In March 2012, the GASB issued Statement No. 66, "Technical Corrections—2012—An Amendment of GASB Statements No. 10 and No. 62". The adoption of this statement had no effect on the previous reported amounts.

In June 2012, the GASB issued Statement No. 67, "Financial Reporting for Pension Plans—an amendment of GASB Statement No. 25". The adoption of this statement had no effect on the previous reported amounts.

In April 2013, the GASB issued Statement No. 70 "Accounting and Financial Reporting for Nonexchange Financial Guarantees". The adoption of this statement had no effect on the previous reported amounts.

#### I. *Pending Changes in Accounting Principles*

In June 2012, the GASB issued Statement No. 68, "Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27". The Authority is required to adopt statement No. 68 for its fiscal year 2015 financial statements.

In January 2013, the GASB issued Statement No. 69, "Government Combinations and Disposals of Government Operations". The Authority is required to adopt Statement No. 69 for its fiscal year 2015 financial statements.

In November 2013, the GASB issued Statement No. 71 "Pension Transition for Contributions Made Subsequent to the Measurement Date—an amendment of GASB Statement No. 68". The Authority is required to adopt Statement No. 71 for its fiscal year 2015 financial statements.

The Authority has not yet performed analysis to determine the impact of these statements.

#### NOTE 2: DEPOSIT AND INVESTMENT RISK

The Commonwealth's fiscal code, as amended, authorizes the Authority to invest in obligations of the U.S. government and government-sponsored agencies and instrumentalities; certificates of deposits, fully insured or collateralized; certain commercial paper and repurchase agreements; highly rated bank promissory notes or investment funds or trusts; and "prudent man" investments as determined by the Authority's depository (i.e. Commonwealth Treasury Department).

All of the Authority's investments are invested in the Common Investment Pool of the Commonwealth which is managed by the Commonwealth's Treasury Department (the Treasury Department).

The deposit and investment policies of the Treasury Department are governed by Sections: 301, 301.1 and 505 of the Pennsylvania Fiscal Code (Act of 1929 P. L. 343), and Section 321.1 of the Pennsylvania Administrative Code (Act of 1929 P. L. 177. No. 175).

Treasury deposits must be held in insured depositories approved by the Board of Finance and Revenue and must be fully collateralized. The Fiscal Code grants the Treasury Department the authority to invest in any deposits and investments subject. This authority is subject, however, to the exercise of that degree of judgment and care under the circumstances then prevailing which persons of prudence, discretion and intelligence who are familiar with such matters exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of the funds considering the probable income to be derived therefrom as well as the probable safety of their capital. Treasury Department deposits and investments may include equity securities and mutual funds.

As of June 30, 2014, the Treasury Department manages the Commonwealth Investment Program (CIP). Treasury is required to exercise careful judgment in determining those investments that are appropriate for each Commonwealth fund based upon distinct investment criteria such as income needs, cash flow requirements, investment time horizons, and risk tolerance. All investments are made in accordance with the statutory authority described in the preceding paragraph. The CIP investment pool structure invests in both equity securities and fixed income securities to achieve the investment objectives of the funds of the Commonwealth Investment Program. Asset allocation targets among cash, equity securities, fixed income securities and alternative are established in order to meet these overall objectives.

Treasury has created two separate Pools within the Commonwealth Investment Program, each with its own distinct investment strategies, goals, and holdings that reflect the differing needs of Commonwealth funds for income, cash flows, and investment risk tolerance. A highly liquid vehicle, Pool 99, consists of short-term fixed income and cash and provides a high degree of liquidity and security but only modest returns. A less liquid

vehicle, Pool 198, allows for investment in assets that offer potentially higher returns with commensurate risk.

As of June 30, 2014, the Authority's investments held in the Commonwealth Investment Pool was \$2,222,219.

#### NOTE 3: RETIREMENT BENEFITS

Act 121 of 2012, section 303 states that the Authority shall "employ individuals as necessary to carry out the purposes of the Act; individuals employed by the Authority shall be considered employees of the Commonwealth for the purposes of 71 PA.C.S. Pt. XXV."

As such, all employees of the Authority participate in the Commonwealth of Pennsylvania State Employees' Retirement System (SERS), a cost-sharing multiple-employer public employee retirement system that was established under the provisions of Public Law 858, No. 331. It is a defined benefit plan that is funded through a combination of employee contributions, employer contributions and investment earnings. Membership in SERS is mandatory for all Authority employees which provides retirement, death, and disability benefits.

Article II of the Pennsylvania Constitution provides the General Assembly the authority to establish or amend benefit provisions. Act 2001-9, signed into law on May 17, 2001, established Class AA membership whereby, generally, annual full retirement benefits for electing active members is 2.5% of the member's highest three-year average salary (final average salary) multiplied by years of service. Authority employees hired after June 30, 2001, but before January 1, 2011, are Class AA members. Members hired on or before June 30, 2001 had the option, but were not required, to elect Class AA membership.

Those members not electing Class AA membership are considered Class A. The general annual benefit for full retirement for Class A members is 2% of the member's final average salary multiplied by years of service. Retirement benefits for Class A and AA employees vest after five years of credited service. Class A and AA employees who retire at age 60 with three years of service or with 35 years of service if under age 60 are entitled to an unreduced annual retirement benefit.

Act 120, signed into law on November 23, 2010, established Class A-3 and Class A-4 memberships. Effective January 1, 2011, all new members to SERS must elect one of these new membership classes. New members who elect Class A-3 will accrue benefits at 2% of their final average salary multiplied by years of service. Those members choosing Class A-4 will accrue benefits at 2.5% of their final average salary multiplied by years of service. Under Act 120, retirement benefits for Class A-3 and A-4 vest after ten years of credited service. Class A-3 and A-4 members who retire at age 65 with three years of service or when the member's age (last birthday) plus his/her completed years of credit service total at least 92 (Rule of 92) are entitled to an unreduced annual retirement benefit.

Covered Class A, Class AA, Class A-3 and A-4 employees are required by statute to contribute to SERS at a rate of 5%, 6.25%, 6.25% and 9.3% respectively, of their gross pay. Employees' contributions are recorded in individually identified accounts, which are also credited with interest, calculated quarterly to yield 4% per annum, as mandated by statute. Accumulated employee contributions and credited interest vest immediately and are returned to the employee upon termination of service if the employee is not eligible for other benefits.

Participating agency contributions, including those for the Authority, are also mandated by statute and are based upon an actuarially determined percentage of gross pay that is necessary to provide SERS with assets sufficient to meet the benefits to be paid to SERS members.

A copy of SERS's annual financial statements can be obtained by writing to: State Employees' Retirement System, 30 North Third Street, P.O. Box 1147, Harrisburg, Pennsylvania 17108-1147. Additional information about SERS, including its CAFR and actuarial valuation reports, are available at [www.sers.state.pa.us](http://www.sers.state.pa.us).

**NOTE 4: RELATED PARTY**

The Authority entered into an Interagency Agreement with the Commonwealth, through the Commonwealth Office of Administration to provide administrative and operational support services for the Authority. The Authority owns no capital assets; the employees performing service for the Authority are Commonwealth employees. As such, under the Interagency Agreement, the Authority reimburses the Commonwealth for services rendered by Commonwealth employees to the Authority. For the fiscal year ended June 30, 2014, the services provided by the Commonwealth to the Authority are recorded as Personnel Services totaled \$913,929. As of June 30, 2014, the Authority owed the Commonwealth \$8,566,764 for personnel and operating expenditures incurred and paid for by the Commonwealth.

**NOTE 5: CONTINGENCIES**

*Litigation*

In the normal course of business, there may be various claims and suits pending against the Authority and its appointed officials. Management is of the opinion that these matters, if any, will not have a material adverse effect on the Authority's financial position at June 30, 2014.

*Economic Dependency*

Formal commitment of federal funding by the Department of Health and Human Services was made to the Commonwealth in a grant agreement dated February 8, 2010. As the Authority has become a separate reporting entity, the Authority applied for the reallocation of the remaining grant funds from the Commonwealth to the Authority. As of June 30, 2014, the Authority recognized a receivable and intergovernmental revenue from the Department of Health and Human Services in the amounts of \$8,567,280 and \$8,477,741, respectively. The Authority also receives a significant amount of operating revenue from contributions, primarily in matching funds under previous grant agreements. For fiscal year ending June 30, 2014, the Authority received \$464,500 in contributions from grant participants. Reduction of, or loss of, these funding sources could have a significant effect on the Authority's operations.

**NOTE 6: PROGRAM OPERATIONS**

The program operation expenses consist of the following:

P3N Costs	\$ 4,855,355
Staff Augmentation	508,555
Federal Payments to For Profit Entities	2,053,628
Other Program Operations	1,929,578
	\$ 9,347,116
	\$ 9,347,116

**NOTE 7: COMMONWEALTH APPROPRIATION**

For fiscal year 2013-2014, the Commonwealth of Pennsylvania approved a \$2.2 million appropriation from the Commonwealth to the PA eHealth Partnership Authority. Due to revised revenue estimates by the Commonwealth, the appropriation was amended to \$2 million which is reflected in the Commonwealth contribution line on the financial statements.

DAVID F. SIMON,  
*Chairperson*

[Pa.B. Doc. No. 14-2705. Filed for public inspection December 26, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 12, 2015. 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 the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public conveyance as described under each application.***

**A-2014-2450234. Joseph Waldner** (1606 Wiker Avenue, Lancaster, Lancaster County, PA 17602) discontinuance of service and cancellation of his certificate, as a common carrier, persons in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania and return; limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

**A-2014-2452826. People Serving People Enterprises** (900 South Arlington Avenue, Suite 111B, Harrisburg, Dauphin County, PA 17109) discontinuance of service and cancellation of its certificate, as a common carrier, persons in paratransit service, who desire transportation to and/or from their place of employment, between points in the Counties of Cumberland and Dauphin, to points in Pennsylvania and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2706. Filed for public inspection December 26, 2014, 9:00 a.m.]

# STATE CONSERVATION COMMISSION

## Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), 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) 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 any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, 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, so individuals interested in challenging this action 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.

### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/ Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
William Dietz 185 Stricklers Lane York, PA 17406	York County/ Hellam Township	130.49	Broilers	Amended	Rescind
Greg Kennard 1277 Bridgeton Road Airville, PA 17302	York County/ Lower Chanceford Township	106.32	Broilers	New	Approved
Webster Leid 11644 Tanyard Hill Road Orrstown, PA 17244	Franklin County/ Lurgan Township	0	Cattle	New	Approved
Evergreen Farms, Inc. Rider Farm 1707 West Gatesburg Road Warriors Mark, PA 16877	Centre County/ Ferguson Township	465	Cattle	New	Approved
Holly Haines 21976 Tannery Road Shade Gap, PA 17255	Huntingdon County/ Dublin Township	0	Cattle	New	Approved
Kenton Sweigart Home Farm 620 Greider Road Mount Joy, PA 17522	Lancaster County/ East Donegal Township	570.55	Cattle	Amended	Approved
Broc Troxell Troxell Farms 190 Berkey Lane New Columbia, PA 17856	Union County/ White Deer Township	1,489.56	Cattle & Swine	Amended	Approved
Zach Akers 339 Akers Road Clearville, PA 15535	Bedford County/ Monroe Township	131.94	Duck	New	Approved
Curt Zimmerman 811 South Ramona Road Myerstown, PA 17067	Lebanon County/ Jackson and Heidelberg Townships	114.37	Broilers	New	Approved

DANA K. AUNKST,  
*Acting Chairperson*

[Pa.B. Doc. No. 14-2707. Filed for public inspection December 26, 2014, 9:00 a.m.]

# STATE EMPLOYEES' RETIREMENT BOARD

## Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

January 22, 2015	Babatola Fadojutimi	1 p.m.
	Untimely Election of Class	
	A-4 Service	

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DAVID E. DURBIN,  
*Secretary*

[Pa.B. Doc. No. 14-2708. Filed for public inspection December 26, 2014, 9:00 a.m.]

# THADDEUS STEVENS COLLEGE OF TECHNOLOGY

## Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for bid document 14-2750 for a 3D printing/prototyping system to enhance the Mechanical Engineering Technology Lab. Bid documents can be obtained from Carrie Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, harmon@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,  
*President*

[Pa.B. Doc. No. 14-2709. Filed for public inspection December 26, 2014, 9:00 a.m.]







