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PENNSYLVANIA BULLETIN

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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

Fiscal Notes

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

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

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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. 5]

Order Adopting New Rule 513.1, Amending Rule 513 and Approving the Revision of the Comments to Rules 540 and 547 of the Rules of Criminal Procedure; No. 443 Criminal Procedural Rules Doc.

Order

Per Curiam

And Now, this 23rd day of December, 2013, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adoption at 37 Pa.B. 4178 (August 4, 2007), 37 Pa.B. 6392 (December 8, 2007), and 38 Pa.B. 5747 (October 18, 2008), and in the *Atlantic Reporter* (Second Series Advance Sheets, Vols. 926, 934, and 955), and a Final Report to be published with this *Order*:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that new Pennsylvania Rule of Criminal Procedure 513.1 is promulgated, the amendments to Pennsylvania Rule of Criminal Procedure 513 are adopted, and the revisions to the Comments to Pennsylvania Rules of Criminal Procedure 540 and 547 are approved in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective March 1, 2014.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART B(3). Arrest Procedures in Court Cases

(a) Arrest Warrants

Rule 513. Requirements for Issuance; Dissemination of Arrest Warrant Information.

(A) For purposes of this rule, “arrest warrant information” is defined as the criminal complaint in cases in which an arrest warrant is issued, the arrest warrant, any affidavit(s) of probable cause, and documents or information related to the case.

(B) ISSUANCE OF ARREST WARRANT

(1) In the discretion of the issuing authority, advanced communication technology may be used to submit a complaint and affidavit(s) for an arrest warrant and to issue an arrest warrant.

[(B)] (2) No arrest warrant shall issue but upon probable cause supported by one or more affidavits sworn to before the issuing authority in person or using advanced communication technology. The issuing authority, in determining whether probable cause has been established, may not consider any evidence outside the affidavits.

[(C)] (3) Immediately prior to submitting a complaint and affidavit to an issuing authority using advanced communication technology, the affiant must personally communicate with the issuing authority by any device

which, at a minimum, allows for simultaneous audio-visual communication. During the communication, the issuing authority shall verify the identity of the affiant, and orally administer an oath to the affiant.

[(D)] (4) At any hearing on a motion challenging an arrest warrant, no evidence shall be admissible to establish probable cause for the arrest warrant other than the affidavits provided for in paragraph [(B)] (B)(2).

(C) DELAY IN DISSEMINATION OF ARREST WARRANT INFORMATION

The affiant or the attorney for the Commonwealth may request that the availability of the arrest warrant information for inspection and dissemination be delayed. The arrest warrant affidavit shall include the facts and circumstances that are alleged to establish good cause for delay in inspection and dissemination.

(1) Upon a finding of good cause, the issuing authority shall grant the request and order that the availability of the arrest warrant information for inspection and dissemination be delayed for a period of 72 hours or until receipt of notice by the issuing authority that the warrant has been executed, whichever occurs first. The 72-hour period of delay may be preceded by an initial delay period of not more than 24 hours, when additional time is required to complete the administrative processing of the arrest warrant information before the arrest warrant is issued. The issuing authority shall complete the administrative processing of the arrest warrant information prior to the expiration of the initial 24-hour period.

(2) Upon the issuance of the warrant, the 72-hour period of delay provided in paragraph (C)(1) begins.

(3) In those counties in which the attorney for the Commonwealth requires that complaints and arrest warrant affidavits be approved prior to filing as provided in Rule 507, only the attorney for the Commonwealth may request a delay in the inspection and dissemination of the arrest warrant information.

Comment

This rule was amended in 2013 to add provisions concerning the delay in inspection and dissemination of arrest warrant information. Paragraph (A) provides a definition of the term “arrest warrant information” that is used throughout the rule. Paragraph (B) retains the existing requirements for the issuance of arrest warrants. Paragraph (C) establishes the procedures for a temporary delay in the inspection and dissemination of arrest warrant information prior to the execution of the warrant.

ISSUANCE OF ARREST WARRANTS

Paragraph [(A)] (B)(1) recognizes that an issuing authority either may issue an arrest warrant using advanced communication technology or order that the law enforcement officer appear in person to apply for an arrest warrant.

This rule does not preclude oral testimony before the issuing authority, but it requires that such testimony be reduced to an affidavit prior to issuance of a warrant. All

affidavits in support of an application for an arrest warrant must be sworn to before the issuing authority prior to the issuance of the warrant. The language “sworn to before the issuing authority” contemplates, when advanced communication technology is used, that the affiant would not be in the physical presence of the issuing authority. *See* paragraph [(C)] (B)(3).

This rule carries over to the arrest warrant the requirement that the evidence presented to the issuing authority be reduced to writing and sworn to, and that only the writing is subsequently admissible to establish that there was probable cause. In these respects, the procedure is similar to that applicable to search warrants. *See* Rule 203. For a discussion of the requirement of probable cause for the issuance of an arrest warrant, see *Commonwealth v. Flowers*, 24 Pa.Super. 198, 369 A.2d 362 [Pa. Super.] 1976).

The affidavit requirements of this rule are not intended to apply when an arrest warrant is to be issued for noncompliance with a citation, with a summons, or with a court order.

An affiant seeking the issuance of an arrest warrant, when permitted by the issuing authority, may use advanced communication technology as defined in Rule 103.

When advanced communication technology is used, the issuing authority is required by this rule to (1) determine that the evidence contained in the affidavit(s) establishes probable cause, and (2) verify the identity of the affiant.

The “visual” requirement in paragraph [(C)] (B)(3) must allow, at a minimum, the issuing authority to see the affiant at the time the oath is administered and the information received.

Under Rule 540, the defendant receives a copy of the warrant and supporting affidavit at the time of the preliminary arraignment.

DELAY IN DISSEMINATION OF ARREST WARRANT INFORMATION

Paragraph (C) was added in 2013 to address the potential dangers to law enforcement and the general public and the risk of flight when arrest warrant information is disseminated prior to the execution of the arrest warrant. The paragraph provides that the affiant or the attorney for the Commonwealth may request, for good cause shown, the delay in the inspection and dissemination of the arrest warrant information for 72 hours or until receipt of notice by the issuing authority that the warrant has been executed, whichever occurs first. Upon a finding of good cause, the issuing authority must delay the inspection and dissemination.

The request for delay in inspection and dissemination is intended to provide a very limited delay in public access to arrest warrant information in those cases in which there is concern that pre-execution disclosure of the existence of the arrest warrant will endanger those serving the warrant or will impel the subject of the warrant to flee. This request is intended to be an expedited procedure with the request submitted to an issuing authority.

A request for the delay in dissemination of arrest warrant information made in accordance with this rule is not subject to the requirements of Rule 576.

Once the issuing authority receives notice that the arrest warrant is executed, or when 72 hours have elapsed from the issuance of the warrant and

the warrant has not been executed, whichever occurs first, the information must be available for inspection or dissemination unless the information is sealed pursuant to Rule 513.1.

The provision in paragraph (C)(2) that provides up to 24 hours in the delay of dissemination and inspection prior to the issuance of the arrest warrant recognizes that, in some cases, there may be administrative processing of the arrest warrant request that results in a delay between when the request for the 72-hour period of delay permitted in paragraph (C)(1) is approved and when the warrant is issued. In no case may this additional period of delay exceed 24 hours and the issuing authority must issue the arrest warrant within the 24-hour period.

When determining whether good cause exists to delay inspection and dissemination of the arrest warrant information, the issuing authority must consider whether the presumption of openness is rebutted by other interests that include, but are not limited to, whether revealing the information would allow or enable flight or resistance, the need to protect the safety of police officers executing the warrant, the necessity of preserving the integrity of ongoing criminal investigations, and the availability of reasonable alternative means to protect the interest threatened by disclosure.

Nothing in this rule is intended to limit the dissemination of arrest warrant information to court personnel as needed to perform their duties. Nothing in this rule is intended to limit the dissemination of arrest warrant information to or by law enforcement as needed to perform their duties.

Pursuant to paragraph (C)(3), in those counties in which the district attorney’s approval is required only for certain, specified offenses or grades of offenses, the approval of the district attorney is required for a request to delay inspection and dissemination only for cases involving those specified offenses.

Official Note: Rule 119 adopted April 26, 1979, effective as to arrest warrants issued on or after July 1, 1979; Comment revised August 9, 1994, effective January 1, 1995; renumbered Rule 513 and amended March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; amended December 23, 2013, effective March 1, 2014.

Committee Explanatory Reports:

Report explaining the August 9, 1994 Comment revisions published at 22 Pa.B. 6 (January 4, 1992); Final Report published with the Court’s Order at 24 Pa.B. 4342 (August 27, 1994).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court’s Order at 30 Pa.B. [1477] 1478 (March 18, 2000).

Final Report explaining the May 10, 2002 amendments concerning advanced communication technology published with the Court’s Order at 32 Pa.B. 2591 (May 25, 2002).

Final Report explaining the December 23, 2013 amendments providing procedures for delay in dissemination and sealing of arrest warrant information published with the Court’s Order at 44 Pa.B. 243 (January 11, 2014).

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

Rule 513.1. Sealing of Arrest Warrant.

(A) For purposes of this rule, "arrest warrant information" is defined as the criminal complaint in cases in which an arrest warrant is issued, the arrest warrant, any affidavit(s) of probable cause, and documents or information related to the case.

(B) At the request of the attorney for the Commonwealth in the form of a motion, the arrest warrant information may be sealed upon good cause shown at the time the complaint is filed.

(C) Submission to Judge or Justice of Request for Sealed Arrest Warrant

When the attorney for the Commonwealth intends to request that the arrest warrant information be sealed, at the time the complaint is filed, the attorney for the Commonwealth shall present the arrest warrant information to a judge of the court of common pleas or an appellate court judge or justice. The arrest warrant affidavit(s) shall include the facts and circumstances that are alleged to establish good cause for the sealing of the arrest warrant information.

(1) When the judge or justice orders the arrest warrant information sealed, the order shall:

(a) certify that for good cause shown the arrest warrant information is sealed and state the date and time that the sealing of the arrest warrant information shall expire; and

(b) when requested by the attorney for the Commonwealth, specify that the arrest warrant information may be released by the attorney for the Commonwealth to the law enforcement agencies listed in the order.

(2) When a judge of the court of common pleas orders the arrest warrant information sealed, he or she shall accept the filing of the written complaint, which shall be marked as sealed, and shall issue the sealed arrest warrant. When a judge or justice of an appellate court orders the arrest warrant information sealed, he or she shall direct that the complaint be filed in the court of common pleas and the sealed arrest warrant shall be issued by a judge of the court of common pleas.

(3) When the judge or justice issues the sealed arrest warrant, the judge or justice also shall issue an order designating the proper issuing authority before whom the case shall proceed upon execution of the warrant.

(4) When the sealed arrest warrant is issued, the sealed arrest warrant information, the sealing order, and the order designating the proper issuing authority shall be filed with the clerk of courts in the judicial district in which the charges are being filed.

(5) Upon execution of the sealed arrest warrant, the affiant shall file a copy of the sealed arrest warrant information with the proper issuing authority along with copies of the order sealing the arrest warrant information and the order designating the proper issuing authority. Thereafter, the case will proceed before the proper issuing authority.

(D) The arrest warrant information shall be sealed for a period of not more than 60 days, unless the time period is extended as provided in paragraph (D)(1) or (D)(2).

(1) Upon motion of the attorney for the Commonwealth for good cause shown, the justice or judge who sealed the arrest warrant information may extend the period of time

that the arrest warrant information will remain sealed. If the justice or judge is unavailable, another justice or judge shall be assigned to decide the motion.

(2) Upon motion for good cause shown, the justice or judge may grant an unlimited number of extensions of the time that the arrest warrant information shall remain sealed. Each extension shall be for a period of not more than 30 days.

(3) If the motion requesting any extension pursuant to paragraphs (D)(1) or (D)(2) is granted, the motion and any record of the hearing on the motion shall be sealed and transmitted with the extension order to the clerk of courts and a copy of the extension order shall be transmitted to the proper issuing authority.

(E) Upon motion of the attorney for the Commonwealth, the justice or judge shall order the arrest warrant information to be unsealed.

(F) Defendant's Access to Sealed Arrest Warrant Information

(1) After the sealed arrest warrant is executed, a copy of the arrest warrant information shall be given to the defendant at the preliminary arraignment as provided in Rule 540, unless otherwise ordered as provided in paragraph (F)(2).

(2) Upon motion of the attorney for the Commonwealth, the justice or judge who issued the warrant, for good cause shown and after hearing, may delay giving the defendant a copy of the sealed arrest warrant information, in whole or in part, for periods of not more than 30 days. In no case shall the delay extend beyond the date of the preliminary hearing.

(3) If the justice or judge is unavailable, another justice or judge shall be assigned to decide the motion.

(G) Until the order sealing the arrest warrant information and any extensions thereof expires, the judge and clerk of courts shall not make the arrest warrant information available for public inspection and dissemination.

Comment

This rule was adopted in 2013 to codify and further define the practice of temporarily sealing arrest warrants previously recognized in case law such as *Commonwealth v. Fenstermaker*, 515 Pa. 501, 530 A.2d 414 (1987). Unlike existing case law, which only addresses the sealing of arrest warrants after execution, the procedures in this rule apply to all arrest warrants.

Magisterial district judges, arraignment court magistrates, and municipal court judges do not have authority to seal arrest warrant information; the request for the warrant to be sealed must be presented to a judge of the court of common pleas or a justice or judge of an appellate court.

As provided in paragraph (C)(2), when the request to seal an arrest warrant is presented to a judge of the court of common pleas, the complaint must be filed with common pleas judge who issues the sealing order. In those rare cases in which an appellate court judge or justice orders the arrest warrant information sealed, the complaint shall be filed with an appropriate common pleas judge and the common pleas judge shall issue the sealed arrest warrant. This latter provision is necessary due to the limited capability of the appellate courts to accept initial filings and issue arrest warrants.

A request to seal arrest warrant information made in accordance with this rule is not subject to the requirements of Rule 576.

The rule establishes a standard of “good cause” for sealing the arrest warrant information. When determining whether good cause exists to seal the arrest warrant information, the justice or judge must consider whether the presumption of openness is rebutted by other interests that include, but are not limited to, whether revealing the information would allow or enable flight or resistance, the need to protect the safety of police officers executing the warrant, the necessity of preserving the integrity of ongoing criminal investigations, and the availability of reasonable alternative means to protect the interest threatened by disclosure.

The rule assumes that access to a sealed arrest warrant will be severely limited. The rule assumes that this also will limit the availability of the arrest warrant information to a broad class of law enforcement agencies through the various law enforcement computer systems such as the Commonwealth Law Enforcement Assistance Network (CLEAN) and the National Crime Information Center system (NCIC). In many cases, the requester will desire that the information be placed into these systems in order to assist in the execution of the warrant. In these cases, the attorney for the Commonwealth may request that the sealing order provide that the sealed arrest warrant information be provided to law enforcement agencies generally and entry of the arrest warrant information into law enforcement computer systems be required.

Under paragraph (D), an order sealing the arrest warrant information is limited in duration to not more than 60 days. Extension of this period may be granted only upon the showing of good cause for the extension. Each extension of the order is limited to no more than 30 days duration.

The judge issuing the order to seal has the discretion to set the appropriate duration of the order and whether there are any conditions for unsealing the order. For example, a judge may order that the arrest warrant information must be unsealed 15 days from issuance or automatically upon execution of the warrant.

Paragraph (E) provides that the attorney for the Commonwealth may move to unseal the arrest warrant information and the judge or justice must order the information unsealed. Ordinarily, this will occur in circumstances in which law enforcement wishes to publicize the existence of a previously sealed warrant in order to obtain public assistance in the apprehension of the defendant. The judge or justice may not deny the motion.

Paragraph (F)(2) permits a judge or justice to order sealed arrest warrant information to be kept from the defendant even after the defendant is arrested. The judge or justice may order that either the whole or part of the arrest warrant information be kept from the defendant. This provision should only be used in extraordinary circumstances in which there is considerable risk to public safety or the safety of individual witnesses. In determining whether the information is to be kept from the defendant and what portion of the information is to be kept from the defendant, the judge or justice should be guided by the principle that the least restrictive means should be utilized that are consistent with the reason for the requested restriction. For example, if the grounds for requesting delay in providing this information to the defendant is that the affidavit of probable cause contains information regarding identity of an informant and must remain confidential until additional arrests in other ongoing investigations are made, the judge or justice may delay providing a copy of the affidavit of probable cause to the defendant while providing him or her with a copy

of the complaint in order to provide the defendant with information regarding the charges.

When a sealed copy of the arrest warrant information has been given to the defendant, nothing in this rule is intended to preclude the attorney for the Commonwealth from requesting that the justice or judge issue a protective order to prevent or restrict the defendant from disclosing the arrest warrant or the contents of the affidavit. *See* Rule 573(F).

Until the order sealing the arrest warrant information terminates, the judge and the clerk of courts shall not make the arrest warrant information available for inspection and dissemination.

Official Note: New Rule 513.1 adopted December 23, 2013, effective March 1, 2014.

Committee Explanatory Reports:

Final Report explaining the December 23, 2013 adoption of new Rule 513.1 providing procedures for sealing of arrest warrant information published with the Court’s Order at 44 Pa.B. 243 (January 11, 2014).

PART D. Proceedings in Court Cases Before Issuing Authorities

Rule 540. Preliminary Arraignment.

* * * * *

(F) The issuing authority shall not question the defendant about the offense(s) charged but shall read the complaint to the defendant. The issuing authority **also** shall [**also**] inform the defendant:

* * * * *

Comment

* * * * *

Paragraph (D) requires that the defendant receive copies of the arrest warrant and the supporting affidavit(s) at the time of the preliminary arraignment. *See also* Rules 513(A), 208(A), and 1003. **See Rule 513.1(F) concerning a defendant’s access to arrest warrant information that has been sealed.**

Paragraph (D) includes a narrow exception that permits the issuing authority to provide copies of the arrest warrant and supporting affidavit(s) on the first business day after the preliminary arraignment. This exception applies only when copies of the arrest warrant and affidavit(s) are not available at the time the issuing authority conducts the preliminary arraignment, and is intended to address purely practical situations such as the unavailability of a copier at the time of the preliminary arraignment.

[Nothing in this rule is intended to address public access to arrest warrant affidavits. *See Commonwealth v. Fenstermaker*, 515 Pa. 501, 530 A.2d 414 (1987).]

For public access to arrest warrant information, see Rules 513, 513.1, and *Commonwealth v. Fenstermaker*, 515 Pa. 501, 530 A.2d 414 (1987).

When a defendant has not been promptly released from custody after a warrantless arrest, the defendant must be afforded a preliminary arraignment by the proper issuing authority without unnecessary delay. *See* Rule 519(A).

* * * * *

See Rule 1003(D) for the procedures governing preliminary arraignments in the **Philadelphia** Municipal Court.

See Chapter 5, Part H, Rules 595, 596, 597, and 598, for the procedures governing requests for transfer from criminal proceedings to juvenile proceedings pursuant to 42 Pa.C.S. § 6322 in cases in which the defendant was under the age of 18 at the time of the commission of the alleged offense and charged with one of the offenses excluded from the definition of “delinquent act” in paragraphs (2)(i), (2)(ii), and (2)(iii) of 42 Pa.C.S. § 6302.

Official Note: Original Rule 119 adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970. New Rule 119 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 140 September 18, 1973, effective January 1, 1974; amended April 26, 1979, effective July 1, 1979; amended January 28, 1983, effective July 1, 1983; rescinded August 9, 1994, effective January 1, 1995. New Rule 140 adopted August 9, 1994, effective January 1, 1995; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996; renumbered Rule 540 and amended March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; amended August 24, 2004, effective August 1, 2005; amended June 21, 2012, effective in 180 days; amended July 31, 2012, effective November 1, 2012; amended May 2, 2013, effective June 1, 2013; **Comment revised December 23, 2013, effective March 1, 2014.**

Committee Explanatory Reports:

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Final Report explaining the December 23, 2013 Comment revisions concerning sealed arrest warrant information published with the Court’s Order at 44 Pa.B. 243 (January 11, 2014).

Rule 547. Return of Transcript and Original Papers.

* * * * *

(C) In addition to this transcript the issuing authority also shall [also] transmit the following items:

* * * * *

Comment

* * * * *

See Chapter 5 Part E for the procedures governing indicting grand juries. Pursuant to Rule 556.2(A)(3), the judge is required to notify the issuing authority that the case will be presented to the indicting grand jury. Pursuant to Rule 556.11(A), upon receipt of the notice, the issuing authority is required to close out the case in his or her office, and forward it to the court of common pleas for all further proceedings. When the case is transmitted to the court of common pleas, the clerk of courts should [associate] associate the transcript and other documents transmitted by the issuing authority with the motion and order filed pursuant to Rule 556.2(A)(5).

When arrest warrant information has been sealed pursuant to Rule 513.1, the arrest warrant information already will have been filed with the clerk of courts. When the case is transmitted to the court of common pleas, the clerk of courts should associate the transcript and other documents transmitted by the issuing authority with the original file created for the sealing procedure.

Official Note: Formerly Rule 126, adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970; revised January 31, 1970,

effective May 1, 1970; renumbered Rule 146 and amended September 18, 1973, effective January 1, 1974; amended October 22, [1982] 1981, effective January 1, 1982; amended July 12, 1985, effective January 1, 1986; effective date extended to July 1, 1986; renumbered Rule 547 and amended March 1, 2000, effective April 1, 2001; amended August 24, 2004, effective August 1, 2005; amended May 1, 2007, effective September 4, 2007, and May 1, 2007 Order amended May 15, 2007; amended July 10, 2008, effective February 1, 2009; amended June 21, 2012, effective in 180 days; **amended December 23, 2013, effective March 1, 2014.**

Committee Explanatory Reports:

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Final Report explaining the December 23, 2013 Comment revisions concerning sealed arrest warrant documents published with the Court’s Order at 44 Pa.B. 243 (January 11, 2014).

FINAL REPORT¹

New Pa.R.Crim.P. 513.1, Amendments to Pa.R.Crim.P. 513, and Revisions to the Comments to Pa.Rs.Crim.P. 540 and 547

Public Access to Pre-Execution Arrest Warrant Information: Delay in Dissemination and Sealing of Arrest Warrant Information for Public Safety Purposes

On December 23, 2013, effective March 1, 2014, upon the recommendation of the Criminal Procedural Rules Committee, the Court (1) adopted the amendment of Pa.R.Crim.P. 513 to provide for the temporary delay in the dissemination of arrest warrant information to the public prior to execution, (2) adopted new Rule 513.1 to provide for the sealing of arrest warrant information, and (3) approved correlative changes to the Comments to Rules 540 and 547.

I. Background

For several years, the Committee had examined the question of an issuing authority’s obligation to disseminate arrest warrant information to the public prior to the execution of the warrant.² The Committee recognized the strong tradition and policy in Pennsylvania of maintaining the openness of the courts and court records. At the same time, the Committee recognized that disclosure of arrest warrant information prior to execution has the potential for injury or loss of life to the executing officers in addition to the possibility of flight on the part of the defendant. This concern had been heightened by the increased level of automation of court records and increased accessibility of this information.

Part of the impetus for the development of this proposal was an examination of *Commonwealth v. Fenstermaker*, 515 Pa. 501, 530 A.2d 414 (1987),³ in which the Court specifically reserved the question of access to pre-execution arrest warrant information. As a result, the

¹ The Committee’s Final 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 Committee’s explanatory Final Reports.

² “Arrest warrant information” is defined under the proposed amendments as the criminal complaint in cases in which an arrest warrant is issued, the arrest warrant, any affidavit(s) of probable cause, and documents or information related to the case.

³ In *Fenstermaker*, a newspaper filed a motion for access to the probable cause affidavits for an executed arrest warrant. The Supreme Court of Pennsylvania noted that there were important policy considerations which underlay a general right to public access to court records, such as discouraging perjury, enhancing police and prosecutorial performance, and promoting a public perception of fairness in the arrest warrant process. However, the Court found that the public’s right to inspect judicial documents is not absolute and the decision regarding public access to arrest warrant affidavits is best left to the discretion of the court. The remedy the Court supported was to require that affidavits be sealed under a court order, not simply upon the request of one of the parties.

Committee concluded that the current state of the law is unclear to what extent an issuing authority is obligated to make arrest warrant information available to the public at a point in a criminal case when such disclosure has the potential to affect public safety adversely. The Committee struggled to reach a balance between the interests of safety and public access. Ultimately, the Committee concluded that reasonable limitations on pre-execution disclosure should be put into place, regardless of whether that information is disseminated electronically or is physically available for inspection at the issuing authority's office.

II. *Development and Publication of Proposal*

The amendments are the product of extensive discussions by the Committee, the publication for comment of three separate Explanatory Reports, review of numerous comments received in response to these publications, and subsequent modifications based on the publication comments.

On August 4, 2007, the Committee published for comment a Report explaining the considerations in the development of a proposal to amend Rule 513 to provide for the temporary delay in the dissemination of arrest warrant information to the public prior to execution. This proposal was similar to the procedures in then-new Rule 212. *See* 37 Pa.B. 4178 (August 4, 2007). Based on comments received from this publication, the Committee realized that the limited procedure contemplated in the original proposal did not sufficiently address the safety needs that prompted the question nor did it ensure that the defendant's or the public's right to access were not unduly impinged.

The Committee concluded that the best method of addressing these questions was by the creation of a "two-tiered" system for access to arrest warrant information. As originally conceived, the first tier provided for a limitation on dissemination of the arrest warrant information, requested by the affiant or the attorney for the Commonwealth, for no more than 10 days or until the warrant is executed, whichever is sooner. The second tier, which was based on the sealing of search warrant procedures in Rule 211, could have been used to extend the time under which public access to arrest warrant information was limited or could have been used as a sealing order from the start.

In devising this approach, the Committee concluded that detailing procedures for sealing arrest warrants would have the added benefit of providing definition to a practice currently established only in case law, *see Commonwealth v. Fenstermaker, supra*. The Committee determined that, while the authority of a court to seal arrest warrants was generally recognized, gaps exist in the practice. This point is highlighted in Fenstermaker that explicitly left open the question of public access to pre-execution arrest warrant information. The Committee believed that judges, practitioners, and the public would benefit from the clarity and uniformity that a detailed rule would provide as to how access to arrest warrant information may be restricted and the standards for determining if such restrictions should be granted. This clarity and uniformity would provide law enforcement and prosecutors with the tools to ensure public safety while ensuring that defense and public interests are protected.

On December 8, 2007, the Committee published for comment a Supplemental Report that contained this revised approach. *See* 37 Pa.B. 6392 (December 8, 2007).

The Committee received several comments. One response argued that the only way in which any restriction may be placed on public access to arrest warrant information is by a formal sealing procedure. There were also questions raised as to the specific procedures to be followed for the execution of sealed arrest warrants, especially with regard to access to the warrant information at the preliminary arraignment as well as concerns about whether the rule would unduly restrict dissemination of the warrant information to law enforcement.

From the Committee's research and analysis, it was concluded there is a substantial difference between a temporary delay in dissemination limited to the pre-execution stage of a proceeding and a full sealing of the information. The first is a limited and temporary delay in dissemination to the public when there is an immediate public safety concern, while the latter is a bestowal of court-ordered confidentiality upon the information of potentially greater duration and restriction of access. The Committee went to considerable effort to differentiate the two concepts by creating two distinct procedures. For both procedures, the Committee has taken great pains to ensure that the public interest in access to the court records is protected by requiring specific grounds for delay or sealing and placing specific time limitations on the duration of the delay and seal.

The Committee concluded that part of the problem with the proposal as published was that the second portion of the proposal mixed procedures for extending the delay in dissemination with procedures similar to the sealing of search warrants. The Committee determined that the distinction would be clearer if the two concepts, delay in dissemination and sealing, were placed in separate rules. The first rule would permit a limited delay in public access to arrest warrant information, while the second rule would provide procedures for sealing an arrest warrant in the traditional sense.

The Committee again revised the proposal as outlined above and a Second Supplemental Report was published on October 18, 2008. *See* 38 Pa.B. 5747 (October 18, 2008). Some of the responses to this publication opined that it would be better to have a "blanket" delay in the dissemination of arrest warrant information in all cases. This type of procedure had been considered by the Committee and rejected as unfeasible from a technological point.

III. *Discussion of the Amendments*

The amendments create a "two-tiered" system for access to arrest warrant information. Rule 513 establishes the first tier with a limitation on the dissemination of arrest warrant information. New Rule 513.1 establishes the second tier with the procedures for sealing arrest warrant information. Correlative changes have been made to the Comments to Rules 540 and 547.

Amendments to Rule 513

Rule 513 has been reorganized to incorporate the delay in dissemination procedures. New paragraph (A) sets forth the definition of "arrest warrant information." The original text of the rule has become new paragraph (B), titled "Issuance of Arrest Warrant." New Paragraph (C), titled "Dissemination of Arrest Warrant Information," provides that an affiant or attorney for the Commonwealth may request that an issuing authority delay dissemination of arrest warrant information, in any form, to the public. Paragraph (C)(1) provides that, upon a finding of good cause, the issuing authority must delay the dissemination of the arrest warrant information for a

period of 72 hours from issuance of the warrant or until notice of the execution of the warrant is received by the issuing authority. Paragraph (C)(2) also provides for a limited extension of the 72-hour limited when there is a delay in the administrative processing between the filing of the arrest warrant application and the issuance.

The amendments as originally proposed provided that the delay in dissemination of arrest warrant information would be for 10 days or until execution. This period was reduced to 72 hours in order for the rules to be compatible with the existing administrative practice, developed by AOPC Automation, of accommodating a 72-hour delay of the appearance of the electronic case information on the various court computer systems upon request by law enforcement or prosecutors.

Ordinarily, as soon as a case is created in one of the Court's systems (MDJS, CPCMS, PACMS), the case information will be available immediately for public viewing on the UJS Web Portal. Additionally, when an arrest warrant has been issued, the Court's systems, usually the MDJS, feed that information to the two law enforcement fugitive tracking systems, the Pennsylvania State Police's CLEAN system and the FBI's NCIC system, for dissemination to law enforcement. The administrative policy provides that the availability of this information may be delayed on a case-by-case basis if a written request is made by law enforcement personnel and approved by the issuing authority in a written order. This process applies only to access to the electronic records. Pursuant to the Court's policy on public access to the paper records of the MDJs, the case and warrant information would be available for viewing at the MDJ office unless a seal order had been issued.

AOPC Automation became aware of problems with the 72-hour delay process that necessitated a change that would permit additional time for the delay in availability of the information. There had been cases in which there was a significant amount of time between when the case was set up in the system and when a warrant in that case was issued. On August 9, 2012, the administrative policy was modified to provide up to an additional 24 hours in the delay of dissemination of the warrant information if there is a delay in issuing the warrant. In other words, the 72-hour delay would begin to run from the time that the warrant is issued but if the issuance does not occur at the same time as the creation of the case record, an additional period of delay in dissemination, not to exceed 24 hours, would be available after the case had been created in the system but before issuance.

Since the amendments to Rule 513 were intended to be compatible with the administrative policy, they incorporate a provision in paragraph (C)(1) that, when there is a need for additional time for the administrative processing of the arrest warrant request, a period of 24 hours of additional delay in dissemination may be permitted. It should be noted that, unlike the administrative policy, the amendments to Rule 513 apply to both electronic and paper records. Any further restriction upon public access to the arrest warrant information beyond the period provided in Rule 513(C) must be sought through a sealing order as provided in Rule 513.1.

The temporary delay in dissemination is applicable only to the public. As explained in the Rule 513 Comment, nothing in the rule is intended to limit availability of the information that is subject to the delay to court personnel or law enforcement as needed in the performance of their duties was carried over from the original proposal. When the warrant is sealed, however, the availability of infor-

mation to all parties would be much more limited. This limitation is discussed in more detail below in the discussion of new Rule 513.1.

Paragraph (C)(2) provides that the 72-hour period of delay begins upon the issuance of the arrest warrant.

Paragraph (C)(3) provides that, in those counties that require the approval of the attorney for the Commonwealth prior to the filing of complaints and arrest warrant request pursuant to Rule 507, only the attorney for the Commonwealth may request a delay in dissemination. As noted in the Comment to Rule 513, this requirement would apply when the attorney for the Commonwealth has elected to only require prior approval of certain offenses.

New Rule 513.1

New Rule 513.1, which is based on and incorporates many of the procedures for sealing search warrants contained in Rule 211, provides the procedures by which, upon a showing of good cause, a common pleas judge⁴ must order the arrest warrant information to be sealed. The request for sealing must be made by the attorney for the Commonwealth. The Comment provides direction on the application of the good cause standard to requests to seal the arrest warrant information and utilizes language taken from *Commonwealth v. Fenstermaker*, *supra*.

Paragraph (C) permits only an attorney for the Commonwealth to request the sealing of the arrest warrant information at the time of the issuance of the arrest warrant. The arrest warrant affidavits must include the good cause for sealing.

Because the access to a sealed arrest warrant is severely limited, even to law enforcement agencies, paragraph (C)(1)(b) places the burden on the attorney for the Commonwealth, if he or she wants the sealed arrest warrant information to be disseminated to other law enforcement agencies, to specifically request that the sealing order provide for the release of the sealed information to these agencies.

Upon a determination of good cause, the judge shall issue the sealing order which shall contain the expiration date of the seal as well as a designation of the issuing authority before whom the defendant should be brought upon execution of the warrant.

Originally, the Committee proposed that the rules provide that the common pleas judge would issue the sealing order only, and that the police would then file the order, complaint, and probable cause affidavit with the proper issuing authority for approval and processing. However, after further consideration, the Committee concluded that a more realistic procedure is to provide that most of the initial procedures and processing of the paperwork in a case in which the arrest warrant information is sealed should remain at the common pleas court, at least until execution of the arrest warrant. In other words, once the common pleas judge orders the sealing, the arrest warrant information will be filed in the clerk of courts' office as a miscellaneous docket case. When the warrant is executed, the attorney for the Commonwealth or the police officer will take copies of all the original filings to the issuing authority designated in the sealing order, and, thereafter, the case will proceed as any other case before the issuing authority. If the case is held for court, the clerk of courts will merge the case from the magisterial district judge with the miscellaneous case previously filed in the clerk of courts' office.

⁴The rule also permits the motion to be made to an appellate judge.

Paragraph (D) states the time limitations on any sealing order as well as the procedures for requesting an extension of the time limitation. Upon issuance of the sealing order, the arrest warrant will remain sealed for a period of not more than 60 days. The attorney for the Commonwealth may seek to extend the sealing of the warrant for additional periods of 30 days but each extension must be supported by a showing of good cause.

Paragraph (E) provides that, upon the request of the attorney for the Commonwealth, the arrest warrant shall be unsealed.

Rule 513.1(F), which is modeled on a similar restriction to sealed search warrants found in Rule 211(H)(2), recognizes that the defendant's access to the sealed arrest warrant information may be limited in exceptional circumstances even after execution and the preliminary arraignment. The paragraph provides that, upon a further finding of good cause, the defendant may be denied access to the arrest warrant information for a period of no more than thirty days or the date of the preliminary hearing. The Committee concluded that, as in the search warrant situation, there might be some unique situations, such as the protection of a confidential informant, that necessitate such a severe restriction. The Committee believes that there are sufficient procedures available to seek further review of such an order. However, as a further caution, the Comment to Rule 513.1 specifically states that this procedure should only be used in exceptional cases.

Correlative Changes

Correlative changes are also made to the Comments to Rules 540 (Preliminary Arraignments) and 547 (Return of Transcript and Original Papers) have been revised to include cross-references to new Rule 513.1.

[Pa.B. Doc. No. 14-77. Filed for public inspection January 10, 2014, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 4]

Proposed Amendments to Rule 409

The Juvenile Court Procedural Rules Committee is soliciting public comment on proposed modifications to Rule 409 before it considers any recommendations to the Supreme Court of Pennsylvania. These proposed modifications address the extension of time in determining whether the juvenile is in need of treatment, supervision, or rehabilitation.

The Committee requests that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Christine Riscili at juvenilerules@pacourts.us. Email is the preferred method for receiving comments in an effort to conserve paper and expedite the distribution of comments to the Committee. Emailed comments need not be reproduced and sent via hard copy. The Committee will acknowledge receipt of your comment.

For those who do not have access to email, comments may be faxed to the Committee at 717-231-9541 or written comments may be mailed to:

Christine Riscili, Esq.
Supreme Court of Pennsylvania
Juvenile Court Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Ave, Suite 6200
P. O. Box 62635
Harrisburg, PA 17106-2635.

All comments shall be received no later than Monday, February 10, 2014.

*By the Juvenile Court
Procedural Rules Committee*

HONORABLE TODD A. HOOVER,
Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 4. ADJUDICATORY HEARING

Rule 409. Adjudication of Delinquency.

A. *Adjudicating the juvenile delinquent.* Once the court has ruled on the offenses as provided in Rule 408, the court shall conduct a hearing to determine if the juvenile is in need of treatment, supervision, or rehabilitation.

1) *Not in need.* If the court determines that the juvenile is not in need of treatment, supervision, or rehabilitation, the court shall enter an order providing that:

a) jurisdiction shall be terminated and the juvenile shall be released, if detained, unless there are other reasons for the juvenile's detention; and

b) any fingerprints and photographs taken shall be destroyed.

2) *In need.*

a) If the court determines that the juvenile is in need of treatment, supervision, or rehabilitation, the court shall enter an order adjudicating the juvenile delinquent and proceed in determining a proper disposition under Rule 512.

b) The court also shall order the law enforcement agency that submitted the written allegation:

i) to take, or cause to be taken, the fingerprints and photographs of the juvenile if not previously taken pursuant to this case, and

ii) to ensure that these records, including the case reference number, are forwarded to the central repository maintained by the Pennsylvania State Police.

B. *Timing.*

1) If the juvenile is in detention, the court shall make its finding within twenty days of the ruling on the offenses pursuant to Rule 408.

2) If the juvenile is not in detention, the court shall make its finding within sixty days of the ruling on the offenses pursuant to Rule 408.

C. Extending Time by Agreement. The time restrictions under paragraphs (B)(1) and (B)(2) may be extended for **six months** if there is an agreement by both parties. **One additional six-month extension is permitted when the courts finds additional time is necessary to determine if the juvenile is in need of treatment, supervision, or rehabilitation.**

Comment

Under paragraph (A), absent evidence to the contrary, evidence of the commission of acts that constitute a felony is sufficient to sustain a finding that the juvenile is in need of treatment, supervision, or rehabilitation. *See* 42 Pa.C.S. § 6341(b).

If the court determines that the juvenile is not in need of treatment, supervision, or rehabilitation and the court enters an order terminating jurisdiction, the victim, if not present, shall be notified of the final outcome of the proceeding. *See* Victim's Bill of Rights, 18 P. S. § 11.201 *et seq.*

This rule addresses adjudicating the juvenile delinquent or releasing the juvenile from the court's jurisdiction. This determination is different from finding the juvenile committed a delinquent act under Rule 408.

Pursuant to 42 Pa.C.S. § 6308(c)(3), all fingerprints and photographic records are to be destroyed upon order of the court if the juvenile is not adjudicated delinquent.

Pursuant to paragraph (A)(2)(b)(ii), a case reference number is to be included to help track this case. *See* Comment to Rule 170 for further description of a case reference number.

Pursuant to paragraph (C), the timing of when the court is to enter its findings can be extended for up to two six-month periods if there is an agreement by both parties. However, in no case may the court go without a determination as to whether the juvenile is in need of treatment, supervision, or rehabilitation beyond the extended periods. If there has been no finding pursuant to paragraph (B) after two six-month extensions, the court is to make its determination whether the juvenile is in need of further court services.

A report on the disposition is to be sent to the Juvenile Court Judges' Commission. *See* 42 Pa.C.S. § 6309(d).

For dispositional hearing procedures, see Chapter Five.

* * * * *

EXPLANATORY REPORT

The Juvenile Court Procedural Rules Committee (Committee) is seeking public comment on amendments to Rule 409 regarding the extension of time for finding a juvenile in need of treatment, supervision, or rehabilitation when there is an agreement between the parties.

The Committee was made aware that several judicial districts had open cases that were pending without any judicial determinations for extended periods. The current rule does not specify how long the case could be extended when there is an agreement between the parties.

After much discussion, the Committee believes that the court should know whether a juvenile is in need of treatment, supervision, or rehabilitation after two six-month extensions. If there are pending issues and the

case cannot be closed, it is clear that an order adjudicating the child delinquent is necessary at this point.

[Pa.B. Doc. No. 14-78. Filed for public inspection January 10, 2014, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LEHIGH COUNTY

Rule 205.4 Authorizing a Pilot E-Filing Program for Civil Cases; No. 2013-J-59

Administrative Order

And Now, this 9th day of December 2013, *It Is Hereby Ordered That* Lehigh County Rule 205.4, Electronic Filing and Service of Legal Papers, authorizing a pilot program for electronic filing of selected civil cases identified on the Supreme Court of Pennsylvania Court of Common Pleas Civil Cover Sheet, be and is hereby rescinded effective upon publication on the Pennsylvania Judiciary Web Application Portal and that the following Lehigh County Rule authorizing a Pilot E-Filing Program for all Civil Cases be and the same is hereby *Adopted*, effective upon publication of this rule on the Pennsylvania Judiciary Web Application Portal (<http://ujportal.pacourts.us>).

It Is Further Ordered That the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and the Lehigh County Rule authorizing the Pilot E-Filing Program for Civil Cases with the Administrative Office of Pennsylvania Courts; two (2) certified copies and a computer diskette or CD-ROM copy that complies with the requirement of 1 Pa. Code Section 13.11(b) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one (1) certified copy with the Civil Procedural Rules Committee, and publish a copy on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>)

By the Court

CAROL K. MCGINLEY,
President Judge

Rule 205.4. Pilot Program—Electronic Filing of Legal Documents Filed in the Clerk of Judicial Records—Civil Division.

(a)(1) *Authorization for Electronic Filing of Civil Legal Papers—Pilot Program*

(i) In accordance with Pa.R.C.P. No. 239.9, the Lehigh County Court of Common Pleas shall implement on January 1, 2014, a pilot program for the e-filing of legal papers as specifically defined within this rule. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing. Electronic filing and service shall be governed by this rule.

(ii) In the context of this rule, "legal papers" which may be filed electronically shall be all civil cases identified in Section B of the Supreme Court of Pennsylvania Court of Common Pleas Civil Cover Sheet, provided for in Pa.R.C.P. 205.5(e). Although not specifically identified on the Cover Sheet, Liens/Judgments and Petitions are also included.

(iii) All currently identified and registered participants of the e-filing pilot program are eligible to file the legal papers as indicated in paragraph (a)(1)(ii) above.

Comment

The primary intent of this rule is to facilitate the filing of all legal papers that are expressly permitted under this subsection.

(b)(1) *Authorized Electronic Format of Legal Papers Electronically Filed.* All legal papers that may be filed electronically as defined by this rule shall be filed in Portable Document Format (PDF). In the event any legal paper or exhibit is submitted to the Clerk of Judicial Records—Civil Division in hard copy format for a case already initiated electronically, the Clerk of Judicial Records—Civil Division shall convert and maintain such legal paper or exhibit to a Portable Document Format (PDF) and the Clerk of Judicial Records—Civil Division shall return the hard copy legal paper or exhibit to the filing party for retention as required by Pa.R.C.P. No. 205.4(b)(5).

(c)(1) *Reserved*

(c)(2) *Website—Access to the Website*

(i) *Website.* All legal papers may be filed electronically through the Clerk of Judicial Records—Civil Division's Electronic Filing System "Odyssey File and Serve" (OFS) which shall be accessible through the Lehigh County Website, www.lehighcounty.org

(ii) *Access to the Website.* To obtain access to the Electronic Filing System, counsel and any unrepresented party must apply for and receive a User Name and Password.

(d)(1) *Payment of Filing Fees*

(i) The Clerk of Judicial Records—Civil Division will accept payment of all filing fees in cash, checks, and the following credit and debit cards: Discover, MasterCard, American Express and Visa.

(ii) The Clerk of Judicial Records—Civil Division will accept advance deposits on draw down accounts of future filing fees.

(iii) The credit or debit card will be charged with a convenience fee dictated by the credit card vendor.

(e) *Reserved*

(f) *Local Procedures*

As authorized by Pa.R.C.P. No. 205.4(f), the following local administrative procedures are adopted:

(i) As provided by Pa.R.C.P. No. 1023.1, the required signature on an electronic filing of legal papers is established by submission of a filing and the application of a digitized signature or the name of the filer preceded by /s/ accompanied by the attorney's printed name or a scanned document with an original signature. Verification will be achieved through the use of an email address and a password obtained from the OFS System. The OFS system will verify the user ID against the state ID number. Verification for parties other than attorneys will be verified through the user ID.

(ii) The legal paper must include a signature block, and the name of the filer under whose user name and password the legal filing is submitted.

(iii) The Electronic Filing Application (OFS) shall provide to the filer, using the email address registered by the filer, a Courtesy Email acknowledging that the filing was received. An Official Notification will be displayed in the Electronic Filing System, which includes the time and date, as a pending filing awaiting approval by the Clerk of Judicial Records—Civil Division. Within six (6) business hours of the receipt of the legal paper, the Clerk of Judicial Records—Civil Division shall provide the filer

with notification through the Electronic Filing System that the legal paper has been either accepted or rejected.

(iv) If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the Electronic Filing System; however, if a legal paper is submitted without the requisite filing fee, the legal paper shall be deemed to have been accepted for filing as of the date payment is received pursuant to 42 P.S. Section 21073(b), "The Clerk of Judicial Records—Civil Division shall not be required to enter on the docket any suit or action or order of court or to enter any judgment thereon and perform any services whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid."

Note: As required by Pa.R.C.P. No. 205.4(c)(1) access to the Electronic Filing System shall be available at all times, except for routine maintenance; however, legal documents can only be reviewed by the staff of the Clerk of Judicial Records—Civil Division during normal office hours. Therefore, filers are cautioned to file required legal papers well in advance of any filing deadlines to enable timely correction and re-submission in the event a legal paper is not acceptable for filing.

(v) Pa.R.C.P. No. 204.1(3) requires that the first sheet of all pleadings, motions and other legal filings shall contain a 3-inch space from the top of the paper. This space shall be reserved solely for the use of the Clerk of Judicial Records—Civil Division for the electronic date and time stamp, and other official use.

(vi) As required by Pa.R.C.P. 205.5, the filer shall include the statewide cover sheet with the initial filing.

(vii) It shall be the responsibility of the filer to notify the Clerk of Judicial Records—Civil Division of any legal paper or exhibit submitted for filing in hard copy format/paper for a case initiated by electronic filing by indicating under the case number "Electronic Case". The Clerk of Judicial Records—Civil Division shall then convert the legal paper to a portable document format (pdf) and accept and maintain such legal paper or exhibit in the electronic form. The Clerk of Judicial Records—Civil Division shall return the hard copy legal paper or exhibit to the filing party for retention as required by Pa.R.C.P. No. 205.4(b)(4) and Pa.R.C.P. No. 205.4(b)(5).

(viii) If a legal document is refused for filing, the Clerk of Judicial Records—Civil Division shall specify a reason. Subject to the Rule 205.4(e)(3), a legal paper refused for filing shall be deemed as not having been filed.

(ix) When filing motions, petitions and other responsive pleadings electronically in accordance with the local rules, the filer may provide an electronic courtesy copy to the Office of Court Administration through the Clerk of Judicial Records—Civil Division's Electronic Filing System "Odyssey File and Serve" (OFS).

(g) *Service of Legal Papers*

(i) If a legal paper is accepted for electronic filing, it will be electronically served as authorized by Pa.R.C.P. No. 205.4(g)(1)(ii) and service shall be effectuated as provided in Pa.R.C.P. No. 205.4(g)(2), Electronic Filing and Service of Legal Papers.

(ii) Once an electronic filing has been accepted by the Clerk of Judicial Records—Civil Division, it shall be the responsibility of the filing party to provide to the Sheriff of Lehigh County, the proper service fee and the documents for Original Service and Writs.

[Pa.B. Doc. No. 14-79. Filed for public inspection January 10, 2014, 9:00 a.m.]

RULES AND REGULATIONS

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CHS. 1, 3, 5, 23, 29, 32,
53, 54, 57, 59 AND 62]

[L-2012-2324073]

Paper Copy and Electronic Copy Filing Requirements

The Pennsylvania Public Utility Commission (Commission), on August 15, 2013, adopted a final rulemaking order amending existing Commission paper and electronic filing requirements by eliminating additional paper copies of certain documents, increasing the size limit of eFiled documents and dispensing with the requirement for a paper copy of eFiled documents less than 250 pages.

Executive Summary

In order to facilitate a review of its procedural regulations, the Pennsylvania Public Utility Commission (Commission) formed the Efficient Work Group consisting of internal staff from the Commission's Office of Administrative Law Judge, Secretary's Bureau, Law Bureau, Bureau of Investigation and Enforcement (formally Office of Trial Staff), Bureau of Consumer Services, Bureau of Technical Utility Services, Office of Special Assistants and Management Information Services. After a period of study and discussion, the Efficient Work Group determined that due to the recently completed reorganization of the Commission, advances in technology and the ability of many practitioners to make electronic filings at the Commission, the Commission should change some of its procedural regulations to reduce paper copy filings.

On February 28, 2013, the Commission issued a Proposed Rulemaking Order inviting comment to our proposed amendments to our procedural regulations which will: (1) eliminate the requirement to file additional paper copies, beyond a signed original, of certain documents, (2) increase the size limit of qualified documents that may be electronically filed (eFiled) with the Commission and (3) dispense with the requirement for a paper copy of eFiled documents, that are less than 250 pages in length, to be filed with the Commission. These proposed changes to our procedural regulations will result in savings of time and resources for both parties appearing before the Commission and Commission staff by reducing paper copy filings. Based upon our review and consideration of the single comment filed in support of this rulemaking proceeding by the Energy Association of Pennsylvania, the Commission proposes to adopt the final regulations as set forth at 43 Pa.B. 2602 (May 11, 2013) and Annex A.

Public Meeting held
August 15, 2013

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

Amendment of Paper Copy and Electronic Copy Filing Requirements; Doc. Nos. L-2012-2324073;

*L-2012-2296005; L-00070187; M-2012-2317481;
M-2008-2072592*

Final Rulemaking Order

By the Commission:

On February 28, 2013, the Pennsylvania Public Utility Commission (Commission) issued a Proposed Rulemaking

Order proposing to implement changes to our procedural regulations to: (1) eliminate the requirement to file additional paper copies, beyond a signed original, of certain documents, (2) increase the size limit of qualified documents that may be electronically filed (eFiled) with the Commission and (3) dispense with the requirement for a paper copy of eFiled documents, that are less than 250 pages in length, to be filed with the Commission. The Commission proposed these changes to our regulations in order to simplify practice before the Commission and diminish the burden upon parties appearing before the Commission by reducing the amount of paper they must file with the agency. Based upon our review and consideration of the comment filed in support of this rulemaking proceeding by the Energy Association of Pennsylvania (EAP), we shall adopt the final regulations as set forth at 43 Pa.B. 2602 and Annex A.

Background. On February 28, 2013, the Commission issued a Proposed Rulemaking Order, Docket Nos. L-2012-2324073, L-2012-2296005, L-00070187, M-2012-2317481 and M-2008-2072592, proposing a number of modifications to our existing regulations to facilitate significant savings of time and resources for both parties appearing before the Commission and Commission staff by reducing paper copy filings in general. To maximize efficiency, the Commission encouraged interested parties filing comments in response to our February 28, 2013 Proposed Rulemaking Order to point out any further regulations containing paper copy filing requirements that may also be appropriate for elimination and/or waiver.

Discussion. In response to our proposed amendments set forth in the February 28, 2013 Proposed Rulemaking Order and Annex A thereto, the Commission received comments in support of the rulemaking from EAP. In its comments, EAP applauded the Commission's initiative to review and streamline its procedural regulations for document filings and supports the amendments. EAP further commented that it looks forward to working with the Commission as it continues to seek to simplify its current processes so as to promote efficiency and administrative economy in its regulatory role.

The Independent Regulatory Review Commission (IRRC) reviewed the Commission's proposed amendments and had no objections, comments or recommendations to offer on the regulations.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 22, 2013, the Commission submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 2602 and Annex A, to IRRC and the Chairpersons of the House Consumer Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on November 6, 2013, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory

Review Act, the final-form rulemaking was deemed approved by IRRC effective November 6, 2012.

Conclusion

The amendments to our regulations will simplify practice before the Commission and diminish the burden upon parties appearing before the Commission by reducing the amount of paper they must file with the agency. These amendments will also result in significant savings of time and resources for parties appearing before the Commission and for Commission staff by reducing paper copy filings. The Commission, therefore, formally adopts the final regulations as set forth as proposed at 43 Pa.B. 2602 and Annex A.

Accordingly, pursuant to sections 501, 504, 505, 506, 1501, 3009(b),(d), and 2801, et seq., and the regulations promulgated thereunder at 52 Pa. Code §§ 57.191—57.197; and sections 201 and 202 of the act of July 31, 1968 P. L. 769, No. 240 (45 P. S. §§ 1201 and 1202), and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P. S. § 732.204(b)); section 745.5 of the Regulatory Review Act (71 P. S. § 745.5) and section 612 of The Administrative Code of 1929 (71 P. S. § 232), and the regulations promulgated thereunder at 4 Pa. Code §§ 7.231—7.234, we will adopt as final the amendments to the regulations as set forth as proposed at 43 Pa.B. 2602; *Therefore, It Is Ordered That:*

1. The regulations of the Commission, 52 Pa. Code Chapters 1, 3, 5, 23, 29, 32, 53, 54, 57, 59 and 62, are amended by amending §§ 1.32, 1.59, 3.101, 3.381, 3.383, 3.501, 5.502, 23.101, 23.121, 29.303, 32.2, 53.51, 54.32, 54.203, 57.72, 57.74, 57.141, 57.195, 59.81 and 62.103 to read as set forth at 43 Pa.B. 2602 and by amending § 1.37 as set forth in Annex A with the ellipses referring to the existing text of the regulations.

2. The Secretary shall submit this order and 43 Pa.B. 2602 and Annex A to the Office of Attorney General for approval as to legality.

3. The Secretary shall submit this order and 43 Pa.B. 2602 and Annex A to the Governor's Budget Office for review of fiscal impact.

4. The Secretary shall submit this order and 43 Pa.B. 2602 and Annex A for review by the designated standing committees of both houses of the General Assembly, and for review and approval by the Independent Regulatory Review Commission.

5. The Secretary shall duly certify this order and 43 Pa.B. 2602 and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

6. These regulations shall become effective upon publication in the *Pennsylvania Bulletin*.

7. This order and 43 Pa.B. 2602 and Annex A be posted on the Commission's web site.

8. A copy of this order and 43 Pa.B. 2602 and Annex A shall be served on the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and jurisdictional public utility industry and licensee trade associations.

9. The contact person for legal matters for this final rulemaking is Krystle J. Sacavage, Assistant Counsel, Law Bureau, (717) 787-5262. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4597.

ROSEMARY CHIAVETTA,
Secretary

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

Fiscal Note: Fiscal Note 57-293 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 1. RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE

Subchapter D. DOCUMENTARY FILINGS

§ 1.37. Number of copies.

(a) *Paper filings.* When a pleading, submittal or document other than correspondence is submitted in hard copy, an original and the cover letter shall be furnished to the Commission at the time of filing, except when:

* * * * *

(3) A filing, including attachments, exceeds 10 megabytes, in addition to filing the requisite number of hard copies in accordance with this subpart, a CD-ROM or DVD containing the filing and an index to the filing shall be filed with the Commission.

(b) *Electronic filings.*

* * * * *

[Pa.B. Doc. No. 14-80. Filed for public inspection January 10, 2014, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 63]

Fishing; General Fishing Regulations

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

A. *Effective Date*

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

B. *Contact Person*

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

C. *Statutory Authority*

The amendment to § 63.50 (relating to importation of tautog) is published under the statutory authority of section 2102(c) of the code (relating to rules and regulations). The addition of § 63.56 (relating to replacement costs for fish killed) is published under the statutory authority of section 923(c.1) of the code (relating to classification of offenses and penalties).

D. *Purpose and Background*

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

E. *Summary of Changes*

(1) At its July 2007 meeting, the Commission approved a 14-inch minimum size limit on tautog (*Tautoga onitis*)

imported into this Commonwealth. Tautog is a marine fish common on hard bottom from Cape Cod, Massachusetts to Delaware. The Commission promulgated the regulation in 2007 because tautog were being harvested illegally on the Atlantic Coast and being sold in the live fish markets in Philadelphia. The New Jersey Division of Fish and Wildlife (NJDFW) asked the Commission to implement a 14-inch minimum size limit on tautog that are imported into the Commonwealth to address the black market sale of sublegal fish.

Recently, NJDFW raised its size limit to 15 inches. Accordingly, NJDFW requested that the Commission raise its importation size limit to 15 inches. Coastwide, commercial and recreational size limits are currently either 15 or 16 inches. By raising the Commonwealth's importation size limit to 15 inches rather than 16 inches, the Commission maintains consistency with New Jersey, its closest neighbor to the Atlantic Ocean. A size limit of 16 inches would render it illegal for tautog legally caught in New Jersey with a 15-inch size limit to be imported to this Commonwealth. The Commission therefore amends § 63.50 to read as set forth in the proposed rulemaking published at 43 Pa.B. 3235 (June 15, 2013).

(2) The act of October 24, 2012 (P. L. 1323, No. 167) amended section 923 of the code to add subsection (c.1). This subsection provides that in addition to other penalties in section 923 of the code, a person convicted of or acknowledging guilt of violating section 2109 or 2110 of the code (relating to serious unlawful take; and taking or possessing by illegal methods) will be assessed the costs incurred by the Commission for the replacement of the species involved in the violation in an amount determined by Commission regulation consistent with the values established by the American Fisheries Society (AFS) or other recognized professional fisheries organization. Replacement costs may only be assessed for violations relating to Federally listed threatened or endangered species and other species of fish designated by the Commission.

When determining the replacement costs for game fish, the Commission consulted guidelines established by AFS, specifically, Southwick, R. I. and A. J. Loftus, ed. (2003). "Investigation and monetary values of fish and freshwater mussel kills." American Fisheries Society Special Publication 30. The Commission updated AFS's 2003 values to 2012 values using the United States Department of Labor, Bureau of Labor Statistics CPI Inflation Calculator at http://www.bls.gov/data/inflation_calculator.htm. Costs were averaged for the various size groups. The Commission has been relying on AFS values for establishing replacement costs in pollution cases for over 20 years.

AFS has not established values for herptiles and, to the Commission's knowledge, no other recognized professional fisheries organization has done so. However, it is standard practice for state resource agencies, including the Commission, to look to the commercial market when determining replacement costs for reptiles and amphibians in pollution and poaching cases. The Commission last updated its list of commercial values for herptiles in 2010 and therefore relied on those market values when establishing their replacement costs. Specifically, the median cost of each species from commercial vendors was identified on the Internet using values for adults to simplify the process. The herptiles selected represent the animals that are most targeted in poaching cases and that have relatively high commercial values. The Commission has been relying on commercial values to establish replacement costs for reptiles and amphibians for the last 15 years.

With regard to Federally listed species, the Commission determined that the bog turtle is the species most targeted in poaching cases. Its replacement cost was determined in the same manner as the other herptiles, that is, by determining its commercial value on the Internet.

The Commission adds § 63.56 to read as set forth in the proposed rulemaking published at 43 Pa.B. 3235.

F. Paperwork

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

G. Fiscal Impact

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The amendment to § 63.50 will not impose new costs on the private sector. The addition of § 63.56 will impose new costs on anglers who are convicted of or plead guilty to violating section 2109 or 2110 of code. Because these sections of the code are new, the Commission does not have a long history of violations of these sections and therefore is unable to estimate the impact to anglers who violate them. Since sections 2109 and 2110 of the code went into effect on October 24, 2012, there have been four violations of section 2109 of the code and eight violations of section 2110 of the code. The fish species involved included 41 steelhead (20 to 28 inches), 2 brown trout (20 inches), 1 golden rainbow trout (22 inches), 5 stocked trout (7 to 11 inches) and 1 crappie (not measured).

H. Public Comments

Notice of proposed rulemaking was published at 43 Pa.B. 3235. The Commission did not receive public comments concerning the proposed rulemaking.

Findings.

The Commission finds that:

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

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

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

Order.

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 63, are amended by amending § 63.50 and adding § 63.56 to read as set forth at 43 Pa.B. 3235.

(b) The Executive Director will submit this order and 43 Pa.B. 3235 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 43 Pa.B. 3235 and deposit them with the Legislative Reference Bureau as required by law.

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

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-244 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 14-81. Filed for public inspection January 10, 2014, 9:00 a.m.]

PROPOSED RULEMAKING

PHILADELPHIA PARKING AUTHORITY

[52 PA. CODE CH. 1017]

Taxicab Emergency Lights

The Philadelphia Parking Authority (Authority), on October 28, 2013, adopted a proposed rulemaking order to provide for the installation of lights on taxicabs that will illuminate at the front and rear of the vehicle in the event the driver is in distress and presses a panic button.

Proposed Rulemaking Order; Philadelphia Taxicab and Limousine Regulations; Doc. No. 126-7

Proposed Rulemaking Order

By the Authority:

In accordance with of the act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§ 5701 et seq., as amended, (the “act”),¹ the Authority formally commences its rulemaking process to promulgate a regulation to provide for emergency distress lights to be installed on the exterior of Philadelphia taxicabs. The Authority seeks comments from all interested parties on the proposed regulation, which are found at Annex A to this Order.

A. Background and discussion.

Pursuant to Section 23 of the Act, the Authority initiated regulatory oversight of taxicab and limousine service providers in Philadelphia on April 10, 2005. The Authority’s regulations may be found at 52 Pa. Code Part II. It has been widely recommended to the Authority on several occasions, including a recent public comment hearing related driver safety issues, that an emergency distress lights be affixed to all taxicabs in Philadelphia. The purpose of the emergency distress light is to signal to the public that a driver is in need of emergency assistance, including the existence of a robbery in progress.

B. The regulation.

We propose amending 52 Pa. Code § 1017.5 (relating to basic vehicle standards) by adding a new subsection (c) to require each taxicab in Philadelphia to be equipped with emergency distress lights. The lights must be capable of activation by the driver and will be placed at the front and rear of the vehicle as specifically provided in the regulation.

A substantially similar regulation has been in place in New York City for several years; therefore, we anticipate its implementation will be relatively easy because this technology is both simple and already in wide use. We have opted not to pursue a roof top emergency light because there is already a dome light on each taxicab and in many cases an advertising panel, which could obscure the view of an emergency light.

§ 1017.5. Basic vehicle standards.

We propose amending 52 Pa. Code § 1017.5 (relating to basic vehicle standards) to require as a basic vehicle standard that every taxicab in Philadelphia be equipped with emergency lights on the front and rear capable of activation by the driver in the event the driver is a victim of a crime or another distressing situation arises.

¹ See 53 Pa.C.S. §§ 5722 and 5742.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on December 17, 2013, the Authority submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Urban Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee. In addition to submitting the proposed rulemaking, the Commission provided IRRC and will provide the Committees with a copy of a detailed Regulatory Analysis Form. A copy of this material is available to the public upon request.

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

Conclusion

The Authority, therefore, formally commences its rulemaking process to promulgate this regulation to become part of 52 Pa. Code Part II in a manner consistent with Annex A to this Order. The Authority seeks comments from all interested parties on this proposed body of regulations, which are found at Annex A to this Order. The Authority hereby advises that all comments submitted in response to this Order will be posted, without redaction of name, address, or other personal information or comment provided, on the website of the Independent Regulatory Review Commission, which may be reached at 717-783-5417.

Accordingly, under sections 13 and 17 of the Act (53 Pa.C.S. §§ 5722 and 5742); section 5505(d) of the Parking Authorities Act, act of June 19, 2001 (P.L. 287, No. 22), as amended (53 Pa.C.S. §§ 5505(d)(17), (23) and (24)); sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732.204(b)); section 745.5 of the Regulatory Review Act (71 P.S. § 745.5) and section 612 of The Administrative Code of 1929 (71 P.S. § 232) and the regulations promulgated at 4 Pa. Code §§ 7.231—7.234 the Authority proposes adoption of the regulations set forth in Annex A; *Therefore,*

It Is Ordered That:

1. A proposed rulemaking be opened to consider the regulation set forth in Annex A.
2. The Executive Director shall submit this proposed rulemaking Order and Annex A to the Office of Attorney General for review as to form and legality.
3. The Executive Director shall submit this proposed rulemaking Order and Annex A for review and comments to the Independent Regulatory Review Commission and the Legislative Standing Committees.
4. The Executive Director shall do all such other things necessary to advance this regulation through the appropriate promulgations process in an expeditious manner.

5. The Secretary of the Board shall certify this proposed rulemaking Order and Annex A and that the Executive Director shall deposit them with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

6. An original and 15 copies of any written comments referencing the docket number of the proposed regulation be submitted within 30 days of publication in the *Pennsylvania Bulletin* to the Philadelphia Parking Authority, Attn: General Counsel, 701 Market Street, Suite 5400, Philadelphia, PA 19106.

7. A copy of this proposed rulemaking Order and Annex A shall be served on the City of the First Class Taxicab and Limousine Advisory Committee and a copy shall be posted on the Authority's web site at www.philapark.org/tld.

8. The contact person for this proposed rulemaking is James R. Ney, Director, Taxicab and Limousine Division, (215)-683-9417.

VINCENT J. FENERTY, Jr.,
Executive Director

Fiscal Note: 126-7. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 52. PUBLIC UTILITIES
PART II. PHILADELPHIA PARKING AUTHORITY
Subpart B. TAXICABS
CHAPTER 1017. VEHICLE AND EQUIPMENT REQUIREMENTS
Subchapter A. GENERAL PROVISIONS
§ 1017.5. Basic vehicle standards.

* * * * *

(b) *Standard taxicab vehicle requirements.* Each taxicab is subject to the following requirements:

* * * * *

(25) The Authority may require the installation of a separate heating and air conditioning system in a taxicab if necessary to comply with paragraph (19).

(c) Distress signal lights. Taxicabs must be equipped with a distress signaling light system consisting of two turn signal type "lollipop" lights with the following specifications:

(1) One light must be mounted on the front center of the vehicle, either on top of the bumper or forward or behind the grill. A second light must be mounted on top of the rear bumper to the left of the license plate.

(2) Each light must be 3 to 4 inches in diameter, have a total rated output of 32 candle power and be amber-colored or have an amber colored lens so that the light output of the device is the color amber at 32 candle power.

(3) The activator shall be installed within easy reach of the driver, silent when operating and fully solid-state.

(4) The lights must be able to flash between 60 and 120 times per minute.

(5) The wiring may not affect or interfere with, directly or otherwise, wiring or circuitry used by the meter for measuring time or distance.

[(c)] (d) *Interstate travel.* No requirement of this subpart or any Authority regulation may be interpreted to disrupt or interfere with interstate commerce exclusively regulated by or preempted by the government of the United States.

[(d)] (e) *Smoking prohibited.* Persons may not smoke in a taxicab.

[(e)] (f) *Advertising prohibited.*

* * * * *

[(f)] (g) *Inspection by certificate holder.* A certificate holder shall inspect each of its taxicabs on a daily basis to confirm that the taxicab complies with this subpart. A certificate holder may select a person to conduct the inspections required under this subsection on the certificate holder's behalf.

[Pa.B. Doc. No. 14-82. Filed for public inspection January 10, 2014, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 31, 2013.

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

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-23-2013	<i>From:</i> Kishacoquillas Valley National Bank of Belleville Belleville Mifflin County <i>To:</i> Kish Bank Belleville Mifflin County Application for approval to convert from a National banking association to Pennsylvania State-chartered bank and trust company.	Approved
12-27-2013	<i>From:</i> Kishacoquillas Valley National Bank of Belleville Belleville Mifflin County <i>To:</i> Kish Bank Belleville Mifflin County Conversion from a National banking association to a Pennsylvania State-chartered bank and trust company. Kish Bank is a wholly-owned subsidiary of Kish Bancorp, Inc. (#5028560), Belleville, an existing bank holding company. Branch offices operated by Kish Bank:	Effective
#7661	15 Gateway Drive Reedsville Mifflin County	5473 McAlevy's Fort Road Petersburg Huntingdon County
#7663	518 Electric Avenue Lewistown Mifflin County	9471 William Penn Highway Huntingdon Huntingdon County
#7665	12522 William Penn Highway Mill Creek Huntingdon County	17 East John Street McVeytown Mifflin County
#7667	115 South Main Street Lewistown Mifflin County	25 Gateway Drive Reedsville Mifflin County
#7669	1961 South Atherton Street State College Centre County	2610 Green Tech Drive State College Centre County
#7671	205 Park Place Bellefonte Centre County	30 Carriage House Lane Reedsville Mifflin County

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>												
12-27-2013	<p><i>From:</i> Jim Thorpe National Bank Jim Thorpe Carbon County</p> <p><i>To:</i> Jim Thorpe Neighborhood Bank Jim Thorpe Carbon County</p> <p>Application for approval to convert from a National banking association to a Pennsylvania State-chartered bank.</p>	Approved												
12-30-2013	<p><i>From:</i> Jim Thorpe National Bank Jim Thorpe Carbon County</p> <p><i>To:</i> Jim Thorpe Neighborhood Bank Jim Thorpe Carbon County</p> <p>Conversion from a National banking association to a Pennsylvania State-chartered bank. Jim Thorpe Neighborhood Bank is a wholly-owned subsidiary of JTNB Bancorp, Inc. (#5028561), Jim Thorpe, an existing bank holding company.</p> <p>Branch offices operated by Jim Thorpe Neighborhood Bank:</p> <table border="0"> <tr> <td>#7673</td> <td>418 Center Street Jim Thorpe Carbon County</td> <td>#7674</td> <td>1397 State Route 903 Jim Thorpe Carbon County</td> </tr> <tr> <td>#7675</td> <td>145 South 4th Street Lehighton Carbon County</td> <td>#7676</td> <td>301 West Catawissa Street Nesquehoning Carbon County</td> </tr> <tr> <td>#7677</td> <td>430 West Patterson Street Lansford Carbon County</td> <td></td> <td></td> </tr> </table>	#7673	418 Center Street Jim Thorpe Carbon County	#7674	1397 State Route 903 Jim Thorpe Carbon County	#7675	145 South 4th Street Lehighton Carbon County	#7676	301 West Catawissa Street Nesquehoning Carbon County	#7677	430 West Patterson Street Lansford Carbon County			Effective
#7673	418 Center Street Jim Thorpe Carbon County	#7674	1397 State Route 903 Jim Thorpe Carbon County											
#7675	145 South 4th Street Lehighton Carbon County	#7676	301 West Catawissa Street Nesquehoning Carbon County											
#7677	430 West Patterson Street Lansford Carbon County													

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-30-2013	<p>ESSA Bank and Trust Stroudsburg Monroe County</p> <p>Application for approval to acquire 100% of Franklin Security Bancorp, Inc., Wilkes-Barre, and thereby indirectly acquire 100% of Franklin Security Bank, Wilkes-Barre.</p>	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-30-2013	<p>ESSA Bank and Trust Stroudsburg Monroe County</p> <p>Application for approval to merge Franklin Security Bank, Wilkes-Barre, with and into ESSA Bank and Trust, Stroudsburg.</p>	Filed

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-16-2013	<p>Somerset Trust Company Somerset Somerset County</p>	<p>1176 National Pike Hopwood Fayette County</p> <p>#7632</p>	Opened
12-23-2013	<p>Royal Bank America Narberth Montgomery County</p>	<p>231 St. Asaph's Road Bala Cynwyd Montgomery County</p>	Filed
12-30-2013	<p>CNB Bank Clearfield Clearfield County</p>	<p>4545 West Dublin Granville Road Dublin Franklin County, OH</p>	Filed

SAVINGS INSTITUTIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-24-2013	From: Fidelity Savings and Loan Association of Bucks County Bristol Bucks County To: Fidelity Savings and Loan Association of Bucks County Bristol Bucks County	Filed

Application for approval to convert from a Pennsylvania State-chartered savings and loan association to a Pennsylvania State-chartered savings bank.

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-27-2013	Butler Armco Employees Credit Union Butler Butler County	Approved

Application for approval to merge Penn Drake Credit Union, Karns City, with and into Butler Armco Employees Credit Union, Butler.

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 14-83. Filed for public inspection January 10, 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.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0080322 (IW)	Greater Lebanon Refuse Authority 1610 Russell Road Lebanon, PA 17046-1437	Lebanon County North Lebanon Township North Annville Township	UNT to Swatara Creek / 7-D	Y
PA0020508 (Sew)	McConnellsburg Sewage Authority PO Box 681 McConnellsburg, PA 17233	Fulton County Ayr Township	Big Cove Creek / 13-B	Y
PA0082279 (Sew)	Spring Creek Joint Sewer Authority PO Box 373 Three Springs, PA 17264	Huntingdon County Clay Township Three Springs Borough	Three Springs Creek / 12-C	Y
PA0086304 (Sew)	Earl Township Sewer Authority 517 North Railroad Avenue New Holland, PA 17557	Lancaster County Earl Township	Mill Creek / 7-J	Y
PA0247162 (IW)	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055-4475	York County Fairview Township	UNT to Yellow Breeches Creek / 7-E	Y

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 717-327-0530.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0209571 (SRSTP)	Romain Dorman Jr Sewer System 1665 Johnstown Road Mifflinburg, PA 17844	Union County West Buffalo Township	Unnamed Tributary to North Branch Buffalo Creek (10-C)	Y
PA0209244 (Industrial Waste)	Luthersburg-Salem Water Treatment Plant 694 Luthersburg - Rockton Road Luthersburg, PA 15848	Clearfield County Brady Township	Unnamed Tributary to LaBorde Branch Sandy Lick Creek (17-D)	Y

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

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

PA0261271, Sewage, SIC Code 6514, **David E Graham**, 117 Valentine Acres Road, Clearville, PA 15535. Facility Name: Graham Residence SRSTP. This existing facility is located in Southampton 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), Amorine Branch, is located in State Water Plan watershed 13-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 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	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.2	XXX	XXX
CBOD ₅						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	20	XXX	40
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10
Nov 1 - Apr 30	XXX	XXX	XXX	15	XXX	30

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.

PA0262072, Industrial Waste, SIC Code 2033, **Knouse Foods Cooperative, Inc.**, 800 Peach Glen—Idaville Road, Peach Glen, PA 17375. Facility Name: Knouse Foods Peach Glen Fruit Processing Facility. This proposed facility is located in Tyrone & Huntington Townships, **Adams County**.

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

The receiving stream, Unnamed Tributary to Bermudian Creek, is located in State Water Plan watershed 7-F 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 0.400 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Min			
Total Residual Chlorine	XXX	XXX	0.025	XXX	XXX	0.083
Color (Pt-Co Units)	XXX	XXX	Report	XXX	XXX	84
BOD ₅	33.4	66.7	10	20	XXX	25
Total Suspended Solids	33.4	66.7	10	20	XXX	25
Total Dissolved Solids	6672	13344	2000	4000	XXX	XXX
Oil and Grease	50.0	66.7	15	20	XXX	30
Ammonia-Nitrogen						
May 1 - Oct 31	6.7	13.3	2.0	4.0	XXX	5.0
Nov 1 - Apr 30	20.0	40.0	6.0	12	XXX	15
Total Phosphorus	1.7	3.3	0.5	1.0	XXX	1.25
Total Nitrogen	26.7	53.4	8.0	16.0	XXX	20.0
Total Aluminum	1.788	2.789	0.536	0.836	XXX	1.340
Total Copper	Report	Report	Report	Report	XXX	Report
Dissolved Iron	1.114	1.738	0.334	0.521	XXX	0.835
Total Iron	5.574	8.697	1.671	2.607	XXX	4.178
Total Lead	Report	Report	Report	Report	XXX	Report
Total Manganese	Report	Report	Report	Report	XXX	Report
Total Zinc	0.286	0.445	0.0856	0.1335	XXX	0.2140

The proposed effluent limits for Outfall 002 are based on a design flow of 0.005 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Geometric Mean</i>	<i>Geometric Mean</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Min	XXX	XXX	XXX
			5.0			
Total Residual Chlorine	XXX	XXX	0.50	XXX	XXX	1.63
CBOD ₅	XXX	XXX	25	XXX	XXX	50
Total Suspended Solids	XXX	XXX	30	XXX	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	25	XXX	XXX	50
Nov 1 - Apr 30	XXX	XXX	Report	XXX	XXX	Report

The proposed effluent limits for Outfall 004 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Daily Maximum</i>	<i>Daily Maximum</i>	
Flow (MGD)						
Other Stormwater	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)						
Other Stormwater	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Oxygen						
Other Stormwater	XXX	XXX	XXX	Report	XXX	XXX
CBOD ₅						
Other Stormwater	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Other Stormwater	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Daily Maximum</i>	<i>Daily Maximum</i>	
Flow (MGD)						
Other Stormwater	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)						
Other Stormwater	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Oxygen						
Other Stormwater	XXX	XXX	XXX	Report	XXX	XXX
CBOD ₅						
Other Stormwater	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Other Stormwater	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	0	XXX	XXX	XXX
Net Total Phosphorus	Report	0	XXX	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 002.

Parameters	Mass (lbs)		Concentration (mg/l)		
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	0	XXX	XXX	XXX
Net Total Phosphorus	Report	0	XXX	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.

PA0232491, Industrial Waste, SIC Code 4941, **Brady Township-Troutville Borough Water Association, Inc.**, 3309 Shamokin Trail, Luthersburg, PA 15848. Facility Name: Troutville Borough Water System. This proposed facility is located in Troutville Borough, **Clearfield County**.

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

The receiving stream(s), Unnamed Tributary to East Branch Mahoning Creek, is located in State Water Plan watershed 17-D and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.006 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10.0
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

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

The EPA Waiver is not in effect.

PA0234028 A-1, Sewage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8499. Facility Name: Advanced Water Treatment Building. This existing facility is located in College Township, **Centre County**.

Description of Existing Activity: This is a correction to the previous public notice for UAJA's discharge from the Advanced Water Treatment Building.

The receiving stream(s), Slab Cabin Run, University Area Joint Authority High Purity Water Wetlands, Kissinger Farm Pond, and Centre Hills Country Club Golf Course Water Features, is located in State Water Plan watershed 9-C 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 004 are based on a design flow of 0.03 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.03 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0.03 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

The proposed effluent limits for Outfall 007 are based on a design flow of 0.03 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

The proposed effluent limits for Outfall 101 are based on a design flow of 3.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅	Report	XXX	XXX	10	XXX	25
Turbidity (NTU)	XXX	XXX	XXX	2.0	XXX	5.0
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	2.2	XXX	23
Ammonia-Nitrogen	Report	XXX	XXX	3.0	XXX	7.5
Total Nitrogen	Report	XXX	XXX	10	XXX	25
Total Organic Halogens	Report	XXX	XXX	0.2	XXX	0.5
Total Organic Carbon	Report	XXX	XXX	10	XXX	25

The proposed effluent limits for Outfall 201 are based on a design flow of 3.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Residual Chlorine	XXX	XXX	XXX	0.27	XXX	0.88

The proposed effluent limits for Outfall 301 are based on a design flow of 3.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 101.

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	0			
Net Total Phosphorus	Report	0			

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- In the event that the final treated reclaimed water does not meet the effluent limitations required by this permit (i.e., off-specification water), the off-specification water may be recycled back to the Spring Creek Pollution Control Facility (SCPCF) prior to the effluent sampling and flow monitoring point and not be considered a discharge to the High Purity Water Wetland and/or Slab Cabin Run. When off-specification water is recycled back to the SCPCF and not discharged to the High Purity Water Wetland and/or Slab Cabin Run, the total volume of water, date and time of the recycling shall be recorded and included with the standard monthly reporting submissions required by this permit.

- The permittee shall not use reclaimed water for any Class A+ uses as identified in the Reuse of Treated Wastewater Guidance Manual (385-2188-002, May 12, 2012). The use of reclaimed water for Class A+ uses must first be approved by a permit amendment to include Class A+ parameters, treatment standards and monitoring frequencies.

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

The EPA Waiver is not in effect.

PA0208752, SIC Code 0273, **Brigham Daniel J**, 515 Millheim Narrows, Rebersburg, PA 16872. Facility Name: Elk Creek Fisheries. This proposed facility is located in Miles Township, **Centre County**.

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

The receiving stream, an Unnamed Tributary of Elk Creek (aka Spring Bank Run), is located in State Water Plan watershed 6A and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001—004 are based on a design flow of 1 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Daily Maximum		
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX
BOD ₅	XXX	XXX	XXX	10	XXX
Total Suspended Solids	XXX	XXX	XXX	20	XXX
Total Nitrogen	XXX	XXX	XXX	20	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX

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

- BMP Plan

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.

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900

WQM Permit No. 1503401, Sewage, Amendment, **Easttown Municipal Authority**, 566 Beaumont Road, Devon, PA 19333.

This proposed facility is located in Easttown Township, **Chester County**.

Description of Action/Activity: Modifications to existing pump station, including furnishing 2 new submersible centrifugal pumps, new comminatory, new emergency generator, new controls, piping, site work and a new roof.

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

WQM Permit No. 4308401, Sewage, Amendment, **State Correctional Institution at Mercer**, 801 Butler Pike, Mercer, PA 16137.

This existing facility is located in Findley Township, **Mercer County**.

Description of Proposed Action/Activity: Amendment for addition of a volute dewatering press at the WWTP.

WQM Permit No. 1606404, Sewage, Amendment, **Shipperville Borough Clarion County**, 106 North School, P.O. Box 244, Shipperville, PA 16254.

This proposed facility is located in Elk Township, **Clarion County**.

Description of Proposed Action/Activity: Construction of a new wastewater treatment facility with a design capacity of .100 MGD and organic capacity of 234 lbs/day.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI034403003	Ames True Temper Robert L. Shupp 465 Railroad Avenue Camp Hill, PA 17011	Mifflin	Decatur Township	UNT to Meadow Creek (CWF)

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032113005	Carlisle Brethren in Christ Church Richard Love 1155 Walnut Bottom Road Carlisle, PA 17013	Cumberland	South Middleton Township	Letort Spring Run (EV, MF)

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

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI050213009	Hudson Holding Company 2450 Shenango Valley Freeway Hermitage, PA 16148	Allegheny	North Versailles Township	Long Run (HQ-TSF)

Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI092413002	Attention: Patrick M. Webb Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800	Elk County	Jay Township	Laurel Run, HQ-CWF, Unnamed Tributary to Laurel Run, HQ-CWF, Bennett Branch, WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010913008	Delaware Valley Residential Care, LLC 131 N. Main Street Chalfont, PA 18914	Bucks	Upper Southampton	Mill Creek WWF -MF
PAI014613014	Jacksonville Green, LLC 260 West Walnut Lane Philadelphia, PA 19044	Montgomery	Hatboro Borough	Little Neshaminy Creek

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

PAG-12 CAFOs

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Heidelberg Pig Family Farm 425 North Market Street Myerstown, PA 17067	Lebanon	0	465.3	Swine & Pullets	NA	Renewal
Mason Dixon Farms 1800 Mason Dixon Road Gettysburg, PA 17325	Adams	3,103.5	4,738.35	Dairy	NA	Renewal
Delmar Martin 1375 West Route 897 Denver, PA 17517	Lancaster	26.1	955.48	Swine	HQ	New
Brubaker Farms LLC 493 Musser Road Mount Joy, PA 17552	Lancaster	2,041.8	2,211.29	Dairy / Broiler	HQ	Renewal
Brian Eckman 357 Black Barren Road Peach Bottom, PA 17563	Lancaster	148.8	739.06	Swine / Dairy / Broiler	HQ	Renewal
Mt. Pleasant Farms Lynn Eberly 2071 Mt. Pleasant Rd. Fayetteville, PA17222	Franklin	564.2	512.69	Duck/ Heifers	NA	Renewal
David Zimmerman 2151 Mt. Zion Road Lebanon, PA 17046	Lebanon	270	380.23	Pullets and Beef	NA	Renewal
Elvin Nolt 11 Seth Erb Road Richland, PA 17087	Lebanon	8.6	647	Swine & misc small animals	NA	Renewal

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

<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>Application</i>
Rodney Lane Farm 750 Woodard Lane Harrison Valley, PA 16927	Potter	694.2	1.23	Dairy/Swine	CWF	Spring, Summer and Fall

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit Application No. 300582. Warner Company, Yellow Springs Road, P.O. Box 457, Devault PA 19432-0457. This Permit Closure Plan Modification is for the approval of clean closure plan of the Cedar Hollow Residual Waste Landfill located in Tredyffrin and East Whiteland Townships, **Chester County**. The application was received by the Southeast Regional Office on December 20, 2013.

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.

General Permit Application No. WMGR098D002. Boyertown Foundry Company, P.O. Box 2312, New Berlinville, PA 19545, Berks County. The Department of Environmental Protection, Bureau of Waste Management has received an application for renewal for determination of applicability under General Permit WMGR098. General permit WMGR098 is for beneficial use of waste foundry system sand and sand system dusts generated by ferrous

metal foundries and steel foundries for use as a construction material, or as a soil additive or soil amendment. The determination of applicability application was determined administratively complete on November 19, 2013.

Persons interested in obtaining more information about the general permit application may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

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

21-05029: Sunoco Partners Marketing & Terminals, LP (1818 Market Street, Suite 1500, Philadelphia, PA 19103-3615) for a petroleum product loading terminal located in Hampden Township, **Cumberland County**. This is a renewal of the Title V Operating Permit issued in March 2009.

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

The facility is a petroleum product bulk storage and truck loading terminal. The primary emissions from the facility are the volatile organic compounds (VOC). The actual VOC emission in 2012 was 17.41 tons. The gasoline loading rack and storage tanks are subject to 40 CFR 63, Subpart BBBBBB, National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities. Certain gasoline storage tanks are subject to 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels. Two heaters are subject to 40 CFR 63, Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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

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

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

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

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

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

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

21-03055: Fry Communications, Inc. (101 Fry Drive, Mechanicsburg, PA 17050) for operation of their lithographic printing facility in Silver Spring Township, **Cumberland County**. This is a renewal of the facility's state-only air quality operating permit.

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

The subject facility includes four web offset lithographic printing presses with integral afterburners for volatile organic compounds (VOC) control. Reported actual emissions for calendar year 2012 included 3.14 tons of nitrogen oxides (NO_x), 1.33 tons of carbon monoxide (CO) and 24.1 tons of volatile organic compounds (VOC).

The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

William R. Weaver, Regional Air Quality Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

06-03087: Arkema, Inc. (1112 Lincoln Road, Birdsboro, PA 19508) on March 10, 2009, to operate their nylon polymer manufacturing facility in Exeter Township, **Berks County**. This is a renewal of the State-Only Operating Permit issued in 2009.

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

Potential emissions from the facility are estimated to be around 11.2 tpy CO, 9.4 tpy NO_x, 4.6 tpy PM₁₀, 0.4 tpy SO_x, & 25.6 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40

CFR 63, Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Paints and Allied Products Manufacturing & 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

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

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

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

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

41-00072: Reynolds Iron Works, Inc. (157 Palmer Industrial Road, Williamsport, PA 17701) for renewal of the State Only Operating Permits for their facility in Woodward Township, **Lycoming County**. The facility is currently operating under the State Only operating permit 41-00072. The facility's sources include a steel parts surface coating operation and one propane fired air makeup unit. The facility has potential emissions of 2.99 tons per year of nitrogen oxides, 0.52 ton per year of carbon monoxide, 3.13 tons per year of sulfur oxides, 0.34 ton per year of particulate matter, 14.86 tons per year of volatile organic compounds, 9.54 tons per year of total hazardous air pollutants (HAPs), and 1722 tons per year of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting, and work practice conditions of the NMOP have been derived from the applicable requirements of 40 CFR Part 60, and 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.

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this operating permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will

exist for the submission of comments. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments; Identification of the proposed operating permit (specify State Only Operating Permit No. 41-00072); Concise statements regarding the relevancy of the information or objections to issuance of the operating permit.

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

49-00028: Wildwood Cemetery Co. (1151 Cemetery Street, Williamsport, PA 17701) for operation of their Pomfret Manor Cemetery facility in the City of Sunbury, **Northumberland County**. The facility's sources include one All Crematory Corp. model L-1701 propane-fired human crematory with a 0.72 MMBtu/hr primary chamber burner and 1.4 MMBtu/hr secondary chamber burner, and one All Crematory Corp. model 2500 Elite propane-fired human crematory with a 0.70 MMBtu/hr primary chamber burner and 1.3 MMBtu/hr secondary chamber burner. This facility has the potential annual emissions 1.48 ton of carbon monoxide, 2.56 tons of nitrogen oxides, 0 ton of sulfur oxides, 0.14 ton of particulate matter, 0.14 ton of particulate matter less than 10 microns in size, 0.14 ton of particulate matter less than 2.5 microns in size, 0 tons of hazardous air pollutants, 0.20 ton of volatile organic compounds, and 2,521 tons of greenhouse gases. No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting, and work practice conditions of the NMOP have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations.

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

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following: Name, address, and telephone number of the person submitting the comments; Identification of the proposed permit (specify Permit No. 49-00028); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

03-00250: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) for the operation of a coal preparation plant at their Long Run Mine in West Franklin Township, **Armstrong County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) is providing notice that it intends to issue an Operating Permit to Rosebud Mining (301 Market Street, Kittanning, PA 16201) for the operation of a coal preparation plant at their Long Run Mine located in West Franklin Township, Armstrong County. Equipment at this facility includes Pit Conveyor, Radial Stackers, Screens, Front-end Loader, Emergency diesel engine Cummins Onan 350 DFEG rated at 520 bhp, and Truck loadout. Potential emissions from the emission sources at this facility are based on operation for 300 days per year for all sources except the emergency diesel generator which have a 500 hours limit per year. Stockpiles emissions are based on 8,760 hours per year.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 18.5 tons of PM, 5.5 tons of PM₁₀, 0.9 ton of NO_x, 0.2 ton of Carbon Monoxide, and 0.2 ton of SO_x. The facility is subject to applicable requirements of 40 CFR Part 60 and 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, record keeping, reporting, and work practice requirements.

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

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

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 03-

00250) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

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

Written comments, protests and requests for a public hearing should be directed to Jesse Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Mr. Parihar at (412) 442-4030.

11-00242: Westmont Hilltop School District (827 Diamond Blvd., Johnstown, PA, 15905) for an Operating Permit renewal for the Westmont Hilltop High School in Upper Yoder Township, **Cambria County**. Equipment at this facility includes two 7.74 mmbtu/hr tri-fuel boilers and a diesel-fired, 150 kilowatt emergency generator. However, the permittee has committed to burning only natural gas in those boilers in the future. Potential emissions from the emission sources at this facility are therefore based on burning natural gas in the boilers for 8,760 hours per year and low sulfur diesel fuel in the emergency generator. Emissions are estimated to be 6.8 tons NO_x, 0.4 ton VOCs, 5.7 tons CO, and 0.5 ton particulate matter. Actual emissions from the facility are even lower considering the boilers do not operate at full rated capacity. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

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

Any person may submit comments or object to the operating permit or a proposed condition thereof by filing a written protest with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 11-00242) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.426 may

appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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

PLAN APPROVALS

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

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

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

39-00102A: RR Donnelley (700 Nestle Way, Breinigsville, PA 18031) for operation of seven (7) digital lithographic printing presses and to increase total facility VOC emissions to 32.2 tons/year at their facility in Upper Macungie Township, **Lehigh County**. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

35-00010A: Morgan Adhesives Co. (MACtac) (802 East Corey Street, Moosic, PA 18505) for installation and operation of a new hot melt compounder at their facility in Moosic Borough, **Lackawanna County**. The Plan Approval will contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the facility Operating Permit through an administrative amendment at a later date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district

mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

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

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

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

When an NPDES number is listed, the mining activity permit application was accompanied by an application for

an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

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

03060701 and NPDES No. PA0235661. McVile Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the McVile Refuse Disposal Area No. 2 in South Buffalo Township, **Armstrong County** and related NPDES permit to install a slurry injection borehole into Clementine mine and associated pipeline from the refuse disposal treatment plant. No additional discharges. The first downstream potable water supply intake from the point of discharge is Buffalo Township Municipal Authority at Freeport. The application was considered administratively complete on December 20, 2013. Application received October 28, 2013.

56021301 and NPDES No. PA0235547. Elk Lick Energy, Inc., (PO Box 260, 1576 Stoystown Rd., Friedens, PA 15541). To renew the permit for the Roytown Deep Mine in Lincoln Township, **Somerset County** and related NPDES permit. Includes renewal of Air Quality GPA/GP-12 Authorization. No additional discharges. The application was considered administratively complete on December 23, 2013. Application received October 3, 2013.

Noncoal Applications Received

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

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

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

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

37860305. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) Renewal of NPDES Permit No. PA0212032, Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 23, 2013.

61990301. Schiffer Excavating, Inc. d/b/a Cooperstown Sand & Gravel, (P.O. Box 4, Cooperstown, PA 16317) Renewal of NPDES Permit No. PA0227960, Jackson Township, **Venango County**. Receiving streams: Sugar Creek, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is the Franklin General Water Authority. Application received: December 24, 2013.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

* The parameter is applicable at all times.

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0213527 (Mining Permit No. 30841317), Consol Pennsylvania Coal Company, LLC, (PO Box J, 1525 Pleasant Grove Rd., Claysville, PA 15323). A revision to the NPDES and mining activity permit for the Enlow Fork Mine in Morris Township, **Washington County** for sediment pond handling runoff from the proposed 4 North #1 Airshaft Portal and Bathhouse Site. Surface Acres Affected 1.3. Receiving stream: Unnamed Tributary to Short Creek, classified for the following use: TSF. Monongahela River. The application was considered administratively complete on October 8, 2013. Application received August 8, 2013.

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

Outfall 016 discharges to: Unnamed Tributary to Short Creek

The proposed effluent limits for *Outfall 016* (Lat: 40° 02' 09" Long: 80° 19' 33") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	0.15	-
Iron	(mg/l)	3.0	6.0	7.0
Suspended Solids	(mg/l)	35	70	90
Manganese	(mg/l)	2.0	4.0	5.0
Aluminum	(mg/l)	2.0	4.0	5.0
Sulfates	(mg/l)	-	-	REPORT
Osmotic Pressure	(mos/kg)	-	-	REPORT
Total Dissolved Solids	(mg/l)	-	-	REPORT
Chlorides	(mg/l)	-	-	REPORT

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

NPDES No. PA0588601 (Mining permit no. 65860105), M.B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717, renewal NPDES permit for a bituminous surface mine in Donegal and Mt. Pleasant Townships, **Westmoreland County**, affecting 372 acres. Receiving stream(s): Unnamed tributary to Fourmile Run, classified for the following use(s): TSF. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: September 27, 2013.

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

The treated wastewater outfall(s) listed below discharge to Unnamed tributary to Fourmile Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
TP-A2	N	Treatment Facility

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)	1.2	2.4	3.0
Manganese (mg/l)	1.9	3.8	4.75
Aluminum (mg/l)	1.7	3.4	4.2
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			

NPDES No. PA0202908 (Mining permit no. 65010101), M.B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717, renewal NPDES permit for a bituminous surface mine in Derry Township, **Westmoreland County**, affecting 197 acres. Receiving stream(s): Unnamed tributary to Miller Run and unnamed tributary to Saxman Run, classified for the following use(s): WWF. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: September 23, 2013.

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

The treated wastewater outfall(s) listed below discharge to Unnamed tributary to Miller Run and unnamed tributary to Saxman Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
TP-A	N	Treatment Facility
001	N	Treatment Facility

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)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
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 tributary to Miller Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
SP-D	N	Sedimentation Pond

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)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
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

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

NPDES No. PA0259462 (Permit No. 61130101). K & A Mining (P.O. Box 288, Grove City, PA 16127) New NPDES permit for a bituminous surface mine in Irwin Township, **Venango County**, affecting 52.0 acres. Receiving streams: Unnamed tributary to Scrubgrass Creek, classified for the following uses: CWF. TMDL: Scrubgrass Creek. Application received: November 5, 2013.

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

The outfall(s) listed below requires a non-discharge alternative:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	Y

The outfall(s) listed below discharge to unnamed tributary to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP1	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity ¹				
Total Settleable Solids (ml/l)				0.5

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

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

E36-924: Alecxih City Holdings, LLC., 2372 Franklin Road, Columbia, Pennsylvania, 17512, in Manheim Township, **Lancaster County**, ACOE Baltimore District

To construct and maintain a 55 foot long by 5 foot wide pedestrian bridge over Bachman Run (TSF-MF) for the purpose of providing safe access to a pedestrian trail system. The project is located near the Petersburg Road (SR 0722) crossing of Bachman Run (Latitude 40°06'22.66", Longitude -76°19'32.40"). There are no anticipated wetland impacts.

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

E02-1692. Eastman Chemical Resins, Inc., 2200 State Route 837, West Elizabeth, PA 15088-0545, Jefferson Hills Boro, **Allegheny County**; ACOE Pittsburgh District

Applicant is proposing to operate and maintain an existing 60' long, 60" diameter CMP culvert, and an approximately 44' long extension of this pipe. The existing pipe was extended to secure a pipe bent foundation supporting bridge, which carries process and supply pipelines across an unnamed tributary to the Monongahela River. This extension was previously authorized by Emergency Permit #EP0213210. This stream enclosure is located within the aforementioned watercourse, at the Eastman Chemical Resins, Inc.—Jefferson Site facility, at 2200 State Route 837, P.O. Box 545, West Elizabeth, PA 15088-0545 (Glassport, PA USGS Quadrangle; N: 2.81 inches; W: 3.77 inches; Latitude: 40°15'55.7"; Longitude: -79°54'7.24") in Jefferson Hills Borough, Allegheny County.

E11-346. Jackson Township, 513 Pike Road, Johnstown, PA 15909, Jackson Township, **Cambria County**; ACOE Pittsburgh District

Applicant proposes to do the following:

1. Construct and maintain an 8" diameter SLCPP intake pipe in an unnamed tributary (UNT) to the South Branch Blacklick Creek (CWF);

2. Construct and maintain a nonjurisdictional dam across another unnamed watercourse within the South Branch Blacklick Creek watershed (CWF), which has a drainage area less than 100 acres, and an appurtenant, 42" diameter SLCPP outlet pipe along the UNT (primary outlet structure), and another 12" diameter SLCPP outlet pipe along the unnamed watercourse, and;

3. Excavate and maintain a reservoir, behind the aforementioned, nonjurisdictional dam, in the unnamed watercourse and its floodplain,

For the purpose of creating a fishing/recreational pond, and to provide a water source for fire protection. (A fire company intake will be installed within the pond, during its construction.) Construction of this pond will affect approximately 241' of watercourse and a de minimus amount of wetland (<0.05 acre). The unnamed watercourse will be temporarily relocated during pond construction.

The project is located along Loraine Road, near its intersection with Turkey Path Road (Nanty Glo, PA USGS Quadrangle; N: 15.39 inches; W: 13.18 inches; Latitude: 40° 27' 35"; Longitude: -78°50' 41"), in Jackson Township, Cambria County.

DAM SAFETY

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

D52-005. Lehman Lake Rod and Gun Club (318 Raspberry Run Road). To modify, operate, and maintain Lehman Lake Dam across Little Bushkill Creek (HQ-CWF, MF), having no proposed impacts to waterways or wetlands, for the purpose of complying with the Commonwealth's regulations, (Twelvemile Pond, PA Quadrangle; Latitude: 41.1769°, Longitude: -75.0019°) in Lehman Township, **Pike County**.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0113727 (Sewage)	Country Place MHP Kilmer Road & Salada Road Dubois, PA 15801	Clearfield County Sandy Township	Muddy Run (17-C)	Y
PA0209627 (Sewage)	Stoltzfus Farms, Inc. SFTF 137 Wilson Road Wellsboro, PA 16901	Tioga County Shippen Township	UNT to Stowell Run (9-A)	Y
PA0035602 (Sewage)	PA DOT Site 36 I 80 West Rest Area Safety Rest Area Site No 36 Montoursville, PA 17554	Montour County Liberty Township	Unnamed Tributary of Beaver Run (10-D)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0240176 (sewage)	Gene A Strick SRSTP 641 Clermont Road Mt Jewett, PA 16740-2213	McKean County Hamlin Township	Warner Brook (16-C)	Y

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

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

NPDES Permit No. PA0044661, Sewage, SIC Code 4952, **Lewisburg Borough Area Joint Sewer Authority Union County**, PO Box 305, Lewisburg, PA 17837-0305.

This existing facility is located in East Buffalo Township, **Union County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900

WQM Permit No. 0913404, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Upgrade impellers in existing pumps and upgrade force main from 6" to 10" diameter.

WQM Permit No. WQG02151320, Sewage, **Kennett Township**, 801 Burrows Run Road, Chadds Ford, PA 19317.

This proposed facility is located in Kennett Township, **Chester County**.

Description of Action/Activity: Installation of 7,062" force main sewer extension.

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

WQM Permit No. 2197408 Transfer 1, Sewerage, **Jane Palmer**, 150 Pin Oak Drive, Carlisle, PA 17015.

This proposed facility is located in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Permit approval for the transfer of sewage facilities consisting of small flow sewage treatment facility with a dual chamber septic tank, a syphon dosing system, a sand filter, a tablet chlorinator and a chlorine contact tank.

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

WQM Permit No. WQG01251317, Sewerage, **Norman Green**, 6505 Wyoming Avenue, Mayview, NY 14757.

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

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use	
PAG138328	Middlesex Township Butler County 133 Browns Hill Road, Valencia, PA 16059	Butler	Middlesex Township	Glade Run and tributaries of Glade Run	N

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 1513021	Southdown Homes, L.P. 55 Country Club Drive Downingtown, PA 19335	Chester	West Nantmeal Township	French Creek EV

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI055611006-1	Windber Area Authority 1700 Stockholm Avenue, Windber, PA 15963	Somerset	Ogle & Paint Townships and Windber Borough	Clear Shade Creek (HQ-CWF), Shade Creek (CWF), Roaring Fork (CWF), Weaver Run (CWF), Seese Run (CWF)

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

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

List of NPDES and/or Other General Permit Types

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

PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

General Permit Type—PAG-02

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Buckingham Township Bucks County	PAG0200 0908019R	Chance Worthington 1108 Wrightstown Road Newtown, PA 18940	Unnamed Tributary to Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Wrightstown Township Bucks County	PAG0200 0911053R(1)	Wrightstown Township 2203 Second Street Pike Wrightstown, PA 18940	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Doylestown Township Bucks County	PAG0200 0913072	Hallmark Homes—Doylestown, LLC 865 Easton Road, Suite 250 Warrington, PA 18976	Neshaminy Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Britain Township Bucks County	PAG0200 0913077	Clay Heckler 2312 N. Broad Street Colmar, PA 18915	Reading Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Swatara Township, Dauphin County	PAG02002213040 (Issued)	PVI WIP CBC, LP 100 Passaic Avenue Fairfield, NJ 07004	Swatara Creek (WWF), Susquehanna River (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Londonderry Township, Dauphin County	PAG02002213036R (Issued)	M&G Realty Inc. 2100 N George Street York, PA 17404	Swatara Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Lower Paxton Township, Dauphin County	PAG020022040461R (Issued)	Pinnacle Health Hospitals PO Box 8700 Harrisburg, PA 17101-8700	Spring Creek (CWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Lower Paxton Township, Dauphin County	PAG02002213008 (Issued)	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Paxton Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Lower Paxton Township, Dauphin County	PAG02002213046 (Issued)	Lower Paxton Township Authority 425 Prince Street Harrisburg, PA 17109	Beaver Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Kutztown Borough, Berks County	PAG02000613043 (Issued)	Terry Brown Kutztown University 15200 Kutztown Road Kutztown, PA 19530	Sacony Creek (TSF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Bern Township, Berks County	PAG02000613038 (Issued)	Dan Clouser Berkshire Baseball Club 1098 Country Welfare Road Leesport, PA 19533	UNT to Plum Creek (WWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Muhlenberg & Alsace Township, Berks County	PAG020006120111 (Issued)	Brian Kobularcik Montgomery Acquisition Co., LLC 1030 Reed Avenue, Suite 100 Wyomissing, PA 19610	Bernhart Creek (WWF, MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Hollidaysburg Borough, Blair County	PAG020007130018 (Issued)	American Legion Post #516 118 Allegheny Street Hollidaysburg, PA 16648	UNT to Beaverdam Branch of the Juniata River (WWF)	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Hampden Township, Cumberland County	PAG020021080051 (Issued)	Fishing Creek Valley Associates 4712 Smith Street Harrisburg, PA 17109	Conodoguinet Creek (WWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Hampden Township, Cumberland County	PAG02002113041 (Issued)	Mt. Zion Associates, LP 1645 SE 3rd Court, Suite 204 Deerfield Beach, FL 33441	Sears Run (WWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Southampton Township, Cumberland County	PAG02002113043 (Issued)	JPM Martin Family Partnership Glenn Martin 260 Walnut Bottom Road Shippensburg, PA 17257	Bulls Head Branch (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Hampden Township, Cumberland County	PAG02002113047 (Issued)	Fishing Creek Valley Associates, LP John Zervanos 4712 Smith Street Harrisburg, PA 17109	Pine Run & UNT to Conodoguinet (WWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
South Lebanon Township, Lebanon County	PAG02003813045 (Issued)	Joel Christianson 411 Chestnut Street Lebanon, PA 17042	Hazel Creek Dyke (TSF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
North Cornwall Township, Lebanon County	PAG02003808019R (Issued)	Marc DeSouza 225 North Presidential Avenue Bala Cynwyd, PA 19004	Snitz Creek (TSF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Bethel Township, Lebanon County	PAG02003813034 (Issued)	James & Francis Hoover 1103 Greble Road Lebanon, PA 17046	Earlkill Run (WWF, MF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
South Annville Township, Lebanon County	PAG02003813036 (Issued)	John Horning 1420 Horseshoe Pike Lebanon, PA 17042	Bachman Run (TSF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4

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

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
College Township State College Borough, Centre County	PAG02001412015 Phase #50	PSU-Office of Physical Plant 101P Physical Plant Bldg University Park PA 16802	Big Hollow Run CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817

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

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Baldwin Borough Allegheny County	PAG2000204014R	W.G. Tomko, Inc. 2559 Route 88 Finleyville, PA 15332	UNT to Streets Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Pleasant Hills Borough Allegheny County	PAG2000206076R	Robinson Land Company, Inc. 1831 Painters Run Road Pittsburgh, PA 15241	UNT to Lewis Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
O'Hara Township Allegheny County	PAG2000206098R	Terry Corbett 119 Gamma Drive Pittsburgh, PA 15238	Powers Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG20002080801	Coventry Park, LLC. 533 Locust Place Sewickley, PA 15143-1547	Moon Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
West Deer Township Allegheny County	PAG02000212030R	Glasso Development Company, LP 4201 Cohasset Lane Allison Park, PA 15101	Little Deer Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Castle Shannon Borough Allegheny County	PAG02000213062	Shannon Transit Village, LP 123 36th Street Pittsburgh, PA 15201	UNT to Sawmill Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Plum Borough Allegheny County	PAG02000213096	Matt Massarelli 3404 Universal Road Pittsburgh, PA 15235	Plum Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Wilkins Township Allegheny County	PAG02000213118	Wilkins Township 110 Peffer Road Turtle Cree, PA 15145	Thompson Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Castle Shannon Borough Allegheny County	PAG02000213108	Senterra Building & Development 104 Kenyon Road Pittsburgh, PA 15205	UNT to Sawmill Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Upper St. Clair Township Allegheny County	PAG02000213118	Boyce Plaza Apartments, LP 1273 Washington Pike Bridgeville, PA 15017	Chartiers Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Manor Township Armstrong County	PAG02000313011	David J. Mastrostefano 817 Brookfield Drive Seven Fields, PA 16046	UNT to Tub Mill Run (WWF)	Armstrong County CD 124 Armsdale Road Kittanning, PA 16201 (724) 548-3425
Washington Township Armstrong County	PAG02000313012	TrAIL Co Incorporated 800 Cabin Hill Drive Greensburg, PA 15601	Allegheny River (WWF-N)	Armstrong County CD 124 Armsdale Road Kittanning, PA 16201 (724) 548-3425
Richland Township Cambria County	PAG02001113014	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Sams Run (WWF)	Cambria County CD 401 Candlelight Drive Suite 201 Ebensburg, PA 15931

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
North Franklin Township Washington County	PAG02006313025	N. Franklin Township 23 East Beau Street Washington, PA 15301	Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Smith Township Washington County	PAG02006313027	Burgettstown-Smith Joint Sewerage Authority PO Box 358 Atlasburg, PA 15004	UNT to Raccoon Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Chartiers and Mt. Pleasant Townships Washington County	PAG02006313033	PA American Water Company 300 Galley Road McMurray, PA 15317	Chartiers Run (WWF) and Westland Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Cecil and Chartiers Townships Washington County	PAG02006313032	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Brush Run (WWF) and UNT to Brush Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Butler Township Butler County	PAG02001013028	Sheetz Inc 5700 Sixth Avenue Altoona PA 16602	Unt Coal Run WWF to Butcher Run WWF	Butler County Conservation District 724-284-5270

General Permit Type—PAG-03

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
East Coventry Township Chester County	PAG030002	QuarryCut, Inc. 77 Wells Road Parker Ford, PA 19457	Schuylkill River-3D	Southeast Region Clean Water Program 484.250.5970
West Rockhill Township Bucks County	PAR130003	Fres Co. System USA Inc. 3005 State Road Telford, PA 18969	Unnamed Tributary of Mill Creek—3E	Southeast Region Clean Water Program 484.250.5970
West Rockhill Township Bucks County	PAR230085	TEVA Pharmaceuticals USA 650 Cathill Road Sellersville, PA 18960	East Branch Perkiomen Creek—3E	Southeast Region Clean Water Program 484.250.5970
East Rockhill Township Bucks County	PAR800116	Pennridge School District 1506 N. 5th Street Perkasie, PA 18944	East Branch Perkiomen Creek 3E	Southeast Region Clean Water Program 484.250.5970

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
New Castle City Lawrence County	PAG038301	New Castle Ind Inc. 1399 County Line Road, New Castle, PA 16101	Unnamed Tributaries to Neshannock Creek 20-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-4

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Cumberland County Middlesex Township	PAG043575 A-1	Jane Palmer 150 Pin Oak Drive Carlisle, PA 17015	UNT to Conodoguinet Creek / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
North East Township Erie County	PAG041130	Norman Green 6505 Wyoming Avenue, Mayview, NY 14757	Unnamed Tributary to Sixteenmile Creek 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-8

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant's Name & Address</i>	<i>Contact Office & Telephone No.</i>
Naval Air Warfare Center WWTP Bucks County Warminster Township	PAG080020	Warminster Township Municipal Authority 1050 Log College Drive Warminster, PA 18974	Southeast Region Clean Water 484.250.5970
Chalfont-New Britain Joint Sewage Authority Wastewater Treatment Plant Doylestown Township Bucks County	PAG070006	Chalfont-New Britain Joint Sewage Authority 1645 Upper State Road Doylestown, PA 18901	Southeast Region Clean Water 484.250.5970

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>AEUs</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Hillandale 94 Farm 6108 Carlisle Pike East Berlin, PA 17316	Adams	34.4	532	Chicken Layers	NA	Approved
Mailing address: 3910 Oxford Road Gettysburg, PA 17325						
Country View Family Farm—VanBlarcom Sow Farm 2271 Fairbanks Road, Columbia Crossroads, PA 16914	Bradford	18	2715.95	Swine	N/A	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 #0913522 issued to: **DA-TECH Corporation** 141 Railroad Drive Ivyland, PA. 18974-1448 [(PWSID)] Warwick Township, **Bucks County** on December 19, 2013 for the operation of facilities approved under construction permit #0913501 for DA-Tech Nitrate and VOC removal Treatment.

Operations Permit #1512525 issued to: **Nottingham Towers Apartments** 5 Arbour Court Nottingham, PA. 19362, [(PWSID)] West Nottingham Township, **Chester County** on December 13, 2013 for a certification of 4-log treatment of viruses at Entry point 101.

Operations Permit #1513529 issued to: **Cochranville MHP High** Point Road Cochranville, PA 19330, [(PWSID)] West Fallowfield Township, **Chester County** on December 19, 2013 for the operation of facilities approved under construction permit #1511537 for Cochranville MHP systems improvements.

Operations Permit #1513530 issued to: **Coventry Manor Nursing Home**, [(PWSID)] South Coventry Township, **Chester County** on December 19, 2013 for the operation of facilities approved under construction permit #1513516 for Coventry Manor Nursing Home chlorine injection system and 4-log contact tanks.

Permit No. 2313507, Minor Amendment. Public Water Supply.

Applicant	Pathways PA
Borough	Chester Heights
County	Delaware
Type of Facility	PWS
Consulting Engineer	Cawley Environmental Services, Inc. 637 Jeffers Circle Exton, PA 19341
Permit to Construct Issued	December 19, 2013

Permit No. 0913518, Minor Amendment. Public Water Supply.

Applicant	Upper Makefield Township
Township	Upper Makefield
County	Bucks
Type of Facility	PWS
Consulting Engineer	CKS Engineers, Inc. 88 Main Street Doylestown, PA 18901
Permit to Operate Issued	December 19, 2013

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

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant	Williamsport Municipal Water Authority
Township/Borough	City of Williamsport
County	Lycoming
Responsible Official	Mr. Charles Hauser Williamsport Municipal Water Authority 253 West Fourth Street Williamsport, PA 17701
Type of Facility	Public Water Supply
Consulting Engineer	Chris Bidler, P.E. Larson Design Group P. O. Box 487 Williamsport, PA 17703
Permit Issued	12/24/13
Description of Action	Approves operation of the 30" to 24" water transmission main installed in Arch Street, from Whitney Avenue to Glynn Avenue and the 24" water transmission main installed in Third Street, from the Brodart parking lot to Poplar Street in Newberry.

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

Operation Permit issued to **John McMinn and Karen A. McMinn d/b/a Parkwood Mobile Home Park**, PWSID #6200046, Woodcock Township, **Crawford County**. Permit Number 2012504-MA1 issued December 20, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

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:

Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787

Rosemore Shopping Center, Warminster Township, **Bucks County**. Charlene Drake, REPSG, Inc., 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142, Andrew Levine, Davisville Center Inc. Liquidating Trust, 564 Walter Road, Warminster, PA 18974 on behalf of Matt Kelly, AMC Delancey Rosemore Partners, 718 Arch Street, Philadelphia, PA 19106 has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site groundwater and soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard and Statewide Health Standards. PF734240

Flourtown Shopping Center, Springfield Township, **Montgomery County**. Christina M. Helms, P.G., Penn Environmental & Remediation, Inc. 2755 Bergey Road, Hatfield, PA 19440 on behalf of Ric Woodie, Federal Realty Investment Trust, 1626 East Jefferson Street, Rockville, MD 20852 has submitted a Final Report concerning remediation of site soil contaminated with PCE, TCE and cis-1, 2, dichloromethane. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF771232

Westnor LP Facility, 2030 Main Street, West Norriton Township, **Montgomery County**. Craig Herr, P.G., Inc., RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Martin MacGregor, Westnor, L.P., 10059 Sandmeyer Lane, Philadelphia, PA 19116 has submitted a Final Report and Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with PCE and breakdown compounds. The report is intended to document remediation of the site to meet the Site Specific Standard. PF749200

Pfeifer Estate Residence, 779 Caffertry Road, Tinicum Township, **Bucks County**. Amleto A. Pucci, Jr., Ph. D., P.E., P. O. Box 78, Erwinna, PA 18920 on behalf of Co-executors of the Estate of Philip W. Pfeifer III, Ms. Jo Ann Rosenthal, Mr. D. Rodman Eastburn, Eastburn & Gray, P.C. 60 East Court Street, P. O. Box 1389, Doylestown, PA 18901-0137 has submitted a Final Report

concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF763607

Weinstein Residence, 1999 Pulaski Drive, Whitpain Township, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of Lee Weinstein, 1999 Pulaski Drive, Blue Bell, PA 19422 has submitted a 90 day Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF771230

715 State Road Property, 715 State Road, Penn Township, **Chester County**. Jamie Kleinle, Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, ServePro, 121 Pennsylvania Avenue, Avondale, PA 19311 on behalf of Mary Anne Suiter, 357 Little Egypt Road, Elkton, MD 21921 has submitted a Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF771472

McNamee Property, 107 Meadowbrook Lane, Brookhaven Borough, **Delaware County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Paul Coppadge, Allstate Insurance, 1200 Atwater Drive, Suite 110, Malvern, PA 19355 on behalf of John McNamee, 107 Meadowbrook Lane, Brookhaven, PA 19015 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF771254.

Wellness Center, 2108-2144 Cecil B. Moore Avenue, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Janet Stearns, MPower Development Corporation, 1515 Fairmount Avenue, Philadelphia, PA 19130 has submitted a Remedial Investigation, Risk Assessment, and Cleanup Plan concerning remediation of site groundwater and soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Site Specific Standard and Statewide Health Standard. PF769620

Biddle Residence, 2803 Diamond Street, Hilltown Township, **Bucks County**. Spencer Waybrant, CB&I, 200 Horizon Center Road, Trenton, NJ 08691, Gary Ecott, Petro Heating Oil Services, 650 Knowles Avenue, Southampton, PA 18966 on behalf of Larry Biddle, 2803 Diamond Street, Hilltown, PA 18927 has submitted a Final Report concerning remediation of site soil contaminated with fuel oil. The report is intended to document remediation of the site to meet the statewide Health Standard. PF716036

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Draft permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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

PAD980550412. Merck Sharp & Dohme Corp., 770 Sumneytown Pike, West Point PA 19486-8000. Draft permit prepared for the renewal and modification of the RCRA Part B permit, authorizing continued operation of

onsite storage of hazardous waste in containers, at Merck Sharp & Dohme Corp.'s West Point Facility located at 770 Sumneytown Pike, West Point PA 19486-8000 in Upper Gwynedd Township, **Montgomery County**. Public comment period ends 45 days after date of this publication. Draft permit and fact sheet are available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit was issued on December 20, 2013.

RESIDUAL WASTE GENERAL PERMIT RENEWAL

General Permit Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or 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 Number WMGR096. The Department has renewed the Department initiated General Permit Number WMGR096. This general permit authorizes the beneficial use of regulated fill as a construction material. The Department issued the renewal on December 23, 2013.

Persons interested in reviewing the general permit may contact 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.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone, 412-442-4000.

General Permit No. WMGR096SW003. Redevelopment Authority of Allegheny County, Carrie Furnace Redevelopment, 425 Sixth Avenue, Suite 800, Pittsburgh, PA 15219. A renewal of the Determination of Applicability for the continued coverage under the residual waste general permit for use of regulated fill as a construction material for redevelopment of the former Carrie Furnace steel mill site and former adjacent facilities related to heavy industry, for the facility located in Rankin and Swissvale Boroughs, **Allegheny County**. The permit was issued by the Southwest Regional Office on December 23, 2013.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits reissued 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.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 100944 Chester County Solid Waste Authority 7224 Division Highway, Narvon, PA 17555-9505 The permit for Lanchester Landfill located in Caernarvon & Salisbury Townships, **Lancaster County**, and Honey Brook Township, Chester County, which expires on July 1, 2014, was renewed until July 1, 2024. The permit renewal was issued on December 23, 2013. This permit is issued in accordance with Article V of the Solid Waste Management Act, 35 P. S. Sections 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

Permit No. 100758. Lancaster County Solid Waste Management Authority 1299 Harrisburg Pike Lancaster, PA 17604-4425, located in The City of Harrisburg, **Dauphin County**. The ownership of Permit No. 100758 is changed from The Harrisburg Authority to Lancaster County Solid Waste Management Authority. The facility name of the Harrisburg Materials, Energy, Recycling and Recovery Facility associated with permit no 100758 is also changed to Susquehanna Resource Management Complex. Solid Waste Permit No. 100992 was reissued on December 23, 2013, for the operation of the Susquehanna Resource Management Complex, in accordance with Article V of the Solid Waste Management Act, 35 P. S. Sections 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

Permit No. 100992. Lancaster County Solid Waste Management Authority 1299 Harrisburg Pike Lancaster, PA 17604-4425, located in The City of Harrisburg and Swatara Township, **Dauphin County**. The ownership of Permit No. 100992 is changed from The Harrisburg Authority to Lancaster County Solid Waste Management Authority. The facility name of the Area B Ash landfill associated with permit no 100992 is also changed to SRMC Ash landfill B. Solid Waste Permit No. 100992 was reissued on December 23, 2014, for the operation of SRMC Ash landfill B, in accordance with Article V of the Solid Waste Management Act, 35 P. S. Sections 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

Permit No. 100759. Lancaster County Solid Waste Management Authority 1299 Harrisburg Pike Lancaster, PA 17604-4425, located in The City of Harrisburg, **Dauphin County**. The ownership of Permit No. 100759 is changed from The Harrisburg Authority to Lancaster County Solid Waste Management Authority. The facility name of the Area A Ash landfill associated with permit no 100759 is also changed to SRMC Ash landfill A. This is currently a closed landfill. Solid Waste Permit No. 100992 was reissued on December 23, 2014, for the operation of SRMC Ash landfill B, in accordance with Article V of the Solid Waste Management Act, 35 P. S. Sections 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

AIR QUALITY

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

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

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

GP1-54-002: PA Department of Corrections—SCI Mahanoy (301 Morea Road, Frackville, PA 17932) on December 6, 2013, to construct and operate two (2) natural gas/ #2 oil fired boilers in Frackville Borough, **Schuylkill County**.

GP11-58-001: Meshoppen Stone, Inc. (P. O. Box 127, Meshoppen, PA 18630) on December 16, 2013, to operate a nonroad engine at Elk Lake Quarry in Dimock Township, **Susquehanna County**.

GP14-40-001: Krapf & Hughes Funeral Home (426 West Broad Street, Hazleton, PA 18201) on December 6, 2013, to install and operate a human crematory at their facility in Butler Township, **Luzerne County**.

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

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

GP5-26-00587C: Laurel Mountain Midstream Operating, LLC (Park Place 2, 2000 Commerce Dr, Pittsburgh, PA 15275) on December 23, 2013, to replace two 1,340 bhp Caterpillar compressor engines with two 1,380 bhp Caterpillar compressor engines each controlled by oxidation catalysts at the Springhill #2 Compressor Station located in Springhill Township, **Fayette County**. This authorization also includes one 25 MMscfd dehydrator and four produced water tanks.

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

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

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

46-0284: John Middleton Co. (475 North Lewis Road, Limerick, PA 19468) On December 24, 2013, to modify their existing facility including replacing existing cigar-making and specialty cigar packaging equipment and adding a central baghouse to control particulate emissions at their facility in Limerick Township, **Montgomery County**. As a result of potential emissions of VOCs, the facility is a State Only facility, with restrictions or controls. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

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

09-0014A: Bake Rite Rolls, Division of NE Foods, Inc. (2945 Samuel Drive, Bensalem, PA 19020) on December 23, 2013, to operate a Stewart systems roll oven in Bensalem Township, **Bucks County**.

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

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

28-05009B: Borough of Chambersburg (100 South Second Street, Chambersburg, PA 17201) on December 23, 2013, to install a dedicated oxidation catalyst on three existing natural gas/#2 fuel oil-fired reciprocating internal combustion engines (Source IDs 105, 106 and 107) at their Falling Spring Generating Station in Chambersburg Borough, **Franklin County**. The plan approval was extended.

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

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

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

03-000229: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) on December 13, 2013, to issue the State Only Operating Permit to operate the Logansport Mine Coal Processing Plant, in Bethel Township, **Armstrong County**.

The facility contains air contamination sources consisting of a wet coal processing plant, conveyers, stockpiles, rail car loadout, paved and unpaved roadways, and 755-bhp emergency generator. Particulate emissions from the screen, conveyers, and storage piles are controlled by a baghouse and covered conveyers. Particulate emissions from road dust are controlled by watering from a pressurized water truck.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP 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.

63-00886: All Clad Metalcrafters, LLC (424 Morganza Road, Canonsburg, PA 15317) on December 19, 2013, for a State Only Operating Permit (SOOP) renewal

to All Clad to authorize the continued operation of their clad metal sheet stock and cookware manufacturing plant in Cecil Township, **Washington County**.

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

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

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

46-00049: International Business Systems, Inc. (431 Yerkes Rd, King of Prussia, PA 19406-3523) on December 19, 2013, for a modification to their Operating Permit at their existing facility in Upper Merion Township, **Montgomery County**. This facility is a synthetic minor facility for VOC emissions. The modification is to install a Miyakoshi 10-color UV printing press. There will be no emission increase above the current facility emission limits from the above modification to the Operating Permit. The Department is not authorizing any modification of any other sources at this facility under this application. The Operating Permit still contains testing, monitoring and recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

46-00069: Highway Materials, Inc.—Plymouth Meeting Quarry (5100 Joshua Road, Plymouth Meeting, PA 19462) on December 24, 2013, for operation of their existing stone crushing plant in Whitmarsh Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. Facility wide criteria pollutant emissions are restricted to less than the major facility thresholds; therefore, the facility is classified as a Synthetic Minor facility. Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Administrative Amendment incorporates terms and conditions of Plan Approval No. 46-0069F, which allows for the installation of a new tertiary crusher (Source ID 1008—Tertiary Crusher); Particulate Matter (PM) emissions from the crusher are controlled by a new wet suppression system. Sources at the facility are required to comply with the New Source Performance Standards of 40 CFR Part 60 Subpart OOO. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

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

28-03050: B Wise Manufacturing LLC (1080 S. Main Street, Chambersburg, PA 17201-3240) on December 19, 2013, for their trailer manufacturing and painting facility in Chambersburg Borough, **Franklin County**. The State-only permit was administratively amended to reflect a change of ownership.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

GP12-63120102. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Approval for portable coal crusher authorized under General Permit BAQ-GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-63120102 for an existing bituminous surface mine, located in Fallowfield and Somerset Townships, **Washington County**. Application received: November 5, 2012. Permit issued: December 19, 2013.

26050110 and NPDES Permit No. PA0250783. Albert F. Stiffler (141 Locust Road, P. O. Box 42-C, Normalville, PA 15469). Renewal permit for continued operation and reclamation issued to an existing bituminous surface mine, located in Saltlick Township, **Fayette County**, affecting 156.9 acres. Receiving streams: Little Champion Creek and unnamed tributaries to Little Champion Creek. Application received: February 4, 2011. Permit issued: December 20, 2013.

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

33-11-16 and NPDES Permit No. PA0259152. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767) Revision to the NPDES Permit to add a treatment pond in Winslow Township, **Jefferson County**. Receiving streams: Unnamed tributary to Fehley Run and Fehley Run. Application received: July 31, 2013. Permit Issued: December 23, 2013.

Noncoal Permits Issued

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

58050851GP104. Robert R. Reddon, (927 Germantown Road, Susquehanna, PA 18647), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58050851 in Jackson Township, **Susquehanna County**, receiving stream: unnamed tributary to Ross Pond. Application received: January 14, 2013. Permit issued: December 20, 2013.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

F38-190: North Annville Township Floodplain Mitigation, 1020 North Route 934, Annville, PA 17003 in North Annville Township, **Lebanon County**, ACOE Baltimore.

To remove structures from the floodplain at the location listed. The projects propose to temporarily affect approximately 0.87 acre of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341). The permit was issued on December 13, 2013.

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	35 Upper Glen Lane Annville, PA 17003	Swatara Creek	WWF	Palmyra	40° 21' 48.7"	-76° 36' 49.0"

F38-189: North Annville Township Floodplain Mitigation, 1020 North Route 934, Annville, PA 17003 in North Annville Township, **Lebanon County**, ACOE Baltimore.

To remove structures from the floodplain that were damaged by flooding at the locations listed. The projects propose to temporarily affect approximately 0.17 acre of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341). The permit was issued on December 13, 2013.

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	14 Tow Path Road	Swatara Creek	WWF	Palmyra	40.36588	-76.52959

E22-592: Susquehanna Township, 1900 Linglestown Road, Harrisburg, Pennsylvania 17110, in Susquehanna Township, **Dauphin County**, ACOE Baltimore District

To: 1) remove 33.0 feet of existing structure, and 2) install and maintain a 316.0-foot long, 60.0-inch reinforced concrete pipe with concrete type-DW headwalls in an unnamed tributary to the Susquehanna River (WWF, MF), for the purposes of increasing the hydraulic capacity of the stream conveyance system and reducing the recurrence of flooding in the project area. The project is located near 800 Roberts Valley Road (Latitude: 40°20'14", Longitude: -76°54'03") in Susquehanna Township, Dauphin County. No wetlands will be impacted by this project. The permit was issued on December 19, 2013.

E06-688: PA Department of Transportation Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101 in Maxatawny Township, **Berks County**, ACOE Philadelphia District

To install and maintain 200 linear feet of permanent underground drainage (U-drain) pipe parallel to S.R. 1024, Segment 0050 permanently impacting 0.01 acre (600 square feet) of Palustrine Emergent exceptional value wetland and temporarily impacting 0.01 acre (1,000 square feet) of PEM exceptional value wetland associated with an unnamed tributary to Mill Creek (TSF, MF) for the purpose of improving roadway safety. The project is located along S.R. 1024, in Maxatawny Township, Berks County (Latitude: N 40° 33' 47.51" and Longitude: W 75° 45' 09.53"). Permanent wetland impacts are considered de minimus and wetland replacement is not required. The permit was issued on December 17, 2013.

E07-448, PA Department of Transportation Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648 in Antis Township, **Blair County**, Army Corps of Engineers, Baltimore District

To remove the existing structure and to construct and maintain a 31' 4.5" wide, single span, composite prestressed concrete spread box beam bridge having a clear span of 78' 1", an underclearance of 3' 8.75", and a normal clear span of 53' 8.5" with a minimum underclearance of 3' 4" across Sandy Run (CWF, MF) on the current road alignment for the purpose of improving transportation safety and roadway standards. The out-to-out length will be 28' and on a 45 degree skew. The project will permanently impact 0.08 acre (3,616 square feet) of exceptional value wetlands. Approximately 0.01 of these wetlands impacted will be Palustrine Emergent, 0.04 will be Palustrine Scrub-Shrub, and 0.03 will be Palustrine Forested. There will be 0.08 acre of wetlands replaced at the Mowry Advanced Wetland Compensation Site (0.01 acre of PEM wetlands, 0.04 acre of PSS, and 0.03 acre of PFO, Frankstown, PA Quadrangle Latitude: 40° 26' 56.4"; Longitude: 78° 20' 21.1"). The project is located along SR 4018-04B in Antis Township, Blair County (Latitude: 40° 34' 9.73", Longitude: -78° 21' 4.74"). The permit was issued on December 23, 2013.

E05-372: Broad Top Township, PO Box 57, Defiance, PA 16633 in Broad Top Township, **Bedford County**, Baltimore ACOE District

To (1) place and maintain 595 cubic yard of fill over 15,596 square feet in the floodway of Six Mile Run (WWF, MF) (2) place and maintain 693 cubic yard of fill over 8,664 square feet in the floodplain of Six Mile Run (WWF, MF), for the purpose of constructing access roads and non-jurisdictional Acid Mine Drainage treatment basins. The permit was issued on December 19, 2013.

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

E17-484. Stoltz Realty Partnership, 820 Beaver Drive, DuBois, PA 15801. Stoltz expansion to include a third dealership along Beaver Drive, City of DuBois, **Clearfield County**, ACOE Pittsburgh District (Luthersburg Quadrangle; Latitude 41° 7' 12.21" N; Longitude -78° 44' 19.51" W).

Stoltz Realty Partnership is proposing to add a third dealership to their existing facility along Beaver Drive in DuBois. The expansion will be between the existing dealerships and will require a portion of the wetland onsite to be filled. The remaining wetland will not be filled but will be utilized for temporary stormwater detention to meet the City's ordinance. The function and value of the remaining wetland is proposed to remain the same, however, since it will be used for stormwater management, the impact must be considered permanent.

<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Impact (acres)</i>
New building and parking lot	41° 7' 12.21" N	78° 44' 19.51" W	Wetland	0.42
Stormwater Management	41° 7' 13.27" N	78° 44' 22.34" W	Wetland	0.19

Compensatory mitigation for wetlands on this parcel has already occurred on the neighboring parcel owned by the City of DuBois. The existing and mitigation wetlands are hydrologically connected to Sandy Lick Creek, which has a Chapter 93 designation of Trout Stocking (TSF). This project will not have a direct impact on Sandy Lick Creek.

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

E02-1687. Blank River Services Inc., 1 Church Street, Elizabeth PA 15037-1603; Elizabeth Borough and Elizabeth Township, **Allegheny County**; ACOE Pittsburgh District.

Has been given consent to construct and maintain a barge mooring facility approximately 585.0 feet in length and 140.0 feet wide (as measured from the normal pool elevation) consisting of four (4) pipe support structures on 195.0 foot centers in the channel and along the right bank of the Monongahela River (WWF, N) for the purpose of mooring barges, and to construct and maintain two (2) deadmen and a gangplank style ramp on the right bank of said stream. The project is located at approximate River Mile 22.5, approximately 2,000.0 feet downstream from the SR 51 bridge (Glassport, PA Quadrangle N: 5.22 inches; W: 0.96 inch; Latitude: 40°16'43"; Longitude: -79°52'55") in Elizabeth Borough and Elizabeth Township, Allegheny County.

E04-345. Sunoco Pipeline, LP, 525 Fritztown Road, Sinking Spring, PA 19608;

Has been given consent to construct and maintain utility line stream crossings in three (3) wetlands that are greater than 10 acres in size, using an open trench method. Combined, these crossings will permanently impact approximately 4.217 acre of wetland (3.795 PEM, 0.036 PSS, 0.386 PFO), and will temporarily impact an additional 1.441 acre of wetland (1.264 PEM, 0.013 PSS, 0.164 PFO). In addition, the applicant will construct and maintain utility line stream crossings in nineteen (19) additional wetlands, and across twenty-six (26) watercourses, in accordance with the Department's General Permit No. 5, relating to utility line stream crossings. These stream crossings are located within the North Fork Little Beaver Creek Watershed (HQ-CWF), the Brady Run Watershed (TSF), and the Twomile Run Watershed (WWF). The utility line will carry petroleum products through a 12-inch diameter pipeline, within an existing right-of-way, for a majority of the route.

This application seeks authorization for the portion of the project that is located within Darlington, South Beaver, Chippewa, Brighton Townships, Beaver County; however, the project also includes utility line stream crossings in Little Beaver Township, Lawrence County

(DEP File No. E37-193). Approximately 18 miles of this pipeline project is located within these two (2) counties, in Pennsylvania; however, the overall project extends for a total length of approximately 74 miles, from the applicant's Mogadore Junction facility, in Mogadore, OH, to its Vanport junction site, near the area of Friendship Circle, in Brighton Township, Beaver County, PA (USGS Beaver, PA Quadrangle, N: 15.33 inches; W: 10.29 inches; Lat: 40°42'33.9"; Long: -80°19'27.4"). Within the two (2) counties in PA, the project will permanently impact approximately 5.19 acres of wetland (4.76 PEM, 0.04 PSS, and 0.39 PFO), will temporarily impact approximately 1.79 acres of wetland (1.62 PEM, 0.01 PSS and 0.16 PFO), will impact approximately 3272 linear feet of various watercourses within the North Fork Little Beaver Creek (HQ-CWF), Brady Run (TSF), and Twomile Run (WWF) watersheds, and will disturb approximately 164 acres of ground.

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, 16335.

E20-589, Charles Frantz, 33901 Armstrong Road, Townville, PA 16360 in Steuben Township, **Crawford County**. Pittsburgh District ACOE to construct and maintain a steel beam bridge with concrete abutments having a clear span of 23 feet and an underclearance of 4.4 feet across Navy Run associated with the construction of a private driveway extending east from Drake Hill Road approximately 2.3 mile north of Route 408. (Centerville, PA Quadrangle N: 41°, 42', 24.69"; W: -79°, 51', 20.61").

E25-750, James Aviation, Inc., 2601 West 26th Street, Erie PA 16506 in Fairview Township, **Erie County**. Pittsburgh District ACOE

to conduct the following activities related to the removal, stabilization and abandonment of the former Avonia Beach Boat Club Marina facility along Lake Erie immediately west of the mouth of Trout Run (Fairveiw, PA Quadrangle N: 42°, 03', 29.8"; W: 80°, 16', 21.2"):

1. Remove the northern and a portion of the eastern concrete walls and concrete blocks, fencing and other features on the existing walls

2. Apply concrete rubble stabilization along the western and remaining eastern concrete walls and abandon in place.

3. Relocate existing accumulated sand and gravel materials within the former marina basin to re-establish a normal beach profile along the southern end of the former marina basin

E37-193, Sunoco Pipeline, LP, 525 Fritztown Road, Sinking Spring, PA 19608 within Little Beaver Township, **Lawrence County**, ACOE Pittsburgh District

to construct and maintain utility line stream crossings in two (2) wetlands that are greater than 10 acres in size, using an open trench method. Combined, these crossings will permanently impact approximately 0.967 acre of wetland (PEM), and will temporarily impact an additional 0.356 acre of wetland (PEM). In addition, the applicant will construct and maintain utility line stream crossings in two (2) additional wetlands, and across four (4) watercourses, in accordance with the Department's General Permit No. 5, relating to utility line stream crossings. These stream crossings are located within the North Fork Little Beaver Creek Watershed (HQ-CWF). The utility line will carry petroleum products through a 12-inch diameter pipeline, within an existing right-of-way, for a majority of the route. This application seeks authorization for the portion of the project that is located within Little Beaver Township, Lawrence County (beginning at a point on the USGS New Middletown, OH Quadrangle, N: 4.42 inches; W: 2.59 inches; Lat: 40°54'1.5"; Long: -80°31'7.4"); however, the project also includes utility line stream crossings in Darlington, South Beaver, Chippewa, Brighton Townships, Beaver County (DEP File No. E04-345). Approximately 18 miles of this pipeline project is located within these two (2) counties, in Pennsylvania; however, the overall project extends for a total length of approximately 74 miles, from the applicant's Mogadore Junction facility, in Mogadore, OH, to its Vanport junction site, near the area of Friendship Circle, in Brighton Township, Beaver County, PA. Within the two (2) counties in PA, the project will permanently impact approximately 5.19 acres of wetland (4.76 PEM, 0.04 PSS, and 0.39 PFO), will temporarily impact approximately 1.79 acres of wetland (1.62 PEM, 0.01 PSS and 0.16 PFO), will impact approximately 3272 linear feet of various watercourses within the North Fork Little Beaver Creek (HQ-CWF), Brady Run (TSF), and Twomile Run (WWF) watersheds, and will disturb approximately 164 acres of ground.

E43-359, PA DOT, District 1-0, 255 Elm Street, Oil City, PA 16301 in French Creek Township, **Mercer County**. Pittsburgh District ACOE giving its consent to remove the existing two span steel through truss bridge and to construct and maintain a two-span, pre-stressed concrete bulb-tee beam bridge with a normal clear span of 270 feet, an out-to-out width of 27.4 feet over French Creek (WWF) along New Lebanon Road in French Creek Township, SR 1015 Segment 0060 Offset 1472 approximately 1/2 mile south of the Village of Carlton, Pa (New Lebanon, PA Quadrangle N: 41°, 28', 18"; W: 80°, 01', 06"). This permit also authorizes installation and removal of temporary in-stream causeway and cofferdams.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

EA36-032: Zimmerman Bank Stabilization, Walter Zimmerman, 245 Cabin Road, Ephrata, PA 17522, in East Earl and West Earl Townships, **Lancaster County**, ACOE Baltimore District

To re-grade and maintain 1,525.0 feet of the left bank of the Conestoga River (WWF,MF) for the purposes of reducing sediment loading to the Conestoga River and reducing the frequency of flooding on Cabin Road. The project is located approximately 0.4 mile east of the intersection of Pleasant Valley Road and Cabin Road (Ephrata, PA Quadrangle, Latitude 40°08'57.9"N, Longitude: 76°08'22.6"W) in East and West Earl Townships, Lancaster County. No wetlands will be impacted by this project. The permit was issued on December 16, 2013.

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

D54-200. Whippoorwill Dam, Borough of Frackville, c/o Gerard Jankaitis, 42 South Center Street, Frackville, PA 17931. To modify, operate, and maintain the existing Whippoorwill Dam across Stony Creek (CWF), with no impacts to wetlands or stream channels, for the purpose of constructing an emergency spillway to pass the spillway design flood and rehabilitation of the existing spillway. (Shanandoah, PA Quadrangle Latitude: 40.7831; Longitude: -76.2108) in West Mahanoy Township, **Schuylkill County**.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
63128003-2	MarkWest Liberty Midstream & Resources, LLC. 4600 J. Berry Court Suite 500 Canonsburg, PA 15317	Beaver, Allegheny, and Washington	Potter, Racoon, Independence, Findlay, Robinson, Smith, Mt. Pleasant, and Chartiers Townships	Bigger Run (WWF), UNT to Chamberlain Run (WWF), UNT to Raccoon Creek (WWF), Little Raccoon Run (WWF) UNT to Little Raccoon Run (WWF), UNT to Cherry Run (WWF), Cherry Run (WWF), Westland Run (WWF), UNT to Westland Run (WWF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-1 #ESG13-083-0009—West Branch Pad N Pipeline

Applicant Seneca Resources Corporation
Contact Jeffrey Robertson
Address 53 Zents Blvd
City Brookville State PA Zip Code 15825
Applicant National Fuel Gas Company-Co-Permittee
Address 6363 Main Street
City Williamsville State NY Zip Code 14221
County Elk/Mckean Township(s) Jones/Sergeant and Norwich(s)

Receiving Stream(s) and Classification(s) Straight Creek (EV)/Clarion River watershed, S Fork West Branch Potato Creek (HQ)/Potato Creek watershed, Dead Mans Lick (HQ) and Elk Fork (EV)/Driftwood Branch Sinnemahoning Creek watershed

ESCGP-1 #ESG13-083-0011—West Branch Pad O Site Project

Applicant Seneca Resources Corporation
Contact Mike Clinger
Address 51 Zents Boulevard
City Brookville State PA Zip Code 15825
County McKean Township(s) Sergeant(s)
Receiving Stream(s) and Classification(s) Straight Creek, Dead Man's Lick, HQ/CWF, Upper Clarion River, Sinnemahoning Creek

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-1 # ESX13-015-0070

Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 2100 Georgetown Drive STE 400
City, State, Zip Sewickley, PA 15143
County Bradford County
Township(s) Canton Township
Receiving Stream(s) and Classification(s) UNT Towanda Creek (CWF/MF);
Secondary: Towanda Creek (CWF/MF)

ESCGP-1 # ESX13-117-0030

Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 2100 Georgetown Drive STE 400
City, State, Zip Sewickley, PA 15143
County Tioga County
Township(s) Sullivan Township
Receiving Stream(s) and Classification(s) UNT to Corey Creek (CWF/MF);
Secondary: Tioga River

ESCGP-1 # ESX11-115-0100 (01)

Applicant Name Appalachia Midstream Services, LLC
Contact Person Randy DeLaune
Address 100 IST Center
City, State, Zip Horseheads, NY 14845
County Susquehanna County
Township(s) Auburn and Rush Townships
Receiving Stream(s) and Classification(s) Riley Creek, Deer Lick Creek, and Tribs thereto, Dark Hollow, UNT to Elk Lake Stream (All CWF/MF)

ESCGP-1 # ESX13-115-0009 (01)

Applicant Name Williams Field Services Company, LLC
Contact Person Lauren Miladinovich
Address Park Place Corporate Center 2, 2000 Commerce Dr.
City, State, Zip Pittsburgh, PA 15275
County Susquehanna County
Township(s) Brooklyn Township
Receiving Stream(s) and Classification(s) UNTs to Hop Bottom Creek, UNTs to Dry Creek and UNTs to Martins Creek (All CWF/MF)

[Pa.B. Doc. No. 14-84. Filed for public inspection January 10, 2014, 9:00 a.m.]

Submission Deadline for Application for Reimbursement for Certified Host Municipality Inspectors under Act 101 (Section 1102), the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 and Act 108 (Section 304), the Hazardous Sites Cleanup Act of 1988

The Department of Environmental Protection (Department) announces the submission deadline for 2013 Host Municipality Inspector Program (program) reimbursement applications as March 31, 2014. Reimbursements are available to municipalities under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. §§ 4000.101—4000.1904) and the Hazardous Sites Cleanup Act (Act 108) (35 P.S. §§ 6020.101—6020.1305). Municipalities include cities, boroughs, incorporated towns, townships and home-rule municipalities.

Reimbursements are allocated from the Recycling Fund authorized under Act 101 for municipal waste facilities or from the Hazardous Sites Cleanup Fund under Act 108 for hazardous waste facilities. Reimbursements are available to any municipality that has a municipal waste landfill, resource recovery facility or commercial hazardous waste storage, treatment and disposal facility located

within its geographic borders. Upon application from any host municipality, the Department shall award reimbursements for authorized costs incurred for the salary and expenses of up to two certified Host Municipality Inspectors. The reimbursement shall not exceed 50% of the approved costs of salaries and expenses. Reimbursement is available only for Host Municipality Inspectors trained and certified by the Department.

The application for reimbursement contains tables for specifying the itemized expenses for certified inspectors and for calculating the total reimbursement request. Complete instructions are included with the application, which is being distributed to all municipalities that have participated in the program. If the municipality does not receive but requires an application, or for persons who have any questions about this program, contact the Program Development Section, Department of Environmental Protection, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 783-2388 or visit the Department's web site at www.dep.state.pa.us (PA Keyword: "Host Municipality Inspector").

The deadline for submitting applications is 4:30 p.m. on March 31, 2014. Applications post marked after the deadline will not be considered.

E. CHRISTOPHER ABRUZZO,
Secretary

[Pa.B. Doc. No. 14-85. Filed for public inspection January 10, 2014, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Cancer Treatment Centers of America at Eastern Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Cancer Treatment Centers of America at Eastern Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-4.3.4.1 (relating to facilities for commissary or contract services from other areas).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-86. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of Eastern Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Eastern Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-7.2.2.2 (relating to ceiling height).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-87. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of Holy Spirit Hospital for Exception

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

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-88. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of Laser Spine Surgical Center of Pennsylvania, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Laser Spine Surgical Center of Pennsylvania, LLC has requested an exception to the requirements of 28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-89. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of Lehigh Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lehigh Valley Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following

publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.2.1.1(1) (relating to the maximum number of beds).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-90. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of Lehigh Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lehigh Valley Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.2.2.3, 3.1-3.6.5.1, 3.1-3.2.2.4, 3.1-7.2.2.8, 3.12-3.2.3.5, 3.1-8.2.1.2 and 3.1-8.2.4.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or

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

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-91. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of Lehigh Valley Hospital—Muhlenberg for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lehigh Valley Hospital—Muhlenberg has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.2.2.3, 3.1-3.6.5.1, 3.1-3.2.2.4, 3.1-7.2.2.8, 3.12-3.2.3.5, 3.1-8.2.1.2 and 3.1-8.2.4.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-92. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of St. Luke's Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital has requested an exception to the requirements of 28 Pa. Code § 107.64 (relating to administration of drugs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-93. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of St. Luke's Quakertown Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Quakertown Hospital has requested an exception to the requirements of 28 Pa. Code § 107.64 (relating to administration of drugs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-94. Filed for public inspection January 10, 2014, 9:00 a.m.]

Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 143.5 (relating to medical supervision of podiatric patients).

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

ing a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-95. Filed for public inspection January 10, 2014, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking exceptions to 28 Pa. Code § 201.18(e) (relating to management):

The Summit at Blue Mountain Nursing and Rehabilitation Center
211 North 12th Street
Lehigh, PA 18235
FAC ID 070502

This request is 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. 14-96. Filed for public inspection January 10, 2014, 9:00 a.m.]

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Friday, February 7, 2014, from 10 a.m. to 3 p.m. The meeting will be held in the large conference room of the Community Center, 2nd Floor, Giant Food Store, 2300 Linglestown Road, Harrisburg, PA 17110.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Joshua Goodling, Division of Child and Adult Health Services at (717) 772-2762, or for speech and/or hearing impaired persons contact V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service, (800) 654-5984.

This meeting is subject to cancellation without notice.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-97. Filed for public inspection January 10, 2014, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Maximum Pennsylvania Workers' Compensation Payable

Based upon the Statewide Average Weekly Wage, as determined by the Department of Labor and Industry for the fiscal year ending June 30, 2013, the maximum compensation payable under sections 105.1 and 105.2 of the Workers' Compensation Act (77 P. S. §§ 25.1 and 25.2) shall be \$932 per week for injuries occurring on and after January 1, 2014. For purposes of calculating the update to payments for medical treatment rendered on and after January 1, 2014, the percentage increase in the Statewide Average Weekly Wage is 1.6%.

JULIA K. HEARTHWAY,
Secretary

[Pa.B. Doc. No. 14-98. Filed for public inspection January 10, 2014, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
58-24	Pennsylvania Higher Education Assistance Agency Student Financial Aid 43 Pa.B. 6368 (October 26, 2013)	11/25/13	12/24/13
2-177	Department of Agriculture Pennsylvania Preferred Trademark Licensure Program 43 Pa.B. 6366 (October 26, 2013)	11/25/13	12/24/13
126-5	Philadelphia Parking Authority Wheelchair Accessible Vehicle Taxicabs 43 Pa.B. 6373 (October 26, 2013)	11/25/13	12/24/13

**Pennsylvania Higher Education Assistance Agency
Regulation #58-24 (IRRC #3020)
Student Financial Aid
December 24, 2013**

We submit for your consideration the following comments on the proposed rulemaking published in the October 26, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Higher Education Assistance Agency (Agency) to respond to all comments received from us or any other source.

1. Section 121.21. Requirement for higher education grant applicants.—Clarity.

Existing language of Subsection (b) concludes with the phrase “. . . standards of instruction of the public high schools located in this Commonwealth.” To be consistent with other amendments, should this state “public secondary schools,” rather than “public high schools”?

2. Section 121.32. Approved institution in higher education grant program.—Clarity

Regarding Paragraphs (b)(1) and (3), the public commentator suggests the removal of the phrase “or the Council for Higher Education Accreditation” because it is outdated. The Agency should explain why this accreditation is still valid or delete it.

3. Section 121.44. Required family financial data.—Clarity.

As amended the exception in Paragraph (b)(2) would state:

If the applicant is in compliance with other criteria established by the Agency for the processing of applicants without regard to parental financial data which generally are the United States Department of Education criteria for financial independence for Title IV Federal student aid programs.

We find this provision to be vague because it does not provide a definitive standard for the exception. First, the phrase “other criteria” should be clearer so that the applicant can understand what criteria he or she must meet to qualify for the exception. Second, the phrase “. . . which generally are the United States Department of Education criteria . . .” implies that the Agency may use other criteria. We recommend amending Paragraph (b)(2) so that it provides a clear standard for an applicant to qualify for an exception.

4. Section 121.47. State Higher Education Grant Program Manual.—Clarity.

Paragraph (a)(5) begins with the phrase “When applicable, a list of programs of study . . .” Should this state “. . . a list of approved programs . . .” to be consistent with the other paragraphs in this section?

**Department of Agriculture
Regulation #2-177 (IRRC #3035)**

Pennsylvania Preferred Trademark Licensure Program

December 24, 2013

We submit for your consideration the following comments on the proposed rulemaking published in the October 26, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Department of Agriculture (Department) to respond to all comments received from us or any other source.

1. Section 107.3. Licensure of the Pennsylvania Preferred trademark with respect to fluid milk.—Determining whether the regulation is in the public interest; Clarity and lack of ambiguity; Implementation procedures.

Paragraph (d)(1) provides that a person who is licensed to use the Pennsylvania Preferred trademark may commingle Pennsylvania-produced fluid milk with other fluid milk on an incidental, emergency or short-term basis. We find the use of the terms “incidental,” “emergency” and “short-term” to be ambiguous and unclear. What qualifies as incidental or emergency? How long is short-term? In the final-form regulation, the Department should clearly define “incidental,” “emergency” and “short-term.” We ask the Department to explain in the Regulatory Analysis Form (RAF) and Preamble of the final-form regulation the circumstances under which a licensee would be permitted to commingle Pennsylvania-produced fluid milk with other fluid milk under Paragraph (d)(1), and why commingling in these circumstances is reasonable and in the public interest.

We have additional concerns regarding commingling. As the Department states in the Preamble, the Pennsylvania Preferred trademark is an identifier of Pennsylvania origin, and a consumer who purchases milk identified as Pennsylvania Preferred should reasonably expect the milk to be entirely produced in Pennsylvania. Under the exception in Paragraph (d)(1), what quantity of other fluid milk is a licensee permitted to commingle with Pennsylvania-produced milk and still bear the Pennsylva-

nia Preferred trademark? We have similar concerns regarding the basis on which the Department determines whether the commingling is acceptable in Paragraphs (d)(2) and (3). The Department should clearly identify acceptable limits for commingling in the final-form regulation, and explain in the RAF and Preamble why the limits are reasonable and in the public interest.

Also under Paragraph (d)(1), we note that the licensee is required to maintain a record of the commingling, but is not required to obtain approval from the Department in advance of the commingling, nor is the licensee required to notify the Department of the commingling at any time. We ask the Department to explain why it is in the public interest not to require either approval or notification regarding commingling under Paragraph (d)(1).

Finally, Paragraph (d)(3) provides that a licensee who seeks to commingle Pennsylvania-produced fluid milk with other fluid milk “may, before the commingling occurs, contact the Department as described in paragraph (1) for confirmation as to whether the proposed commingling is acceptable to the Department.” The term “may” is non-regulatory language which indicates that this provision is optional. It is inappropriate to include optional language in regulations. If the Department retains Paragraph (d)(3) in the final-form regulation, the Department should amend the provision to state what is required of licensees in advance of purposeful commingling. The provision should be further amended for clarity since Paragraph (d)(1) does not describe how a licensee would contact the Department. Alternatively, if the Department amends the regulation to include definitions and limits regarding acceptable commingling as previously recommended in this comment, the Department could delete this provision altogether.

We note that if the intent of Paragraph (d)(3) as proposed is to offer guidance to the regulated community, the Department should consider including the information in a policy statement.

2. Compliance with the RRA.

We ask the Department to revise its response to Question #15 of the RAF in order to ensure that the new criteria required by Act 76 of 2012 related to small businesses are met. The Department should provide a citation to the relevant provisions of the federal definition of small business that were reviewed in the development of the rulemaking and an analysis of their applicability or inapplicability to the regulation.

Philadelphia Parking Authority

Regulation #126-5 (IRRC #3036)

Wheelchair Accessible Vehicle Taxicabs

December 24, 2013

We submit for your consideration the following comments on the proposed rulemaking published in the October 26, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Philadelphia Parking Authority (Authority) to respond to all comments received from us or any other source.

1. Section 1017.8. WAV taxicab specifications.— Whether the regulation is consistent with the intent of the General Assembly; Reasonableness; Need; Fiscal impact; Implementation procedures. Clarity.

A commentator has suggested that the specifications for wheelchair-accessible vehicles (WAVs) should not exceed

those set forth in the Americans with Disabilities Act regulations codified at 49 C.F.R. §§ 38.23, 38.28 and 38.31. We ask the Authority to explain the need for proposing standards that are more stringent than federal standards and why this approach is reasonable.

In addition, we note that the statutory definition of “wheelchair-accessible taxicab” includes a provision that states that WAVs must meet “. . . requirements established pursuant to the Americans with Disabilities Act of 1990 . . . or requirements that are a functional equivalent and approved by the authority or both.” 53 Pa.C.S.A. § 5701. Would any deviations permitted by this section of the regulation meet the “functional equivalent” standard?

Subsection (b) Standard specifications for WAV taxicabs.

Subsection (b)(3) states that the Authority “may publish a list of approved vehicle modification entities on its website.” We believe such a list would be useful to the regulated community and assist with compliance with the rulemaking. We suggest that this provision be amended to state the Authority “will” publish such a list.

Subsections (b)(7) and (8) include references to definitions of the Society of Automotive Engineers. We believe the regulation would be clearer if a specific citation to the definitions or where the definitions can be found were included in the final-form rulemaking.

Under Subsection (b)(10), what is the “1,000 hour salt spray rating?” This should be clarified in the final-form rulemaking.

Subsection (b)(13) includes a reference to a system known as “Qstraint, QRT standard.” The final-form regulation should clarify what this system is or include a citation to where further explanation of it is available.

We question how the Authority will implement Subsection (b)(16), which requires modifications to WAV taxicabs’ rear air conditioning to be approved by the vehicle’s manufacturer. How does one seek approval from a manufacturer to modify rear air conditioning? Will this modification and approval have to be documented? How long does it take for a manufacturer to grant such an approval?

Subsection (b)(20) requires WAV taxicabs powered by a “hybrid-electric power plant” to be equipped with a device to enable persons who are blind to hear the vehicle approach. We have three concerns. First, we question if the term “hybrid-electric power plant” is correct. Second, does this requirement apply to only WAV taxicabs? Third, we question the need for such a requirement. Would a verbal signal from the driver be sufficient to alert the passenger of the arrival of the taxicab?

Subsection (c) Age and mileage limitation.

This subsection requires potential WAV taxicabs to be one of the manufacturer’s two latest vehicle models and to have an odometer reading of less than 500 miles to qualify for inspection. It also limits the age of a WAV taxicab to five years. A commentator has questioned the economic viability of these requirements. The commentator notes that, as written, only new vehicles could be used as WAV taxicabs. We ask the Authority to explain the reasonableness of these standards and why the age and mileage standards for non-WAV taxicabs of the earlier of eight years or 250,000 miles are not sufficient. See § 1017.4.

Subsection (d) WAV taxicab dispatching and Subsection (e) WAV taxicab drivers.

The subject matter of § 1017.8 is WAV taxicab specifications. Subsections (d) and (e) do not address WAV taxicab specifications. We suggest that these provisions be moved to more appropriate sections of the rulemaking, such as Sections 1019.8, relating to dispatcher requirements and Section 1021.5a, relating to special WAV taxicab driver's certificate and requirements.

2. Section 1017.24. Meter activation and display.—Reasonableness; Need; Implementation procedures.

Subsection (d) addresses requirements for meters in taxicabs. The Authority is proposing to add the following language as new Subsections (9) and (10):

(9) The capability of identifying the passenger as a person seated in a wheelchair through the push of one button on the meter by the driver.

(10) An integrated camera system capable of recording and transmitting a photograph of the passenger at the time the meter is engaged and at the time the meter is disengaged at the termination of the taxicab trip.

We raise the following questions and concerns. Regarding Paragraph (9), given the record-keeping requirements imposed on dispatchers under § 1019.8(b), what is the need for this additional requirement? Are existing meters capable of meeting this requirement without any modifications? What would the cost of modifications needed to meet this requirement be?

Regarding Paragraph (10), what costs would be associated with this requirement? Will any privacy rights of the passenger be adversely affected? We also note that a commentator has suggested that the requirements of this paragraph are "burdensome, intrusive and unnecessary." The commentator suggests that the taking of a photo of disabled patrons using wheelchairs should not be a regulatory requirement unless this requirement is lawfully imposed on all passengers. We agree and question the overall need for, and especially the reasonableness, of this requirement.

3. Section 1019.8. Dispatcher requirements.—Reasonableness; Need; Implementation procedures; Clarity.

Subsection (b) WAV taxicab dispatcher authorization and renewal.

The subject matter covered by this subsection includes more than WAV taxicab dispatcher authorization and renewal. It also includes provisions related to the minimum number of WAV taxicabs that must be associated with a WAV dispatcher and record-keeping requirements. To improve clarity and the regulated community's ability to comply with the regulation, we suggest that the Authority reorganize this section by separating the provisions not related to authorization and renewal.

Subsection (b)(4) states that WAV taxicab dispatchers must have "no less than 10% of WAV taxicabs authorized by the Authority to provide city-wide call or demand services in its association at all times." It is our understanding that taxicabs are associated with only one dispatcher at a time and that the authorization to dispatch WAV taxicabs is nontransferable. Since the Authority has not issued any WAV taxicab medallions or certified any WAV taxicab drivers and because the rulemaking does not clarify Section 5711(c) of the Parking

Authorities Act (53 Pa.C.S.A § 5711(c)), we question how this provision will be implemented. We ask the Authority to provide its interpretation of Section 5711(c) and to answer the following questions:

- Will there be enough WAV medallions and taxicab WAV taxicab drivers to allow dispatchers to meet this requirement?
- What happens if a dispatcher meets the ten percent requirement but then that percentage drops as more WAVS are authorized?
- Would the dispatcher have to stop dispatching the WAVS they currently have until they can meet the ten percent requirement?

Subsection (c) WAV taxicab dispatcher requirements.

Under Subsection (c)(3), employees and agents of WAV taxicab dispatchers who are engaged in dispatching WAV taxicabs are required to have the same training as WAV taxicab drivers. A commentator has noted that the duties of dispatchers and drivers are distinct with no overlapping duties. They believe this requirement is not needed. We ask the Authority if more specific training for WAV taxicab dispatchers related to the duties of a WAV dispatchers would be appropriate compared to the training required for WAV taxicab drivers.

A commentator has suggested that the 45-minute wait time for a WAV taxicab referenced in Subsection (c)(5) is unreasonable because no customer would wait that long for a taxicab. How long is the average wait time for a taxicab? How did the Authority determine that a 45-minute waiting period is reasonable?

4. Section 1021.5a. Special WAV taxicab driver's certificate and requirements.—Protection of the public health, safety and welfare; Reasonableness; Need; Implementation procedures; Clarity.

A commentator has noted that the certification requirements for WAV taxicab drivers could be relaxed because people with disabilities are capable of directing what they need and the requirements, as written, might prevent taxicab drivers from seeking certification as a WAV taxicab driver. In the Preamble to the final-form rulemaking, we ask the Authority to explain why it believes the provisions of this section strike the appropriate balance between protecting the public and encouraging taxicab drivers to seek the additional certification needed to drive a WAV taxicab.

Subsection (b) WAV taxicab drivers.

Subsection (b)(7) requires applicants for a WAV taxicab driver's certificate to exhibit "a high degree of experience." This requirement is vague. We note that the subsequent paragraphs of this subsection explain what type of experience applicants should have. These paragraphs make the phrase "a high degree of experience" unnecessary. We recommend that it be deleted.

Commentators are concerned with the "2 years of Philadelphia taxicab driver experience" requirement found in Subsection (b)(7)(i). They believe two years of experience is not necessary and question why experience driving WAV taxicabs in other jurisdictions is not accepted. We ask the Authority to provide further explanation of why it believes this provision is needed and reasonable?

Subsection (c) WAV taxicab driver cap.

Subsection (c)(1) establishes the maximum number of WAV taxicab drivers as the product of the number of WAV taxicabs multiplied by four. We question if imposing such a cap is in the public interest. It is our understanding that some taxicab drivers take extended leaves of absence during the summer months. If this cap is imposed, will there be a sufficient number of WAV taxicab drivers to serve the regulated community at all times of the year? We ask the Authority to explain how it determined that this formula is appropriate.

Under Subsection (c)(2), the Authority may alter the cap for a period not to exceed one year to address circumstances of increased need. We question how this provision will be implemented. What criteria will the Authority use to determine an increased need? If the authority increases the cap, how will the number of WAV taxicab drivers be decreased to the original cap after the one year time period expires? How will the regulated community become aware of the fact that additional WAV taxicab certificates are available? We ask the Authority to address these concerns in the final-form rulemaking.

Subsection (d) WAV taxicab renewal.

This subsection requires WAV taxicab drivers to spend a minimum amount of time driving WAV taxicabs and provide service to a minimum number of persons in wheelchairs in order to maintain their WAV driver certifications. We have several concerns with this subsection.

First, Subsection (d)(2) states that the Authority “may” deny renewal if a WAV taxicab driver fails to provide taxicab service for 250 days or more and for not less than 8 hours each on those days in the immediately preceding consecutive 12-month period. We note that Subsection (d)(3) states that the Authority “will not” renew a certificate if the driver fails to provide taxicab service in a WAV taxicab for 150 days or more and for not less than eight hours on each of those days in the immediately preceding consecutive 12-month period. What other factors will the Authority consider when deciding if a WAV taxicab driver’s certificate should be renewed? Since the purpose of a regulation is to create a binding norm, we recommend that Subsection (d)(2) be deleted in its entirety or that the Authority specifically list other criteria it will use to determine if a certificate should be renewed under that subsection.

Second, we ask the Authority to explain why it is imposing both a day and hour requirement under Subsections (d)(2) and (d)(3). Has the Authority considered imposing annual hourly requirements of 2000 (250 multiplied by 8) and 1200 (150 multiplied by 8) instead? This may provide WAV taxicab drivers more flexibility in meeting these requirements.

Finally, we note that Subsection (d)(4) also includes language that would allow the Authority to not renew a WAV taxicab driver’s certificate if a certain condition is not met. The condition is that if the number of taxicab trips provided by a driver to persons seated in wheelchairs remains below the average provided by WAV taxicab drivers in the immediately preceding consecutive 12-month period. We have two concerns with this provision. First, we have the same concerns related to the discretionary and non-binding nature of this language as was raised on Subsection (d)(2). Second, we question the

reasonableness of it. Under this provision, at least half of WAV certified taxicab drivers could have their certificate not renewed if they failed to meet this provision. We believe this could lead to a shortage of WAV certified taxicab drivers and question if this is in the public interest.

5. Section 1021.8. Certain training subjects.—Implementation procedures; Clarity.

Subsection (c) addresses initial training and continuing training for WAV taxicab drivers. We have two concerns. First, Subsections (c)(1) and (2) address the initial training for WAV taxicab drivers, but fail to provide a specific number of training hours that are required. We note that § 1021.8(b) requires a minimum of 18 hours of in-class instruction for non-WAV taxicab drivers. We recommend that the Authority specify the number of hours of training WAV taxicab drivers must complete.

Second, Subsection (c)(3) addresses continuing training for WAV taxicab drivers. The second sentence of this subsection states the following: “The Authority may order additional training as it determines necessary to meet the requirements of the act and this part.” This language is non-regulatory and does not create a binding norm. If the Authority determines that the required continued training of four hours every two years is not adequate, it must amend that provision as it would any other regulation. We recommend that the second sentence of Subsection (c)(3) be deleted.

6. § 1021.11. Driver requirements.—Reasonableness; Implementation procedures; Clarity.

Subsection (j) addresses how a taxicab driver is to respond to a hail by a person in a wheelchair. It requires drivers to respond to the hail and immediately inform their dispatchers of a request for a taxicab service by a person in a wheelchair if that taxicab driver is unable to provide WAV taxicab service. We have two concerns with this new provision. First, what is meant by “respond?” Does the driver have to stop the taxicab and verbally communicate with the potential passenger? We believe this provision should clarify what is meant by “respond.”

Second a commentator has expressed concern with how this new provision will be implemented. For example, the commentator asks how a driver is to respond if there is already a passenger in the taxicab. Is the driver expected to pull over with an existing passenger? We agree that this provision, as written, could be difficult to implement and may place unreasonable demands on taxicab drivers. We ask the Authority to amend this provision to relieve the taxicab driver of the burdens it may cause while still ensuring that potential passengers in wheelchairs are adequately served.

7. Miscellaneous clarity.

• § 1011.2—We suggest that the definition of “WAV taxicab driver” include a reference to § 1021.5a, relating to special WAV taxicab driver’s certificate and requirements.

• § 1019.8(c)(5)—We suggest that the word “each” be changed to “every.”

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 14-99. Filed for public inspection January 10, 2014, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4515	State Board of Cosmetology Fees—Cosmetology	12/30/13	2/13/14
16A-428	State Board of Barber Examiners Fees	12/30/13	2/13/14

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 14-100. Filed for public inspection January 10, 2014, 9:00 a.m.]

PENNSYLVANIA eHEALTH PARTNERSHIP AUTHORITY

Financial Statement

Under section 303(c) of the Pennsylvania eHealth Information Technology Act (act) (35 P.S. § 510.303(c)) the Pennsylvania eHealth Partnership Authority (Authority) is required to publish an annual financial statement in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ending June 30, 2013. The complete annual Legislative Report may be obtained from the Authority's web site www.paehealth.com or from 402A Finance Building, Harrisburg, PA, 17120, (717) 214-2490.

Pennsylvania eHealth Partnership Fund

This fund was established by section 501 of the act (35 P.S. § 510.501). The fund is administered by the Authority. The Authority will develop, establish and maintain a health information exchange that complies with Federal and State law. The Authority will expire on July 5, 2017.

Statement of Cash Receipts and Disbursements

(Dollar Amounts in Thousands)

	<i>2012-13 Actual</i>	<i>2013-14 Available</i>	<i>2014-15 Estimated</i>
Cash Balance, Beginning	\$0	\$1,657	\$2,900
Receipts:			
Fees	\$0	\$0	\$1,086
Contracts/Grants	\$1,861	\$900	\$0
Transfer from the General Fund	\$70	\$2,200	\$2,200
Federal Funds	\$204	\$8,837	\$0
Other Funds	\$0	\$21	\$0
Interest	\$0	\$0	\$0
Total Receipts	\$1,931	\$11,958	\$3,286
Total Funds Available	\$1,931	\$13,615	\$6,186
Disbursements:			
Pennsylvania eHealth Partnership Authority ..	\$274	\$10,715	\$6,186
Total Disbursements	-274	-10,715	-6,186
Cash Balance, Ending	\$1,657	\$2,900	\$0

DR. GASPERE C. GERACI,
Chairperson

[Pa.B. Doc. No. 14-101. Filed for public inspection January 10, 2014, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due January 27, 2014, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. G & T Cab Company; Doc. No. C-2013-2381965

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That G & T Cab Company, Respondent, maintains its principal place of business at 2079 Red Lion Road, Philadelphia, PA 19115.

2. That Respondent was issued Certificates of Public Convenience by this Commission on October 4, 1994 at A-00111025 F. 3, and on September 21, 1994 at A-00111025 F. 4.

3. That by Secretarial Letter issued on July 8, 2011 at C-2010-2133706, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payment to this Commission.

4. That Respondent failed to pay fines totaling two hundred fifty dollars (\$250.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with the Secretarial Letter issued on July 8, 2011 at C-2010-2133706.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificates of Public Convenience held by Respondent at A-00111025, Fs. 3 and 4.

Respectfully submitted,

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/5/2013

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Dhillon Transportation,
Inc.; Doc. No. C-2013-2381639*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Dhillon Transportation, Inc., Respondent, maintains its principal place of business at 146 Glencoe Road, Upper Darby, PA 19082.

2. That Respondent was issued Certificates of Public Convenience by this Commission on December 20, 2001 at Application Docket No. A-00118334 F. 1, and on June 25, 2004 at A-00118334 F. 2.

3. That by Secretarial Letter issued on March 24, 2011 at C-2010-2206200, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

4. That by Secretarial Letter issued on July 8, 2011 at C-2010-2129733, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

5. That by Secretarial Letter issued on December 6, 2012 at C-2011-2269753, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

6. That Respondent failed to pay fines totaling seven hundred fifty dollars (\$750.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with a Secretarial Letter issued on March 24, 2011 at C-2010-2206200, July 8, 2011 at C-2010-2129733, and December 6, 2012 at C-2011-2269753.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificates of Public Convenience held by Respondent at A-00118334 F. 1 and 2.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief of Motor Carrier Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/4/2013

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

A. Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

B. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

C. Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

D. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

E. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

G. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

H. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Ivy Taxi, Inc.;
Doc. No. C-2013-2382072*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Ivy Taxi, Inc., Respondent, maintains its principal place of business at 2041 Plum Street, Philadelphia, PA 19124.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on May 31, 2003, at A-00119639.

3. That by Secretarial Letter issued on July 13, 2011 at C-2010-2137674, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payment to this Commission.

4. That Respondent failed to pay fines totaling two hundred fifty dollars (\$250.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with the Secretarial Letter issued on July 13, 2011 at C-2010-2137674.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at A-00119639.

Respectfully submitted,

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state

that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/10/2013

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

C. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

D. Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

E. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

F. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

G. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

H. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

I. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

J. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

—
*Pennsylvania Public Utility Commission, Bureau of
 Investigation and Enforcement v. Yannis Cab Co.;*
Doc. No. C-2013-2382835

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Yannis Cab Co., Respondent, maintains its principal place of business at 1603 North Delaware Avenue, Philadelphia, PA 19125.

2. That Respondent was issued Certificates of Public Convenience by this Commission on November 3, 2004 at Application Docket No. A-00120932 F. 3, on March 8, 2005 at A-00120932 F. 4, and on March 28, 2005 at A-00120932 F. 5.

3. That by Secretarial Letter issued on April 5, 2011 at C-2010-2213368, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

4. That by Secretarial Letter issued on July 8, 2011 at C-2010-2135198, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

5. That by Secretarial Letter issued on May 24, 2012 at C-2011-2256026, Respondent was directed to pay a civil penalty of one thousand dollars (\$1,000.00). To date, Respondent has not submitted any payments to this Commission.

6. That Respondent failed to pay fines totaling one thousand five hundred dollars (\$1,500.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with Secretarial Letters issued on April 5, 2011 at C-2010-2213368, July 8, 2011 at C-2010-2135198, and May 24, 2012 at C-2011-2256026.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificates of Public Convenience held by Respondent at A-00120932 Fs. 3, 4 and 5.

Respectfully submitted,

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief of Motor Carrier Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/11/2013

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

C. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

D. Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

E. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

F. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

G. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of

Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

H. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

I. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

J. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Ambulance Corps of
Portland Inc; Doc. No. C-2013-2384842*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Ambulance Corps of Portland, Inc., Respondent, maintains its principal place of business at 106 State Street, Portland, PA 18351.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on June 13, 1996 at A-00112592.

3. That by Secretarial Letter issued on May 24, 2012 at C-2011-2256458, Respondent was directed to pay a civil penalty of one thousand dollars (\$1,000.00). To date, Respondent has not submitted any payment to this Commission.

4. That Respondent failed to pay fines totaling one thousand dollars (\$1,000.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with the Secretarial Letter issued on May 24, 2012 at C-2011-2256458.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at A-00112592.

Respectfully submitted,

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/25/2013

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

C. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

D. Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

E. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

F. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

G. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

H. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

I. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Caring Hearts
Ambulance & Medic; Doc. No. C-2013-2385269*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Caring Hearts Ambulance & Medic, Respondent, maintains its principal place of business at PO Box 596, New Oxford, PA 17350.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 26, 2006 at Application Docket No. A-00121912.

3. That by Secretarial Letter issued on May 24, 2012 at C-2011-2259847, Respondent was directed to pay a civil penalty of one thousand dollars (\$1,000.00). To date, Respondent has not submitted any payments to this Commission.

4. That Respondent failed to pay fines totaling one thousand dollars (\$1,000.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with a Secretarial Letter issued on May 24, 2012 at C-2011-2259847.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificates of Public Convenience held by Respondent at A-00121912.

Respectfully submitted,

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief of Motor Carrier Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/30/2013

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

C. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

D. Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

E. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

F. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

G. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

H. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

I. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-102. Filed for public inspection January 10, 2014, 9:00 a.m.]

Telecommunications

A-2013-2398171. United Telephone Company of Pennsylvania, Inc., d/b/a CenturyLink and iNetworks Group, Inc. Joint petition of United Telephone Company of Pennsylvania, Inc., d/b/a CenturyLink and iNetworks Group, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania, Inc., d/b/a CenturyLink and iNetworks Group, Inc., by its counsel, filed on December 23, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of United Telephone Company of Pennsylvania, Inc., d/b/a CenturyLink and iNetworks Group, Inc. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov, and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-103. Filed for public inspection January 10, 2014, 9:00 a.m.]

Telecommunications

A-2013-2398177. United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and AT&T Communications of Pennsylvania, LLC. Joint petition of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and AT&T Communications of Pennsylvania, LLC for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and AT&T Communications of Pennsylvania,

LLC, by its counsel, filed on December 24, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and AT&T Communications of Pennsylvania, LLC joint petition are available for inspection and copying at the Office of the Secretary between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov, and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-104. Filed for public inspection January 10, 2014, 9:00 a.m.]

Telecommunications

A-2013-2398089. United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Zayo Group, LLC. Joint petition of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Zayo Group, LLC for approval of adoption of an interconnection and collocation agreement under section 252(i) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Zayo Group, LLC, by its counsel, filed on December 20, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection and collocation agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of the United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Zayo Group, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov, and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-105. Filed for public inspection January 10, 2014, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant. The company has applied to transfer the rights held by H.A.T. Cab Company (CPC No. 1000025-01, Medallion P-0426) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Kerns L., Inc., 2301 Church Street, Philadelphia, PA 19124 registered with the Commonwealth on January 2, 2001.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by January 27, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 14-106. Filed for public inspection January 10, 2014, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 13-119.4, Supply & Integration

of Video Surveillance System, until 2 p.m. on Thursday, February 20, 2014. Information (including mandatory pre-bid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 14-107. Filed for public inspection January 10, 2014, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Charmayne Maddy, LPN; Doc. No. 1403-51-13

On October 10, 2013, Charmayne Maddy, LPN, license no. PN293182, of Selinsgrove, Snyder County, had her nursing license indefinitely suspended effective October 30, 2013, based on her failure to comply with an order of the State Board of Nursing (Board) requiring her to undergo a mental and physical examination.

Individuals may obtain a copy of the memorandum opinion and order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

Individuals may file a request for a hearing to challenge the validity of the order compelling the examination or to contest the allegations of the motion to deem facts admitted along with an answer within 20 days of publication of this notice. If a request for hearing and answer are not filed within the time period set forth previously, a final adjudication and order indefinitely suspending the license will be issued by the Board.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 14-108. Filed for public inspection January 10, 2014, 9:00 a.m.]