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## January 18, 2014 (Pages 309-446)

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# PENNSYLVANIA BULLETIN

Volume 44

Number 3

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Pages 309—446

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Department of Conservation and Natural  
Resources

Department of Drug and Alcohol Programs

Department of Education

Department of Environmental Protection

Department of General Services

Department of Health

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Insurance Department

Legislative Reference Bureau

Patient Safety Authority

Pennsylvania Public Utility Commission

Philadelphia Parking Authority

Philadelphia Regional Port Authority

State Police

Susquehanna River Basin Commission

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

**No. 470, January 2014**

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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](http://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](http://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](http://www.pabulletin.com).

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#### **Printing Format**

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

#### **Fiscal Notes**

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

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

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## 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 GENERAL ASSEMBLY

## Recent Actions during the 2013 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2013 Regular Session

| <i>Doc. No.</i>   | <i>Date of Action</i> | <i>Bill Number</i> | <i>Printer's Number</i> | <i>Effective Date</i> | <i>Subject Matter</i>  |
|---|-----------------------|--------------------|-------------------------|-----------------------|--|
| <b>2013 General Acts of Regular Session Enacted—Act 090 through 133</b> |                       |                    |                         |                       |  |
| 090   | Nov 27                | HB1098             | PN2639                  | Immediately*          | Local Option Small Games of Chance Act—omnibus amendments  |
| 091   | Nov 27                | HB0027             | PN2064                  | 60 days               | Crimes Code (18 Pa.C.S.)—offense of harassment   |
| 092   | Nov 27                | HB0290             | PN2651                  | 60 days               | Local Option Small Games of Chance Act—omnibus amendments  |
| 093   | Nov 27                | HB0388             | PN1794                  | 60 days               | Municipal Claim and Tax Lien Law—municipal and tax claims and liens  |
| 094   | Nov 27                | HB0390             | PN0401                  | Immediately           | First and Second Class County Property Tax Relief Act—conditions of deferral or exemption  |
| 095   | Nov 27                | HB0668             | PN0756                  | 60 days               | Second Class Township Code—letting contracts   |
| 096   | Nov 27                | HB0669             | PN0757                  | 60 days               | First Class Township Code—general regulations concerning contracts   |
| 097   | Nov 27                | HB0714             | PN0805                  | 60 days               | Crimes Code (18 Pa.C.S.)—identity theft  |
| 098   | Nov 27                | HB1128             | PN1377                  | 1 year                | Commerce and Trade (12 Pa.C.S.)—Motor Vehicle Sales Finance Act, Goods and Services Installment Sales Act  |
| 099   | Nov 27                | HB1193             | PN2695                  | Immediately           | First Class Township Code—removals and appointment, compensation and training of police officers   |
| 100   | Nov 27                | HB1348             | PN2680                  | 60 days               | Medical Practice Act of 1985—physician assistants  |
| 101   | Nov 27                | HB1351             | PN2681                  | 60 days               | Osteopathic Medical Practice Act—physician assistants  |
| 102   | Nov 27                | HB1356             | PN1751                  | Immediately           | Crimes Code (18 Pa.C.S.)—expiration of chapter 57, relating to wiretapping and electronic surveillance   |
| 103   | Nov 27                | SB0763             | PN0782                  | 60 days               | Game and Wildlife Code (34 Pa.C.S.)—roster of parties hunting big game   |
| 104   | Nov 27                | SB0802             | PN1524                  | 180 days*             | Boiler and Unfired Pressure Vessel Law—omnibus amendments  |
| 105   | Dec 18                | HB0321             | PN2693                  | Jan 1, 2014           | Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—sexual abuse of children and sentencing for offenses involving sexual abuse of children  |
| 106   | Dec 18                | HB0391             | PN2491                  | 60 days               | General Local Government Code (53 Pa.C.S.)—installment payments, limitations and confidentiality of tax information in cities and counties of the first class  |
| 107   | Dec 18                | HB0414             | PN2765                  | Jan 1, 2014           | Domestic Relations Code (23 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—omnibus amendments   |
| 108   | Dec 18                | HB0726             | PN2778                  | Dec 31, 2014          | Domestic Relations Code (23 Pa.C.S.)—exclusions from child abuse, disposition of founded and indicated reports, amendment or expunction of information, investigation of reports and evidence in court proceedings |

| <i>Doc. No.</i> | <i>Date of Action</i> | <i>Bill Number</i> | <i>Printer's Number</i> | <i>Effective Date</i> | <i>Subject Matter</i>  |
|-----------------|-----------------------|--------------------|-------------------------|-----------------------|--|
| 109             | Dec 18                | HB1201             | PN1792                  | 60 days               | Judicial Code (42 Pa.C.S.)—declaration of policy, victims of sexual or physical abuse and report by district attorney  |
| 110             | Dec 18                | HB1225             | PN1832                  | Nov 30, 2014          | Legal Notices (45 Pa.C.S.)—electronic publication of municipal codes   |
| 111             | Dec 18                | HB1247             | PN1589                  | Immediately           | Project 70 lands—release and imposition of restrictions  |
| 112             | Dec 18                | HB1274             | PN1637                  | 60 days               | Judicial Code (42 Pa.C.S.)—criminal laboratory user fee  |
| 113             | Dec 18                | HB1425             | PN2683                  | Immediately           | Higher Education Eligibility Act—enactment   |
| 114             | Dec 18                | HB1439             | PN2682                  | 60 days               | General Local Government Code (53 Pa.C.S.)—subjects of local taxation  |
| 115             | Dec 18                | HB1523             | PN2030                  | Immediately           | Local taxing options   |
| 116             | Dec 18                | HB1594             | PN2185                  | 60 days               | Crimes Code (18 Pa.C.S.)—luring a child into a motor vehicle or structure  |
| 117             | Dec 18                | SB0023             | PN1586                  | Dec 31, 2014          | Domestic Relations Code (23 Pa.C.S.)—expunction of information of perpetrator who was under 18 years of age when child abuse was committed   |
| 118             | Dec 18                | SB0028             | PN1589                  | Jan 1, 2014           | Crimes Code (18 Pa.C.S.)—simple assault, aggravated assault, false reports of child abuse and intimidation or retaliation in child abuse cases   |
| 119             | Dec 18                | SB0030             | PN1648                  | July 1, 2014*         | Domestic Relations Code (23 Pa.C.S.)—immunity from liability, establishment of pending complaint file, Statewide central register and file of unfounded reports and amendment or expunction of information |
| 120             | Dec 18                | SB0034             | PN1606                  | 60 days               | Professional Educator Discipline Act—omnibus amendments  |
| 121             | Dec 18                | SB0607             | PN1605                  | Immediately           | Carbon Monoxide Alarm Standards Act—enactment  |
| 122             | Dec 18                | SB1042             | PN1578                  | Immediately           | Clinical Laboratory Act—inspection, unlawful conduct and penalty   |
| 123             | Dec 18                | SB1116             | PN1588                  | 90 days               | Domestic Relations Code (23 Pa.C.S.)—services for prevention, investigation and treatment of child abuse and investigation of reports  |
| 124             | Dec 18                | SB1131             | PN1577                  | 60 days               | Agriculture Code (3 Pa.C.S.)—potatoes  |
| 125             | Dec 23                | HB0546             | PN2595                  | 60 days               | Second Class County Code—retirement board, tax qualification, employees eligible for retirement allowances and amount of retirement allowances   |
| 126             | Dec 23                | HB0892             | PN2779                  | Immediately*          | Vehicle Code (75 Pa.C.S.)—learners' permits and obedience to traffic-control devices   |
| 127             | Dec 23                | HB1410             | PN2514                  | Immediately           | Staff Sergeant Glen H. Stivison, Jr., Memorial Interchange—designation   |
| 128             | Dec 23                | HB1644             | PN2267                  | 60 days               | General Local Government Code (53 Pa.C.S.)—purposes and powers of municipal authorities  |

| <i>Doc. No.</i> | <i>Date of Action</i> | <i>Bill Number</i> | <i>Printer's Number</i> | <i>Effective Date</i> | <i>Subject Matter</i>  |
|-----------------|-----------------------|--------------------|-------------------------|-----------------------|--|
| 129             | Dec 23                | HB1706             | PN2513                  | 60 days               | Health and Safety (35 Pa.C.S.)—changing implementing authority from the Pennsylvania Emergency Management Agency to Office of the State Fire Commissioner, assistance to volunteer fire companies, ambulance service and rescue squads and powers and duties |
| 130             | Dec 23                | SB0638             | PN1604                  | 60 days               | General County Assessment Law—subjects of taxation enumerated  |
| 131             | Dec 23                | SB0731             | PN1649                  | 60 days               | Crimes Code (18 Pa.C.S.)—burglary, robbery, grading of theft offenses and retail theft   |
| 132             | Dec 23                | SB1040             | PN1277                  | 60 days               | Vehicle Code (75 Pa.C.S.)—manner of providing proof of financial responsibility, required financial responsibility and availability of uninsured, underinsured, bodily injury liability and property damage coverages and mandatory deductibles              |
| 133             | Dec 23                | SB1046             | PN1304                  | 60 days               | Second Class Township Code—operating reserve fund  |

\* denotes an effective date with exceptions

#### Effective Dates of Statutes

The effective dates specified previously for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

#### Advance Copies of Statutes

Section 1106 of Title 1 of the Pennsylvania Consolidated Statutes provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

VINCENT C. DELIBERATO, Jr.,  
*Acting Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 14-109. Filed for public inspection January 17, 2014, 9:00 a.m.]

# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 2 ]

### The Unified Judicial System of Pennsylvania Policy on Nondiscrimination and Equal Employment Opportunity

The Unified Judicial System of Pennsylvania's Policy on Nondiscrimination and Equal Employment Opportunity (Policy) was published at 38 Pa.B. 220 (January 12, 2008). The Policy was erroneously codified in 201 Pa. Code Chapter 2. As the Supreme Court did not promulgate this Policy as Rules of Judicial Administration, 201 Pa. Code Rules 201—211 are therefore reserved.

#### Annex A

#### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 2. (Reserved)

#### Rules 201—211. (Reserved).

[Pa.B. Doc. No. 14-110. Filed for public inspection January 17, 2014, 9:00 a.m.]

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CHS. 3 AND 9 ]

#### Proposed to Recommend Amendments to Pa.R.A.P. 311, 341 and 904

The Appellate Court Procedural Rules Committee proposes to recommend amendments to Pa.R.A.P. 311 and 341, and the notes of Pa.R.A.P. 311 and 904. This proposal is being submitted for public comments, suggestions and concerns prior to submission to the Supreme Court.

Proposed new material is in bold face type and deleted material is bracketed and in bold face type.

All communications in reference to the proposed amendment should be sent no later than February 14, 2014 to:

Appellate Court Procedural Rules Committee  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 6200  
P. O. Box 62635  
Harrisburg, Pennsylvania 17106-2635  
or Fax to  
(717) 231-9551  
or E-Mail to  
appellaterules@pacourts.us

An Explanatory Comment precedes the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court  
Procedural Rules Committee*

HONORABLE RENÉE COHN JUBELIRER,  
*Chair*

#### Annex A

#### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE I. PRELIMINARY PROVISIONS

#### CHAPTER 3. ORDERS FROM WHICH APPEALS MAY BE TAKEN

#### INTERLOCUTORY APPEALS

#### Rule 311. Interlocutory Appeals as of Right.

(a) *General rule.* An appeal may be taken as of right and without reference to Pa.R.A.P. 341(c) from:

\* \* \* \* \*

(4) *Injunctions.* An order that grants or denies, modifies or refuses to modify, continues or refuses to continue, or dissolves or refuses to dissolve an injunction unless the order was entered:

(i) [ **Section 3323(f) or 3505(a) of the Divorce Code,** ] Pursuant to 23 Pa.C.S. §§ 3323(f), 3505(a); or

\* \* \* \* \*

(8) *Other cases.* An order [ **which is made appealable by statute or general rule** ] that is made final or appealable by statute or general rule, even though the order does not dispose of all claims of all parties.

\* \* \* \* \*

(d) *Commonwealth [ Appeals in Criminal Cases ] appeals in criminal cases.* In a criminal case, under the circumstances provided by law, the Commonwealth may take an appeal as of right from an order that does not end the entire case where the Commonwealth certifies in the notice of appeal that the order will terminate or substantially handicap the prosecution.

(e) *Orders [ Overruling Preliminary Objections in Eminent Domain Cases ] overruling preliminary objections in eminent domain cases.* An appeal may be taken as of right from an order overruling preliminary objections to a declaration of taking and an order overruling preliminary objections to a petition for appointment of a board of viewers.

(f) *Administrative [ Remand ] remand.* An appeal may be taken as of right from: (1) an order of a common pleas court or government unit remanding a matter to an administrative agency or hearing officer for execution of the adjudication of the reviewing tribunal in a manner that does not require the exercise of administrative

discretion; or (2) an order of a common pleas court or government unit remanding a matter to an administrative agency or hearing officer that decides an issue which would ultimately evade appellate review if an immediate appeal is not allowed.

(g) *Waiver of objections.*

(1) [ **Where an interlocutory order is immediately appealable under this rule, failure to appeal:** ] Failure to file an appeal from an interlocutory order shall not constitute a waiver of the objection to the order and the objection may be raised on any subsequent appeal from a final order in the case, except in the following instances:

(i) [ **Under Subdivisions (a), (b)(2) or (f) of this rule shall not constitute a waiver of the objection to the order and the objection may be raised on any subsequent appeal in the matter from a determination on the merits.** ] (Rescinded).

(ii) [ **Under Subdivisions** ] Failure to file an appeal from an interlocutory order under paragraphs (b)(1) or (c) of this rule shall constitute a waiver of all objections to jurisdiction over the person or over the property involved or to venue, etc. and the question of jurisdiction or venue shall not be considered on any subsequent [ **appellate review of the matter** ] appeal from a final order in the case.

(iii) [ **Under Subdivision** ] Failure to file an appeal from an interlocutory order under paragraph (e) of this rule shall constitute a waiver of all objections to such orders and any objection may not be raised on any subsequent appeal [ **in the matter from a determination on the merits** ] from a final order in the case.

(iv) **Failure to file an appeal from an interlocutory order refusing to compel arbitration, appealable under 42 Pa.C.S. § 7320(a)(1) and paragraph (a)(8) of this rule, shall constitute a waiver of all objections to such order, and that issue may not be raised on any subsequent appeal from a final order in the case.**

(2) Where no election that an interlocutory order shall be deemed final is filed under [ **Subdivision** ] paragraph (b)(1) of this rule, the objection may be raised on any subsequent appeal [ **in the matter from a determination on the merits** ] from a final order in the case.

(h) *Further proceedings in the trial lower court.* [ **Rule 1701(a) (effect of appeal generally)** ] Pa.R.A.P. 1701(a) shall not be applicable to a matter in which an interlocutory order is appealed under [ **Subdivisions** ] subparagraphs (a)(2) or (a)(4) of this rule.

**Official Note:** Authority—This rule implements 42 Pa.C.S. § 5105(c) (interlocutory appeals), which provides:

\* \* \* \* \*

[ **Paragraph (a)(3) (Change of criminal venue or venire)**—Under prior practice, either a defendant or the Commonwealth could appeal an order changing venue. See former Pa.R.Crim.P. 311(a) (Third sentence) before amendment of June 29, 1977, 471 Pa. XLIV. An order refusing to change venue is not appealable. *Commonwealth v. Swanson*, 424 Pa. 192, 225 A.2d 231 (1967). This rule makes no change in existing practice. ]

**Subparagraph (a)(3)**—Change of venire is authorized by 42 Pa.C.S. § 8702 (impaneling jury from another county). Pa.R.Crim.P. [ **312** ] **584** (motion for change of venue or change of venire) treats changes of venue and venire the same. Thus an order changing **venue or venire** is appealable by the defendant or the Commonwealth, while an order refusing to change **venue or venire** is not.

\* \* \* \* \*

[ **Subdivision (d) (Commonwealth appeals in criminal matters)**—In subdivision (d), the 1992 amendment permits appeals by the Commonwealth from certain interlocutory orders that were previously treated as final orders under the pre-1992 version of Rule 341(c). See, e.g., *Commonwealth v. Dugger*, 506 Pa. 537, 486 A.2d 382 (1985); *Commonwealth v. Deans*, 530 Pa. 514, 610 A.2d 32 (1992); and *Commonwealth v. Cohen*, 529 Pa. 552, 605 A.2d 1212 (1992). The 1996 amendment to Rule 904(e) requires that the Commonwealth assert in the notice of appeal that the trial court's order will terminate or substantially handicap the prosecution. ]

**Paragraph (d)**—In paragraph (d), the Commonwealth has a right to take an appeal from an interlocutory order provided that it certifies in the notice of appeal that the order terminates or substantially handicaps the prosecution. See Pa.R.A.P. 904(e); *Commonwealth v. White*, 910 A.2d 648, 654-55 (Pa. 2006); see also *Commonwealth v. Malinkowski*, 671 A.2d 674, 678 (Pa. 1996). This rule supersedes *Commonwealth v. Dugger*, 486 A.2d 382 (Pa. 1985). *Commonwealth v. Dixon*, 907 A.2d 468, 471 n.8 (Pa. 2006).

Subdivision (e) (Orders overruling preliminary objections in eminent domain cases)—In subdivision (e), the 1992 amendment permits interlocutory appeals from orders overruling preliminary objections in eminent domain cases. These orders were previously appealable as final orders under Rule 341 even though such orders did not dispose of all claims and all parties. See *In Re Certain Parcels of Real Estate*, 420 Pa. 289, 216 A.2d 774 (1966); and *Central Bucks Joint School Bldg. Authority v. Rawls*, 8 Pa. Cmwlth. 491, 303 A.2d 863 (1973).

Subdivision (f) (Administrative remand)—In subdivision (f), the 1992 amendment permitted an immediate appeal as of right from an order of a common pleas court or government unit remanding a matter to an administrative agency or hearing officer for execution of the adjudication of the reviewing tribunal in a manner that does not require the exercise of administrative discretion. Examples of such orders include: (1) a remand by a court of common pleas to the Department of Transportation for removal of points from a drivers license; and (2) an order of the Workmen's Compensation Appeal Board reinstating compensation benefits and remanding to a referee for computation of benefits.

Subdivision (f) further permits immediate appeal from an order of a common pleas court or government unit remanding a matter to an administrative agency or hearing officer that decides an issue that would ultimately evade appellate review if an immediate appeal is not allowed. See *Department of Environmental Resources v. Big B Mining Co., Inc.*, 123 Pa. Cmwlth. 591, 554 A.2d 1002 (1989) (order of Environmental Hearing Board reversing D.E.R.'s denial of a surface mining permit and remanding to D.E.R. for re-evaluation of effluent limitations); Phila. *Commission On Human Relations v. Gold*,



95 Pa. Cmwlth. 76, 503 A.2d 1120 (1986) (court of common pleas order reversing a Philadelphia Human Relations Commission finding of discrimination on ground the commission impermissibly commingled prosecutorial [or] and adjudicative functions). The 1992 amendment overrules, in part, *FMC Corporation v. Workmen's Compensation Appeal Board*, 116 Pa. Cmwlth. 527, 542 A.2d 616 (1988) to the extent that it is inconsistent with subdivision (f).

**Paragraph (g) (waiver of objections)**—The amendment adding subparagraph (g)(1)(iv) provides that failure to file an appeal from an interlocutory order refusing to compel arbitration, appealable under 42 Pa.C.S. § 7320(a)(1) and subparagraph (a)(8) of this rule, shall constitute a waiver of all objections to such order, and that issue may not be raised on appeal from a subsequent order. This amendment abrogates subparagraph (g)(1)(i), which had previously provided that failure to under old paragraphs (a), (b)(2) or (f) shall not constitute a waiver of the objection to the order. The amendment to subparagraph (g)(1)(iv) accordingly supersedes the Superior Court's holding in *Cooke v. Equitable Life Assurance Soc'y of the U.S.*, 723 A.2d 723, 726 (Pa. Super. 1999).

Subdivision (h) (Further proceedings in lower court)—See note to Rule 1701(a) (effect of appeal generally).

**FINAL ORDERS**

**Rule 341. Final Orders; Generally.**

(a) *General Rule.*—Except as prescribed in [ **subdivision** ] **paragraph** (d), and (e) of this rule, an appeal may be taken as of right from any final order of an administrative agency or lower court.

(b) *Definition of Final Order.*—A final order is any order that:

- (1) disposes of all claims and of all parties; or
- (2) [ **is expressly defined as a final order by statute; or** ] (Rescinded).
- (3) is entered as a final order pursuant to [ **subsection** ] **paragraph** (c) of this rule.

\* \* \* \* \*

**Official Note: Related Constitutional and Statutory Provisions**—Section 9 of Article V of the Constitution of Pennsylvania provides that “there shall be a right of appeal from a court of record or from an administrative agency to a court of record or to an appellate court.” The term “administrative agency” is not defined in Rule 102 of these rules and as used in this rule is intended to have the same meaning as the term “administrative agency” in Section 9 of Article V of the Constitution of Pennsylvania. The constitutional provision is implemented by 2 Pa.C.S. § 702 (appeals), 2 Pa.C.S. § 752 (appeals), and 42 Pa.C.S. § 5105 (right to appellate review).

\* \* \* \* \*

[ *Final Orders in Declaratory Judgment Matters*—In an action taken pursuant to the Declaratory Judgments Act, 42 Pa.C.S. §§ 7531–7541, orders based on a pre-trial motion or petition are considered “final” within the meaning of this Rule, under subdivision (b)(2), if they affirmatively or negatively declare the rights and duties of the parties. *Nationwide Mut. Ins. Co. v. Wickett*, 563 Pa. 595, 604, 763 A.2d 813, 818 (2000). Thus, an order in

a declaratory judgment action sustaining a demurrer and dismissing some, but not all, defendants is considered a final order under subdivision (b)(2) because it is expressly defined as such by statute. Importantly, however, when a court enters an order in a declaratory judgment action that overrules preliminary objections in the nature of a demurrer, the order is not “final” under subdivision (b)(2), because such order merely allows the case to go forward without declaring the rights and duties of the parties. *Safe Harbor Water Power Corp. v. Fajt*, 583 Pa. 234, 876 A.2d 954 (2005).

In order to preserve issues for appeal after a trial in a declaratory judgment action, an aggrieved party must file post-trial motions as required by Pa.R.C.P. No. 227.1. *Motorists Mutual v. Pinkerton*, 574 Pa. 333, 830 A.2d 958 (2003); *Chalkey v. Roush*, 569 Pa. 462, 805 A.2d 491 (2002).

**Orders Appealable Under Other Rules**—Orders which are separable from and collateral to the main cause of action where the right involved is too important to be denied review, and the question presented is such that if review is postponed until final judgment in the case, the claim will be irreparably lost, previously appealable as final orders under Rule 341, are now appealable under Rule 313. See *Pugar v. Greco*, 483 Pa. 68, 73, 394 A.2d 542, 545 (1978) (quoting *Cohen v. Beneficial Industrial Loan Corp.*, 337 U.S. 541 (1949)).

The following is a partial list of orders that are no longer appealable as final orders pursuant to Rule 341 but which, in an appropriate case, might fall under Rules 312 (Interlocutory Appeals by Permission) or 313 (Collateral Orders) of this Chapter.

- (1) a decision transferring an equity action to the law side;
- (2) an order denying a defendant leave to amend his answer to plead an affirmative defense;
- (3) a pre-trial order refusing to permit a defendant to introduce evidence of an affirmative defense;
- (4) an order denying a party the right to intervene;
- (5) an order denying a petition to amend a complaint;
- (6) an order requiring the withdrawal of counsel;
- (7) an order denying class certification in a class action case; and
- (8) an order striking a lis pendens.

The dismissal of preliminary objections to a petition for appointment of a board of viewers and the dismissal of preliminary objections to a declaration of taking, formerly appealable as final orders under Rule 341, are now appealable as interlocutory appeals as of right under Rule 311. ]

**Rescission of Subdivision (b)(2)**—Subdivision (b)(2) previously provided that an order deemed final by statute is a “final order” that must be appealed within 30 days. This was true even when the order did not end the case as to all claims or all parties. Following the 2013 rescission of (b)(2), such orders are only appealable under Pa.R.A.P. 341 if they meet the criteria for a final order under (b)(1). One of the further effects of the rescission of

Subdivision (b)(2) is to change the basis for appealability of orders that do not end the case but grant or deny a declaratory judgment. See *Nationwide Mut. Ins. Co. v. Wickett*, 563 Pa. 595 , 763 A.2d 813 (2000) and *Pa. Bankers Ass’n v. Pa. Dept. of Banking*, 597 Pa. 1, 940 A.2d 790 (2008). The effect of the rescission is to eliminate waiver for failure to take an immediate appeal from such an order. A party aggrieved by a non-case ending order granting or denying a declaratory judgment, where the order satisfies the criteria for “finality” under *Pa. Bankers Ass’n* may elect to proceed under Pa.R.A.P 311(a)(8) or wait until the end of the case and proceed under Subdivision (b)(2) of this rule.

[ *Subdivision* ] *Subparagraph* (c)—*Determination of Finality*—Subdivision (c) permits an immediate appeal from an order dismissing less than all claims or parties from a case only upon an express determination that an immediate appeal would facilitate resolution of the entire case. Factors to be considered under Subdivision (c) include, but are not limited to:

\* \* \* \* \*

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 9. APPEALS FROM LOWER COURTS

Rule 904. Content of the Notice of Appeal.

\* \* \* \* \*

(c) *Request for transcript.*—The request for transcript contemplated by [ **Rule 1911 (request for transcript)** ] Pa.R.A.P. 1911 or a statement signed by counsel that there is either no verbatim record of the proceedings or the complete transcript has been lodged of record, shall accompany the notice of appeal, but the absence of or defect in the request for transcript shall not affect the validity of the appeal.

(d) *Docket entry.*—The notice of appeal shall include a statement that the order appealed from has been entered [ **in** ] on the docket. A copy of the docket entry showing the entry of the order appealed from shall be attached to the notice of appeal.

(e) *Content in criminal cases.*—When the Commonwealth takes an appeal pursuant to [ **Rule** ] Pa.R.A.P. 311(d), the notice of appeal shall include a certification by counsel that the order will terminate or substantially handicap the prosecution.

(f) *Content in children’s fast track appeals.*—In a children’s fast track appeal the notice of appeal shall include a statement advising the appellate court that the appeal is a children’s fast track appeal.

**Official Note:** The Offense Tracking Number (OTN) is required only in an appeal in a criminal proceeding. It enables the Administrative Office of the Pennsylvania Courts to collect and forward to the Pennsylvania State Police information pertaining to the disposition of all criminal cases as provided by the Criminal History Record Information Act, 18 Pa.C.S. § 9101 et seq.

\* \* \* \* \*

With respect to [ **subdivision** ] **paragraph** (e), in *Commonwealth v. Dugger*, [ **506 Pa. 537,** ] 486 A.2d 382 (Pa. 1985), the Supreme Court held that the Commonwealth’s certification that an order will terminate or substantially handicap the prosecution is not subject to review as a prerequisite to the Superior Court’s review of the merits of the appeal. **The principle in *Dugger* has**

been incorporated in and superseded by Pa.R.A.P. 311(d). *Commonwealth v. Dixon*, 907 A.2d 468, 471 n.8 (Pa. 2006). Thus, the need for a detailed analysis of the effect of the order, formerly necessarily a part of the Commonwealth’s appellate brief, was eliminated. See also *Commonwealth v. Deans*, [ **530 Pa. 514,** ] 610 A.2d 32 (Pa. 1992); *Commonwealth v. Cohen*, [ **529 Pa. 552,** ] 605 A.2d 1212 (Pa. 1992) [ **allowing appeals by the Commonwealth from adverse rulings on motions in limine**]. Accordingly, the 1997 amendment added subdivision (e) as a requirement when the Commonwealth takes an appeal pursuant to Rule 311(d) ].

\* \* \* \* \*

EXPLANATORY COMMENT

*Interlocutory Appeals from Orders Made Appealable by Statute or General Rule*

Under the current Pennsylvania Rules of Appellate Procedure, provision is made for orders that the General Assembly has determined are immediately appealable by statute. Under current Pa.R.A.P. 311(a)(8), an interlocutory order is appealable as of right if a statute creates the right to an immediate appeal. However, a party is not required to take an immediate appeal of such orders and may defer the appeal until a final order ending the case as to all claims and parties is entered pursuant to Pa.R.A.P. 341(b)(1). In addition, Pa.R.A.P. 341(b)(2) provides that an order is appealable as a final order, if the General assembly expressly defines it as a final order in a statute.

Some confusion has arisen as to whether certain orders appealable by statute are appealable under Pa.R.A.P. 311(a)(8) or Pa.R.A.P. 341(b)(2) or both. Both rules concern non-case ending orders for which the right to appeal is based upon a statute, but the distinction between the two rules can be subtle and occasionally overlapping. This confusion can lead to waiver of the right to appeal, because non-case ending orders that are appealable under Pa.R.A.P. 341(b)(2) must be appealed immediately and cannot be appealed at the end of the case, while non-case ending orders appealable under Pa.R.A.P. 311(a)(8) may be appealed either immediately or at the end of the case.

The Committee has determined that if an order is immediately appealable by statute and it is a true final order that ends a case as to all claims and all parties as defined in Pa.R.A.P. 341(b)(1), there is no need for (b)(2). Such orders are final orders under Pa.R.A.P. 341(b)(1) and the General Assembly’s designation of such orders as final is redundant. Accordingly, the Committee recommends that the Supreme Court delete Pa.R.A.P. 341 (b)(2).

If the General Assembly determines that an interlocutory order is appealable as of right, then the right to appeal should be under Pa.R.A.P. 311, regardless of whether the General Assembly describes the order as “final” or as “appealable.” Therefore, the Committee further recommends that the Supreme Court amend Pa.R.A.P. 311(a)(8) to clarify that there is an immediate right to appeal any non-case ending order that is appealable by statute or general rule.

The Committee has also specifically addressed the result of failure to take an immediate appeal from an interlocutory order refusing to compel arbitration. Such orders are immediately appealable under 42 Pa.C.S. § 7320(a)(1). The failure to take an immediate appeal from such orders should result in waiver. By requiring



either an immediate appeal or waiver, the possibility of an unnecessary trial of a case that belongs in arbitration will be avoided. See Pa.R.A.P. 311(g)(iv). All other orders that fall under Pa.R.A.P. 311(a)(8) may be appealed at the conclusion of the case if an appeal is not filed immediately after the order is entered.

The effect of rescinding Pa.R.A.P. 341(b)(2) and effectively merging that provision into Pa.R.A.P. 311(a)(8) also eliminates the waiver issue that sometimes arises with non-case ending orders that grant or deny a declaratory judgment.

*Certification by the Commonwealth that an Order will Terminate or Substantially Handicap the Prosecution*

Rule 311(d) was adopted in the wake of *Commonwealth v. Dugger*, 486 A.2d 382 (Pa. 1985), a case that dealt with the way in which the Commonwealth could secure review of suppression orders, despite the fact that such orders were interlocutory. As the case law has developed, 311(d) has been used for review of other orders as well, including those resolving motions *in limine* and recusal motions. Because the procedure is now set forth by rule(s) and case law construing the rule, and because it applies to more than suppression orders, the rule and the *Dugger* case are not coextensive. Indeed, in *Commonwealth v. Dixon*, 407 A.2d 468 (Pa. 2006), the Supreme Court observed that the rule had superseded *Dugger*. Accordingly, a recommendation to align the references in the rules with case law follows.

[Pa.B. Doc. No. 14-111. Filed for public inspection January 17, 2014, 9:00 a.m.]

# Title 231—RULES OF CIVIL PROCEDURE

## PART I. GENERAL [ 231 PA. CODE CH. 200 ]

### Damages for Delay

#### CHAPTER 200. BUSINESS OF COURTS

#### Rule 238. Damages for Delay in an Action for Bodily Injury, Death or Property Damage.

\* \* \* \* \*

#### Addendum to Explanatory Comment (2014)

The prime rate as set forth in the first edition of the *Wall Street Journal* for a particular year is the basis for calculating damages for delay under Pa.R.C.P. No. 238 as revised November 7, 1988. The prime rate published in the first edition of the *Wall Street Journal* for each of the years specified is as follows:

| <i>Date of Publication</i> | <i>Prime Rate Percentage</i> |
|----------------------------|------------------------------|
| January 2, 2014            | 3 1/4                        |
| January 2, 2013            | 3 1/4                        |
| January 3, 2012            | 3 1/4                        |
| January 3, 2011            | 3 1/4                        |
| January 4, 2010            | 3 1/4                        |
| January 2, 2009            | 3 1/4                        |
| January 2, 2008            | 7 1/4                        |
| January 2, 2007            | 8 1/4                        |

| <i>Date of Publication</i> | <i>Prime Rate Percentage</i> |
|----------------------------|------------------------------|
| January 3, 2006            | 7 1/4                        |
| January 3, 2005            | 5 1/4                        |
| January 2, 2004            | 4                            |
| January 2, 2003            | 4 1/4                        |
| January 2, 2002            | 4 3/4                        |
| January 2, 2001            | 9 1/2                        |
| January 3, 2000            | 8 1/2                        |
| January 4, 1999            | 7 3/4                        |
| January 2, 1998            | 8 1/2                        |

**Official Note:** The prime rate for the years 1980 through 1997 may be found in the Addendum to the Explanatory Comment published in the *Pennsylvania Bulletin*, volume 33, page 634 (2/1/03) and on the web site of the Civil Procedural Rules Committee at <http://www.pacourts.us>.

*By the Civil Procedural Rules Committee*

DIANE W. PERER,  
*Chair*

[Pa.B. Doc. No. 14-112. Filed for public inspection January 17, 2014, 9:00 a.m.]

## PART I. GENERAL

### [ 231 PA. CODE CH. 200 ]

#### Proposed Amendment of Rule 229 Governing Discontinuances; Proposed Recommendation No. 257

The Civil Procedural Rules Committee proposes that Rule of Civil Procedure 229 governing discontinuances be amended as set forth herein. The proposed recommendation is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court of Pennsylvania.

All communications in reference to the proposed recommendation should be sent no later than February 28, 2014 to:

Karla M. Shultz  
Counsel  
Civil Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
P. O. Box 62635  
Harrisburg PA 17106-2635  
FAX 717-231-9526  
[civilrules@pacourts.us](mailto:civilrules@pacourts.us)

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

#### Rule 229. Discontinuance.

\* \* \* \* \*

(b)(1) Except as otherwise provided in subdivision (b)(2), a discontinuance may not be entered as to less than all defendants except upon the written consent of all parties, or leave of court [ **after notice to all parties** ] **upon motion of any plaintiff or any defendant for whom plaintiff has stipulated in writing to the discontinuance.**

\* \* \* \* \*

**Explanatory Comment**

Current Rule 229 provides that a discontinuance is the sole method by which a plaintiff can terminate an action before trial. A discontinuance as to less than all defendants requires written consent of all parties to the action or leave of court. This current rule is incomplete because it does not describe which parties may seek leave of court to enter a discontinuance as to less than all defendants. Under the proposed amendment, leave of court may be sought by any plaintiff or any defendant for whom the plaintiff has stipulated in writing to the discontinuance.

*By the Civil Procedural  
Rules Committee*

DIANE W. PERER,  
*Chair*

[Pa.B. Doc. No. 14-113. Filed for public inspection January 17, 2014, 9:00 a.m.]

**PART I. GENERAL**

[ 231 PA. CODE CH. 200 ]

**Proposed Rescission of Rule 211 Governing Oral Argument; Proposed Recommendation No. 258**

The Civil Procedural Rules Committee proposes that Rule of Civil Procedure 211 governing oral argument be rescinded as set forth herein. The proposed recommendation is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court of Pennsylvania.

All communications in reference to the proposed recommendation should be sent no later than February 28, 2014 to:

Karla M. Shultz  
Counsel  
Civil Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
P. O. Box 62635  
Harrisburg PA 17106-2635  
FAX 717-231-9526  
civilrules@pacourts.us

**Annex A****TITLE 231. RULES OF CIVIL PROCEDURE****PART I. GENERAL****CHAPTER 200. BUSINESS OF COURTS**

Rule 211. [ **Oral Arguments** ] (Rescinded).

[ Any party or the party's attorney shall have the right to argue any motion and the court shall have the right to require oral argument. With the approval of the court oral argument may be dispensed with by agreement of the attorneys and the matter submitted to the court either on the papers filed of record, or on such briefs as may be filed by the parties. The person seeking the order applied for shall argue first and may also argue in reply, but such reply shall be limited to answering arguments advanced by the respondent. In matters where there may be more than one respondent, the order of argument by the respondents shall be as directed by the court. ]

**Explanatory Comment**

Current Rule 211, if read literally, confers on a party the right to argue any motion before the trial court. In practice, however, the trial court, in its discretion, determines those matters before it that will be decided with or without an oral argument. The Civil Procedural Rules Committee is proposing the rescission of Rule 211 because the interests of justice are best served by the current practice of the trial judge determining whether issues raised by the parties can be resolved by a review of written documents, including briefs, and/or by oral argument with or without briefs. See Pa.R.C.P. Nos. 208.1 et seq.

*By the Civil Procedural  
Rules Committee*

DIANE W. PERER,  
*Chair*

[Pa.B. Doc. No. 14-114. Filed for public inspection January 17, 2014, 9:00 a.m.]

**Title 255—LOCAL  
COURT RULES****CLARION COUNTY****Administrative Order Amending the Booking Center Fund Fee to \$100 from \$50; No. 1395 CD 2013****Amended Administrative Order  
Increasing Booking Center Fee**

*And Now*, December 11, 2013 as per 42 Pa.C.S.A. § 1725.5 and following the adoption of a countywide booking center plan, which plan was effective November 15, 2009 any defendant who is:

1. placed on probation without verdict pursuant to section 17 of the act of April 14, 1972 (P. L. 223, No. 64) known as The Controlled Substance, Drug, Device and Cosmetic Act

2. Receives Accelerated Rehabilitative Disposition for, pleads guilty to or nolo contendere to or is convicted of a crime under the following:

(i) 18 Pa.C.S. § 106(a) (relating to classes of offenses).

(ii) 75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under the influence).

(iii) 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance).

(iv) A violation of the Controlled Substance, Drug, Device and Cosmetic Act.

is required by the court to pay a booking center fee fund, which was originally established at Fifty Dollars (\$50.00) and is now increased to One Hundred Dollars (\$100.00) which funds are deposited into a special Central Booking Center Fund, which fund has been created by the Clarion County Clerk of Courts in conjunction with the Treasurer of Clarion County. Such funds shall continue to be used solely for the implementation, operation and maintenance of the Central Booking Center and requisitions for payment of such expenses shall be submitted for payment by the Clarion County District Attorney's Office through the usual requisition process utilized by the County of Clarion.

Any booking center fee fund charged on a case that is disposed of at the Magisterial District Court Office and is not waived or otherwise transferred into Common Pleas Court, shall be submitted to the Treasurer of Clarion County as a CA29 fee. Upon submission of funds to the County of Clarion, the Magisterial District Court shall clearly indicate those funds designated as CA29 fees, so they may be properly deposited into the Central Booking Center Fund.

This order shall become effective thirty days after its publication in the *Pennsylvania Bulletin*.

By the Court

JAMES G. ARNER,  
*President Judge*

[Pa.B. Doc. No. 14-115. Filed for public inspection January 17, 2014, 9:00 a.m.]

**HUNTINGDON COUNTY  
Fees Schedule**

Court Division change in fees schedule effective February 1, 2014.

|  |         |
|--|---------|
| Automation fee   | \$10.00 |
| Accounting   | \$15.00 |
| Advertising  | \$55.00 |
| Affidavit of Death                                       | \$10.00 |
| Affidavit of Small Estate                                | \$25.00 |
| Agreement with Court Approval                            | \$35.00 |
| Amended Petition for Adoption                            | \$18.00 |
| Ancillary Letters Testamentary                           | \$20.00 |
| Annual Report of Guardian of Estate—<br>1st & Final only | \$35.00 |
| Annual Report of Guardian of Person—<br>1st & Final only | \$35.00 |
| Answer   | \$5.00  |
| Answer to Caveat   | \$10.00 |
| Appeal to County Court                                   | \$55.00 |
| Appeal of Probate  | \$25.00 |
| Appeal to Superior/Supreme Court                         | \$55.00 |
| Bad Check Fee  | \$20.00 |
| Bond   | \$14.00 |
| Caveat   | \$10.00 |
| Certificate of Adoption                                  | \$5.00  |
| Certified Copy   | \$5.00  |
| Certified Copy of a Will following Probate               | \$15.00 |
| Certification of any Instrument or Record                | \$5.00  |
| Citation (County)  | \$25.00 |
| Citation (State)   | \$25.00 |
| Claim Against Estate                                     | \$10.00 |
| Codicil  | \$20.00 |
| Commission   | \$25.00 |

|   |   |
|---|---|
| Complaint   | \$15.00   |
| Copies by Mail or Scan and Email                  | \$5.00 for 4 pages, add'l pages \$1.00 ea             |
| Copy  | \$.25 per page  |
| Death Certificate—No Estate                       | \$10.00   |
| Disclaimer  | \$10.00   |
| Election to Take Against Will                     | \$15.00   |
| Entry of Appearance or Withdrawal                 | \$5.00  |
| Estate Inventory                                  | \$10.00   |
| Exception/Objection to Estate                     | \$15.00   |
| Exception/Objection to the Record                 | \$15.00   |
| Exemplification of Record                         | \$25.00 + copies cost                                 |
| Exemplification of Record from other County       | \$25.00   |
| Family Exemption                                  | \$10.00   |
| Family Settlement Agreement                       | \$35.00   |
| File of Will—No Estate                            | \$18.50   |
| Filing of any Certified Copy                      | \$5.00  |
| First & Final Account & Distribution              | \$35.00 + \$10.00 Distribution + 2.00 each add'l page |
| First & Partial                                   | \$35.00 + \$10.00 Distribution + 2.00 each add'l page |
| Registers Hearing                                 | \$50.00   |
| Heir Renunciation                                 | \$5.00  |
| Inheritance Tax Return                            | \$15.00   |
| Inheritance Tax Return & Inventory—<br>NO LETTERS | \$25.00   |
| Inventory   | \$10.00   |
| JCS/ATJ/CJEA                                      | \$23.50   |
| Last Will & Testament                             | \$15.00   |
| Lien/Claim Against Estate                         | \$10.00   |
| <i>Probate:</i>                                   |   |
| Up to \$1,000.                                    | \$20.00   |
| \$1,001—\$5,000.                                  | \$35.00   |
| \$5,001—\$10,000.                                 | \$45.00   |
| \$10,001—\$20,000.                                | \$55.00   |
| \$20,001—\$30,000.                                | \$65.00   |
| \$30,001—\$40,000.                                | \$75.00   |
| \$40,001—\$50,000.                                | \$85.00   |
| \$50,001—\$75,000.                                | \$95.00   |
| \$75,001—\$100,000.                               | \$110.00  |
| Each add'l \$100,000. Or fraction thereof         | \$40.00   |

|   |            |                                  |         |
|---|------------|----------------------------------|---------|
| Marriage License County Fee             | \$45.00    | Release                          | \$10.00 |
|   | includes   | Release of Claim                 | \$10.00 |
|   | Certified  | Renunciation Executor/Executrix  | \$5.00  |
|   | Copy       | Satisfaction of Claim            | \$10.00 |
| Memo/Memorandum                         | \$2.00     | Short Certificate                | \$5.00  |
| Misc. Filings                           | \$3.00 per | Small Estate Affidavit           | \$25.00 |
|   | page       | Status Report w/Accounting       | \$25.00 |
| Misc. Petition                          | \$25.00    | Subpoena                         | \$5.00  |
| Name Affidavit                          | \$15.00    | Supplemental Inheritance Tax Rtn | \$15.00 |
| Notice of Claim                         | \$10.00    | Supplemental Inventory           | \$10.00 |
| Oath of Out-of-County Estates           | \$5.00     | Trust Agreement                  | \$25.00 |
| Objection                               | \$15.00    | Waiver                           | \$5.00  |
| Petition for Adoption                   | \$75.00    | Withdrawal of Objection          | \$10.00 |
| Petition other than Probate or Adoption | \$25.00    |                                  |         |
| Petition to Settle Small Estate         | \$35.00    |                                  |         |
| Praecipe                                | \$5.00     |                                  |         |
| Receipt                                 | \$10.00    |                                  |         |
| Receipt & Release                       | \$10.00    |                                  |         |

GEORGE N. ZANIC,  
President Judge

[Pa.B. Doc. No. 14-116. Filed for public inspection January 17, 2014, 9:00 a.m.]

## SUPREME COURT

### Duty Assignment Schedule for Emergency Petitions in the Year 2014; No. 415 Judicial Administration Doc. No. 1

#### Order

*Per Curiam:*

*And Now*, this 31st day of December, 2013, the emergency duty assignment for the year 2014, is herewith adopted.

|           |   |  |
|-----------|---|--|
| January   | Justice J. Michael Eakin<br>Justice Seamus P. McCaffery | (Eastern District)<br>(Western District) |
| February  | Justice Thomas G. Saylor<br>Justice Debra Todd          | (Eastern District)<br>(Western District) |
| March     | Justice Max Baer<br>Justice Correale F. Stevens         | (Eastern District)<br>(Western District) |
| April     | Justice J. Michael Eakin<br>Justice Seamus P. McCaffery | (Eastern District)<br>(Western District) |
| May       | Justice Thomas G. Saylor<br>Justice Debra Todd          | (Eastern District)<br>(Western District) |
| June      | Justice Max Baer<br>Justice Correale F. Stevens         | (Eastern District)<br>(Western District) |
| July      | Justice J. Michael Eakin<br>Justice Seamus P. McCaffery | (Eastern District)<br>(Western District) |
| August    | Justice Thomas G. Saylor<br>Justice Debra Todd          | (Eastern District)<br>(Western District) |
| September | Justice Max Baer<br>Justice Correale F. Stevens         | (Eastern District)<br>(Western District) |
| October   | Justice J. Michael Eakin<br>Justice Seamus P. McCaffery | (Eastern District)<br>(Western District) |
| November  | Justice Thomas G. Saylor<br>Justice Debra Todd          | (Eastern District)<br>(Western District) |
| December  | Justice Max Baer<br>Justice Correale F. Stevens         | (Eastern District)<br>(Western District) |

[Pa.B. Doc. No. 14-117. Filed for public inspection January 17, 2014, 9:00 a.m.]

**Schedule of Holidays for Year 2015 for Staffs of the Appellate Courts and the Administrative Office of Pennsylvania Courts; No. 416 Judicial Administration Doc.**

**Sessions of the Supreme Court of Pennsylvania for the Year 2015; No. 417 Judicial Administration Doc.**

**Order**

**Order**

*Per Curiam:*

*Per Curiam*

*And Now*, this 31st day of December, 2013, it is hereby ordered that the following paid holidays for calendar year 2015 will be observed on the dates specified below by all employees of the appellate courts and the Administrative Office of Pennsylvania Courts:

*And Now*, this 31st day of December, 2013 it is ordered that the argument/administrative sessions of the Supreme Court of Pennsylvania shall be held in the year 2015 as follows:

|                    |                             |
|--------------------|-----------------------------|
| January 01, 2015   | New Year's Day              |
| January 19, 2015   | Martin Luther King, Jr. Day |
| February 16, 2015  | Presidents' Day             |
| April 03, 2015     | Good Friday                 |
| May 25, 2015       | Memorial Day                |
| July 03, 2015      | Independence Day Observed   |
| September 07, 2015 | Labor Day                   |
| October 12, 2015   | Columbus Day                |
| November 03, 2015  | Election Day**              |
| November 11, 2015  | Veterans Day                |
| November 26, 2015  | Thanksgiving Day            |
| November 27, 2015  | Day after Thanksgiving      |
| December 25, 2015  | Christmas Day               |

|              |                                       |
|--------------|---------------------------------------|
| Philadelphia | February 5th (Administrative Session) |
| Philadelphia | March 9th through March 13th          |
| Harrisburg   | March 26th (Administrative Session)   |
| Pittsburgh   | April 6th through April 10th          |
| Harrisburg   | May 4th through May 8th               |
| Pittsburgh   | June 4th (Administrative Session)     |
| Philadelphia | September 9th through September 11th  |
| Pittsburgh   | October 5th through October 9th       |
| Harrisburg   | November 16th through November 20th   |

Additional argument/administrative sessions may be scheduled as the Court deems necessary.

[Pa.B. Doc. No. 14-119. Filed for public inspection January 17, 2014, 9:00 a.m.]

\*\*AOPC only; Appellate courts will be open.

[Pa.B. Doc. No. 14-118. Filed for public inspection January 17, 2014, 9:00 a.m.]



# RULES AND REGULATIONS

## Title 37—LAW

### BOARD OF PROBATION AND PAROLE

[ 37 PA. CODE CH. 79 ]

#### County Probation and Parole Officers' Firearm Education and Training Commission

The County Probation and Parole Officers' Firearm Education and Training Commission (FETC) amends §§ 79.2, 79.61 and 79.63 (relating to definitions; approval of instructors; and requirements for in-service training courses) and adds §§ 79.25 and 79.26 (relating to duty weapon change; and break-in-service).

#### *Statutory Authority*

This rulemaking is adopted under the authority of 61 Pa.C.S. § 6305(13) (relating to powers and duties of commission).

#### *Purpose of Final-Form Rulemaking*

This final-form rulemaking will serve to accelerate the firearm qualification process for officers and the approval process for in-service training courses while maintaining public safety by ensuring that officers are properly qualified on their duty weapons and instructors are properly certified to conduct training courses. Section 79.2(a) defines terms used in §§ 79.25 and 79.26. Section 79.25 explains the qualification requirements that county probation and parole officers shall adhere to in the event of a duty weapon change. Section 79.26 explains the requisite qualification requirements that county probation and parole officers shall adhere to depending on the duration of the officer's break-in-service. Section 79.61(b) updates the recertification and renewal requirements for Certified Firearms Instructors who attain Master Instructor status. Section 79.63 grants the FETC the discretion to waive certain requirements in the approval process for in-service training courses.

#### *Affected Parties*

This final-form rulemaking adds only a slight burden on county probation and parole officers depending on whether there has been a change in duty weapon or a break-in-service. Officers would have to adhere to these new requirements even if the officer would not otherwise be up for requalification.

Additionally, any FETC-approved school or vendor that provides in-service training courses may experience a slight increase in the number of officers it must test depending on whether the officer has had a duty weapon change or a break-in-service. Additionally, firearm instructors may derive a benefit from § 79.61(b) as it simplifies the recertification dates for instructors reaching Master Instructor status.

#### *Fiscal Impact*

##### *Commonwealth*

The FETC has determined that the final-form rulemaking will have a minimal financial impact on the Commonwealth since all funds budgeted for the FETC are derived from the County Probation and Parole Officers' Firearm Education and Training Fund (fund), which, under the law, is a restricted receipts account within the General Fund. Moneys for this fund are derived from costs imposed on a person who accepts Accelerated Reha-

bilitative Disposition, pleads guilty or nolo contendere, or is convicted of a felony or misdemeanor. This fund is used exclusively for the training activities and expenses of the FETC.

#### *Political subdivisions*

The projected fiscal impact of this final-form rulemaking is negligible. The costs associated with firearm qualification courses will only apply when the officer has a change in duty weapon or a break-in-service.

#### *Overview of costs*

The time an officer spends requalifying usually takes 1 hour. The subject county would have to pay that percentage of the officer's salary, plus the hourly percentage of the instructor's salary, plus the 60-180 rounds (50¢ per round) expended, plus the 2-6 targets (\$1 per target) used. When a written test is required, the county must pay the officer and the testing instructor a percentage of his salary based on the 50-minute test. Finally, when an officer must meet the requirements of a new hire because of break-in-service lasting 24 months or more, the county will have to pay for 18 hours of classroom time, 31 hours of range time, 1,000 rounds of ammunition, the cost for hotel rooms (maximum \$79 per night), a per diem and mileage.

#### *Private sector*

The proposed rulemaking will not have adverse fiscal impact on the private sector.

#### *General public*

The proposed rulemaking will not impose costs and will not have adverse fiscal impact on the general public.

#### *Costs and Paperwork Requirements*

The final-form rulemaking directly relates to implementation of a program which is already in effect and for which funding is already in place. Therefore, there will not be new fiscal impact. The final-form rulemaking may result in marginal increases in paperwork since weapon change information and qualification results shall be recorded in the Firearm Commission Training Management System. There may be a slight reduction in paperwork for certified firearm instructors since they would only have to document and demonstrate 12 hours of firearms training, rather than 12 hours of academic and range instruction when renewing Certified Firearms Instructor certification.

#### *Public Comment*

Comments were not received from the public, the House and Senate Judiciary Committees or the Independent Regulatory Review Commission (IRRC) on the proposed rulemaking or the final-form rulemaking.

#### *Impact on Small Business*

This final-form rulemaking will not have impact on small businesses as the regulations only affect county probation and parole officers and county probation departments.

#### *Effective Date*

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

#### *Sunset Date*

A sunset date has not been assigned. The FETC will review the efficacy of these regulations on an ongoing basis.

*Regulatory Review Act*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 30, 2013, the FETC submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 2589 (May 11, 2013), to IRRC and the Chairpersons of the House and Senate Judiciary Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the FETC 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 20, 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 20, 2012.

*Findings*

The FETC finds that:

(a) Public notice of intention to adopt regulations 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(b) The adoption of this final-form rulemaking in the manner provided by this order is necessary and appropri-

ate for the administration and enforcement of 61 Pa.C.S. Chapter 63 (relating to County Probation Officers' Firearm Education and Training Law).

*Order*

The FETC, acting under 61 Pa.C.S. § 6305(13), orders that:

(a) The regulations of the FETC, 37 Pa. Code Chapter 79, are amended by adding §§ 79.25 and 79.26 and amending §§ 79.2, 79.61 and 79.63 to read as set forth at 43 Pa.B. 2589.

(b) The chairperson of the FETC shall submit this order and 43 Pa.B. 2589 to the Offices of General Counsel and Attorney General for approval as to legality and form as required by law.

(c) The chairperson of the FETC shall certify this order and 43 Pa.B. 2589 and deposit them with the Legislative Reference Bureau as required by law.

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

KEITH GRAYBILL,  
*Chairperson*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 43 Pa.B. 7196 (December 7, 2013).)*

**Fiscal Note:** Fiscal Note 41-21 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 14-120. Filed for public inspection January 17, 2014, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of February 2014

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of February, 2014, is 6%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as his principal residence.

Each month the Department of Banking and Securities is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 3.47 to which was added 2.50 percentage points for a total of 5.97 that by law is rounded off to the nearest quarter at 6%.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-121. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Community Conservation Partnerships Program Grants; Grant Workshops Scheduled

The Department of Conservation and Natural Resources (Department) announces the 2014 open application period for the Community Conservation Partnerships Program Grants administered by the Bureau of Recreation and Conservation (Bureau). The open application period opened January 15, 2014, and will end at 4 p.m. on April 16, 2014. Depending on the funding source, eligible applicants include Commonwealth municipalities and appropriate nonprofit organizations.

Applications must be submitted electronically through the Environmental eGrants System available at <https://www.grants.dcnr.state.pa.us/index.aspx>. No paper, faxed or e-mailed applications will be accepted. All grant information, project guidance documents, program policies and application instructions are available online at <http://www.dcnr.state.pa.us/brc/grants/index.aspx>. For assistance with the Environmental eGrants System, call the Department's Grants Customer Service Center at (800) 326-7734 or e-mail [DCNR-Grants@pa.gov](mailto:DCNR-Grants@pa.gov).

Grant assistance from the Department helps communities in this Commonwealth and organizations plan, acquire and develop recreation, park and trail facilities and conserve open space. The Bureau administers the Community Conservation Partnerships Program which combines several State and Federal funding sources including the Keystone Recreation, Park, and Conservation Fund, Environmental Stewardship Fund, Pennsylvania Recreation Trails Program and the Land and Water Conservation Fund.

In 2014, the Department grant program will focus on making grant awards that advance local recreation and conservation priorities and implement the Statewide Comprehensive Outdoor Recreation Plan [www.paoutdoorrecplan.com](http://www.paoutdoorrecplan.com). Specific priorities include: sustainable and green park development and planning; major park and recreation rehabilitation projects that modernize facilities and bring them into compliance with the current standards for safety, ADA and the Universal Construction Code; trail projects that close gaps in major Statewide greenways and regionally significant trails and planning to help communities become bicycle and pedestrian friendly; land conservation to protect critical habitat, forested watersheds, wetlands, and riparian corridors and lands that conserve connectors between public lands or conserve urban green space; Rivers Conservation projects that enhance water trails, improve public access or increase awareness of this Commonwealth's rivers, or both; emerging trends including connecting youth to nature, community parks that feature green amenities such as gardens, off-leash dog parks, splash/spray parks, skate parks, and the like; and Statewide and regional partnerships that build capacity to promote outdoor recreation and conservation of natural and heritage resources.

During February six free grants workshops are scheduled at the following locations across this Commonwealth, from 9 a.m. until 12 p.m. focusing on how to develop a competitive and ready to go project and changes to the 2014 Community Conservation Partnerships Grants Program:

February 5, 2014—Camp Hill Borough Building; Prosser Hall, Camp Hill

February 6, 2014—Montgomery County Public Safety Training Campus: Fire Academy, Conshohocken

February 19, 2014—Luzerne County Community College, Education Conference Center, Nanticoke

February 20, 2014—Pennsylvania Military Museum, Boalsburg

February 25, 2014—Pine Township Recreation Center, Wexford

February 26, 2014—Clarion Holiday Inn, Clarion

In addition, the Department will host a webinar on the Grant Program on March 5, 2014, from 10 a.m. to 11:30 a.m.

To register for these workshops and webinar, go to <http://www.apps.dcnr.state.pa.us/Calendar/list.asp?intDivisionID=24>.

Persons with a disability who wish to submit an application and require assistance should contact Darrel Siesholtz at (717) 787-7672 to discuss how the Department may best accommodate their needs. Voice/TTY users should call (800) 654-5984.

ELLEN FERRETTI,  
*Secretary*

[Pa.B. Doc. No. 14-122. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council (Council) to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, January 22, 2014, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Joe Graci at (717) 787-9293. Persons who wish to participate during the public comment period are encouraged to submit their comments in writing to the Council by sending them to Joe Graci, Advisor, Conservation and Natural Resources Advisory Council, 400 Market Street, Harrisburg, PA 17105-8767.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Lauren Adair directly at (717) 787-9293 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

ELLEN FERRETTI,  
*Secretary*

[Pa.B. Doc. No. 14-123. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Request for Bids

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

*FDC-021-7181.1*—Work included under this contract consists of the demolition of an existing wooden footbridge and construction of a new steel pedestrian bridge to include landings, stairs, railing, decking, fiberglass staff gage and chain link fence installation over the spillway at the Penn Nursery Dam. Responsive bidders must hold a current small business certification from the Department.

*FDC-012-100642.1*—Work included under this contract consists of performing routine maintenance of the existing through-truss bridge. The scope of work consists of repoint the stone masonry abutments and wings, repair the abutment backwalls, replace timber boards of the bridge deck and deck power washing. Responsive bidders must hold a current small business certification from the Department.

*FDC-013-7665.1*—Work included under this contract consists of all site work to suit project preparation, execution and completion. This includes demolition of existing structure Bell Draft Road over McDonald Run (No. 24-7935-5113-0035). It will be replaced with a precast reinforced concrete box culvert and precast concrete end sections with a 19' clear roadway width, 12' span and 4' rise. Also included is demolition of existing structure Bell Draft Road over Shaffer Draft (No. 24-7935-5113-0036). It will be replaced with a precast reinforced concrete box culvert and precast concrete end sections with an 18' clear roadway width, 14' span and 7' rise. Also included is demolition of existing structure Bell Draft Road over Bell Draft (No. 24-935-5113-9023). It will be replaced with a precast reinforced concrete box culvert and precast concrete end sections with a 19' clear roadway width, 14' span and 7' rise. Replacement at each structure will also include driving surface aggregate, rock lining, architectural surface treatment and guiderail including end treatments.

Bid documents will be available on or after January 15, 2014. The bid opening will be held on February 13, 2014.

ELLEN FERRETTI,  
*Secretary*

[Pa.B. Doc. No. 14-124. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

### Pennsylvania Advisory Council on Drug and Alcohol Abuse Meeting

The Pennsylvania Advisory Council on Drug and Alcohol Abuse (Council) will hold a public meeting on January 22, 2014, from 1 p.m. to 3:30 p.m. The meeting will be held at the Department of Drug and Alcohol Programs Office, 02 Kline Plaza, Conference Room B, Harrisburg, PA 17104, (717) 783-8200. The meeting is open to the public. For additional information, visit the web site [www.ddap.pa.gov](http://www.ddap.pa.gov).

The primary focus of this Council meeting is for the Council members to meet to discuss current drug and alcohol issues and challenges facing this Commonwealth and to serve in an advisory capacity to the Department of Drug and Alcohol Programs on these issues.

For additional information, visit the previously listed web site or contact Roseann Deutsch, DDAP Executive Office, (717) 214-1937.

Persons with disabilities desiring to attend the meeting and requiring an auxiliary aid, service or other accommodation should contact Roseann Deutsch at (717) 214-1937.

This meeting is subject to cancellation without notice.

GARY TENNIS, Esq.,  
*Secretary*

[Pa.B. Doc. No. 14-125. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Jeffrey McCreary for Reinstatement of Teaching Certificates; Doc. No. RE-13-03

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

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1a—2070.18a), the Professional Standards and Practices Commission (Commission) will consider the application of Jeffrey McCreary for reinstatement of his teaching certificates.

Jeffrey McCreary filed an application for reinstatement of his teaching certificates under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on December 20, 2013, advised the Commission that it opposes the application for reinstatement.

In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Proce-

dures) and 22 Pa. Code § 233.123(d), the Commission will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Commission, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protests and requests for hearing shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice.

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

CAROLYN ANGELO,  
*Executive Director*

[Pa.B. Doc. No. 14-126. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

#### APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>                        | <i>County &amp;<br/>Municipality</i>  | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N?</i> |
|-----------------------------|---|---------------------------------------|--------------------------------------|----------------------------|
| PA0082708<br>(Sew)          | Calamus Estates MHP<br>652 Georgetown Road<br>Ronks, PA 17572 | Lancaster County<br>Paradise Township | UNT to Calamus Run /<br>7-K          | Y                          |

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

| <i>NPDES No.<br/>(Type)</i>     | <i>Facility Name &amp;<br/>Address</i>   | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed No.)</i>                  | <i>EPA Waived<br/>Y/N?</i> |
|---------------------------------|--|--------------------------------------|---|----------------------------|
| PA0208736<br>(Sewage)           | Mountain Top Snowshoe<br>Moshannon STP<br>Turkey Eye Lane<br>Moshannon, PA 16859                   | Centre County<br>Snow Shoe Township  | Unnamed Tributary to<br>Black Moshannon<br>Creek (8-D)  | Y                          |
| PA0208728<br>(Sewage)           | Snow Shoe/Clarence WWTP<br>Tennessee Road<br>Clarence, PA 16829                                    | Centre County<br>Snow Shoe Township  | Unnamed Tributary to<br>North Fork Beech<br>Creek (9-C) | Y                          |
| PA0114693<br>(Sewage)           | Clymer Township<br>Municipal Authority<br>Sewer System STP<br>PO Box 62<br>Sabinsville, PA 16943   | Tioga County<br>Clymer Township      | Mill Creek (4-A)  | Y                          |
| PA0113158<br>(Sewage)           | Daniel R Hawbaker Single<br>Residence SFTF<br>5881 West Buffalo Run Road<br>Port Matilda, PA 16870 | Centre County<br>Patton Township     | Unnamed Tributary to<br>Buffalo Run (9-C)               | Y                          |
| PA0233749<br>(SRSTP)            | Jeffery Freezer Subdivision<br>151 Mahaffey Hollow Road Ext<br>Linden, PA 17744                    | Lycoming County<br>Woodward Township | Unnamed Tributary to<br>Quenshukeny Run<br>(10-A)       | Y                          |
| PA0111902<br>(IW)               | Dairy Farmers Of American<br>72 Milk Plant Road<br>Middlebury Center, PA<br>16935-0102             | Tioga County<br>Middlebury Township  | Norris Brook (4-A)                                      | Y                          |
| PA0115215<br>(Industrial Waste) | Lucas Trucking Corp.<br>9657 North Route 220 Highway<br>Jersey Shore, PA 17740                     | Lycoming County<br>Piatt Township    | UNT to West Branch<br>Susquehanna River<br>(10-A)       | Y                          |



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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i>         | <i>EPA Waived<br/>Y/N?</i> |
|-----------------------------|---|--------------------------------------|--|----------------------------|
| PA0101745<br>(Sewage)       | Clairview Nursing<br>Rehabilitation Center<br>14663 Route 68<br>Sligo, PA 16255 | Clarion County<br>Piney Township     | Unnamed Tributary to<br>Licking Creek (17-B) | Y                          |
| PA0103136<br>(Sewage)       | Woodhaven MHP<br>136 Pineleaf Drive<br>Erie, PA 16510                           | Erie County<br>Greene Township       | un-named tributary of<br>Sixmile Creek (15)  | Y                          |

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

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

**PA0254711**, Storm Water, SIC Code 2471, **Great Southern Wood Inc.**, 115 West Road, Fombell, PA 16123-1425. Facility Name: Great Southern Wood. This proposed facility is located in Marion Township, **Beaver County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge storm water.

The receiving stream, is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i>      | <i>Mass (lb/day)</i>     |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|------------------------|--------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                        | <i>Daily<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)             | Report                   | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)              | XXX                      | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Suspended Solids | XXX                      | XXX                      | XXX            | 30                          | 60                       | XXX                         |
| Oil and Grease         | XXX                      | XXX                      | XXX            | 15                          | 30                       | XXX                         |
| BOD <sub>5</sub>       | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Chemical Oxygen Demand | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Arsenic          | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Chromium         | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Copper           | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |

The proposed effluent limits for Outfall 002 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i>      | <i>Mass (lb/day)</i>     |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|------------------------|--------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                        | <i>Daily<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)             | Report                   | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)              | XXX                      | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Suspended Solids | XXX                      | XXX                      | XXX            | 30                          | 60                       | XXX                         |
| Oil and Grease         | XXX                      | XXX                      | XXX            | 15                          | 30                       | XXX                         |
| BOD <sub>5</sub>       | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Chemical Oxygen Demand | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Arsenic          | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Chromium         | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Copper           | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |

The proposed effluent limits for Outfall 003 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i>      | <i>Mass (lb/day)</i>     |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instant.<br/>Maximum</i> |
|------------------------|--------------------------|--------------------------|----------------|-----------------------------|--------------------------|-----------------------------|
|                        | <i>Daily<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                             |
| Flow (MGD)             | Report                   | Report                   | XXX            | XXX                         | XXX                      | XXX                         |
| pH (S.U.)              | XXX                      | XXX                      | 6.0            | XXX                         | XXX                      | 9.0                         |
| Total Suspended Solids | XXX                      | XXX                      | XXX            | 30                          | 60                       | XXX                         |
| Oil and Grease         | XXX                      | XXX                      | XXX            | 15                          | 30                       | XXX                         |
| BOD <sub>5</sub>       | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Chemical Oxygen Demand | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Arsenic          | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Chromium         | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |
| Total Copper           | XXX                      | XXX                      | XXX            | Report                      | Report                   | XXX                         |

The proposed effluent limits for Outfall 004 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i>      | <i>Mass (lb/day)</i> |                      | <i>Minimum</i> | <i>Concentration (mg/l)</i> |                      | <i>Instant. Maximum</i> |
|------------------------|----------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
|                        | <i>Daily Average</i> | <i>Daily Maximum</i> |                | <i>Average Monthly</i>      | <i>Daily Maximum</i> |                         |
| Flow (MGD)             | Report               | Report               | XXX            | XXX                         | XXX                  | XXX                     |
| pH (S.U.)              | XXX                  | XXX                  | 6.0            | XXX                         | XXX                  | 9.0                     |
| Total Suspended Solids | XXX                  | XXX                  | XXX            | 30                          | 60                   | XXX                     |
| Oil and Grease         | XXX                  | XXX                  | XXX            | 15                          | 30                   | XXX                     |
| BOD <sub>5</sub>       | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |
| Chemical Oxygen Demand | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |
| Total Arsenic          | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |
| Total Chromium         | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |
| Total Copper           | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |

The proposed effluent limits for Outfall 005 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i>      | <i>Mass (lb/day)</i> |                      | <i>Minimum</i> | <i>Concentration (mg/l)</i> |                      | <i>Instant. Maximum</i> |
|------------------------|----------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
|                        | <i>Daily Average</i> | <i>Daily Maximum</i> |                | <i>Average Monthly</i>      | <i>Daily Maximum</i> |                         |
| Flow (MGD)             | Report               | Report               | XXX            | XXX                         | XXX                  | XXX                     |
| pH (S.U.)              | XXX                  | XXX                  | 6.0            | XXX                         | XXX                  | 9.0                     |
| Total Suspended Solids | XXX                  | XXX                  | XXX            | 30                          | 60                   | XXX                     |
| Oil and Grease         | XXX                  | XXX                  | XXX            | 15                          | 30                   | XXX                     |
| BOD <sub>5</sub>       | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |
| Chemical Oxygen Demand | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |
| Total Arsenic          | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |
| Total Chromium         | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |
| Total Copper           | XXX                  | XXX                  | XXX            | Report                      | Report               | XXX                     |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**PA0050377 A-2**, Industrial Waste, SIC Code 2833, **Johnson Matthey, Inc.**, 900 River Road, Conshohocken, PA 19428. Facility Name: Riverside Facility. This existing facility is located in Upper Merion Township, **Montgomery County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated industrial waste from Johnson Matthey's Riverside Facility. The changes include revised percent removal calculation methods in Part C for Chemical Oxygen Demand (COD) and Biochemical Oxygen Demand (BOD<sub>5</sub>), inclusion of DRBC removal requirement for BOD<sub>5</sub> in Part A of the permit, and updated procedures for chemical additives in Part C.

The receiving stream(s), Matsunk Creek, is located in State Water Plan watershed 3-F and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0026182 A-2**, Sewage, SIC Code 4952, **Lansdale Borough**, One Vine Street, Lansdale, PA 19446-3601. Facility Name: Lansdale Borough STP. This existing facility is located in Lansdale Borough, **Montgomery County**.

Description of Existing Activity: Amendment of an NPDES permit to discharge treated sewage from Lansdale Borough STP located at 652 West Ninth Street. This amendment is for the removal of a requirement to conduct continuous quarterly Whole Effluent Toxicity (WET) testing. WET testing will still be required for next permit renewal application.

The receiving stream(s), Unnamed Tributary to West Branch Neshaminy Creek, is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake for AQUA PA is located on Neshaminy Creek.

The proposed effluent limits for Outfall 001 are based on an average flow of 3.2 MGD and a maximum monthly flow of 4.5 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>Weekly Average</i> |                | <i>Average Monthly</i>      | <i>Weekly Average</i> |                         |
| Flow (MGD)        | Report                 | Report                | XXX            | XXX                         | XXX                   | XXX                     |
| pH (S.U.)         | XXX                    | XXX                   | 6.0            | XXX                         | XXX                   | 9.0                     |
| Dissolved Oxygen  | XXX                    | XXX                   | 6.0            | XXX                         | XXX                   | XXX                     |

| <i>Parameters</i>                       | <i>Mass (lb/day)</i>   |                       |                | <i>Concentration (mg/l)</i> |                       | <i>Instant. Maximum</i> |
|---|------------------------|-----------------------|----------------|-----------------------------|-----------------------|-------------------------|
|   | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Minimum</i> | <i>Average Monthly</i>      | <i>Weekly Average</i> |                         |
| Total Residual Chlorine                 | XXX                    | XXX                   | XXX            | 0.013                       | XXX                   | 0.043                   |
| COD <sub>5</sub>                        |                        |                       |                |                             |                       |                         |
| May 1 - Oct 31                          | 413                    | 638                   | XXX            | 11                          | 17                    | 22                      |
| Nov 1 - Apr 30                          | 826                    | 1,238                 | XXX            | 22                          | 33                    | 44                      |
| Total Suspended Solids                  | 1,126                  | 1,689                 | XXX            | 30                          | 45                    | 60                      |
| Fecal Coliform (CFU/100 ml)             | XXX                    | XXX                   | XXX            | 200                         | 1,000                 | XXX                     |
|   |                        |                       |                | Geo Mean                    | Max                   |                         |
| Nitrate-Nitrite as N                    |                        |                       |                |                             |                       |                         |
| Jul 1 - Oct 31                          | 356                    | XXX                   | XXX            | 9.5                         | XXX                   | 19.0                    |
| Nov 1 - Jun 30                          | Report                 | XXX                   | XXX            | Report                      | XXX                   | XXX                     |
| Ammonia-Nitrogen                        |                        |                       |                |                             |                       |                         |
| May 1 - Oct 31                          | 56                     | XXX                   | XXX            | 1.5                         | XXX                   | 3.0                     |
| Nov 1 - Apr 30                          | 169                    | XXX                   | XXX            | 4.5                         | XXX                   | 9.0                     |
| Total Kjeldahl Nitrogen                 | Report                 | XXX                   | XXX            | Report                      | XXX                   | XXX                     |
| Total Phosphorus                        |                        |                       |                |                             |                       |                         |
| Apr 1 - Oct 31                          | 35                     | XXX                   | XXX            | 0.93                        | XXX                   | 1.86                    |
| Nov 1 - Mar 31                          | 70                     | XXX                   | XXX            | 1.86                        | XXX                   | 3.72                    |
| Total Aluminum                          | XXX                    | XXX                   | XXX            | Report                      | XXX                   | XXX                     |
| Total Copper                            | XXX                    | XXX                   | XXX            | Report                      | XXX                   | XXX                     |
| Dissolved Iron                          | XXX                    | XXX                   | XXX            | Report                      | XXX                   | XXX                     |
| Total Iron                              | XXX                    | XXX                   | XXX            | Report                      | XXX                   | XXX                     |
| Hardness, Total (as CaCO <sub>3</sub> ) | XXX                    | XXX                   | XXX            | Report                      | XXX                   | XXX                     |

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

- Designation of Responsible Operator
- Remedial Measures if Public Nuisance
- No Stormwater to Sewers
- Necessary Property Rights
- Small Stream Discharge
- Change in Ownership
- Chlorine Dosages
- Proper Sludge Disposal
- TMDL/WLA Analysis
- WET Testing for Renewal
- Operator Training
- TRC Reporting
- Stormwater Monitoring
- Combined Sewer Overflow
- Laboratory Certification
- Instantaneous Maximum Limits
- eDMR

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is not in effect.

**PA0027987**, Sewage, SIC Code 5541, **HMS Host**, P.O. Box 8, Middletown, PA 17057. Facility Name: Peter J. Camiel Service Plaza. This existing facility is located in MP 304.8 Westbound Pennsylvania Turnpike, in Wallace Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Marsh Creek, is located in State Water Plan watershed 3-H and is classified for High Quality Waters—Trout Stocking and Mi, 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 0.05 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |              |                         | <i>Concentration (mg/l)</i> |              | <i>Instant. Maximum</i> |
|-----------------------------|------------------------|--------------|-------------------------|-----------------------------|--------------|-------------------------|
|                             | <i>Average Monthly</i> | <i>Daily</i> | <i>Instant. Minimum</i> | <i>Average Monthly</i>      | <i>Daily</i> |                         |
| Flow (MGD)                  | Report                 | XXX          | XXX                     | XXX                         | XXX          | XXX                     |
| pH (S.U.)                   | XXX                    | XXX          | 6.0                     | XXX                         | XXX          | 9.0                     |
| Dissolved Oxygen            | XXX                    | XXX          | 5.0                     | XXX                         | XXX          | XXX                     |
| Total Residual Chlorine     | XXX                    | XXX          | XXX                     | 0.5                         | XXX          | 1.2                     |
| CBOD <sub>5</sub>           |                        |              |                         |                             |              |                         |
| May 1 - Oct 31              | 4.2                    | XXX          | XXX                     | 10                          | XXX          | 20                      |
| Nov 1 - Apr 30              | 8.3                    | XXX          | XXX                     | 20                          | XXX          | 40                      |
| Total Suspended Solids      | 8.3                    | XXX          | XXX                     | 20                          | XXX          | 40                      |
| Fecal Coliform (CFU/100 ml) | XXX                    | XXX          | XXX                     | 200                         | XXX          | 1,000                   |
| Total Nitrogen              | XXX                    | XXX          | XXX                     | Report                      | XXX          | XXX                     |
| Ammonia-Nitrogen            |                        |              |                         |                             |              |                         |
| May 1 - Oct 31              | 1.3                    | XXX          | XXX                     | 3.0                         | XXX          | 6.0                     |
| Nov 1 - Apr 30              | 3.7                    | XXX          | XXX                     | 9.0                         | XXX          | 18.0                    |
| Dissolved Phosphorus        |                        |              |                         |                             |              |                         |
| May 1 - Oct 31              | 0.42                   | XXX          | XXX                     | 1.0                         | XXX          | 2.0                     |
| Nov 1 - Apr 30              | 0.83                   | XXX          | XXX                     | 2.0                         | XXX          | 4.0                     |

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

Proposed Part C Conditions:

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Sludge Disposal Requirement
- D. Phase Out When Municipal Sewers Available
- E. Total Residual Chlorine Requirement
- F. Discharge to Small Stream
- G. Notification of Designation of Operator
- H. Remedial Measures if Unsatisfactory Effluent
- I. Change of Ownership
- J. Twice per Month Sampling
- K. Laboratory Certification
- L. Certified Operator

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is not in effect.

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

**PA0261122**, Sewage, SIC Code 4952, **Train Collectors Association**, P.O. Box 248, Strasburg, PA 17579. Facility Name: National Toy Train Museum WWTP. This existing facility is located in Paradise Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Pequea Creek, is located in State Water Plan watershed 7-K and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.002 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |                      |                | <i>Concentration (mg/l)</i> |                      | <i>Instant. Maximum</i> |
|-----------------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
|                             | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i>      | <i>Daily Maximum</i> |                         |
| Flow (MGD)                  | Report                 | Report               | XXX            | XXX                         | XXX                  | XXX                     |
| pH (S.U.)                   | XXX                    | XXX                  | 6.0            | XXX                         | XXX                  | 9.0                     |
| CBOD <sub>5</sub>           | XXX                    | XXX                  | XXX            | 10                          | XXX                  | 20                      |
| Total Suspended Solids      | XXX                    | XXX                  | XXX            | 10                          | XXX                  | 20                      |
| Fecal Coliform (CFU/100 ml) |                        |                      |                |                             |                      |                         |
| May 1 - Sep 30              | XXX                    | XXX                  | XXX            | 200                         | XXX                  | 1,000                   |
|                             |                        |                      |                | Geo Mean                    |                      |                         |

| Parameters       | Mass (lb/day)      |                  |         | Concentration (mg/l) |                  |                     |
|------------------|--------------------|------------------|---------|----------------------|------------------|---------------------|
|                  | Average<br>Monthly | Daily<br>Maximum | Minimum | Average<br>Monthly   | Daily<br>Maximum | Instant.<br>Maximum |
| Oct 1 - Apr 30   | XXX                | XXX              | XXX     | 2,000<br>Geo Mean    | XXX              | 10,000              |
| Total Phosphorus | XXX                | XXX              | XXX     | Report               | XXX              | Report              |

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.

**PA0246522**, Sewage, SIC Code 7033, **Wright Richard**, 1172 River Road, Saxton, PA 16678. Facility Name: Heritage Cove Resort Campground. This existing facility is located in Liberty 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), Raystown Branch Juniata River, is located in State Water Plan watershed 11-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03 MGD.

| Parameters                  | Mass (lb/day)      |                  |         | Concentration (mg/l) |                     |        |
|-----------------------------|--------------------|------------------|---------|----------------------|---------------------|--------|
|                             | Average<br>Monthly | Daily<br>Maximum | Minimum | Average<br>Monthly   | Instant.<br>Maximum |        |
| Flow (MGD)                  | Report             | Report           | XXX     | XXX                  | XXX                 | XXX    |
| pH (S.U.)                   | XXX                | XXX              | 6.0     | XXX                  | XXX                 | 9.0    |
| Dissolved Oxygen            | XXX                | XXX              | 5.0     | XXX                  | XXX                 | XXX    |
| Total Residual Chlorine     | XXX                | XXX              | XXX     | 0.5                  | XXX                 | 1.6    |
| CBOD <sub>5</sub>           | XXX                | XXX              | XXX     | 25                   | XXX                 | 50     |
| Total Suspended Solids      | XXX                | XXX              | XXX     | 30                   | XXX                 | 60     |
| Fecal Coliform (CFU/100 ml) |                    |                  |         |                      |                     |        |
| May 1 - Sep 30              | XXX                | XXX              | XXX     | 200<br>Geo Mean      | XXX                 | 1,000  |
| Oct 1 - Apr 30              | XXX                | XXX              | XXX     | 2,000<br>Geo Mean    | XXX                 | 10,000 |
| Total Nitrogen              | XXX                | XXX              | XXX     | Report               | XXX                 | XXX    |
| Nitrate-Nitrite as N        | XXX                | XXX              | XXX     | Annl Avg<br>Report   | XXX                 | XXX    |
| Total Kjeldahl Nitrogen     | XXX                | XXX              | XXX     | Annl Avg<br>Report   | XXX                 | XXX    |
| Total Phosphorus            | XXX                | XXX              | XXX     | Annl Avg<br>Report   | XXX                 | XXX    |

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

The EPA Waiver is in effect.

**PA0086771**, Sewage, SIC Code 4952, **Centre Township Municipal Authority**, 449 Bucks Hill Road, Mohrsville, PA 19541-9340. Facility Name: Centre Township Dauberville STP. This existing facility is located in Centre Township, **Berks 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), Irish Creek, is located in State Water Plan watershed 3-B 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 0.08 MGD.

| Parameters              | Mass (lb/day)      |                  |         | Concentration (mg/l) |                     |      |
|-------------------------|--------------------|------------------|---------|----------------------|---------------------|------|
|                         | Average<br>Monthly | Daily<br>Maximum | Minimum | Average<br>Monthly   | Instant.<br>Maximum |      |
| Flow (MGD)              | Report             | Report           | XXX     | XXX                  | XXX                 | XXX  |
| pH (S.U.)               | XXX                | XXX              | 6.0     | XXX                  | XXX                 | 9.0  |
| Dissolved Oxygen        | XXX                | XXX              | 5.0     | XXX                  | XXX                 | XXX  |
| Total Residual Chlorine | XXX                | XXX              | XXX     | 0.50                 | XXX                 | 1.60 |
| CBOD <sub>5</sub>       | 16                 | XXX              | XXX     | 25                   | XXX                 | 50   |
| BOD <sub>5</sub>        |                    |                  |         |                      |                     |      |
| Influent                | Report             | Report           | XXX     | Report               | XXX                 | XXX  |
| Total Suspended Solids  |                    |                  |         |                      |                     |      |

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |                      |                | <i>Concentration (mg/l)</i> |     | <i>Instant. Maximum</i> |
|-----------------------------|------------------------|----------------------|----------------|-----------------------------|-----|-------------------------|
|                             | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i>      |     |                         |
| Influent                    | Report                 | Report               | XXX            | Report                      | XXX | XXX                     |
| Total Suspended Solids      | 20                     | XXX                  | XXX            | 30                          | XXX | 60                      |
| Fecal Coliform (CFU/100 ml) |                        |                      |                |                             |     |                         |
| May 1 - Sep 30              | XXX                    | XXX                  | XXX            | 200                         | XXX | 1,000                   |
| Oct 1 - Apr 30              | XXX                    | XXX                  | XXX            | Geo Mean<br>2,000           | XXX | 10,000                  |
| Ammonia-Nitrogen            | 13                     | XXX                  | XXX            | 20                          | XXX | 40                      |
| Total Nitrogen              | Report                 | XXX                  | XXX            | Report                      | XXX | XXX                     |
| Total Phosphorus            | Annual Avg             | XXX                  | XXX            | Annual Avg                  | XXX | XXX                     |
|                             | Report                 |                      |                | Report                      |     |                         |
|                             | Annual Avg             |                      |                | Annual Avg                  |     |                         |

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

The EPA Waiver is in effect.

**PA0246654**, Sewage, SIC Code 4952, **Centre Township Municipal Authority Berks County**, 449 Bucks Hill Road, Mohrsville, PA 19541-9340. Facility Name: Hillcrest Estates STP. This existing facility is located in Centre Township, **Berks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |                      |                | <i>Concentration (mg/l)</i> |     | <i>Instant. Maximum</i> |
|-----------------------------|------------------------|----------------------|----------------|-----------------------------|-----|-------------------------|
|                             | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i>      |     |                         |
| Flow (MGD)                  | Report                 | Report               | XXX            | XXX                         | XXX | XXX                     |
| pH (S.U.)                   | XXX                    | XXX                  | 6.0            | XXX                         | XXX | 9.0                     |
| Dissolved Oxygen            | XXX                    | XXX                  | 5.0            | XXX                         | XXX | XXX                     |
| Total Residual Chlorine     | XXX                    | XXX                  | XXX            | 0.16                        | XXX | 0.52                    |
| CBOD <sub>5</sub>           | 5.21                   | XXX                  | XXX            | 25                          | XXX | 50                      |
| BOD <sub>5</sub>            |                        |                      |                |                             |     |                         |
| Raw Sewage Influent         | Report                 | Report               | XXX            | Report                      | XXX | XXX                     |
| Total Suspended Solids      |                        |                      |                |                             |     |                         |
| Raw Sewage Influent         | Report                 | Report               | XXX            | Report                      | XXX | XXX                     |
| Total Suspended Solids      | 6.26                   | XXX                  | XXX            | 30                          | XXX | 60                      |
| Fecal Coliform (CFU/100 ml) |                        |                      |                |                             |     |                         |
| May 1 - Sep 30              | XXX                    | XXX                  | XXX            | 200                         | XXX | 1,000                   |
| Oct 1 - Apr 30              | XXX                    | XXX                  | XXX            | Geo Mean<br>2,000           | XXX | 10,000                  |
| Ammonia-Nitrogen            |                        |                      |                |                             |     |                         |
| May 1 - Oct 31              | 0.63                   | XXX                  | XXX            | 3.0                         | XXX | 6.5                     |
| Nov 1 - Apr 30              | 1.88                   | XXX                  | XXX            | 9.0                         | XXX | 19                      |
| Total Nitrogen              | Report                 | XXX                  | XXX            | Report                      | XXX | XXX                     |
| Total Phosphorus            | Annual Avg             | XXX                  | XXX            | Annual Avg                  | XXX | XXX                     |
|                             | Report                 |                      |                | Report                      |     |                         |
|                             | Annual Avg             |                      |                | Annual Avg                  |     |                         |

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

The EPA Waiver is in effect.

**PA0084476**, Sewage, SIC Code 7033, **Girl Scouts In The Heart Of PA**, 350 Hale Avenue, Harrisburg, PA 17105. Facility Name: Camp Small Valley Girl Scout Camp. This existing facility is located in Jefferson Township, **Dauphin County**.

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

The receiving stream(s), unnamed tributary of Armstrong Creek, is located in State Water Plan watershed 6-C 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 0.0065 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |                      |                | <i>Concentration (mg/l)</i> |                      | <i>Instant. Maximum</i> |
|-----------------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
|                             | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i>      | <i>Daily Maximum</i> |                         |
| Flow (MGD)                  | Report                 | Report               | XXX            | XXX                         | XXX                  | XXX                     |
| pH (S.U.)                   | XXX                    | XXX                  | 6.0            | XXX                         | XXX                  | 9.0                     |
| Dissolved Oxygen            | XXX                    | XXX                  | Report         | XXX                         | XXX                  | XXX                     |
| Total Residual Chlorine     | XXX                    | XXX                  | XXX            | 2.0                         | XXX                  | 5.0                     |
| CBOD <sub>5</sub>           | XXX                    | XXX                  | XXX            | 25                          | XXX                  | 50                      |
| Total Suspended Solids      | XXX                    | XXX                  | XXX            | 30                          | XXX                  | 60                      |
| Fecal Coliform (CFU/100 ml) |                        |                      |                |                             |                      |                         |
| May 1 - Sep 30              | XXX                    | XXX                  | XXX            | 200                         | XXX                  | 1,000                   |
| Oct 1 - Apr 30              | XXX                    | XXX                  | XXX            | Geo Mean<br>2,000           | XXX                  | 10,000                  |
| Total Nitrogen              | XXX                    | XXX                  | XXX            | Report<br>Annl Avg          | XXX                  | XXX                     |
| Nitrate-Nitrite as N        | XXX                    | XXX                  | XXX            | Report<br>Annl Avg          | XXX                  | XXX                     |
| Total Kjeldahl Nitrogen     | XXX                    | XXX                  | XXX            | Report<br>Annl Avg          | XXX                  | XXX                     |
| Total Phosphorus            | XXX                    | XXX                  | XXX            | Report<br>Annl Avg          | XXX                  | XXX                     |

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

The EPA Waiver is in effect.

**PA0081337**, Sewage, SIC Code 6515, **ATG Properties LLC**, PO Box 677, Morgantown, PA 19543. Facility Name: Northwood Manor MHP. This existing facility is located in Newberry Township, **York County**.

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

The receiving stream(s), Unnamed Tributary of Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.019125 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |                      |                | <i>Concentration (mg/l)</i> |                      | <i>Instant. Maximum</i> |
|-----------------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
|                             | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i>      | <i>Daily Maximum</i> |                         |
| Flow (MGD)                  | Report                 | Report               | XXX            | XXX                         | XXX                  | XXX                     |
| pH (S.U.)                   | XXX                    | XXX                  | 6.0            | XXX                         | XXX                  | 9.0                     |
| Dissolved Oxygen            | XXX                    | XXX                  | 5.0            | XXX                         | XXX                  | XXX                     |
| Total Residual Chlorine     |                        |                      |                |                             |                      |                         |
| (Interim)                   | XXX                    | XXX                  | XXX            | 0.17                        | XXX                  | 0.57                    |
| (Final)                     | XXX                    | XXX                  | XXX            | 0.017                       | XXX                  | 0.054                   |
| CBOD <sub>5</sub>           |                        |                      |                |                             |                      |                         |
| 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) |                        |                      |                |                             |                      |                         |
| May 1 - Sep 30              | XXX                    | XXX                  | XXX            | 200                         | XXX                  | 1,000                   |
| Oct 1 - Apr 30              | XXX                    | XXX                  | XXX            | Geo Mean<br>2,000           | XXX                  | 10,000                  |
| Ammonia-Nitrogen            |                        |                      |                |                             |                      |                         |
| May 1 - Oct 31              | XXX                    | XXX                  | XXX            | 1.5                         | XXX                  | 3.0                     |
| Nov 1 - Apr 30              | XXX                    | XXX                  | XXX            | 4.5                         | XXX                  | 9.0                     |

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

- WQBELs below Quantitation Limits
- TRC Compliance Schedule / Site-Specific Study

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.

**PA0261017**, Sewage, SIC Code 4952, **Stanley & Anna Almony**, 302 Gemmill Road, Delta, PA 17314. Facility Name: Almony Residence SRSTP. This existing facility is located in Peach Bottom Township, **York 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), Neill Run, is located in State Water Plan watershed 7-I and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

| Parameters                  | Mass (lb/day)   |               |         | Concentration (mg/l) |               |                  |
|-----------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
|                             | Average Monthly | Daily Maximum | Minimum | Average Monthly      | Daily Maximum | Instant. Maximum |
| Flow (MGD)                  | Report          | XXX           | XXX     | XXX                  | XXX           | XXX              |
| pH (S.U.)                   | XXX             | XXX           | 6.0     | XXX                  | XXX           | 9.0              |
| Total Residual Chlorine     | XXX             | XXX           | XXX     | Report               | XXX           | XXX              |
| CBOD <sub>5</sub>           | XXX             | XXX           | XXX     | 10                   | XXX           | 20               |
| Total Suspended Solids      | XXX             | XXX           | XXX     | 10                   | XXX           | 20               |
| Fecal Coliform (CFU/100 ml) | XXX             | XXX           | XXX     | 200                  | XXX           | 1,000            |
|                             |                 |               |         | Geo Mean             |               |                  |

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.

Application No. **PA0228401**, Concentrated Animal Feeding Operation (CAFO), **Schrack Farms Partnership (Schrack Farms Partnership CAFO)**, 860 West Valley Road, Loganton, PA 17747-8935.

Schrack Farms Partnership has submitted an application for an Individual NPDES permit for an existing CAFO known as Schrack Farms Partnership CAFO, located in Greene Township, **Clinton County**.

The CAFO is situated near Unnamed Tributary to Fishing Creek in Watershed 9-C, which is classified for High Quality Waters—Cold Water Fishes and. The CAFO is designed to maintain an animal population of approximately 2,045.26 animal equivalent units (AEUs) consisting of 1,250 Dairy Cows, 4 Beef Cattle, 304 Heifers, 195 Calves, 5 Horses, 4 Swine, 6 Sheep, 10 Goats. Manure is stored in a concrete panel tank, a glass-lined steel tank, an anaerobic digester, and two earthen ponds. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

**PA0232441**, Industrial Wastewater, SIC Code 0273, **Cedar Springs Trout Hatchery**, 207 Trout Lane, Mill Hall, PA 17751. Facility Name: Cedar Springs Trout Hatchery. This existing facility is located in Porter Township, **Clinton County**.

Description of Proposed Activity: The application is for a new NPDES permit for existing discharges of industrial wastewater from the Cedar Springs Fish Hatchery.

The receiving stream(s), Cedar Run and Unnamed Tributary to Cedar Run, is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies. The proposed effluent limits for Outfall 001—004.

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

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

- Best Management Practices (BMP) Plan
- BMPs



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.

**PA0114821**, Sewage, SIC Code 9223, **Gregg Township Municipal Authority Union County**, 16436 Route 15, Allenwood, PA 17810. Facility Name: Gregg Township Municipal Authority Sewer System STP. This existing facility is located in Gregg Township, **Union 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), West Branch Susquehanna River, is located in State Water Plan watershed 10-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.26 MGD.

| Parameters                  | Mass (lb/day)   |                |         | Concentration (mg/l) |                |                  |
|-----------------------------|-----------------|----------------|---------|----------------------|----------------|------------------|
|                             | Average Monthly | Weekly Average | Minimum | Average Monthly      | Weekly Average | Instant. Maximum |
| Flow (MGD)                  | Report          | Report Daily   | XXX     | XXX                  | XXX            | XXX              |
|                             |                 | Max            |         |                      |                |                  |
| pH (S.U.)                   | XXX             | XXX            | 6.0     | XXX                  | XXX            | 9.0              |
| Dissolved Oxygen            | XXX             | XXX            | Report  | XXX                  | XXX            | XXX              |
| Total Residual Chlorine     | XXX             | XXX            | XXX     | 0.5                  | XXX            | 1.6              |
| CBOD <sub>5</sub>           | 263             | 420            | XXX     | 25                   | 40             | 56               |
| BOD <sub>5</sub>            |                 |                |         |                      |                |                  |
| Raw Sewage Influent         | Report          | Report         | XXX     | Report               | XXX            | XXX              |
| Total Suspended Solids      |                 |                |         |                      |                |                  |
| Raw Sewage Influent         | Report          | Report         | XXX     | Report               | XXX            | XXX              |
| Total Suspended Solids      | 315             | 473            | XXX     | 30                   | 45             | 60               |
| Fecal Coliform (CFU/100 ml) |                 |                |         |                      |                |                  |
| May 1 - Sep 30              | XXX             | XXX            | XXX     | 200                  | XXX            | 1000             |
|                             |                 |                |         | Geo Mean             |                |                  |
| Oct 1 - Apr 30              | XXX             | XXX            | XXX     | 2000                 | XXX            | 10000            |
|                             |                 |                |         | Geo Mean             |                |                  |
| Ammonia-Nitrogen            | XXX             | XXX            | XXX     | Report               | XXX            | XXX              |
| Total Phosphorus            | 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.

| Parameters           | Mass (lbs) |        | Minimum | Concentration (mg/l) |         |
|----------------------|------------|--------|---------|----------------------|---------|
|                      | Monthly    | Annual |         | Monthly Average      | Maximum |
| Ammonia—N            | Report     | Report |         | Report               |         |
| Kjeldahl—N           | Report     |        |         | Report               |         |
| Nitrate-Nitrite as N | Report     |        |         | Report               |         |
| Total Nitrogen       | Report     | Report |         | Report               |         |
| Total Phosphorus     | Report     | Report |         | Report               |         |
| Net Total Nitrogen   | Report     | 23013  |         |                      |         |
| Net Total Phosphorus | Report     | 3068   |         |                      |         |

\* 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.

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.

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

**PA0254746**, Texas Eastern Transmission LP, 890 Winter Street, Waltham, MA 02451. Facility Name: Team 2014 Project Delmont Compressor Station. This proposed facility is located in Salem Township, **Westmoreland County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new temporary discharge of water associated with hydrostatic testing of new pipelines.

The receiving stream(s), Beaver Run is located in State Water Plan watershed 18-B 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 500 GPM.

| Parameters                     | Mass (lb/day) |         |         | Concentration (mg/l) |         |         |
|--------------------------------|---------------|---------|---------|----------------------|---------|---------|
|                                | Average       | Daily   | Minimum | Average              | Daily   | Maximum |
|                                | Monthly       | Maximum |         | Monthly              | Maximum |         |
| Flow (GPM)                     | XXX           | 500     | XXX     | XXX                  | XXX     | XXX     |
| pH (S.U.)                      | XXX           | XXX     | 6       | XXX                  | XXX     | 9       |
| Dissolved Oxygen               | XXX           | XXX     | 10.68   | XXX                  | XXX     | XXX     |
| Total Residual Chlorine (µg/L) | XXX           | XXX     | XXX     | XXX                  | XXX     | 40      |
| Total Suspended Solids         | XXX           | XXX     | XXX     | 11.4                 | 17.7    | XXX     |
| Total Dissolved Solids         | XXX           | XXX     | XXX     | 77.8                 | 121.2   | XXX     |
| Osmotic Pressure (mOs/kg)      | XXX           | XXX     | XXX     | 1.7                  | 2.7     | XXX     |
| Oil and Grease                 | XXX           | XXX     | XXX     | XXX                  | XXX     | 1.4     |
| Total Aluminum (µg/L)          | XXX           | XXX     | XXX     | 150.8                | 234.9   | XXX     |
| Total Barium (µg/L)            | XXX           | XXX     | XXX     | XXX                  | XXX     | 0.33    |
| Total Boron (µg/L)             | XXX           | XXX     | XXX     | XXX                  | XXX     | 8.4     |
| Total Cyanide (µg/L)           | XXX           | XXX     | XXX     | XXX                  | XXX     | 5       |
| Dissolved Iron (µg/L)          | XXX           | XXX     | XXX     | 34.4                 | 53.6    | XXX     |
| Total Iron (µg/L)              | XXX           | XXX     | XXX     | 279.3                | 435.1   | XXX     |
| Total Manganese (µg/L)         | XXX           | XXX     | XXX     | 42.7                 | 66.6    | XXX     |
| Total Nickel (µg/L)            | XXX           | XXX     | XXX     | 6.9                  | 10.7    | XXX     |
| Sulfate                        | XXX           | XXX     | XXX     | 15.1                 | 23.5    | XXX     |
| Total Titanium (µg/L)          | XXX           | XXX     | XXX     | XXX                  | XXX     | 1.7     |
| Magnesium (µg/L)               | XXX           | XXX     | XXX     | XXX                  | XXX     | 16.7    |
| Total Zinc (µg/L)              | XXX           | XXX     | XXX     | 16.7                 | 25.9    | XXX     |

The proposed effluent limits for Outfall 002 are based on a design flow of 500 GPM.

| Parameters                     | Mass (lb/day) |         |         | Concentration (mg/l) |         |         |
|--------------------------------|---------------|---------|---------|----------------------|---------|---------|
|                                | Average       | Daily   | Minimum | Average              | Daily   | Maximum |
|                                | Monthly       | Maximum |         | Monthly              | Maximum |         |
| Flow (GPM)                     | XXX           | 500     | XXX     | XXX                  | XXX     | XXX     |
| pH (S.U.)                      | XXX           | XXX     | 6       | XXX                  | XXX     | 9       |
| Dissolved Oxygen               | XXX           | XXX     | 10.68   | XXX                  | XXX     | XXX     |
| Total Residual Chlorine (µg/L) | XXX           | XXX     | XXX     | XXX                  | XXX     | 40      |
| Total Suspended Solids         | XXX           | XXX     | XXX     | 11.4                 | 17.7    | XXX     |
| Total Dissolved Solids         | XXX           | XXX     | XXX     | 77.8                 | 121.2   | XXX     |
| Osmotic Pressure (mOs/kg)      | XXX           | XXX     | XXX     | 1.7                  | 2.7     | XXX     |
| Oil and Grease                 | XXX           | XXX     | XXX     | XXX                  | XXX     | 1.4     |
| Total Aluminum (µg/L)          | XXX           | XXX     | XXX     | 150.8                | 234.9   | XXX     |
| Total Barium (µg/L)            | XXX           | XXX     | XXX     | XXX                  | XXX     | 0.33    |
| Total Boron (µg/L)             | XXX           | XXX     | XXX     | XXX                  | XXX     | 8.4     |
| Total Cyanide (µg/L)           | XXX           | XXX     | XXX     | XXX                  | XXX     | 5       |
| Dissolved Iron (µg/L)          | XXX           | XXX     | XXX     | 34.4                 | 53.6    | XXX     |
| Total Iron (µg/L)              | XXX           | XXX     | XXX     | 279.3                | 435.1   | XXX     |
| Total Manganese (µg/L)         | XXX           | XXX     | XXX     | 42.7                 | 66.6    | XXX     |
| Total Nickel (µg/L)            | XXX           | XXX     | XXX     | 6.9                  | 10.7    | XXX     |
| Sulfate                        | XXX           | XXX     | XXX     | 15.1                 | 23.5    | XXX     |
| Total Titanium (µg/L)          | XXX           | XXX     | XXX     | XXX                  | XXX     | 1.7     |
| Magnesium (µg/L)               | XXX           | XXX     | XXX     | XXX                  | XXX     | 16.7    |
| Total Zinc (µg/L)              | XXX           | XXX     | XXX     | 16.7                 | 25.9    | XXX     |

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is not 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. 4601405**, Sewage, Amendment, **Montgomery Township Municipal Sewer Authority**, 1001 Stump Road, Montgomeryville, PA 18936.

This proposed facility is located in Montgomery Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a equalization tank system.

**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 comminutor, new emergency generator, new controls, piping sitework & new roof.



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

**WQM Permit No. 0513402**, Sewerage, **West Providence Township Municipal Authority**, 83 East Fifth Avenue, Everett, PA 15537.

This proposed facility is located in West Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Seeking permit approval for sewer replacement and pump station improvements.

**WQM Permit No. 2898403 Amendment No. 1**, Sewerage, **Antrim Township Municipal Authority**, 10655 Antrim Church Road, PO Box 130, Greencastle, PA 17225.

This proposed facility is located in Antrim Township and Greencastle Borough, **Franklin County**.

Description of Proposed Action/Activity: Seeking permit approval for upgrades to sludge dewatering facilities.

**WQM Permit No. 0613407**, Sewerage, **Reading City**, 815 Washington Street, Reading, PA 19601.

This proposed facility is located in Reading City, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the Rehabilitation of Secondary Anaerobic Digesters at the Fritz Island Wastewater Treatment Plant. Converting two existing secondary anaerobic digesters to primary anaerobic digesters with the installation of all needed equipment mixer, boilers, heat exchange units, pumps; rehabilitate existing tank & cover; upgrade building to comply with current Code.

**WQM Permit No. 0613408**, Sewerage, **Geigertown Area Joint Municipal Authority**, 1445 East Main Street, Douglassville, PA 19518.

This proposed facility is located in Robeson Township and Union Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the Geigertown Area Sanitary Sewer Collection and Conveyance System Project; consisting of two proposed sanitary pump stations (Pump Station No. 1 and Pump Station No. 2), a proposed gravity collection system and a proposed conveyance system.

**WQM Permit No. 3898404, Amendment No. 1**, Sewerage, **South Londonderry Township Municipal Authority**, PO Box 3, Campbelltown, PA 17010.

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

Description of Proposed Action/Activity: Seeking permit approval for the installation of auger influent screen located upstream of existing treatment plant headworks at the Campbelltown East WWTF.

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

**WQM Permit No. WQG01621401**, Sewage, **Elizabeth Allen**, 4813 Yankee Bush Road, Warren, PA 16365. Address

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

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

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#### **IV. NPDES Applications for Stormwater Discharges from MS4**

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

**PAI132206**, MS4, **Palmer Township Northampton County**, PO Box 3039, Palmer, PA 18043-3039. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Palmer Township, **Northampton County**. The receiving streams, Bushkill Creek, Lehigh River, and Shoeneck Creek are located in State Water Plan watershed 1-F and 2-C and is classified for Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation.

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

The EPA waiver is not in effect.

**PAI132250**, MS4, **Allen Township Northampton County**, 4714 Indian Trail Road, Northampton, PA 18067. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Allen Township, **Northampton County**. The receiving streams, Catasauqua Creek, Dry Run, Hokendauqua Creek and Unnamed Tributary to Hokendauqua Creek, are located in State Water Plan watershed 2-C and are classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. Catasauqua Creek has a High Quality—Cold Water Fishes, Migratory Fishes existing use.

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

The EPA waiver is not in effect.

**PAI132219**, MS4, **Bushkill Township**, 1114 Bushkill Center Road, Nazareth, PA 18064-9557. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Bushkill Township, **Northampton County**. The receiving streams, Bushkill Creek, Unnamed Tributary of Shoeneck Creek, and six Unnamed Tributaries of Bushkill Creek, are located in State Water Plan watershed 1-F and are classified for High Quality Waters—Cold Water Fishes, Migratory Fishes; Warm Water Fishes, Migratory Fishes; and High Quality Waters—Cold Water Fishes, Migratory Fishes (all six UNTs) and aquatic life, water supply and recreation.

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

The EPA waiver is not in effect.

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

**PAI133519**, MS4, **East Earl Township Lancaster County**, 4610 Division Highway, East Earl, PA 17519. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in East Earl Township, **Lancaster County**. The receiving stream(s), Cedar Creek, Conestoga River, Mill Creek, Muddy Creek, Shirks Run, Unnamed Tributary to Black Creek, Unnamed Tributary to Conestoga River and Unnamed Tributary to Mill Creek, is located in State Water Plan watershed 7-J and is classified for Warm Water Fishes, Migratory Fishes, Trout Stocking, Migratory Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.

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#### V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>           | <i>Receiving Water/Use</i>                        |
|-------------------------|--|---------------|-------------------------------|---|
| PAI01<br>0913006        | New Seaview, LLC<br>P. O. Box 3015<br>Blue Bell, PA 19422                            | Bucks         | Falls Township                | Delaware River<br>WWF—MF                          |
| PAI01<br>0913008        | Delaware Valley<br>Residential Care, LLC<br>131 N. Main Street<br>Chalfont, PA 18914 | Bucks         | Upper Southampton<br>Township | Mill Creek WWF—MF                                 |
| PAI01<br>1513031        | Owen J. Roberts School District<br>901 Ridge Road<br>Pottstown, PA 19465             | Chester       | East Vincent Township         | Unnamed Tributary to<br>French Creek<br>HQ—TSF—MF |
| PAI01<br>1513032        | TAG Builders, Inc.<br>655 Swedesford Road<br>Malvern, PA 19355                       | Chester       | Malvern Borough               | Crum Creek<br>HQ—CWF—MF                           |
| PAI01<br>2309002(2)     | Rose Tree Media School District<br>308 N. Olive Street<br>Media, PA 19063            | Delaware      | Upper Providence<br>Township  | Ridley Creek HQ—TSF                               |
| PAI01<br>4613015        | Highway Materials, Inc.<br>1750 Walton Road<br>Blue Bell, PA 19422                   | Montgomery    | Whitemarsh Township           | Wissahickon Creek<br>TSF—MF                       |
| PAI01<br>4613014        | Jacksonville Green, LLC<br>260 West Walnut Lane<br>Philadelphia, PA 19044            | Montgomery    | Hatboro Borough               | Little Neshaminy Creek<br>WWF—MF                  |
| PAI01<br>511007(1)      | New Courtland Elder Services<br>6970 Germantown Avenue<br>Philadelphia, PA 19119     | Philadelphia  | City of Philadelphia          | Delaware River WWF                                |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>        | <i>Receiving Water/Use</i>     |
|-------------------------|--|---------------|----------------------------|--------------------------------|
| PAI023913016            | Larry Cohen<br>Restaurant Depot<br>15-24 132nd St.<br>College Point, NY 11356                | Lehigh        | City of Bethlehem          | Monocacy Creek<br>(HQ-CWF, MF) |
| PAI023913011            | Abraham Atiyeh ARELP, LP<br>1177 N. 6th St.<br>Whitehall, PA 18052                           | Lehigh        | City of Allentown          | Trout Creek<br>(HQ-CWF, MF)    |
| PAI023913017            | Richard Henderson<br>Upper Macungie Authority<br>8330 Schantz Rd.<br>Breinigsville, PA 18031 | Lehigh        | Upper Macungie<br>Township | Cedar Creek<br>(HQ-CWF, MF)    |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i>               | <i>Receiving Water/Use</i>  |
|-------------------------|---|---------------|-----------------------------------|---|
| PAI024513016            | Tobyhanna Township<br>105 Government Ctr. Way<br>Pocono Pines, PA 18350<br><br>Kalahari Resorts, LLC<br>1305 Kalahari Drive<br>P.O. Box 590<br>Wisconsin Dells, WI 53965<br><br>Pocono Manor Investors, PT-L1<br>P.O. Box 38<br>The Inn at Pocono Manor<br>Pocono Manor, PA 18349 | Monroe        | Tobyhanna and Pocono<br>Townships | Swiftwater Creek (EV)<br>UNT to Swiftwater<br>Creek (EV)<br>Indian Run (EV)<br>UNT to Indian Run (EV) |
| PAI024513017            | Kalahari Resorts, LLC<br>1305 Kalahari Drive<br>P.O. Box 590<br>Wisconsin Dells, WI 53965<br><br>Pocono Manor Investors, PT-L1<br>P.O. Box 38<br>The Inn at Pocono Manor<br>Pocono Manor, PA 18349  | Monroe        | Tobyhanna and<br>Pocono Townships | Swiftwater Creek (EV)<br>UNT to Swiftwater<br>Creek (EV)<br>Indian Run (EV)<br>UNT to Indian Run (EV) |

*Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth PA 18064-9211*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>                    | <i>Receiving Water/Use</i>                                    |
|-------------------------|--|---------------|--|---|
| PAI024813015            | Rudy Amelio<br>MA Bushkill Holdings LLC<br>1348 Hamilton Street<br>Allentown, PA 18102 | Northampton   | Bushkill Township                      | UNT to Bushkill Creek<br>(HQ-CWF, MF)                         |
| PAI024803008R           | Chrin Land Developers<br>400 South Greenwood Ave.<br>Easton, PA 18045                  | Northampton   | Palmer Township,<br>Tatamy Borough     | Shoeneck Creek<br>(WWF, MF)<br>Bushkill Creek<br>(HQ-CWF, MF) |
| PAI024807009(1)         | Michael Tuskes<br>CMC Development Corp.<br>4511 Falmer Road<br>Bethlehem, PA 18020     | Northampton   | Bethlehem Township,<br>Palmer Township | UNT to Bushkill Creek<br>(HQ-CWF, MF)                         |

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

| <i>Permit #</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>   |
|-----------------|---|---------------|---------------------|------------------------------|
| PAI034413003    | Ames True Temper<br>Robert L. Shupp<br>465 Railroad Avenue<br>Camp Hill, PA 17011 | Mifflin       | Decatur Township    | UNT to Meadow Creek<br>(CWF) |

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

Sullivan County Conservation District: RR 2, Box 2022B, Dushore, PA 18614, (570) 928-7057

| NPDES Permit No. | Applicant Name & Address   | County   | Municipality   | Receiving Water/Use             |
|------------------|--|----------|----------------|---------------------------------|
| PAI045713001     | PA Dept of Transportation<br>District Office 3-0<br>715 Jordan Ave<br>Montoursville PA 17754 | Sullivan | Forks Township | Little Loyalsock<br>EV, CWF, MF |

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

| Permit No.   | Applicant & Address  | County   | Municipality       | Stream Name               |
|--------------|--|----------|--------------------|---------------------------|
| PAI055613007 | Jeffrey L. Hillegass<br>207 Dividing Ridge Road<br>Faihope, PA 15538 | Somerset | Allegheny Township | Hillegass Run<br>(HQ-CWF) |

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

Butler County Conservation District, 122 McCune Drive, Butler PA 16001-6501

| NPDES Permit No. | Applicant Name & Address  | County | Municipality     | Receiving Water/Use            |
|------------------|---|--------|------------------|--------------------------------|
| PAI061013002     | Freeport Area Middle School<br>PO Box Drawer C<br>Freeport PA 16220 | Butler | Buffalo Township | Little Buffalo Creek<br>HQ-TSF |

**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**

| Agricultural Operation Name and Address                         | County    | Total Acres | Animal Equivalent Units | Animal Type      | Special Protection Waters (HQ or EV or NA) | Renewal/New |
|---|-----------|-------------|-------------------------|------------------|--|-------------|
| Robert L. Brubaker Jr.<br>2205 Camp Road<br>Manheim, PA 17545   | Lancaster | 35.3        | 427.4                   | Broilers         | NA   | New         |
| Steve Strickland<br>1966 Stone Mill Road<br>Bainbridge PA 17502 | Lancaster | 305         | 553.29                  | Layers /<br>Beef | None                                       | Renewal     |

| <i>Agricultural Operation<br/>Name and Address</i>                                 | <i>County</i>           | <i>Total<br/>Acres</i> | <i>Animal<br/>Equivalent<br/>Units</i> | <i>Animal<br/>Type</i> | <i>Special Protection<br/>Waters (HQ or<br/>EV or NA)</i> | <i>Renewal/New</i> |
|--|-------------------------|------------------------|--|------------------------|---|--------------------|
| Melvin Huber<br>457 Cold Springs Road<br>Elizabethtown, PA 17022                   | Lancaster               | 53.3                   | 437.69                                 | Layers                 | None  | Renewal            |
| Pork Champ LLC<br>Hibred Swir<br>Lori Stone<br>415 Forest Road<br>Denver, PA 17517 | Lancaster               | 10.4                   | 603.9                                  | Swine                  | HQ  | Renewal            |
| Lauden Farms<br>Karl Laudenslager<br>2368 Back Road<br>Halifax, PA 17032           | Dauphin                 | 1,181.20               | 1308.97                                | Dairy                  | NA  | Renewal            |
| Melmar Acres<br>Mel Nissley<br>1612 Pecks Road<br>Middletown, PA 17057             | Dauphin                 | 0                      | 629.85                                 | Layers                 | NA  | Renewal            |
| Bryan Cooper<br>Hillside Acres<br>335 Dotterer Road<br>Lenhartsville, PA 19534     | Berks                   | 375.9                  | 777.95                                 | Swine                  | NA  | Renewal            |
| Calvin Zerbe<br>296 Manbeck Road<br>Bernville, PA 19506                            | Berks                   | 165.4                  | 150.71                                 | Pullet                 | NA  | Renewal            |
| Elvin and Lynford Nolt<br>282 Bloody Spring Road<br>Bernville, PA 19506            | Berks                   | 46.7                   | 138.95                                 | Broilers               | NA  | New                |
| Greenfield Farms<br>6420 Route 35<br>East Waterford, PA 17021                      | Juniata /<br>Huntingdon | 1,375.3                | 471.54                                 | Layers                 | HQ  | Renewal            |
| Earl Ebling<br>761 Airport Road<br>Bethel, PA 19507                                | Berks                   | 148.7                  | 125.12                                 | Pullet                 | NA  | Renewal            |
| Mt. View Swine Farms<br>160 Frystown Road<br>Myerstown, PA 17067                   | Berks                   | 141.4                  | 2,125.41                               | Swine                  | NA  | Renewal            |
| Mountain Breeze Farm<br>PA Route 183<br>Bernville, PA 19554                        | Berks                   | 98.0                   | 228.72                                 | Duck                   | NA  | Renewal            |
| Phillip Hoover<br>2862 Harvest Road<br>Elizabethtown, PA 17022                     | Lancaster               | 85.9                   | 282.3                                  | Broilers               | NA  | R                  |
| Daniel Sensenig<br>65 Halteman Lane<br>Lebanon, PA 17046                           | Lebanon                 | 23                     | 314.27                                 | Swine                  | NA  | New                |

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact

basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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



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

**SAFE DRINKING WATER**

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

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

**Application No. 5213506** Public Water Supply.

Applicant **Hemlock Farms Community Association**  
1007 Hemlock Farms  
Lords Valley, Pa 18428

[Township or Borough] Blooming Grove Township  
**Pike County**

Responsible Official Mr. Robert Vandercar

Type of Facility Public Water Supply

Consulting Engineer Mr. Douglas E. Berg, PE.  
P.O. Box 32  
Reading, Pa 19603

Application Received Date December 13, 2013

Description of Action Application proposes the construction of an AdEdge Technologies, Inc. oxidation/filtration water treatment system for iron and manganese reduction at Well 4 including a 3,000 gallon buried sludge holding tank. Sludge will be pumped out of tank and properly disposed of at a POTW. It will also entail the relocation of the existing corrosion inhibitor feed system from the Well 4 building to the new filter building and relocate the feed point after the iron and manganese treatment.

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

**Permit No. 3113505 E**, Public Water Supply.

Applicant **DPW Youth Forestry Camp No. 3**

Municipality Todd Township

County **Huntingdon**

Responsible Official Timothy Goff, Facility Maintenance Manager 3  
8 Opportunity Drive  
Loysville, PA 17047

Type of Facility Public Water Supply

Consulting Engineer N Peter Fleszar, P.E.  
Glance Associates, Inc.  
3705 Trindle Road  
Camp Hill, PA 17011

Application Received: 12/17/2013

Description of Action Installation of Well No. 2 as a replacement for Well No. 1.

**Application No. 361515 MA, Minor Amendment**, Public Water Supply.

Applicant **West Earl Water Authority**

Municipality West Earl Township

County **Lancaster**

Responsible Official Jeff Zimmerman, Chairperson  
157 West Metzler Road  
PO Box 787  
Brownstown, PA 17508

Type of Facility Public Water Supply

Consulting Engineer Matthew D Warfel  
The ARRO Consulting, Inc.  
108 West Airport Road  
Lititz, PA 17543

Application Received: 12/9/2013

Description of Action Installation of new 475 gpm pump in the Oregon Pike Booster Pump Station.

**Application No. 3613514, Minor Amendment**, Public Water Supply.

Applicant **Tamarack & Spread Eagle MHP**

Municipality Providence Township

County **Lancaster**

Responsible Official Larry L Miller,  
Water System Operator  
2021 Horseshoe Road  
Lancaster, PA 17602

Type of Facility Public Water Supply

Consulting Engineer David T Lewis, P.E.  
Columbia Water Company  
220 Locust Street  
Columbia, PA 17512

Application Received: 11/26/2013

Description of Action Installation of a new pumphouse, clearwell, pumpstation and demonstraton and 4-log treatment of viruses.

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

**Permit No. 3313502**, Public Water Supply

Applicant **Mama Doe's Restaurant**

Township or Borough Barnett Township

County **Jefferson**

Responsible Official Ray Nemeth

Type of Facility Public Water Supply

Consulting Engineer Anthony J. Coval, P.E.  
GAI Consultants, Inc.  
P.O. Box 504  
DuBois, PA 15801

Application Received Date December 30, 2013

Description of Action Installation of facilities to provide 4-Log treatment of viruses.

## MINOR AMENDMENT

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


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

**Application No. 4814501MA**

|                           |   |
|---------------------------|---|
| Applicant                 | <b>Pennsylvania-American Water Co.</b>  |
| [Township or Borough]     | Hamilton Township<br><b>Monroe County</b>   |
| Responsible Official      | David R. Kaufman,<br>VP Engineering<br>Pennsylvania-American Water Co.<br>800 West Hersheypark Drive<br>Hershey, PA 17033                                 |
| Type of Facility          | Community Water System  |
| Consulting Engineer       | Timothy J. Glessner, PE<br>Gannett Fleming, Inc.<br>P.O. Box 67100<br>Harrisburg, PA 17106-7100<br>717-763-7211, ext. 2673                                |
| Application Received Date | January 3, 2014   |
| Description of Action     | Application for construction of a new water storage tank at the Stoney Garden WTP to provide 4-log disinfection prior to the system's high service pumps. |

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 1

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


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

remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Dionicio Property**, 467 South River Street, Wilkes-Barre City, **Luzerne County**, Wes Fitchett, Curren Environmental Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Michael Lomont, PennyMac Loan Services, LLC, 6101 Condor Drive, Moorpark, CA 93021, concerning the remediation of soil from #2 fuel release from an aboveground storage tank in the basement. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The intended use of the site is residential. A summary of the Notice of Intent to remediate was published in *The Times Leader* on November 5, 2013.

**Lauretta Button Property**, 175 S Lake Road, Liberty Township, **Susquehanna County**, Dawn Washo, Resource Environmental, has submitted a Notice of Intent to Remediate on behalf of her client, Lauretta Button, 312 Cantone Road, Montrose, PA 18801, concerning the remediation of soil due to an unknown amount of heating oil (#2 fuel oil) released from and aboveground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The intended future use of the site is residential. A Summary of the Notice of Intent to Remediate was published in *The Susquehanna County Transcript, Inc.*, on November 13, 2013.

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

**Walker Elementary School**, 7864 William Penn Highway, Mifflintown, PA 17059, Walker Township, **Juniata County**. P. Joseph Lehman, Inc., 117 Old Farm Office Road, Suite 113, Duncansville, PA 16635, on behalf of Juniata County School District, 7864 William Penn Highway, Mifflintown, PA 17059, submitted a Notice of Intent to Remediate site groundwater contaminated with heating oil. The site will be remediated to the Site Specific standard and remain an elementary school. The Notice of Intent to Remediate was published in the *Juniata Sentinel* on December 18, 2013.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Applications received, 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*

**PAD049791098. Philadelphia Energy Solutions Refining and Marketing LLC**, 3144 Passyunk Avenue, Philadelphia PA 19145. This Class 1 Permit Modification application is requesting the approval to transfer the ownership of the permit for the Philadelphia Refinery facility from “Sunoco, Inc. (R&M)” to “Philadelphia Energy Solutions Refining and Marketing, LLC.” The Philadelphia Refinery Facility is an existing facility operating under RCRA Part B permit for Storage of Hazardous Waste and located at 3144 Passyunk Avenue, in the **City of Philadelphia**. The application was received by the Southeast Regional Office on October 22, 2013.

**PAR0000538058. Sunoco Partners Marketing & Terminals, L.P.**, 100 Green Street, Marcus Hook PA 19061-0426. This Class 1 Permit Modification application is requesting the approval to transfer the ownership of the permit for the above facility from “Sunoco, Inc. (R&M)” to “Sunoco Partners Marketing & Terminals, LP.” The Marcus Hook Facility is an existing facility operating under RCRA Hazardous Waste Part B permit and located in the Borough of Marcus Hook, **Delaware County**. Application was received by the Southeast Regional Office on September 27, 2013.

#### MUNICIPAL WASTE GENERAL PERMITS

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

*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. WMGM024. Riverside Materials, Inc.** 2780 East Allegheny Ave, Philadelphia, PA 19134. This application is for the renewal of a general permit for the processing of reclaimed concrete and asphalt for beneficial use. The application was deemed administratively complete on November 26, 2013.

Persons interested in reviewing the application 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.

#### RESIDUAL WASTE GENERAL PERMITS

**Application(s) 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 the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit No. WMGR096. Program I.D. WMGR096-NE001. Hazleton Creek Properties**, 580 Third Avenue, P. O. Box 1389, Kingston, PA 18704. A permit renewal for the continued use of regulated fill as construction material at the Hazleton Mine Reclamation Project located in Hazleton City, **Luzerne County**. The permit was issued on December 23, 2013.

**General Permit No. WMGR096. Program I.D. WMGR096-NE003. Phase III Environmental, LLC.** 1120 Mauch Chunk Road, Palmerton, PA 18071-1110. A permit renewal for the continued use of regulated fill as construction material at the former NJ Zinc Co. West Plant located in Palmerton Borough, **Carbon County**. The permit was issued on December 23, 2013.

Comments concerning the application should be directed to William Tomayko, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Application(s) approved 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.**

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

**Permit Application No. 603455. WeCare Organics, LLC**, 9293 Bonta Bridge Road, Jordan, New York, 13080. A permit authorizing the construction and operation of a facility to produce alkaline stabilized biosolids at the Blackwood, Inc. mine site located in Reilly Township, **Schuylkill County**. The permit was issued by the Regional Office on December 23, 2013.

Persons interested in reviewing the permit may contact William Tomayko, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.



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

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

**Permit ID No. 101686. Marine Rigging Ltd, Inc.,** 408 Hoffman Road, Pittsburgh, PA 15212. Reserve Park Transfer & Recycling, Inc., 408 Hoffman Road, Pittsburgh, PA 15212. An application for the change of ownership of a municipal waste transfer facility in Reserve Township, **Allegheny County** was received in the Regional Office on November 22, 2013.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the

Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

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

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

**37-023F: NRG Power Midwest LP—New Castle Plant** (2189 State Route 168 South, West Pittsburg, PA 16160) for the gas addition project for the three (3) existing coal fired boilers in Taylor Township, **Lawrence County**. This is a Title V facility.

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

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

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

**65-00354: Sunoco Partners Marketing & Terminals L.P.** (1734 Old Route 66, Delmont, PA, 15626) to significantly modify a Title V Operating Permit for the continued operation of a bulk gasoline transfer terminal, known as the Delmont Terminal, in Salem Township, **Westmoreland County**.

In accordance with 25 Pa. Code §§ 127.441, 127.425 and 127.521, the Department is providing notice that they intend to significantly modify a Title V Operating Permit for the continued operation of a bulk gasoline transfer terminal, known as the Delmont Terminal, located in Salem Township, Westmoreland County. This modification will remove annual VOC emission limits on each of the following gasoline, ethanol and transmix storage tanks: Tanks 2, 4, 5A, 6, 7, 12, 701, 702 and 703. The modification will also remove hourly and annual facility level VOC emission limits. These emission limits were voluntarily added to the Title V Operating Permit for the Delmont Terminal when renewed on January 31, 2012.

The facility consists of four gasoline storage tanks, with storage capacities of 10,710 barrels (Source ID 104), 47,000 barrels (Source ID 106), 41,000 barrels (Source ID 107), and 60,000 barrels (Source ID 108) (1 barrel petroleum = 42 US gallons), one 340,200 gallon transmix tank (Source ID 110), two ethanol tanks with capacities of 103,000 gallons (Source ID 111) and 100,072 gallons (Source ID 112), two ultra-low sulfur diesel (ULSD) tanks with capacities of 21,000 gallons (Source ID 105) and 60,000 gallons (Source ID 109), and gasoline and distillate loading racks. The volume of gasoline and ethanol loaded at the facility is limited to 483,296,354 gallons per year. Emissions from the loading rack are controlled by a vapor recovery unit (VRU) and a backup vapor combustion unit. Emissions from tanks containing gasoline or ethanol are controlled by internal floating roofs. One

ULSD tank (Source ID 105) is also equipped with an internal floating roof. The facility is limited to a maximum opacity from any equipment of 10 percent. This facility has the potential to emit the following type and quantity of pollutants: 104 tons per year of VOC, 8.0 tons per year of NO<sub>x</sub>, 21 tons per year of CO, and 2.0 tons of the sum of all HAPs combined. No equipment or emission changes are being approved by this action. Sources at the facility are subject to 40 CFR Part 60 Subpart XX—Standards of Performance for Bulk Gasoline Terminals, 40 CFR Part 60 Subpart Ka—Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984, and 40 CFR Part 63 Subpart BBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, as well as 40 CFR 64—Compliance Assurance Monitoring, and state requirements. The permit includes emission limitations and operational, monitoring, testing, recordkeeping, and reporting requirements for the facility.

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

Any person may submit comments or object to the modified operating permit 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 modification being opposed (Operating Permit 65-00354) and a concise statement of the objections to the permit modification 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 Martin L. Hochhauser, P.E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the modification procedure, contact Martin Hochhauser at (412) 442-4057.

**04-00084C: Anchor Hocking, LLC** (400 Ninth Street, Monaca, PA 15061) to allow an increase in the rolling 30-day glass furnace production rate from 285 tons per day (tpd) to 300 tpd at the Anchor Hocking Monaca Plant in Monaca Borough, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Depart-

ment) intends to issue Air Quality Plan Approval PA-04-00084C to allow an increase in the rolling 30-day glass furnace production rate from 285 tons per day (tpd) to 300 tpd at the Anchor Hocking Monaca Plant located in Monaca Borough, Beaver County.

The facility will remain below the major source thresholds for all pollutants as a result of this plan approval. The potential to emit (PTE) for sources covered by this Plan Approval is estimated by the applicant not to exceed 90.0 tons of NO<sub>x</sub>, 26.0 tons of SO<sub>2</sub>, 27.0 of particulate matter less than 10 microns (PM<sub>10</sub>), 27.0 tons of particulate matter less than 2.5 microns (PM<sub>2.5</sub>), 25.0 tons of carbon monoxide (CO), 11.05 tons of volatile organic compounds (VOC), and 76,107 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year.

The authorization is subject to State regulations including 25 Pa. Code §§ 123.13 and 123.41, as well as, 25 Pa. Code §§ 129.301—129.310 requirements for control of NO<sub>x</sub> emissions from glass melting furnaces. Compliance with the federally enforceable NO<sub>x</sub> emission limitations from the glass melting furnace will be determined by the operation of a continuous emission monitor as required by 25 Pa. Code § 129.308. This Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes NO<sub>x</sub>, PM<sub>10</sub>, SO<sub>2</sub> and visible emission limits, testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently amend the facility's State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00084C) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

For additional information you may contact Alexander Sandy at 412-442-4028.

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

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

**43-270I: CCL Container Corp.—Advanced Monobloc Aerosol Division** (1 Llodio Drive, Hermitage, PA 16148) for installation of four (4) can manufacturing lines, three (3) inside liner baghouses and a regenerative thermal oxidizer (RTO) in the City of Hermitage, **Mercer County**.

Pursuant to 25 Pa. Code §§ 127.44(a) and 127.424, the Department of Environmental Protection (DEP) intends to issue Plan Approval 43-270I to CCL Container Corpo-



ration for the installation of four (4) can manufacturing lines, three (3) inside liner baghouses and a regenerative thermal oxidizer (RTO). This facility is located in the City of Hermitage, Mercer County. The Plan Approval will subsequently be incorporated into the facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 43-270I is for the installation of four (4) can manufacturing lines, three (3) inside liner baghouses and a regenerative thermal oxidizer (RTO). Based on the information provided by the applicant and DEP's own analysis, the facility will have projected actual emissions of approximately 32.6 tons per year (tpy) of volatile organic compounds, 11.7 tpy of nitrogen oxides, 7.8 tpy of combined HAPs, 6.9 tpy of carbon monoxide, 1.1 tpy of particulate matter and 0.1 tpy of sulfur oxides.

The Plan Approval will contain emission and fuel restrictions, along with, testing, monitoring, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

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 address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice.

Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 43-270I, CCL Container Corporation and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to the New Source Review Section, Air Quality Program, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335, 814-332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

### OPERATING PERMITS

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

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

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

**23-00012: Braskem America, Inc.** (750 W 10th St. Marcus Hook, PA 19061) for renewal of the Title V Operating Permit in Marcus Hook Borough, **Delaware County**. The facility manufactures polypropylene. As a result of potential emissions of VOC, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The renewal contains requirements including work practice, monitoring, recordkeeping, and reporting to keep the facility operating within all applicable air quality requirements.

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

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

**21-05029: Sunoco Partners Marketing & Terminals, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103-3615) for a petroleum product loading terminal 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.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**33-00033: Owens-Brockway Glass Container Inc.—Plant No. 18** (Cherry Street, Brockway, PA 15824) for renewal of a Title V Permit to operate a glass container manufacturing facility in Brockway Borough, **Jefferson County**. The facility's emitting sources include Glass melting furnace B, refiner, two forehearts, two lehrs, eight raw material handling & silos, cullet handling and storage, batch gathering and mixing, miscellaneous combustion sources, two container forming machines, road fugitives, hot end surface treatment (HEST), two degreaser units, ACL decorating lehrs A1, A2 and A3, 5 KW, 75 KW, 100 KW emergency generator miscellaneous IC engines and, miscellaneous natural gas usage. The facility is a major facility for Title V due to its potential to emit of Oxides of Nitrogen and Oxides of Sulfur. The three emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ. All applicable conditions of Subpart ZZZZ are included in the permit. The applicable conditions of 40 CFR Part 63, Subpart SSSSSS were previously included in the permit and have not been changed by this renewal. The facility provided the following actual emissions for 2012: CO: 13.5 Tons per year (TPY), Lead: 0.10 TPY, NO<sub>x</sub>: 129.20 TPY, PM-10: 58.40 TPY, PM-<sub>2.5</sub>: 56.30 TPY, SO<sub>x</sub>: 106.00 TPY, VOC: 13.00 TPY, Methane: 0.40 TPY Ammonia: 0.30 TPY, Carbon Dioxide: 19,499.00 TPY, Selenium: 0.13 TPY, and Tetrachloroethylene (Perchloroethylene): 0.4799 TPY.

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

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

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

**35-00066: BAE Systems SDS of PA, Inc.** (11 Alberigi Drive, Jessup, PA 18434) for a State Only (Synthetic Minor) Operating Permit for a military helmet manufacturing facility the Borough of Jessup, **Lackawanna County**. The facility shall keep Volatile Organic Compounds (VOCs) and Hazardous Air Pollutants (HAPs) below Title V emission limits and shall verify compliance through record keeping in order to maintain Synthetic Minor status. The proposed operating permit contains all applicable Federal and State regulations including emissions, monitoring, record keeping, reporting and work practice requirements.

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

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

**36-03135: Shared Mail Acquisitions, LLC—d/b/a Doodad** (72 Industrial Circle, Lancaster, PA 17601) for their printing operation in Upper Leacock Township, **Lancaster County**.

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

Actual 2012 VOC and HAP emission estimates from the printing operation are 3.67 and 0.01 ton per year (tpy), respectively. Potential emissions of VOCs are not expected to exceed 20.8 tpy. 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. A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

**67-05099: Kinsley Manufacturing, Inc.** (1110 East Princess Street, York, PA 17403) for operation of their steel fabrication facility in York City, **York County**.

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

The actual 2012 emissions were 3.34 tons of VOC and 0.168 ton of Total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110. A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

**36-03046: Packaging Corp. of America—Lancaster** (1530 Fruitville Pike, Lancaster, PA 17601) for operation of their existing packaging materials facility in the City of Lancaster, **Lancaster County**.

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

The 2012 actual emissions of the facility were 4.0 tons of PM per year, 0.3 ton of CO per year, 1.8 tons of NO<sub>x</sub> per year, 0.02 ton of SO<sub>x</sub> per year, 3.8 tons of VOC per year, and 0.8 ton of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110. A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

**67-05020: Exelon Generation Co., LLC** (1848 Lay Road, Delta, PA 17314) for operation of the boiler plant, emergency equipment and cooling towers at the Peach Bottom Atomic Power Station in Peach Bottom Township, **York 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 employs two No. 2 oil-fired boilers for winter building heat and to support start-up of the nuclear generating units. Five diesel-fired emergency generators provide emergency power during power outages. They are subject to 40 CFR Part 63 Subpart

ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Four diesel-fired water pumps provide water for fire suppression and supplemental cooling water. They are subject to 40 CFR Part 60 Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The facility has the potential to emit around 100 tons per year of nitrogen oxides (NO<sub>x</sub>), 9.5 tons per year of sulfur oxides (SO<sub>x</sub>) and 22.9 tons per year of carbon monoxide (CO). Actual operating hours and emissions are well below maximum estimated levels.

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.

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.

**67-05102: Pinnacle Propane Express, LLC** (149 Bowman Road, York, Pennsylvania 17408-8792) for operation of their automated propane cylinder filling facility in Jackson Township, **York County**.

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

Actual 2012 emissions are estimated to be 1.17 tons of VOC and less than one ton each of SO<sub>x</sub>, NO<sub>x</sub>, CO, PM<sub>10</sub> and HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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



available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110. A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

**31-03002: New Enterprise Stone & Lime Co., Inc.** (P.O. Box 77, New Enterprise, PA 16664-0077) for a nonmetallic mineral crushing operation at their Union Furnace Quarry in Spruce Creek Township, **Huntingdon County**.

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

The estimated potential facility emissions are: 15 tons per year of particulate matter and 5.4 tons per year of particulate matter with an effective aerodynamic diameter of less than or equal to a nominal 10 micrometer body as measured by the applicable reference method or an equal method. The Operating Permit will include monitoring, recordkeeping & work practice standards designed to keep the facility operating within all applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110. A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

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

**56-00177: Somerset County** (300 N. Center Ave., Suite 500, Somerset, PA, 15501) Operating Permit renewal for the Somerset County Courthouse in Somerset Borough, **Somerset County**. Equipment at this facility includes two coal-fired 2.4 mmbtu/hr boilers and a diesel-fired 125 kW emergency generator. Potential emissions from the emission sources at this facility are based on operation for 8,760 hours per year for all sources except the emergency generator which has a 500 hours per year operating limit. Emissions are estimated to be 7.7 tons per year NO<sub>x</sub>, 1.1 ton per year VOCs, 8.9 tons per year CO, 60.3 tons per year SO<sub>2</sub>, and 8.6 tons per year particulate matter. Actual emissions from the facility are much lower as the boilers do not generally operate from May through September and only one of the boilers operates at a time with the other serving as a backup unit. 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 56-00177) 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.

**56-00219: Berwind Coal Sales Company** (509 15th Street, Windber, PA 15963-1658) for bituminous coal and lignite surface mining at Huskin Run Tipple in Shade Township, **Somerset County**. This is a State-Only Operating Permit renewal application submittal.

**63-00958: MarkWest Liberty Midstream & Resources, LLC** (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202-2137) for crude petroleum and natural gas extraction. This is an initial State-Only Operating Permit application submittal.

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

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

**16-00035: The Commodore Corporation, Commodore—Colony Factory Crafted Homes** (20898 Paint Boulevard, Clarion, PA 16214) to issue a Synthetic Minor Operating Permit to operate a Mobile/Modular Home manufacturing facility in Shippenville Borough, **Clarion County**. This facility was previously a major source due to its potential to emit VOC emissions from the surface coating and adhesive application operations. By electing to limit production to 5,500 units per year, emissions from this facility are now below the major source thresholds. This facility now qualifies for a State Only Synthetic Minor Operating Permit.

With the production limit in place, the potential emissions from this facility are as follows: VOCs—27.2 tons per year (TPY), Total HAPS—5.5 TPY, Individual HAP—2.8 TPY, and PM<sub>10</sub>—1.9 TPY. NO<sub>x</sub>, SO<sub>x</sub>, and CO emissions generated by the Facility Heaters and an Emergency Power Generator are well below the major source thresholds.

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

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

**N13-016: Catalent Pharma Solutions** (10381 Decatur Rd., Philadelphia, PA 19114), for the operation of a pharmaceutical storage and distribution facility equipped with packaging and labeling services in support of the pharmaceutical industry located in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 900 kW emergency generator burning diesel, one (1) 382 hp emergency generator burning diesel, two (2) 300 kW emergency generators burning diesel, and one (1) 200 kW emergency generator burning diesel.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

**S13-017: Verizon—Market Central Office** (900 Race Street, Philadelphia, PA 19107) for the operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include one (1) 1500 kW Emergency Generator firing diesel, Kerosene or No. 2 Fuel oil, three (3) 1547 kW Emergency Generators firing diesel, Kerosene or No. 2 Fuel oil and one (1) 300 kW Emergency Generator firing diesel.

The operating permit will be reissued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

#### 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*

**58-00013A: Roundtop Energy LLC** (301 Oxford Valley Road, Suite 1603A, Yardley, PA 19067) for their facility to be in Auburn Township, **Susquehanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a) the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Roundtop Energy LLC (301 Oxford Valley Road, Suite 1603A, Yardley, PA 19067) for their facility to be located in Auburn Twp., Susquehanna County. This Plan Approval No. 58-00013A will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-00013A is for the construction of 22MW electric generating plant. The plant will include five (5) Jenbacher natural gas fired engines with oxidation catalysts and SCR technology. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO<sub>x</sub> emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO<sub>x</sub>, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan



approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

The facility is subject to NSPS Subpart JJJJ, MACT Subpart ZZZZ and 25 Pa. Code § 127.12 (a) (5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions.

Emissions from the engines will meet BAT, MACT ZZZZ & NSPS Subpart JJJJ requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 58-00013A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication 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*

**63131302 (formerly 63901701) and NPDES No. PA0001147. Consolidation Coal Company**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the Hahn AMD Treatment Plant in Cecil Township, **Washington County** and related NPDES permit for post-mining water treatment. No additional discharges. The application was considered administratively complete on January 6, 2014. Application received October 28, 2013.

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

**65020101 and NPDES Permit No. PA0250082. AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Renewal application for reclamation only with water treatment to an existing bituminous surface mine, located in Unity Township, **Westmoreland County**, affecting 68 acres. Receiving streams: Nine Mile Run and unnamed tributary to Nine Mile Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 15, 2013.

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

**16080106. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258) Renewal of an existing bituminous surface mine in Toby & Licking Townships, **Clarion County** affecting 85.5 acres. Receiving streams: Unnamed tributaries to Cherry Run and Cherry Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles

downstream. This renewal is for reclamation only. Application received: December 26, 2013.

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

**54900101R4. Blackwood, Inc.**, (PO Box 639, Wind Gap, PA 18091), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Branch, Reilly and Tremont Townships, **Schuylkill County** affecting 1850.6 acres, receiving stream: Swatara Creek, classified for the following uses: cold water and migratory fishes. Application received: November 26, 2013.

**40030202R2. Pioneer Equipment Rentals, Inc.**, (645 Laurel Run Road, Bear Creek Township, PA 18702), renewal of an existing anthracite coal refuse reprocessing operation in Duryea and Hughestown Boroughs, **Luzerne County** affecting 159.0 acres, receiving streams: Lackawanna River and Susquehanna River, classified for the following uses: cold water & migratory fishes and warm water & migratory fishes. Application received: December 4, 2013.

**54830104R6. Hardway Coal Company**, (44 Keystoker Lane, Schuylkill Haven, PA 17972), renewal of an existing anthracite surface mine, refuse disposal and preparation plant operation in Cass Township, **Schuylkill County** affecting 54.4 acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: December 5, 2013.

**54830104C. Hardway Coal Company**, (44 Keystoker Lane, Schuylkill Haven, PA 17972), correction of an existing anthracite surface mine, refuse disposal and preparation plant operation to update the post-mining land use to unmanaged natural habitat in Cass Township, **Schuylkill County** affecting 54.4 acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: December 5, 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*<br>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.

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

**Permit No. 44930301 and NPDES Permit No. PA0595985, Eastern Industries, Inc.**, 4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034, renewal of NPDES Permit, Armagh Township, **Mifflin County**. Receiving stream: unnamed tributary to Honey creek classified for the following use: High Quality Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received November 12, 2013.

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

**58130811 and NPDES Permit No. PA0225398. Robert R. Reddon**, (927 Germantown Road, Susquehanna, PA 18847), commencement, operation and restoration of a bluestone quarry operation in Harmony Township, **Susquehanna County** affecting 5.0 acres, receiving stream: East Branch Hemlock Creek, classified for the following uses: EV—cold water and migratory fishes. Application received: November 14, 2013.

**7973SM5C8 and 09030301C4 and NPDES Permit No. PA0223352. Eureka Stone Quarry, Inc.**, (PO Box 249, Chalfont, PA 18914), correction to increase NPDES discharge rates of treated mine drainage from a quarry operations in Wrightstown Township, **Bucks County** affecting 158.6 acres, receiving stream: Neshaminy Creek, classified for the following uses: warm water and migratory fishes. Application received: December 2, 2013.

**66880301C4 and NPDES Permit No. PA0594229. Reading Materials, Inc.**, (PO Box 1467, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Falls Township, **Wyoming County** affecting 94.6 acres, receiving stream: Buttermilk Creek, classified for the following use: cold water fishes. Application received: December 11, 2013.

**67870301C10 and NPDES Permit No. PA0010235. York Building Products Co., Inc.**, (PO Box 1708, York, PA 17405), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Manchester Township and the City of York, **York County** affecting 245.2 acres, receiving stream: Willis Run, classified for the following use: warm water fishes. Application received: December 11, 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<br/>Average</i> | <i>Daily<br/>Maximum</i>        | <i>Instantaneous<br/>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<br/>Average</i> | <i>Daily<br/>Maximum</i>        | <i>Instantaneous<br/>Maximum</i> |
|-------------------------------|---------------------------|---------------------------------|----------------------------------|
| Suspended solids              | 35 mg/l                   | 70 mg/l                         | 90 mg/l                          |
| Alkalinity exceeding acidity* |                           | greater than 6.0; less than 9.0 |                                  |
| pH*                           |                           |                                 |                                  |

\* The parameter is applicable at all times.

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

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

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

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

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

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

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



*Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

*Coal NPDES Draft Permits*

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

**NPDES No. PA0214671 (Mining Permit No. 11743703), Robindale Energy Services, Inc.**, (PO Box 38, Blossburg, PA 16912). A renewal to the NPDES and mining activity permit for the Lancashire No. 25 in West Carroll and Barr Townships, **Cambria County** for post-mining water treatment. Surface Acres Affected 69.3. Receiving stream: West Branch Susquehanna River, classified for the following uses: WWF/CWF. Susquehanna River TMDL. The application was considered administratively complete on January 31, 2006. Application received November 28, 2005.

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

*Outfall 001* discharges to: UNT West Branch of the Susquehanna River

The proposed effluent limits for *Outfall 001* (Lat: 40° 37' 19" Long: 78° 45' 38") are:

| <i>Parameter</i>              | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd)                    |                | -                         | 0.049                    | -                           |
| Iron (mg/l)                   |                | 3.0                       | 6.0                      | 7.0                         |
| Manganese (mg/l)              |                | 0.9                       | 1.8                      | 2.3                         |
| Aluminum (mg/l)               |                | 0.75                      | 0.75                     | 0.75                        |
| Suspended Solids (mg/l)       |                | 35                        | 70                       | 90                          |
| Osmotic Pressure (mos/kg)     |                | 50                        | 73                       | 91                          |
| Sulfates (mg/l)               |                | -                         | -                        | REPORT                      |
| Chlorides (mg/l)              |                | -                         | -                        | REPORT                      |
| Total Dissolved Solids (mg/l) |                | -                         | -                        | REPORT                      |

*Outfall 003* discharges to: UNT West Branch of the Susquehanna River

The proposed effluent limits for *Outfall 003* (Lat: 40° 37' 21" Long: 78° 45' 38") are:

| <i>Parameter</i>              | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd)                    |                | -                         | 0.049                    | -                           |
| Iron (mg/l)                   |                | 3.0                       | 6.0                      | 7.0                         |
| Manganese (mg/l)              |                | 0.9                       | 1.8                      | 2.3                         |
| Aluminum (mg/l)               |                | 0.75                      | 0.75                     | 0.75                        |
| Suspended Solids (mg/l)       |                | 35                        | 70                       | 90                          |
| Sulfates (mg/l)               |                | -                         | -                        | REPORT                      |
| Osmotic Pressure (mos/kg)     |                | 50                        | 73                       | 91                          |
| Chlorides (mg/l)              |                | -                         | -                        | REPORT                      |
| Total Dissolved Solids (mg/l) |                | -                         | -                        | REPORT                      |

*Outfall 004* discharges to: UNT West Branch of the Susquehanna River

The proposed effluent limits for *Outfall 004* (Lat: 40° 34' 11" Long: 79° 06' 52") are:

| <i>Parameter</i>              | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd)                    |                | -                         | 0.049                    | -                           |
| Iron (mg/l)                   |                | 3.0                       | 6.0                      | 7.0                         |
| Manganese (mg/l)              |                | 0.9                       | 1.8                      | 2.3                         |
| Aluminum (mg/l)               |                | 0.75                      | 0.75                     | 0.75                        |
| Suspended Solids (mg/l)       |                | 35                        | 70                       | 90                          |
| Osmotic Pressure (mos/kg)     |                | 50                        | 73                       | 91                          |
| Sulfates (mg/l)               |                | -                         | -                        | REPORT                      |
| Chlorides (mg/l)              |                | -                         | -                        | REPORT                      |
| Total Dissolved Solids (mg/l) |                | -                         | -                        | REPORT                      |

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

**NPDES No. PA0269263 (Mining permit no. 56130110), Hoffman Mining, Inc.**, P.O. Box 130 118 Runway Road Friedens, PA 15541, new NPDES permit for surface coal mining in Shade Township, **Somerset County**, affecting 683.6 acres. Receiving streams: Fallen Timber Run and Unnamed Tributaries to Stonycreek, classified for the following use: Cold Water Fisheries. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: September 20, 2013.

The outfalls listed below discharge to Fallen Timber Run:

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 003                 | N                        |
| 004                 | N                        |
| 005                 | N                        |

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 006                 | N                        |
| 008                 | Y                        |
| 011                 | N                        |
| 012                 | N                        |
| 013                 | N                        |
| 014                 | N                        |
| 015                 | N                        |
| 017                 | N                        |
| 018                 | N                        |
| 019                 | Y                        |

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

| <i>Parameter</i>   | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 1.5                       | 3.0                      | 3.7                         |
| Manganese (mg/l)   | 1.0                       | 2.0                      | 2.5                         |
| Aluminum (mg/l)  | 0.75                      | 1.5                      | 1.8                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 70.0                     | 90.0                        |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                           |                          |                             |
| Alkalinity must exceed acidity at all times                        |                           |                          |                             |

The outfalls listed below discharge to Unnamed Tributaries to Stonycreek:

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 001                 | N                        |
| 002                 | N                        |
| 007                 | N                        |
| 009                 | N                        |
| 010                 | N                        |
| 016                 | N                        |

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

| <i>Parameter</i>   | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 1.5                       | 3.0                      | 3.7                         |
| Manganese (mg/l)   | 1.0                       | 2.0                      | 2.5                         |
| Aluminum (mg/l)  | 0.75                      | 1.5                      | 1.8                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 70.0                     | 90.0                        |
| 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. PA0269174 (Mining permit no. 56120116), LCT Energy, LP**, 938 Mount Airy Drive, Suite 200, Johnstown, PA 15904, new NPDES permit for surface mining in Stonycreek Township and Indian Lake Borough, **Somerset County**, affecting 127.3 acres. Receiving streams: Unnamed Tributary to Boone Run, classified for the following use: Cold Water Fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: November 7, 2012.

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

The outfalls listed below discharge to Unnamed Tributary to Boone Run:

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 001                 | Y                        |
| 002                 | Y                        |

The proposed effluent limits for the above listed outfalls are as follows:

| <i>Parameter</i>   | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 1.5                       | 3.0                      | 3.5                         |
| Manganese (mg/l)   | 1.0                       | 2.0                      | 2.5                         |
| Aluminum (mg/l)  | 0.75                      | 1.5                      | 1.8                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 70.0                     | 90.0                        |
| Osmotic Pressure (milliosmoles/kg)                                 | 50.0                      | 50.0                     | 50.0                        |
| 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 outfalls listed below discharge to Unnamed Tributary to Boone Run:

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 003                 | Y                        |
| 004                 | Y                        |
| 005                 | Y                        |
| 006                 | Y                        |

The proposed effluent limits for the above listed outfalls are as follows:

| <i>Parameter</i>   | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 1.5                       | 3.0                      | 3.5                         |
| Manganese (mg/l)   | 1.0                       | 2.0                      | 2.5                         |
| Aluminum (mg/l)  | 0.75                      | 1.5                      | 1.8                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 70.0                     | 90.0                        |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                           |                          |                             |
| Alkalinity must exceed acidity at all times                        |                           |                          |                             |

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0595985 (Mining permit no. 44930301), Eastern Industries, Inc.**, a Division of New Enterprise Stone and Lime Company, Inc., 4401 Camp Meeting Road, Center Valley, PA 18034, renewal of an NPDES permit for a limestone quarry in Armagh Township, **Mifflin County**, affecting 173.8 acres. Receiving stream: Laurel Creek, classified for the following use: high quality cold water fishery.

Application received: November 12, 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 noncoal mining activities.

The outfall(s) listed below discharge to Laurel Creek:

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 001                 | N                        |

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

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

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

**NPDES No. 08120304GP-104 (Mining Permit No. 08120304, Windham Quarry), Insinger Excavating, Inc.**, 3046 Dushore-Overtown Road, Dushore, PA 18614. Transferred NPDES permit for Noncoal Surface Mine in Windham Township, **Bradford County**, affecting 36.3 acres. Receiving stream(s): Wappasening Creek, classified for the following use(s): CWF. Application received: August 2, 2012. Permit issued: December 31, 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 noncoal mining activities.

The outfall(s) listed below discharge to Wappasening Creek:

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| SPA                 | Yes                      |
| SPB                 | Yes                      |

**NPDES No. 08130802GP-104 (Mining Permit No. 08130802), Mark Decker, Jr.**, 9533 SR 3004, Springville, PA 18844. New General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMR GP-104) for noncoal surface mining in Terry Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Unnamed Tributary to Sugar Run and Sugar Run classified for the following use(s): CWF and MF. Permit issued: December 23, 2013.

## 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.

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**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.**

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**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E35-449 Department of Transportation, Engineering District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, City of Scranton, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To remove an existing 3-span reinforced concrete arch bridge and to construct and maintain a 49-foot wide, 3-span steel plate girder bridge, having spans of 130-feet, 205-feet and 130-feet respectively, and having an underclearance of approximately 109-feet across Roaring Brook (CWF, MF). The project is located at S.R. 6011, Segment 0190, Offset 0273(Scranton, PA Quadrangle Latitude: 41° 23' 59.6"; Longitude: -75° 39' 6"), in the City of Scranton, Lackawanna County.

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

**E21-437: North Middleton Township**, 2051 Spring Road, Carlisle, PA 17013 in North Middleton Township, **Cumberland County**, ACOE Baltimore District

The applicant proposes to:

1. remove the existing structure and install and maintain a 54.0 foot long, 24.0 foot wide bottomless concrete arch culvert over Alexander Spring Creek (CWF) (Latitude 40° 12' 31.8"; Longitude -77° 14' 47.35") located along Meadowbrook Road (T-706) for the purpose of increased roadway safety. The proposed culvert will permanently impact 0.03 acre of PEM wetland and temporarily impact an additional 0.01 acre of PEM wetland. At an offsite location, 0.03 acre of wetland mitigation will be provided.

2. remove the existing structures and install and maintain a 41.1 foot long, 14.0 foot wide bottomless concrete arch culvert over Alexander Spring Creek (CWF) located along Dyarman Road (Latitude: 40° 12' 33.4"; Longitude: -77° 14' 42.4") for the purpose of increased roadway safety. No wetlands will be affected by this activity.

**E21-439: Lower Allen Township**, 2233 Gettysburg Road, Camp Hill, PA 17011 in Lower Allen Township, **Cumberland County**, ACOE Baltimore District To (1) construct and maintain a 45.0 foot long, 6.7 foot wide pedestrian walking bridge with an underclearance of 5.0 feet over an unnamed tributary to Cedar Spring Run (CWF), and (2) install and maintain a walking path, rain garden, fishing platform and an 18.0-inch HDPE pipe stormwater outfall, with a total net 210 cubic yards of fill in the floodplain of Cedar Spring Run, all for the purpose of increased pedestrian safety and increased recreational uses at Cedar Spring Run Park, located along Gettysburg Road in Lower Allen Township, **Cumberland County**. (Latitude 40° 13' 44"; Longitude -77° 55' 13).

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860*

**E61-08-003, Energy Resources of America Inc.**, 5211 Mahoning Avenue, Suite 125, Austintown, OH 44515, Sandy Creek Township, **Venango County**, ACOE Pittsburgh District.

The applicant proposes the installation of approximately 1,019 feet of 2 inch diameter natural gas pipeline. The pipeline project starts at a newly drilled well and connects to an existing pipeline system in Venango County, PA. The project will follow an existing logging road which will be utilized for construction, operations and maintenance activities. No impacts to wetlands, temporary or permanent, will occur as a result of the project. The project will result in 5 linear feet of stream impacts and 0.0 acre of wetland impacts.

The water obstruction and encroachment for the purposes of installing the pipeline is described below:

1 One (1) 2.0 inch diameter natural gas gathering line crossing of Haggerty Hollow (EV) & associated wetland, via Horizontal Directional Drill (HDD) technique, impacting 5 linear feet. (Polk, PA Quadrangle) 41°21'39"N -79°53'44.5"W.

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

**E5829-065. Williams Field Services Company, LLC**; Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Bridgewater Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 10-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 52 linear feet of an unnamed tributary to Meshoppen Creek (CWF-MF) (Montrose, PA Quadrangle; N 41° 47' 26" Lat., W -75° 52' 24" Long.),

2) a 10-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 141 linear feet of an unnamed tributary to Meshoppen Creek (CWF-MF) (Montrose, PA Quadrangle; N 41° 47' 26" Lat., W -75° 52' 22" Long.),

3) a 10-inch diameter natural gas pipeline and temporary timber mat crossing impacting 31,339 square feet (0.72 acre) of PEM wetlands (Montrose, PA Quadrangle; N 41° 47' 25" Lat., W -75° 52' 29" Long.),

4) a 10-inch diameter natural gas pipeline and temporary timber mat crossing impacting 2,168 square feet (0.05 acre) of PFO wetlands (Montrose, PA Quadrangle; N 41° 47' 26" Lat., W -75° 52' 21" Long.),

5) a 10-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 51 linear feet of an unnamed tributary to Meshoppen Creek (CWF-MF) (Montrose, PA Quadrangle; N 41° 47' 20" Lat., W -75° 52' 38" Long.).

The project consists of constructing approximately 5,748 lineal feet (1.1 mile) of 10" natural gas gathering line, within a maintained 45 to 75 foot permanent right of way located in Bridgewater Township, Susquehanna County. The project will result in 244 lineal feet of temporary stream impacts, 0.72 acre of temporary wetland impacts, and 0.05 acre of permanent wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

#### ENVIRONMENTAL ASSESSMENTS

*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*

**E0514-002, Department of General Services, Bureau of Engineering and Architecture**, 18th and Herr Streets, Harrisburg, PA 17125. Hyndman Borough Flood Protection Project, Phase 2, Borough of Hyndman, Bedford County, USACOE Baltimore District.

This permit is requested for Hyndman Borough Flood Protection Project repairs and improvements in and along approximately 1,250 linear feet (approximately 5.60 acres) of Wills Creek. The project begins at the upstream end of the existing flood protection project (USGS "Hyndman" Quadrangle, North 13.95 inches, West 14.10 inches) and extends downstream approximately 1,250 linear feet (USGS "Hyndman" Quadrangle, North 13.70 inches, West 13.90 inches).

The proposed project repairs include the following activities:

- Construct and maintain nine (9) stream channel grade control structures consisting of 538 feet of steel reinforced concrete, vinyl sheet pile, and riprap protection.
  - Construct and maintain 3,370 square yards of grouted R-5 riprap bank and levee protection.
  - Construct and maintain 115 feet of permanent project access ramp consisting of compacted earth and AASHTO No. 1 surfacing.
  - Construct and maintain 203 feet of reinforced concrete wall with grouted riprap protection.
  - Construct and maintain two (2) temporary stream crossings to provide access for construction.
  - Construct and maintain 700 linear feet of 15-foot wide temporary rock causeway consisting of AASHTO No. 1 aggregate to provide access for construction.
  - Install and maintain 1,100 square yards of erosion control matting to project channel banks.
  - Install and maintain 150 square yards of turf reinforcement matting to project channel banks.
- Anticipated construction time is 15 months.

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## ACTIONS

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

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

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

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

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

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

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

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

### I. NPDES Renewal Permit Actions

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

| <i>NPDES No.<br/>(Type)</i>     | <i>Facility Name &amp;<br/>Address</i>   | <i>County &amp;<br/>Municipality</i>         | <i>Stream Name<br/>(Watershed No.)</i>              | <i>EPA Waived<br/>Y/N?</i> |
|---------------------------------|--|--|---|----------------------------|
| PA0065242<br>(Sewage)           | Limeport Village WWTF<br>1380 Limeport Pike<br>Coopersburg, PA 18036   | Lehigh County<br>Lower Milford<br>Township   | Saucon Creek (2-C)                                  | Y                          |
| PA0061611<br>(Sewage)           | Westfall STP<br>155 Westfall Town Drive<br>Matamoras, PA 18336   | Pike County<br>Westfall Township             | Delaware River (1-D)                                | Y                          |
| PA0044024<br>(Industrial Waste) | Pleasant Mount State Fish<br>Hatchery (a.k.a. Pleasant<br>Mt Fish Cultural Station)<br>229 Great Bend Turnpike<br>Pleasant Mount, PA 18453 | Wayne County<br>Mount Pleasant<br>Township   | West Branch<br>Lackawaxen River (1-B)               | Y                          |
| PA0043044<br>(Sewage)           | Municipal Authority of the<br>Borough of Ringtown<br>South Center and Spring<br>Streets<br>Ringtown, PA 17967                              | Schuylkill County<br>Ringtown Borough        | Dark Run (5-E)                                      | Y                          |
| PAS212202<br>(Storm Water)      | Berks Products Corporation<br>Allentown Ready Mix Plant<br>5050 Crackersport Road<br>Allentown, PA 18104                                   | Lehigh County<br>South Whitehall<br>Township | Unnamed Tributary to<br>Little Cedar Creek<br>(2-C) | Y                          |

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>   | <i>County &amp;<br/>Municipality</i>   | <i>Stream Name<br/>(Watershed #)</i>      | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|--|--|---|-----------------------------|
| PA0208639<br>(Sewage)       | Hartleton Borough Sewer<br>System STP<br>Plant Access Drive<br>Hartleton, PA 17829                                 | Union County<br>Hartleton Borough      | Cold Run (6-A)                            | Y                           |
| PA0209589<br>(Sewage)       | Girard Township Sewage Plant<br>Bald Hill Station Road<br>LeContes Mills, PA 16850-0036                            | Clearfield County<br>Girard Township   | Bald Hill Run (8-C)                       | Y                           |
| PA0035599<br>(Sewage)       | PA DOT Site 35 I 80 East<br>Rest Area<br>I-80 East<br>Montoursville, PA 17554                                      | Montour County<br>Liberty Township     | Unnamed Tributary to<br>Beaver Run (10-D) | Y                           |
| PA0113948<br>(Sewage)       | State Correctional Institution<br>Quehanna<br>Motivational Boot Camp<br>4395 Quehanna Highway<br>Karthus, PA 16845 | Clearfield County<br>Karthaus Township | Marks Run (8-D)                           | Y                           |



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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>                           | <i>County &amp;<br/>Municipality</i>   | <i>Stream Name<br/>(Watershed No.)</i> | <i>EPA Waived<br/>Y/N?</i> |
|-----------------------------|--|--|--|----------------------------|
| PA0217794<br>(Sewage)       | Camman Industries SFSTP<br>111 Sawcutter Road<br>Derry, PA 15627 | Westmoreland County,<br>Derry Township | Union Run (18-C)                       | Y                          |

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i>      | <i>Stream Name<br/>(Watershed #)</i>                        | <i>EPA Waived<br/>Y/N?</i> |
|-----------------------------|---|---|---|----------------------------|
| PA0100650<br>(Sewage)       | Forrest Brooke MHP<br>7224 W Market Street,<br>Mercer, PA 16137                       | Mercer County<br>Lackawannock<br>Township | Unnamed Tributary to<br>Magargee Run (20-A)                 | Y                          |
| PA0103870<br>(Sewage)       | Greenville Mobile Home Park<br>347 Hadley Road,<br>Greenville, PA 16125               | Mercer County<br>Hempfield Township       | Unnamed Tributary of<br>the Little Shenango<br>River (20-A) | Y                          |
| PA0030317<br>(Sewage)       | Clarion Limestone High School<br>4091 C-L School Road<br>Strattanville, PA 16258-9720 | Clarion County<br>Clarion Township        | Unnamed Tributary to<br>Little Piney Creek<br>(17-B)        | Y                          |

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**NPDES Permit No. PA0058025**, Sewage, **Upper Salford Township**, P.O. Box 100, Salfordville, PA 18958.

This proposed facility is located in Upper Salford Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Upper Salford Township Park STP to Unnamed Tributary to Perkiomen Creek in Watershed 3-E.

**NPDES Permit No. PA0057606**, Sewage, **Upper Salford Township**, P.O. Box 100, Salfordville, PA 18958-0100.

This proposed facility is located in Upper Salford Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Upper Salford Township Farmhouse STP to Unnamed Tributary to Perkiomen Creek in Watershed 3-E.

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

**NPDES Permit No. PA0065501**, Sewage, SIC Code 8811, **Janet Kudla**, 4539 Vera Cruz Road, Center Valley, PA 18034.

This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage from an existing single family home.

**NPDES Permit No. PA0035360**, Sewage, SIC Code 4952, **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239.

This existing facility is located in Plum Borough, **Allegheny 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. 2313402**, Sewage, **Nether Providence Township**, 214 Sykes Lane, Wallingford, PA 19086.

This proposed facility is located in Nether Providence Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a gravity sanitary sewer collection system.

**WQM Permit No. WQG02231319**, Sewage, **Middletown Township Sewer Authority**, 27 North Pennell Road, P. O. Box 9, Lima, PA 19037.

This proposed facility is located in Middletown Township, **Delaware County**.

Description of Action/Activity: Installation of a low pressure sanitary sewer force main that will service 4 new proposed dwellings located on Old Forge Road.

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

**WQM Permit No. 3913403**, Sewage, SIC Code 8811, **Kudla Janet**, 4539 Vera Cruz Road, Center Valley, PA 18034.

This proposed facility is located in Upper Saucon Township, **Lehigh County**.



Description of Proposed Action/Activity: This Single family residence is modifying an existing malfunctioning 1,000 gallon septic system. The new addition will add a second 800 gallon tank with an Effluent Filter on the it's outlet, a new 400 gallon Dosing tank, a new Ecoflo ST-570 Peat Filter, a new E-Z Set Ultrasonic Disinfection Unit, and a 4" PVC discharge pipe to a gravel lined discharge culvert

**WQM Permit No. 3913402**, Sewerage, SIC Code 4952, **Upper Saucon Township Municipal Authority Lehigh County**, 5500 Camp Meeting Road, Center Valley, PA 19034-8401.

This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Management permit for construction of an off line flow equalization storage tank facility, a surge pump station, a flow metering manhole, force mains leading to the tank, and drain lines leading out of the tank. Additional sewer lines, manholes, electrical lines, air lines, and water lines will be installed as part of the project. A control building at the facility will house air blowers, electrical equipment, instrumentation, and an emergency diesel generator.

**WQM Permit No. 3913404**, Sewage, SIC Code 4952, **Slatington Borough Authority**, 125 S Walnut Street, Slatington, PA 18080-2099.

This proposed facility is located in Slatington Borough, **Lehigh County**.

Description of Proposed Action/Activity: Replacement of trickling filter media for one filter at the wastewater treatment plant.

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

**WQM Permit No. 02531301**, SIC Code 4952, **Roulette Township Potter County**, PO Box 253, Roulette, PA 16746-0253.

This proposed facility is located in Roulette Township, **Potter County**.

Description of Proposed Action/Activity: Replacement of the existing Pomeroy Street Pump Station.

**WQM Permit No. 0813201**, Industrial Waste, SIC Code 1389, **Eureka Resources LLC**, 451 Pine Street, Williamsport, PA 17701.

This proposed facility is located in Standing Stone Township, **Bradford County**.

Description of Proposed Action/Activity: Construction and operation of a proposed oil and gas wastewater treatment facility.

*Southwest Region: Water Standards & Facility Regulation Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**WQM Permit No. 0213412**, Sewage, **Municipal Authority of the Township of Robinson**, 4200 Campbells Run Road, Pittsburgh, PA 15205.

This proposed facility is located in Robinson Township, **Allegheny County**.

Description of Proposed Action/Activity: Construction of a new pump station to replace the existing Groveton pump station.

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                                       | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>  |
|-------------------------|---|---------------|---------------------|---|
| PAI136102               | Fox Chapel Borough<br>401 Fox Chapel Road<br>Pittsburgh, PA 15238         | Allegheny     | Fox Chapel Borough  | Campbell Run,<br>Guyasuta Run,<br>Squaw Run,<br>UNT to Pine Creek<br>and Stony Camp Run /<br>HQ-WWF, TSF<br>and WWF |
| PAI136110               | City of Connellsville<br>110 North Arch Street<br>Connellsville, PA 15425 | Fayette       | Connellsville City  | Connell Run, Opossum<br>Run and Youghioghney<br>River / WWF, WWF,<br>HQ-CWF   |

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**V. NPDES Waiver Stormwater Discharges from MS4 Actions**


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


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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                              | <i>County</i> | <i>Municipality</i>  | <i>Receiving Water/Use</i>                      |
|-------------------------|--|---------------|----------------------|---|
| PAI01<br>4613009        | Pep Boys<br>3111 West Allegheny Avenue<br>Philadelphia, PA 19132 | Philadelphia  | City of Philadelphia | Unnamed Tributary to Schuylkill River<br>WWF—MF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i>  | <i>Municipality</i>         | <i>Receiving Water/Use</i>   |
|-------------------------|---|----------------|-----------------------------|--|
| PAI021313002            | New Enterprise Stone & Lime Co., Inc.<br>3912 Brumbaugh Road<br>P.O. Box 77<br>New Enterprise, PA 16664 | Carbon County  | Penn Forest                 | Stoney Creek (EV, MF)  |
| PAI024013005            | PPL Electric Utilities Corporation<br>Two North 9th Street<br>Allentown, PA 18101                       | Luzerne County | Butler and Foster Townships | Long Run (CWF, MF)<br>Nescopeck Creek (TSE, MF)<br>UNT to Nescopeck Creek (HQ-CWF, MF)<br>Little Nescopeck Creek (CWF, MF)<br>UNT to Little Nescopeck Creek (CWF, MF)<br>Pond Creek (HQ-CWF, MF) |

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

| <i>Permit #</i>          | <i>Applicant Name &amp; Address</i>                            | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>   |
|--------------------------|--|---------------|---------------------|------------------------------|
| PAI033613007<br>(Issued) | Anthony A. Good<br>2287 North Penryn Road<br>Manheim, PA 17545 | Lancaster     | Penn Township       | UNT to Hammer Creek (HQ-CWF) |

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


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

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


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|             |   |
|-------------|---|
| PAG-1       | General Permit for Discharges From Stripper Oil Well Facilities   |
| PAG-2       | General Permit for Discharges of Stormwater Associated With Construction Activities   |
| PAG-3       | General Permit for Discharges of Stormwater From Industrial Activities  |
| PAG-4       | General Permit for Discharges From Small Flow Treatment Facilities  |
| PAG-5       | General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems   |
| PAG-6       | General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)  |
| PAG-7       | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application  |
| PAG-8       | General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site |
| PAG-8 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage   |
| PAG-9       | General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site   |
| PAG-9 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage   |
| PAG-10      | General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines  |

|        |   |
|--------|---|
| PAG-11 | (To Be Announced)   |
| PAG-12 | Concentrated Animal Feeding Operations (CAFOs)                          |
| PAG-13 | Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) |
| PAG-14 | (To Be Announced)   |
| PAG-15 | General Permit for Discharges From the Application of Pesticides        |

*General Permit Type—PAG-02*

| <i>Facility Location &amp; Municipality</i>   | <i>Permit No.</i>     | <i>Applicant Name &amp; Address</i>   | <i>Receiving Water / Use</i>   | <i>Contact Office &amp; Phone No.</i>   |
|---|-----------------------|---|--|---|
| Limerick Township<br>Montgomery County        | PAG0200<br>4607102(1) | Limerick Partners I, L. P.<br>120 West Germantown<br>Pike<br>Suite 120<br>Plymouth Meeting, PA<br>19462 | Mingo Creek WWF  | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Springfield<br>Township<br>Montgomery County  | PAG0200<br>4613035    | LaSalle College<br>High School<br>8605 Cheltenham Avenue<br>Wyndmoor, PA 19038                          | Unnamed Tributary<br>to Wissahickon<br>Creek TSF                         | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Lower Merion<br>Township<br>Montgomery County | PAG0200<br>4613078    | The Pohlig Companies<br>274 Lancaster Avenue,<br>Suite 100<br>Malvern, PA 19355                         | Unnamed Tributary<br>to Mill Creek and<br>Schuylkill River<br>WWF—MF—TSF | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |

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

| <i>Facility Location:<br/>Municipality &amp; County</i> | <i>Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>Receiving Water / Use</i>                               | <i>Contact Office &amp; Phone No.</i>                  |
|---|-------------------|---|--|--|
| Upper Saucon<br>Township<br>Lehigh County               | PAG02003913018    | Michael Gambone<br>Locust Manor<br>Residential, LP<br>1030 Germantown Pike<br>P.O. Box 287<br>Fairview Village, PA<br>19409 | UNT to Saucon<br>Creek (CWF, MF)                           | Lehigh County<br>Conservation District<br>610-391-9583 |
| Upper Saucon<br>Township<br>Lehigh County               | PAG02003913011    | David DeLuca<br>MGBD, LLC<br>301 Oxford Valley Road<br>Ste. 501A<br>Yardley, PA 19067                                       | Tributary to Saucon<br>Creek (CWF, MF)                     | Lehigh County<br>Conservation District<br>610-391-9583 |
| North Whitehall<br>Township<br>Lehigh County            | PAG02003913017    | Curtis Schneck<br>Curtis E. Schneck, Inc.<br>5426 Route 873<br>Schnecksville, PA 18078                                      | Coplay Creek<br>(CWF, MF)                                  | Lehigh County<br>Conservation District<br>610-391-9583 |
| South Whitehall<br>Township<br>Lehigh County            | PAG02003913008    | Allen H. Hunsicker, Jr.<br>2534 Lapp Rd.<br>Allentown, PA 18104   | Jordan Creek<br>(TSF, MF)                                  | Lehigh County<br>Conservation District<br>610-391-9583 |
| Butler Township<br>Luzerne County                       | PAG02004012028    | Mark Luchi<br>120 Klingers Road<br>Drums, PA 18222  | Nescopeck Creek<br>(CWF, MF)                               | Luzerne Conservation<br>District<br>570-674-7991       |
| Jenkins Township<br>Luzerne County                      | PAG02004013018    | UMH PA Corp.<br>Brian Picchini<br>10 Acre Place<br>Binghamton, NY 13904   | Susquehanna River<br>(WWF, MF)                             | Luzerne Conservation<br>District<br>570-674-7991       |
| Hanover Township<br>Luzerne County                      | PAG02004013010    | TC NE Development, Inc.<br>Jeffrey T. Goggins<br>300 Conshohocken State<br>Rd.<br>Conshohocken, PA 19428                    | Warrior Creek<br>(CWF, MF)<br>Sugar Notch Run<br>(CWF, MF) | Luzerne Conservation<br>District<br>570-674-7991       |

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

*Facility Location:*

| <i>Municipality &amp; County</i>           | <i>Permit No.</i>           | <i>Applicant Name &amp; Address</i>   | <i>Receiving Water / Use</i>          | <i>Contact Office &amp; Phone No.</i>   |
|--|-----------------------------|---|---------------------------------------|---|
| Susquehanna Township, Dauphin County       | PAG02002204016R<br>(Issued) | Triple Crown Corporation<br>5351 Jaycee Avenue<br>Harrisburg, PA 17112                                      | Paxton Creek (WWF)                    | Dauphin Co<br>Conservation District<br>1451 Peters Mountain Rd<br>Dauphin, PA 17018<br>717.921.8100               |
| South Hanover Township, Dauphin County     | PAG02002212002R<br>(Issued) | Aikon, LP<br>2520 Knob Hill Road<br>York, PA 17403  | Swatara Creek (WWF)                   | Dauphin Co<br>Conservation District<br>1451 Peters Mountain Rd<br>Dauphin, PA 17018<br>717.921.8100               |
| St. Thomas Township, Franklin County       | PAG02002813034<br>(Issued)  | Dollar General<br>Austin Rogers<br>St. Thomas DPP,<br>VII, LLC<br>9010 Overlook Blvd<br>Brentwood, TN 37027 | UNT to Back Creek (TSF)               | Franklin Co<br>Conservation District<br>185 Franklin Farm Lane<br>Chambersburg, PA 17201<br>717.264.5499          |
| Hamilton Township, Franklin County         | PAG02002806074R<br>(Issued) | Eyer Subdivision<br>Robert Myers<br>2200 Monroe Street<br>York, PA 17404                                    | UNT to Back Creek (TSF)               | Franklin Co<br>Conservation District<br>185 Franklin Farm Lane<br>Chambersburg, PA 17201<br>717.264.5499          |
| Washington Township, Franklin County       | PAG02002808022R<br>(Issued) | Cobblestone Inn<br>Paul Gunder<br>PO Box 912<br>Waynesboro, PA 17268  | Red Run (CWF)                         | Franklin Co<br>Conservation District<br>185 Franklin Farm Lane<br>Chambersburg, PA 17201<br>717.264.5499          |
| Chambersburg Borough, Franklin County      | PAG02002812006R<br>(Issued) | Norland Ave/Walker Road<br>Phil Wolgemuch<br>100 South Second Street<br>Chambersburg, PA 17201              | Conococheague Creek (TSF)             | Franklin Co<br>Conservation District<br>185 Franklin Farm Lane<br>Chambersburg, PA 17201<br>717.264.5499          |
| South Londonderry Township, Lebanon County | PAG02003813040<br>(Issued)  | Tom Earnharth<br>20 West Market Street<br>PO Box 3<br>Campbelltown, PA 17010                                | UNT to Spring Creek (WWF)             | Lebanon Co<br>Conservation District<br>2120 Cornwall Road<br>Suite 5<br>Lebanon, PA 17042<br>717.272.3908, Ext. 4 |
| South Londonderry Township, Lebanon County | PAG02003803042R<br>(Issued) | Don Lechleitner<br>1840 Fishburn Road<br>Hershey, PA 17033-8906   | Spring Creek (WWF)                    | Lebanon Co<br>Conservation District<br>2120 Cornwall Road<br>Suite 5<br>Lebanon, PA 17042<br>717.272.3908, Ext. 4 |
| Conewago Township, York County             | PAG02006713024<br>(Issued)  | Holy Infant Parish<br>34 3rd Street<br>York Haven, PA 17370   | UNT to Little Conewago Creek (TSF)    | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430                 |
| Conewago Township, York County             | PAG02006713013<br>(Issued)  | E.J. Holdings, LP<br>Ed Wagman<br>385 Sipe Road<br>York Haven, PA 17370                                     | UNT to Little Conewago Creek (TSF-MF) | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430                 |



| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i>          | <i>Applicant Name &amp;<br/>Address</i>                              | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|----------------------------|--|----------------------------------|---|
| Newberry Township,<br>York County                           | PAG02006713019<br>(Issued) | Jason & Melinda Rorapaugh<br>1390 Red Bank Road<br>Dover, PA 17315   | UNT to Conewago Creek (WWF)      | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430 |
| Fairview Township,<br>York County                           | PAG02006713020<br>(Issued) | James & Kristie Kolmansberger<br>350 Timber Road<br>Etters, PA 17319 | UNT to Fishing Creek (TSF)       | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430 |

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

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>                               | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|---|----------------------------------|--|
| Towanda Township<br>Bradford County                         | PAG02000813021    | Heather Blokzyl<br>415 Airport Rd<br>Towanda PA 18848                 | UNT to Towanda Creek CWF         | Bradford County<br>Conservation District<br>Stoll Natural Resource Center<br>RR 5, Box 5030C<br>Towanda, PA 18848<br>(570) 265-5539, X 6 |
| Wyalusing Township<br>Bradford County                       | PAG02000813026    | PA Dept of Transportation<br>715 Jordan Ave<br>Montoursville PA 17754 | Brewer Creek WWF                 | Bradford County<br>Conservation District<br>Stoll Natural Resource Center<br>RR 5, Box 5030C<br>Towanda, PA 18848<br>(570) 265-5539, X 6 |

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

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name and<br/>Address</i>  | <i>Receiving<br/>Water / Use</i> | <i>Contact Office and<br/>Phone No.</i>   |
|---|-------------------|--|----------------------------------|---|
| Peters Township<br>Washington County                        | PAG02006313019    | Peters Creek Sanitary Authority<br>PO Box 3<br>Finleyville, PA 15332               | UNT to Peters Creek (TSF)        | Washington County CD<br>2800 North Main Street<br>Suite 105<br>Washington, PA 15301<br>(724) 705-7098 |
| Chartiers Township<br>Washington County                     | PAG02006313023    | Chartiers Township<br>2 Buccaneer Drive<br>Houston, PA 15342                       | UNT to Chartiers Creek (WWF)     | Washington County CD<br>2800 North Main Street<br>Suite 105<br>Washington, PA 15301<br>(724) 705-7098 |
| Unity Township<br>Westmoreland County                       | PAG02006513050    | Westmoreland County<br>Bureau of Parks<br>194 Donohoe Road<br>Greensburg, PA 15601 | Little Crabtree Creek (WWF)      | Westmoreland County CD<br>218 Donohoe road<br>Greensburg, PA 15601<br>(724) 837-5271                  |

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

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i>  | <i>Applicant Name &amp;<br/>Address</i>                         | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>              |
|---|--------------------|---|----------------------------------|--|
| Adams Township<br>Butler County                             | PAG02001007019R(1) | Camp Trees LP c/o William Weaver<br>PO Box 449<br>Mars PA 16046 | Breakneck Creek WWF              | Butler County<br>Conservation District<br>724-284-5270 |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>  | <i>Receiving<br/>Water / Use</i>                       | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|-------------------|--|--|---|
| Borough of<br>Barkeyville<br>Venango County                 | PAG02006113004    | Glenn O'Hawbaker Inc<br>1952 Waddle Road<br>State College PA 16803   | Unt Wolf Creek<br>CWF                                  | Venango County<br>Conservation District<br>814-676-2832   |
| Jefferson Township,<br>Greene County                        | PAG2093014001     | Bureau of Abandoned<br>Mine Reclamation<br>Cambria Office<br>286 Industrial Park Road<br>Ebensburg, PA<br>15931-4119 | South Fork Tenmile<br>Creek (WWF),<br>Browns Run (WWF) | Attention:<br>Patrick M. Webb<br>PA DEP<br>Cambria Office<br>286 Industrial Park Road<br>Ebensburg, PA 15931-4119<br>814-472-1800 |

*General Permit Type—PAG-03*

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>   | <i>Receiving<br/>Water / Use</i>                    | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|---|---|--|
| Lawrence Township<br>Tioga County                           | PAR314844 T-1     | BEA Logistics<br>Service LLC<br>PO Box 784<br>Bridgeport, WV 26330                | Tioga River—4-A                                     | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.0530 |
| Armstrong<br>Township<br>Lycoming County                    | PAR804873         | Choice Fuelcorp, Inc.<br>2344 Sylvan Dell Road<br>South Williamsport, PA<br>17701 | West Branch<br>Susquehanna<br>River—10-C            | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.0530 |
| Canton Township<br>Washington County                        | PAR236130         | Washington Penn Plastics<br>450 Racetrack Road<br>Washington, PA 15301            | Unnamed Tributary<br>of Chartiers<br>Creek—20-F WWF | DEP Southwest<br>Regional Office<br>Clean Water Program<br>400 Waterfront Drive,<br>Pittsburgh, PA 15222-4745<br>412.442.4000                    |
| Mckeesport City<br>Allegheny County                         | PAR606181         | Robert M Casturo<br>750 W 5th Avenue<br>Mckeesport, PA 15132                      | Monongahela<br>River—19-C                           | DEP Southwest<br>Regional Office<br>Clean Water Program<br>400 Waterfront Drive,<br>Pittsburgh, PA 15222-4745<br>412.442.4000                    |
| North Huntingdon<br>Township<br>Westmoreland<br>County      | PAR806179         | Con Way Freight Inc.<br>2211 Old Earhart Road<br>Ann Arbor, MI 48105              | Unnamed Tributary<br>to Brush<br>Creek—19-A         | DEP Southwest<br>Regional Office<br>Clean Water Program<br>400 Waterfront Drive,<br>Pittsburgh, PA 15222-4745<br>412.442.4000                    |

*General Permit Type—PAG-5*

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>                         | <i>Receiving<br/>Water / Use</i>         | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|---|--|--|
| Williamsport City<br>Lycoming County                        | PAG054840         | Barry Heller<br>7468 S Route<br>220 Highway<br>Linden, PA 17744 | West Branch<br>Susquehanna<br>River—10-A | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.0530 |

*General Permit Type—PAG-8**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Site Name &  
Location**Contact Office &  
Phone No.*

Spring Township  
Centre County      PAG 08 4814

Borough of Bellefonte  
236 West Lamb Street  
Bellefonte, PA 16823

Bellefonte Waste  
Water Treatment  
Plant  
Spring Township  
Centre County

NCRO  
570-327-0526

*General Permit Type—PAG-8 (SSN)**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Site Name &  
Location**Contact Office &  
Phone No.*

Upper Mount  
Bethel Township  
Northampton  
County

PAG08-2203  
PAG07-0003  
PAG08-0008  
PAG08-3501  
PAG08-0002  
PAG08-3535  
PAG08-3551  
PAG08-3605  
PAG08-9903  
PAG08-3596  
PAG08-3510  
PAG08-2211  
PAG08-3506  
PAG08-3522  
PAG08-3515  
PAG08-9904  
PAG08-3547  
PAG08-0006  
PAG08-3540  
PABIG-9903  
PAG08-3600  
PAG08-3565  
PAG07-3508  
PAG07-0005  
PAG08-0003  
PAG08-3825  
PAG08-0004  
PAG08-3518  
PAG08-9905  
PAG08-3556  
PAG08-0018  
PAG08-3573  
PAG08-3597  
WMGR-099  
PAG08-0011  
PAG08-3567  
PAG08-2219  
PAG08-0021  
PAG08-0005

Synagro  
1605 Dooley Road  
P. O. Box B  
Whiteford, MD 21160

Ron Angle II  
Sunrise Farm  
Sunrise Blvd.  
Sagen Drive  
Upper Mount Bethel

PA DEP NERO  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
(570) 826-2511

*Facility Location:  
Municipality &  
County*

Upper Mount  
Bethel Township  
Northampton  
County

*Permit No.*

PAG08-2203  
PAG07-0003  
PAG08-0008  
PAG08-3501  
PAG08-0002  
PAG08-3535  
PAG08-3551  
PAG08-3605  
PAG08-9903  
PAG08-3596  
PAG08-3510  
PAG08-2211  
PAG08-3506  
PAG08-3522  
PAG08-3515  
PAG08-9904  
PAG08-3547  
PAG08-0006  
PAG08-3540  
PABIG-9903  
PAG08-3600  
PAG08-3565  
PAG07-3508  
PAG07-0005  
PAG08-0003  
PAG08-3825  
PAG08-0004  
PAG08-3518  
PAG08-9905  
PAG08-3556  
PAG08-0018  
PAG08-3573  
PAG08-3597  
WMGR-099  
PAG08-0011  
PAG08-3567  
PAG08-2219  
PAG08-0021  
PAG08-0005

*Applicant Name &  
Address*

Synagro  
1605 Dooley Road  
P. O. Box B  
Whiteford, MD 21160

*Site Name &  
Location*

Ron Angle III  
Stone Church Farm  
Stone Church Drive  
Upper Mount Bethel

*Contact Office &  
Phone No.*

PA DEP NERO  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
(570) 826-2511



*Facility Location:  
Municipality &  
County*

Upper Mount  
Bethel Township  
Northampton  
County

*Permit No.*

PAG08-2203  
PAG07-0003  
PAG08-0008  
PAG08-3501  
PAG08-0002  
PAG08-3535  
PAG08-3551  
PAG08-3605  
PAG08-9903  
PAG08-3596  
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PAG08-0006  
PAG08-3540  
PABIG-9903  
PAG08-3600  
PAG08-3565  
PAG07-3508  
PAG07-0005  
PAG08-0003  
PAG08-3825  
PAG08-0004  
PAG08-3518  
PAG08-9905  
PAG08-3556  
PAG08-0018  
PAG08-3573  
PAG08-3597  
WMGR-099  
PAG08-0011  
PAG08-3567  
PAG08-2219  
PAG08-0021  
PAG08-0005

*Applicant Name &  
Address*

Synagro  
1605 Dooley Road  
P. O. Box B  
Whiteford, MD 21160

*Site Name &  
Location*

Ron Angle  
Potomac Farm  
Potomac Street  
Upper Mount Bethel

*Contact Office &  
Phone No.*

PA DEP NERO  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
(570) 826-2511

*General Permit Type—PAG-9*

*Facility Location:  
Municipality &  
County*

Blair County /  
Antis Township

*Permit No.*

PAG093553

*Applicant Name &  
Address*

Wilt's Septic Service  
3849 East Pleasant Valley  
Boulevard  
Altoona, PA 16601

*Site Name &  
Location*

Same

*Contact Office &  
Phone No.*

DEP-SCRO-  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200  
717-705-4707

*General Permit Type—PAG-13*

*Facility Location:  
Municipality &  
County*

Pottsville City  
Schuylkill County

*Permit No.*

PAG132276

*Applicant Name &  
Address*

Pottsville City  
Schuylkill County  
401 North Centre Street  
Pottsville, PA 17901

*Receiving  
Water / Use*

Schuylkill  
River—CWF,  
Norwegian  
Creek—CWF and  
West Branch  
Schuylkill River—  
CWF—3-A

*Contact Office &  
Phone No.*

DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511

*Facility Location:  
Municipality &  
County*McAdoo Borough  
Schuylkill County*Permit No.*

PAG132285

*Applicant Name &  
Address*McAdoo Borough  
Schuylkill County  
23 N Hancock Street  
McAdoo, PA 18237*Receiving  
Water / Use*Unnamed Tributary  
to Quakake  
Creek—2-B*Contact Office &  
Phone No.*DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511*General Permit Type—MS4 PAG13**Facility Location:  
Municipality &  
County*Borough of  
Sewickley  
Allegheny County*Permit No.*

PAG136165

*Applicant Name &  
Address*Borough of Sewickley  
601 Thorn Street  
PO Box 428  
Sewickley, PA 15143*Receiving  
Water / Use*Unnamed Tributary  
to Ohio River 20-G*Contact Office &  
Phone No.*DEP Southwest  
Regional Office,  
Clean Water Program,  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000Township of  
Vanport  
Beaver County

PAG136144

Township of Vanport  
477 State Street  
Beaver, PA 15009Ohio River,  
Twomile Run,  
Unnamed Tributary  
to Ohio River and  
Unnamed Tributary  
to Twomile Run,  
Mudlick Run 20-BDEP Southwest  
Regional Office,  
Clean Water Program,  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000*General Permit Type—MS4 PAG13 Waiver**Facility Location:  
Municipality &  
County*South Buffalo  
Township,  
Armstrong County*Permit No.*

PAG136226

*Applicant Name &  
Address*South Buffalo Township  
384 Iron Bridge Road  
Freeport, PA 16229*Receiving  
Water / Use*

Allegheny River 18-F

*Contact Office &  
Phone No.*DEP Southwest  
Regional Office,  
Clean Water Program,  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES  
PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

| <i>Agricultural Operation<br/>Name and Address</i>                 | <i>County</i> | <i>Total<br/>Acres</i>   | <i>AEU's</i>                             | <i>Animal<br/>Type</i> | <i>Special Protection<br/>Waters (HQ or<br/>EV or NA)</i>      | <i>Approved or<br/>Disapproved</i> |
|--|---------------|--|--|------------------------|--|------------------------------------|
| Adam Martin<br>309 Midway Road<br>Bethel, PA 19507                 | Berks         | 84.4   | 197.73                                   | Laying<br>Hens         | NA   | Approved                           |
| William & Karol Wingert<br>5497 Shade Lane<br>Alexandria, PA 16611 | Huntingdon    | 1558 total<br>acres<br><br>1393.8 acres<br>for manure<br>application | 1839.63<br>AEU's<br><br>1.32<br>AEU's/ac | Dairy                  | Pike Run, Henry's<br>Run, Shavers<br>Creek, Fox Run;<br>HQ-CWF | 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**

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

**Permit No. 0613515 MA, Minor Amendment, Public Water Supply.**

|              |  |
|--------------|--|
| Applicant    | <b>Pennsylvania-American Water Company</b> |
| Municipality | Exeter Township                            |

|   |  |
|---|--|
| County  | <b>Berks</b>   |
| Responsible Official  | <b>David R Kauffman</b><br>800 West Hershey Park Drive<br>Hershey, PA 17033                                  |
| Type of Facility  | Rehabilitation of the 1.0 MG Grant Street finished water storage tank.                                       |
| Consulting Engineer   | Bruce A Brubaker, P.E.<br>Pennsylvania-American Water Company<br>852 Wesley Drive<br>Mechanicsburg, PA 17055 |
| Permit to Construct Issued:   | 12/18/2013   |
| <b>Permit No. 0513501 MA, Minor Amendment, Public Water Supply.</b> |  |
| Applicant   | <b>Blue Knob State Park</b>  |
| Municipality  | Pavia Township   |
| County  | <b>Bedford</b>   |
| Responsible Official  | James L Ross, Regional Engineer<br>435 State Park Road<br>Schellsburg, PA 15559                              |
| Type of Facility  | Off-season 4-log inactivation approval.  |
| Consulting Engineer   | James L Ross, P.E. DCNR<br>435 State Park Road<br>Schellsburg, PA 15559-7308                                 |
| Permit to Construct Issued:   | 12/5/2013  |

**Operations Permit** issued to: **Ephrata Area Joint Authority**, 7360045, Ephrata Borough, **Lancaster County** on 12/13/2013 for the operation of facilities submitted under Application No. 7360045.

**Operations Permit** issued to: **The Caernarvon Township**, 3060052, Caernarvon Township, **Berks County** on 12/5/2013 for the operation of facilities approved under Construction Permit No. 0612508 MA.

**Operations Permit** issued to: **Crestview Mobile Home Park**, 4050007, East Providence Township, **Bedford County** on 12/18/2013 for the operation of facilities approved under Construction Permit No. 0512513 MA.

**Operations Permit** issued to: **Pennsylvania American Water**, 7210029, Fairview Township, **York County** on 12/30/2013 for the operation of facilities approved under Construction Permit No. 6713507 MA.

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

**Permit No. 6012501—Operation** Public Water Supply.

|                       |   |
|-----------------------|---|
| Applicant             | <b>Pennsylvania American Water</b>  |
| Township/Borough      | East Buffalo Township   |
| County                | <b>Union</b>  |
| Responsible Official  | Mr. David R. Kaufmann<br>Vice President, Engineering<br>Pennsylvania American Water<br>800 West Hersheypark Drive<br>Hershey, PA 17033            |
| Type of Facility      | Public Water Supply   |
| Consulting Engineer   | Evan R. Andrews, P.E.<br>URS Corporation<br>Iron Hill Corporate Center<br>4051 Ogletown Road, Suite 300<br>Newark, DE 19713                       |
| Permit Issued         | January 6, 2014   |
| Description of Action | Operation of the 500,000 gallon elevated water storage tank with overflow containment basin, and 16-inch diameter waterline leading to this tank. |

**Permit No. 1712501-MA—Construction** Public Water Supply.

|                       |   |
|-----------------------|---|
| Applicant             | <b>Clearfield Municipal Authority</b>   |
| Township/Borough      | Lawrence & Pike Townships   |
| County                | <b>Clearfield</b>   |
| Responsible Official  | Krevin A. Shifter, Manager<br>Clearfield Municipal Authority<br>107 East Market Street<br>Clearfield, PA 16830  |
| Type of Facility      | Public Water Supply   |
| Consulting Engineer   | James F. Potopa, P.E.<br>Gwin, Dobson & Foreman, Inc.<br>3121 Fairway Drive<br>Altoona, PA 16602-4496   |
| Permit Issued         | January 2, 2014   |
| Description of Action | Changes in materials of construction for the Montgomery 1.5 MG WST and Hillsdale 1.5 MG WST, from welded steel to ANSI/AWWA D110, Type III—wire-wound circular prestressed concrete water tank construction. For the 0.5 MG Wolf Run WST, from welded steel to bolted stainless steel construction. |

**Permit No. 1813504—Construction** Public Water Supply.

|                       |   |
|-----------------------|---|
| Applicant             | <b>Suburban Lock Haven Water Company</b>  |
| Township/Borough      | Woodward Township   |
| County                | <b>Clinton</b>  |
| Responsible Official  | Mr. Jack Peters<br>Suburban Lock Haven<br>Water Company<br>326 Main Street<br>Mill Hall, PA 17751 |
| Type of Facility      | Public Water Supply   |
| Consulting Engineer   | David Swisher, P.E.<br>HRG, Inc.<br>474 Windmere Drive<br>State College, PA 16801                 |
| Permit Issued         | January 6, 2014   |
| Description of Action | Installation of sodium hypochlorite facilities at the Croak Hollow Booster Pump Station.          |

**Permit No. 5912503—Operation** Public Water Supply.

|                       |  |
|-----------------------|--|
| Applicant             | <b>Costy's Used Truck &amp; Auto</b>   |
| Township/Borough      | Richmond Township  |
| County                | <b>Tioga</b>   |
| Responsible Official  | Mr. Daniel Kurzejewski<br>2395 South Main Street<br>Mansfield, PA 16933                    |
| Type of Facility      | Public Water Supply  |
| Consulting Engineer   | Britt Bassett, P.E.<br>Bassett Engineering<br>1440 Broad Street<br>Montoursville, PA 17754 |
| Permit Issued         | January 2, 2014  |
| Description of Action | Operation of the ion exchange facility.  |

**Permit No. 4146426EP124—Permit-By-Rule** Public Water Supply.

|                       |   |
|-----------------------|---|
| Applicant             | <b>H2O To Go</b>  |
| Township/Borough      | College Township  |
| County                | <b>Centre</b>   |
| Responsible Official  | Lloyd K. Smucker, President<br>H2O To Go<br>P.O. Box 661<br>Maytown, PA 17550   |
| Type of Facility      | Public Water Supply   |
| Consulting Engineer   | N/A   |
| Permit Issued         | January 7, 2014   |
| Description of Action | Operation of the new vending machine with two dispensers at the Hills Plaza South in State College, PA. The vending machine will obtain water from State College Boro. Water Auth. and is NAMA approved. H2O To Go operates 21 water vending machines in the Northcentral Region. |



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

**Permit No. 0213538MA**, Public Water Supply.

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

[Borough or Township] Union Township

County **Washington**

Type of Facility Water system

Consulting Engineer

Permit to Construct Issued December 31, 2013

**Permit No. 3013508**, Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

[Borough or Township] Washington Township

County **Greene**

Type of Facility Water system

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

Permit to Construct Issued December 30, 2013

**Permit No. 3013504**, Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

[Borough or Township] Washington Township

County **Greene**

Type of Facility Water system

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

Permit to Construct Issued December 30, 2013

**Permit No. 3013505**, Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

[Borough or Township] Washington Township

County **Greene**

Type of Facility Water system

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

Permit to Construct Issued December 30, 2013

**Permit No. 3013506**, Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

[Borough or Township] Washington Township

County **Greene**

Type of Facility Water system

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

Permit to Construct Issued December 30, 2013

**Operations Permit** issued to: **Highland Sewer & Water Authority**, 120 Tank Drive, Johnstown, PA 15904, (PWSID #4110017) Richland Township, **Cambria County** on December 30, 2013 for the operation of facilities approved under Construction Permit # 1113501MA.

**Operations Permit** issued to: **Lincoln Township Municipal Authority**, PO Box 162, Sipesville, PA 15561, (PWSID #4560031) Lincoln Township, **Somerset County** on December 30, 2013 for the operation of facilities approved under Construction Permit # 5612503MA.

**Operations Permit** issued to: **Indian Lake Borough**, 1301 Causeway Drive, Central City, PA 15926, (PWSID #4560025) Indian Lake Borough, **Somerset County** on December 31, 2013 for the operation of facilities approved under Construction Permit # 5612504MA.

**Operations Permit** issued to: **Borough of Somerset**, 340 West Union Street, Somerset, PA 15501, (PWSID #4560042) Somerset Township, **Somerset County** on December 31, 2013 for the operation of facilities approved under Construction Permit # 5609501MA.

**Operations Permit** issued to: **Findlay Township Municipal Authority**, 1271 Route 30, PO Box 409, Clinton, PA 15026, (PWSID #5020078) Findlay Township, **Allegheny County** on December 31, 2013 for the operation of facilities approved under Construction Permit # 0213526.

**Operations Permit** issued to: **Kittanning Plumcreek Water Authority**, 274 Schall Road, Kittanning, PA 16201, (PWSID #5030013) Kittanning Township, **Armstrong County** on December 31, 2013 for the operation of facilities approved under Construction Permit # 0312505MA.

**Permit No. 3213516, Minor Amendment.** Public Water Supply.

Applicant **Central Indiana County Water Authority**  
30 East Wiley Street  
Homer City, PA 15748

[Borough or Township] Center Township

County **Indiana**

Type of Facility Water system

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

Permit to Construct Issued December 30, 2013

**Permit No. 6513503MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Jeanette Borough and Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513513MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513514MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513515MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513516MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] South Greensburg Borough and Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513517MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] South Greensburg Borough and Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513518MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513519MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513520MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct Issued December 30, 2013

**Permit No. 6513511GWR, Minor Amendment.** Public Water Supply.

Applicant **Rolling Rock Farms**  
PO Box 717  
Ligonier, PA 15658

[Borough or Township] Ligonier Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer

Permit to Operate Issued December 27, 2013

**Permit No. 5612509GWR, Minor Amendment.** Public Water Supply.

Applicant **Somerset Township Municipal Authority**  
PO Box 247  
Somerset, PA 15501

[Borough or Township] Somerset Township

County **Somerset**

Type of Facility Water system

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

Permit to Operate Issued December 27, 2013

**Dunkard Valley Joint Municipal Authority** (Public Water Supply), **Greene County**: On December 27, 2013, the Safe Drinking Water Program approved the Source Water Protection (SWP) Plan for Dunkard Valley Joint Municipal Authority. The personnel involved with the development of this SWP Plan are to be commended for taking these proactive steps to protect this water source for their community. Development of the SWP Plan was completed with assistance from PA Rural Water Association.

**East Dunkard Water Authority** (Public Water Supply), **Greene County**: On December 27, 2013, the Safe Drinking Water Program approved the Source Water Protection (SWP) Plan for East Dunkard Water Authority. The personnel involved with the development of this SWP Plan are to be commended for taking these proactive steps to protect this water source for their community. Development of the SWP Plan was completed with assistance from PA Rural Water Association.

**Creswell Heights Joint Authority** (Public Water Supply), **Beaver County**: On December 31, 2013, the Safe Drinking Water Program approved the Source Water Protection (SWP) Plan for Creswell Heights Joint Authority. The personnel involved with the development of this SWP Plan are to be commended for taking these proactive steps to protect this water source for their community. Development of the SWP Plan was completed with assistance from PA DEP's Source Water Protection Technical Assistance Program.

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

**Operation Permit** issued to **New Wilmington Livestock Auction, Inc.**, PWSID #6430863, Wilmington Township, **Mercer County**. Permit Number 4313503 issued December 24, 2013 for the operation of the disinfection system providing 4-log treatment of viruses for Well No. 1 via Entry Point No. 101. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on December 6, 2013.

**Construction/Operation Permit** issued to **Mrs. Barbara P. Robinson d/b/a Robinsons Mobile Home Park**, PWSID #5100055, Prospect Borough, **Butler County**, for the construction/operation of the three (3) separate individual Entry Points at the facility, and secondly demonstrates that the three (3) Entry Points at the facility meet the Pennsylvania Groundwater Rule (GWR) for 4-log treatment of viruses by increasing the chlorine treatment dosages thereby increasing free chlorine residuals at each of the Entry Point compliance monitoring locations. Construction and Operation authorized simultaneously under permit number 1013505 issued December 24, 2013.

**Transfer of Operation Permit** issued to **Rocky Ridge Village, LLC**, PWSID #6610032, Sandycreek Township, **Venango County** on December 30, 2013. Action is for change in ownership; the potable water supplier will do business as Rocky Ridge Village Mobile Home Park. The new permit number is 6188505-T1.

**Permit No. 1013504** Public Water Supply

Applicant **Slippery Rock Associates, General Partnership**

Township or Borough Brady Township

County **Butler**

Type of Facility Public Water Supply

|   |   |
|---|---|
| Consulting Engineer                                   | James S. Willard<br>KLH Engineers, Inc.<br>5173 Campbells Run Road<br>Pittsburgh, PA 15205                |
| Permit to Construct Issued                            | January 2, 2014   |
| <b>Permit No. 1069502-T1-MA9</b> Public Water Supply  |   |
| Applicant   | <b>Pennsylvania American Water Company</b>  |
| Township or Borough                                   | Butler Township   |
| County  | <b>Butler</b>   |
| Type of Facility                                      | Public Water Supply   |
| Consulting Engineer                                   | Bruce A. Brubaker, P.E.<br>Pennsylvania American Water Co.<br>852 Wesley Drive<br>Mechanicsburg, PA 17055 |
| Permit to Construct Issued                            | January 6, 2014   |
| <b>Permit No. 1069502-T1-MA10</b> Public Water Supply |   |
| Applicant   | <b>Pennsylvania American Water Company</b>  |
| Township or Borough                                   | Butler Township   |
| County  | <b>Butler</b>   |
| Type of Facility                                      | Public Water Supply   |
| Consulting Engineer                                   | Bruce A. Brubaker, P.E.<br>Pennsylvania American Water Co.<br>852 Wesley Drive<br>Mechanicsburg, PA 17055 |
| Permit to Construct Issued                            | January 6, 2014   |

**Operation Permit** issued to **Linda Mueller**, PWSID #5100132, Penn Township, **Butler County**. Permit Number 1013502 issued January 7, 2014 for the operation of the Colonial Gardens Guest House Public Water System. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on December 26, 2013, along with a follow-up inspection.

|   |  |
|---|--|
| <b>Permit No. 4313507</b> Public Water Supply |  |
| Applicant                                     | <b>Pennwood Estates, LLC</b>   |
| Township or Borough                           | Lackawannock Township  |
| County  | <b>Mercer</b>  |
| Type of Facility                              | Public Water Supply  |
| Consulting Engineer                           | Thomas L. Thompson, P.E.<br>Gannett Fleming, Inc.<br>554 South Erie Street<br>Mercer, PA 16137 |
| Permit to Construct Issued                    | January 7, 2014  |

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484.250.5970*

#### Plan Location:

| Township   | Township Address                       | County |
|------------|--|--------|
| Doylestown | 425 Wells Road<br>Doylestown, PA 18901 | Bucks  |

On December 16, 2013, the Southeast Regional office approved the Act 537 sewage facilities plan update for Doylestown Township, Bucks County (APS ID 330250, AUTH ID 989075). This approval provides for the following:

The Plan provides for the phased connection of 252 existing properties in the Pebble Ridge and Wood Ridge residential neighborhoods. The Plan's study area is depicted in Exhibit No. 6.

The Plan provides for the extension of approximately 33,000 feet of 8- and 10-inch gravity sewers, a new pump station and associated force main to serve the two neighborhoods. The sewer extension will connect to the Bucks County Water and Sewer Authority collection system at 3 places, as depicted in Exhibit 9, dated June 21, 2012, revised November 21, 2013, as prepared by Carroll Engineering Corporation.

The proposed sewage pumping station and a force main will convey sewage flows from the western portion of the project area to an existing manhole in Dartmouth Drive. The pumping station will be located on the north side of Lower State Road near its intersection with Bristol Road and will have average design flows of 35,500 gallons per day (gpd).

The Bucks County Water & Sewer Authority must obtain a Clean Streams Law permit from DEP for the construction and operation of the gravity sewers and the pump station and associated force main.

The project will generate an ultimate sewage flow of 64,750 gpd to be treated at both the Bucks County Water and Sewer Authority's Green Street Wastewater Treatment Facility and its King Plaza Wastewater Treatment Facility. Per Doylestown Township's December 2, 2013, response to DEP review letter of November 6, 2013, the Bucks County Water and Sewer Authority will maximize the diversion of flows from the Castle Valley Interceptor to the Green Street Wastewater Treatment Facility via the Castle Valley Diversion Pump Station. Based on the 2012 average diversion amount of 190,000 gallons per day, the Bucks County Water and Sewer Authority may divert up to 98,000 gpd and remain within the pump station's current permitted capacity of 288,000 gpd. We also note that an approved Act 537 plan is in place to allow the Castle Valley Diversion Pump Station to be expanded to a capacity of up to 480,000 gpd.

## 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:

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

**Lauretta Button Property**, 175 S Lake Road, Liberty Township, **Susquehanna County**, Dawn Washo, Resource Environmental, has submitted a Final Report on behalf of her client, Lauretta Button, 312 Cantone Road, Montrose, PA 18801, concerning the remediation of soil due to an unknown amount of heating oil (#2 fuel oil) released from and aboveground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The intended future use of the site is residential. A Summary of the Final Report was published in *The Susquehanna County Transcript, Inc.*, on November 13, 3013.

**Former ITT and Triton Facility**, 3100 Charlotte Avenue, Palmer Township, **Northampton County**, Matthew Cousino, AECOM Technical Services, has submitted a Final Report (on behalf of his client, Mr. Angel Venegas/Project Manager, Exelis Inc., 77 River Road, Clifton, NJ 07014-2000), concerning the remediation of soil containing manganese, arsenic and PCB as a result from historical operations conducted at the site. The applicant proposes to remediate the site to meet the Residential/Non-Residential Statewide Health Standards for soil. The intended use of the site will be for non-residential purposes. A summary of the Notice of Intent to Remediate was published in *The Express Times* on March 1, 2013 and the Final Report was published in *The Express Times* on November 23, 2013.

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

**David Green Residence**, 305 Pleasant Valley Drive, Leola, PA 17540, Upper Leacock Township, **Lancaster**

**County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543, on behalf of David Green, 305 Pleasant Valley Drive, Leola, PA 17540, submitted a Final Report concerning remediation of site soils contaminated with fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

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

**Bimbo Bakeries, USA**, Interstate 80 Milemarker 168 Westbound, Marion Township, **Centre County**. United Environmental Services Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of Bimbo Bakeries, USA, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the environmental cleanup program man-

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

The Department has received the following plans and reports:

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

**CVS at 3002 Marietta Avenue**, Lancaster, PA, East Hempfield Township, **Lancaster County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406, on behalf of Centerville Development Company, 200 Old Forge Lane, Suite 201, Kennett Square, PA 19348, submitted a Final Report concerning the remediation of site soils contaminated with heating oil from an underground storage tank. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on December 30, 2013.

**Donegal Springs Airpark**, 186 Airport Road, Marietta, PA 17547-9105, East Donegal Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of N71, Incorporated, PO Box 269, Dameron, MD 20626, submitted a Final Report concerning the remediation of site soils contaminated with trimethylbenzenes. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 19, 2013.

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

**Bimbo Bakeries, USA**, Interstate 80 Milemarker 168 Westbound, Marion Township, **Centre County**. United Environmental Services, Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of Bimbo Bakeries USA, submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on December 6, 2013.

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

**Former Robert Shaw Controls Property-Phase 3 Development Parcel C, Millstein Industries Subdivision**, Locust Street, Youngwood Borough, **Westmoreland County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, Pennsylvania 15668, on behalf of Millstein Industries, LLC. 2nd Floor 322 Armbrust Road, Youngwood, Pennsylvania 15697 submitted a Final Report concerning remediation of site soil and groundwater contaminated with TCE, cDCE, vinyl chloride and volatile organic compounds. The Final Report demonstrated attainment of the Site-Specific standard for soil and groundwater, and was approved by the Department on January 3, 2014.

## HAZARDOUS SITES CLEAN-UP

UNDER THE ACT OF  
OCTOBER 18, 1988

### Notice of Proposed Interim Response Hilltop TCE HSCA Site, Limerick Township, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.102—6020.1303), is hereby reopening the Administrative Record for the Hilltop TCE HSCA Site in order to seek public comment on a proposed modification of the response action previously selected for the Site.

The Hilltop TCE HSCA Site is located along portions of School Road, North Limerick Road, Koch Drive, and Haines Drive, located in Limerick Township. The Site consists of private wells impacted with Volatile Organic Compounds. The Department has been monitoring the affected properties since 2000.

In a Statement of Decision (SOD) signed on October 7, 2011, the Department selected the installation and/or maintaining of carbon filtration systems on the water supplies at properties where concentrations of Trichloroethene (TCE) and/or Tetrachloroethene (PCE) were at/or above their respective Maximum Contaminant Levels. The selected alternative was determined to comply with Applicable, Relevant and Appropriate Requirements (ARARs), be feasible, and cost-effective.

The Department has recently been approached by a local water supplier, regulated by Public Utility Commission, which has offered to share significant costs in the construction of a waterline and further offered to reduce the overall costs through a more efficient realignment of such a waterline. As a result of this potentially significant reduction in the amount of public monies necessary under that response alternative, the Department has re-evaluated the potential response action alternatives presented in the original Administrative Record. Based on this re-evaluation, the Department now proposes the installation of a public water line, including the extension of nearby Water main, construction of laterals to connect homes to the public water supply and abandonment of their current supply wells to mitigate cross contamination. Other possible alternatives include no action or the installation of point-of-entry whole house carbon filtration systems.

This notice is being provided pursuant to Section 506(h) of HSCA. The administrative record is available for public review and comment. The administrative record is located at the Department's office at 2 East Main Street, Norristown, PA 19401 and is available for review Monday through Friday from 8:00 am until 4:00 pm. Those interested in examining the Administrative Record at the Department's office should contact Lena Harper at 484.250.5721 to arrange for an appointment. Additional copies of the Administrative Record are available for review at the Limerick Township Municipal Building.

The administrative record will be open for public comments from January 4, 2014 until March 5, 2014. Person may submit written comments into the record by sending them to Lena Harper at the Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401 or by email at lharper@pa.gov.

## DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGRO17SC001. Jesse Baro, Inc., 157 Quarry Road, Douglassville, PA 19518**

The Southcentral Regional Office, Waste Management Program issued a determination of applicability (DOA) under Residual Waste General Permit No. WMGR017 for Jesse Baro, Inc., 157 Quarry Road, Douglassville, PA in Douglass Township, **Berks County**. This general permit is for processing the beneficial use of water supply treatment plant sludge as 1) a soil additive by land application upon agricultural, agronomic, horticultural, and silvicultural lands, and 2) land application on disturbed lands to facilitate re-vegetation for land reclamation purposes. The application included two proposed land application sites: Heffner Farm 1, located at 194 Weaver Road, Fleetwood, PA 19552 in Richmond Township, Berks County and Heffner Farm 2 located at Mountainview and Ridge Roads, Shoemakersville, PA 19555 in Perry Township, Berks County. The DOA was issued on January 6, 2014.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Facilities Manager, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## AIR QUALITY

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

*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.*

**GP6-21-03107: Hampden Cleaners** (4610 Carlisle Pike, Mechanicsburg, PA 17050) on December 27, 2013 for the two (2) existing petroleum dry cleaning machines, under GP6, at their dry cleaning facility in Hampden Township, **Cumberland County**.

**GP1-36-03148: Heart of Lancaster Regional Medical Center** (1500 Highlands Drive, Lititz, PA 17543) on December 24, 2013 for two (2) existing Cleaver Brooks

boilers, natural gas/#2 oil-fired, 12.2 MMBtu each, at the hospital facility in Warwick Township, **Lancaster County**. The general permit authorization was renewed.

**GP3-06-03159: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on December 30, 2013, for a portable nonmetallic mineral processing plant under GP3 at the Berks Products Ontelaunee Quarry, in Ontelaunee Township, **Berks County**.

**GP11-06-03159: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on December 30, 2013, for three nonroad engines under GP11, to power portable nonmetallic mineral processing equipment at the Berks Products Ontelaunee Quarry, in Ontelaunee Township, **Berks County**.

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

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

**GP3-08-314B: Marcus Cole Construction, Inc.** (P.O. Box 158, Nichols, NY 13812) on December 24, 2013, to construct and operate one Fintec model 1107 crusher rated at 250 tph (Crusher 2), one Eagle model 1000-15CV crusher rated at 250 tph (Crusher 3), one Powerscreen model Mark II screener rated at 125 tph (Screen 2), one Fintec model 542 screen rated at 250 tph (Screen 3), and one stacker, and for the continued operation of one Eagle model 500-05CV crusher rated at 75 tph (Crusher 1), one Extex model 55 screener rated at 125 tph (Screen 1), and one Fintec model 640 screener rated at 250 tph (Screen 4) with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Peck Hill Quarry facility in Windham Township, **Bradford County**.

**GP9-08-314B: Marcus Cole Construction, Inc.** (P.O. Box 158, Nichols, NY 13812) on December 24, 2013, to construct and operate one 350 bhp Caterpillar model C9 diesel-fired engine, one 375 bhp Detroit model 6064-HV33 diesel-fired engine, one 31 bhp Cummings model A1400 diesel-fired engine, one 99 bhp Caterpillar model 3054C diesel-fired engine, and one 48 bhp Kubota diesel-fired engine and for the continued operation of one 217 bhp John Deere model 2JDXL06.5049 diesel-fired engine, one 100 bhp Deutz model BFM2012 diesel-fired engine, and one 99 bhp Caterpillar model 3054C diesel-fired engine pursuant to the General Plan Approval and /or General Operating Permit BAQ-GPA/GP-9: Diesel or No. 2 fuel-fired Internal Combustion Engines, at the Peck Hill Quarry facility in Windham Township, **Bradford County**.

**GP5-59-194A: Ultra Resources, Inc.** (304 Inverness Way South, Suite 295, Englewood, CO 80112) on December 27, 2013, for the construction and operation of one 625 bhp natural-gas-fired Caterpillar model G398TA LCR four-stroke rich-burn compressor engine equipped with a Miratech model IQ-22-10-C1 non-selective catalytic reduction catalyst to replace the existing identical 625 bhp natural-gas-fired Caterpillar model G398TA LCR four-stroke rich-burn compressor engine and non-selective catalytic reduction catalyst under the General Plan Approval for Natural Gas Compression and/or Processing Facilities (BAQ-GPA-5) at the Pierson Compressor Station in Gaines Township, **Tioga County**.



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

*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.*

**31-05019A: Texas Eastern Transmission, LP** (PO Box 1642, Houston, TX 77251) on December 30, 2013, for a turbine upgrade project at the Entriken Compressor Station in Todd Township, **Huntingdon County**. Plan Approval No. 31-05019A authorizes the following items:

- Construction of a new natural gas fired Solar Titan Gas Turbine (Source ID 034). The turbine will be rated at 26,000 brake horsepower (bhp), and will have a dry low NO<sub>x</sub> combustion system (DLN) for NO<sub>x</sub> control and an oxidation catalyst for CO control.

- Construction of a new natural gas-fired Waukesha VGF36GL emergency generator (Source ID 032A). The engine will be a four stroke lean burn spark ignition engine (SI RICE) and will be rated at 880 bhp. It will replace the existing 445 hp Leroi Emergency Generator, Source ID 032.

- Construction of the following minor additional new project-related sources:

316-HTR-2 (Process Heater, 1 MMBtu)

316-V1B (Pressure Vessel)

316-PW (Parts Washer)

- Removal of the following sources: 31565 (Source 032 IC Engine) and 316-V3 (Pressure Vessel)

- The following sources (other than the GE Turbine described below) will have modified emissions characteristics as part of this project:

316-V2 (Pressure Vessel)

316-V5 (Storage Tank)

316-TL-PL (Truck Loading Area)

316-PC-NG (Piping Components related to natural gas)

316-PC-PL (Piping Components related to pipeline liquids)

316-PC-OIL (Piping Components related to oil)

316-GR-ST (Gas Release Events)

- The plan approval also addresses additions/changes to the requirements for the existing GE Frame 5 Turbine (Source ID 031A), which is equipped with an existing dry low NO<sub>x</sub> combustion system (DLN) for NO<sub>x</sub> control and an existing oxidation catalyst for CO control. The changes to the requirements are as follows: 1.) Eliminate the 25 tons per year NO<sub>x</sub> ozone season restriction upon startup of the NO<sub>x</sub> CEMS, thus subjecting the unit to the NO<sub>x</sub> Budget regulation, 2.) Reactivate the CEMS for NO<sub>x</sub> and CO to demonstrate compliance with federally enforceable emission limits, 3.) revise emission limits for CO and NO<sub>x</sub> based on an improved understanding of emissions during startup, shutdown, and low temperature operations; the turbine itself is not being modified. The emission limits are revised as follows:

1.) the existing lb/hr limit for NO<sub>x</sub> of 29.07 lb/hr will remain numerically the same, but will be clarified as

applying only to “normal operations” as opposed to startup, shutdown, or low temperature operations.

2.) the existing lb/hr limit for CO, of 19.12 lb/hr, will be lowered to 6.12 lb/hr, and will be clarified as applying only to “normal operations” as opposed to startup, shutdown, or low temperature operations.

3.) the annual tpy limits for NO<sub>x</sub> and CO for “normal operations” will be reduced from 95 and 31 tpy respectively, to 72 and 15.4 tpy respectively.

4.) new “any time” NO<sub>x</sub> and CO limits will be added to cover all modes of operation (normal, startup, shutdown, or low temperature). These will be as follows: NO<sub>x</sub>: 146 lb/hr and 74 tpy; CO: 579 lb/hr and 69 tpy.

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

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

**24-161C: Greentree Landfill Gas Company, LLC** (7913 Westpark Drive, Suite 101, McLean, VA 22102), on December 30, 2013, effective December 31, 2013, will issue a plan approval extension for the modification of conditions with regards to the two compressor engines in Horton Township, **Elk County**. This is a State Only facility.

**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.**

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

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

**63-00957A: Green Holdings Enlow, Inc.** (1221 Avenue of America, Suite 4200, New York, NY 10020) on December 27, 2013, to allow the installation and initial temporary operation of a greenhouse gas (GHG) abatement system known as the Enlow GHG Abatement Project located in Morris Township, **Washington County**. The project will consist of three Durr Ecopure regenerative thermal oxidizers (RTOs) on the E-22 mine ventilation exhaust shaft from the Consol Enlow underground coal mine. The plan approval has been extended.

**30-00195: Equitrans, LP** (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) on December 27, 2013, to reflect as-built facility configuration and associated decrease in facility-wide potential to emit (PTE) for the Jefferson Compressor Station located in Jefferson Township, **Greene County**. The plan approval has been extended.

**30-00195: Equitrans, LP** (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) on December 28, 2013, with expiration date of June 28, 2014, to authorize continued temporary operation of air contamination sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**. The plan approval has been extended.

**03-00027B: GenOn Northeast Management Company** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on January 6, 2014, to extend the period of temporary operation of the Units No. 1 and 2 flue gas desulfurization systems, emergency generator, and hydrated lime injection system covered under plan approval 03-00027B, until July 13, 2014, at the Keystone Generat-



ing Station located in Plumcreek Township, **Armstrong County**. The Plan Approval has been extended.

**30-00072H: Consol Pennsylvania Coal Company, LLC** (1000 Consol Energy Drive, Canonsburg, PA 15317) on January 6, 2014, to extend the period of temporary operation of additional air contamination sources and controls associated with the expansion of their Bailey Prep Plant located in Richhill Township, **Greene County**. The Plan Approval has been extended.

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

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

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

**09-00077: Exelon Generation Co., LLC—Pensbury Power Production Plant** (1414 Bordentown Road, Morrisville, PA 19064) on December 27, 2013, the facility currently has a State Only Operating Permit No. 09-00077 in Falls Township, **Bucks County**. As a result of potential emissions of NO<sub>x</sub>, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64. The proposed Title V Operating Permit contains all applicable requirements including monitoring, recordkeeping and reporting. 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.*

**22-05013: MI Metals, Inc.** (PO Box 1128, Oldsmar, Florida 34677) on December 23, 2013, for extruded aluminum products manufacturing facility in Upper Paxton Township, **Dauphin County**. The Title V permit was renewed.

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

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

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

**15-00061: Phoenixville Hospital Co., LLC** (140 Nutt Road, Phoenixville, PA 19460) on December 27, 2013, for operation of boilers and generators at their hospital in Phoenixville Borough, **Chester County**. The permit is for a non-Title V (State-only) facility. The facility caps nitrogen oxide (NO<sub>x</sub>) and sulfur oxide (SO<sub>x</sub>) emissions to Minor Source threshold levels; the facility is a Synthetic Minor. This action is a renewal of the State-only Operating Permit. The following have been removed from the facility-wide permit: two (2) ethylene oxide sterilizers (Source ID 105), two (2) boilers (Source ID 031 and 033), and two (2) emergency generators (Source ID 101 and 103). Source ID 038 (12.247 MMBtu/hr Cleaver Brooks Boiler) has been added to the facility-wide permit under

administrative amendment (AUTH ID 992486). Terms and conditions of Plan Approval No. 15-0061B are incorporated into the facility-wide permit for Source ID 106 (1250-kW Emergency Generator) and Control Device ID C01 (Catalytic Converter). The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**09-00219: Premium Excavating, LLC** (P. O. Box 190, Morrisville, PA 19067) on January 2, 2014, for installation of a nonmetallic crushing plant (McCloskey C40 Crusher, 300 ton/hr) to process construction washout material (waste concrete) at JFI Redi-mix site, at Falls Township, **Bucks County**. This crushing plant will replace the existing unit (Extec Pit-bull Crusher, 170 ton/hr) at this location, with total estimated PM emissions of 3 tons per year. This facility is a Natural Minor (not Title-V) facility. This Plan Approval will contain all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

**15-00057: Coatesville Hospital-dba Brandywine Hospital** (201 Reeceville Road, Coatesville, PA 19320) on January 7, 2014, for a renewal of a State Only, Synthetic Minor Operating Permit in Caln Township, **Chester County**. The facility operates several combustion sources consisting of two (2) boilers and four (4) emergency diesel generators. Three of the generators are existing units, while one is new. The facility no longer operates its two (2) ethylene oxide sterilizers and these sources will be removed from the permit. The facility shall continue to maintain a synthetic minor operating status by limiting its total nitrogen oxide (NO<sub>x</sub>) emissions to 24.9 tons per year, or less. The permit shall continue to include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

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

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

**35-00028: Moses Taylor Hospital** (700 Quincy Avenue, Scranton, PA 18510-1724) on December 30, 2013, to operate a General Medical and Surgical Hospital in Scranton, **Lackawanna County**. The primary sources consist of three (3) boilers. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), particulate matter (PM<sub>10</sub>), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Natural Minor Operating Permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**35-00048: Pioneer Aggregates, Inc.** (215 East Saylor Avenue, Wilkes-Barre, PA 18702) on December 13, 2013, issued a State-only (Natural Minor) Operating Permit for operation of a rock crushing operation and associated air cleaning devices at their Simpson Stone Quarry in Fell Township, **Lackawanna 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.*

**07-03034: Alpha Metals, Inc.** (4100 6th Avenue, Altoona, PA 16602) on December 20, 2013, for the second-

ary non-ferrous metals smelting and reclaiming facility in Altoona City, **Blair County**. The State-only permit was renewed.

**36-05097: Pennsy Supply, Inc.** (PO Box 4688, Lancaster, PA 17604-4688) on December 24, 2013, for the Mason-Dixon Asphalt facility in Fulton Township, **Lancaster County**. The State-only permit was renewed.

**22-05034: Pennsy Supply, Inc.** (1001 Paxton Street, PO Box 3331, Harrisburg, PA 17104-1645) on December 23, 2013, for their stone crushing facility at the Hummelstown Quarry in South Hanover Township, **Dauphin County**. The State-only permit was renewed.

**06-05083: Williams Metal Finishing, Inc.** (870 Commerce Street, PO Box 2029, Sinking Spring, PA 19608) on December 31, 2013, for their metal finishing facility in Sinking Spring Borough, **Berks County**. The State-only permit was renewed.

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

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

**18-00016: Pine Creek Veterinary Associates, PC** (HC 80 Box 41, Lock Haven, PA 17745-9509) on January 2, 2014, was issued a state only operating permit for their facility located in Pine Creek Township, **Clinton County**. The facility's main source is a propane-fired crematory incinerator. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

*Contact: Matthew M. Williams, Environmental Program Manager—Telephone: 814-332-6636*

**24-00121: Industrial Timber & Lumber Ridgway Facility** (23925 Commerce Park Beachwood, OH 44122-5821) on December 31, 2013, to re-issue the Natural Minor Operating Permit for their sawmill operations in Ridgway Township, **Elk County**. The facility's primary emission sources include an 11.9 mmbtu/hr wood fired boiler controlled by a multiclone, three wood fired space heaters, miscellaneous woodworking operations controlled by a cyclone, and drying kilns. The wood fired boiler is subject to 40 CFR 63 Subpart JJJJJ—NESHAPs for Industrial, Commercial, and Institutional Boilers at an Area Source of HAPs. The conditions of the previous operating permit, the previous plan approvals, and the new Federal requirements are incorporated into the renewal permit.

**33-00139: Owens-Brockway Glass Container, Inc.** (Two O-I Plaza, One Michael Owens Way, Perrysburg, OH 43551) on December 24, 2013, renewed a State Only Operating Permit for their machine repair plant No. 76 at 4189 Route 219, Brockport, in Snyder Township, **Jefferson County**. The primary sources at the facility are 13 natural gas fueled space heaters, machining operations, 2 parts washers. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act

**42-00223: Tennessee Gas Pipeline Company Station 310** (1001 Louisiana Street, Houston, TX 77002-5089) on December 24, 2013, issued a new Natural Minor

Operating Permit for a natural gas transmission station in Sergeant Township, **McKean County**. The facility's primary emission sources include a 16,000 hp combustion turbine, a 570 hp emergency natural gas engine, miscellaneous natural gas fired sources and minor fugitive emissions. The turbine is subject to 40 CFR 60 Subpart KKKK pertaining to the NSPS for Stationary Combustion Turbines. The emergency engine is subject to 40 CFR 60 Subpart JJJJ pertaining to the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The potential emissions from the facility are 31 TYP NO<sub>x</sub>; 68 TYP CO; 5 TYP VOC; 2 TYP SO<sub>x</sub>; 4 TYP PM-10; 2 TYP formaldehyde; 2 TYP HAPs; and 64,219 TYP GHG CO<sub>2</sub>e. The conditions of the plan approval were incorporated into the operating permit.

**61-00218: Tennessee Gas Pipeline Co.—Station 303** (1001 Louisiana Street, Houston, TX 77002-5089) on December 24, 2013, issued a new Natural Minor Operating Permit for a natural gas transmission station in Cranberry Township, **Venango County**. The facility's primary emission sources include a 16,000 hp combustion turbine, a 570 hp emergency natural gas engine, miscellaneous natural gas fired sources and minor fugitive emissions. The turbine is subject to 40 CFR 60 Subpart KKKK pertaining to the NSPS for Stationary Combustion Turbines. The emergency engine is subject to 40 CFR 60 Subpart JJJJ pertaining to the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The potential emissions from the facility are 31 TYP NO<sub>x</sub>; 68 TYP CO; 5 TYP VOC; 2 TYP SO<sub>x</sub>; 4 TYP PM-10; 2 TYP formaldehyde; 2 TYP HAPs; and 65,505 TYP GHG CO<sub>2</sub>e. The conditions of the plan approval were incorporated into the operating permit.

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

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

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

**36-05001: Armstrong World Industries, Inc.** (1507 River Road, Marietta, PA 17547-9403) on December 27, 2013, for their ceiling tile manufacturing facility in East Donegal Township, **Lancaster County**. The Title V permit was administratively amended to incorporate the provisions of Plan Approval No. 36-05001JD5.

**31-05005: Containment Solutions, Inc.** (14489 Croghan Pike, Mount Union, PA 17066) on January 2, 2014, for their fiberglass reinforced underground storage tank manufacturing facility in Shirley Township, **Huntingdon County**. The Title V permit was administratively amended to incorporate the provisions of Plan Approval No. 31-05005D5.

**67-05004: P. H. Glatfelter Co.** (228 S. Main Street, Spring Grove, PA 17362-1000) on December 24, 2013, for their pulp and paper manufacturing facility in Spring Grove Borough, **York County**. The Title V permit underwent a minor modification to incorporate a 1-year extension for the requirements of 40 CFR Part 63, Subpart DDDDD, for the Power Boilers 1, 3 and 4.

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

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

**26-00402: Advanced Disposal Services Chestnut Valley Landfill, Inc.** (1184 McClellandtown, McClellandtown, Pa 15458) on January 6, 2014 an administrative amendment to Advanced Disposal Services Chestnut Valley Landfill Title V Operating Permit (TVOP) to change the facility's address and contact information. Chestnut Valley Landfill is located in German Township, **Fayette County**.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

| <i>Date</i>              | <i>Source</i>              | <i>PM<sub>10</sub> (tons)</i>     | <i>SO<sub>x</sub> (tons)</i>       | <i>NO<sub>x</sub> (tons)</i>    | <i>VOC (tons)</i>               | <i>CO (tons)</i>                  |
|--------------------------|----------------------------|-----------------------------------|------------------------------------|---------------------------------|---------------------------------|-----------------------------------|
| 3/7/12                   | Tanks 99 and 262           | -                                 | -                                  | -                               | 0.0005                          | -                                 |
| 6-7-13                   | 80 bhp emergency generator | 0.0055                            | 0.00014                            | 0.11                            | 0.005                           | 0.015                             |
| 12-31-13                 | Two Brine Storage Tanks    | -                                 | -                                  | -                               | 0.67                            | -                                 |
| Total Reported Increases |                            | 0.0055                            | 0.00014                            | 0.11                            | 0.6755                          | 0.015                             |
| Allowable                |                            | 0.6 ton/source<br>3 tons/facility | 1.6 tons/source<br>8 tons/facility | 1 ton/source<br>5 tons/facility | 1 ton/source<br>5 tons/facility | 4 tons/source<br>20 tons/facility |

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

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

*Coal Permits Issued*

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

**32850701 and NPDES No. PA0213683. AMFIRE Mining Company, LLC**, (One Energy Place, Latrobe, PA 15650). To renew the permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County**

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

**42-00004: American Refining Group** (77 North Kendall Ave. Bradford PA 16701) for their Bradford facility in the City of Bradford, **McKean County**. The authorized De minimis emission increase is for the installation two new storage tanks used to hold brine water separated from the facility's crude oil storage tanks. This source is exempt from plan approval as it complies with 25 Pa. Code § 127.449.

The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit was issued on October 5, 2011.

and related NPDES permit. No additional discharges. The application was considered administratively complete on June 20, 2012. Application received January 11, 2012. Permit issued January 2, 2014.

**32841319 and NPDES No. PA0004588. The Florence Mining Company**, (PO Box 51, New Florence, PA 15944). To renew the permit for the Florence No. 1 (Robinson) Mine in East Wheatfield and West Wheatfield Townships, **Indiana County** and related NPDES permit for water treatment only. No additional discharges. The application was considered administratively complete on December 7, 2011. Application received July 28, 2011. Permit issued January 2, 2014.

**32841602 and NPDES No. PA0092631. AMFIRE Mining Company, LLC**, (One Energy Place, Latrobe, PA 15650). To renew and revise the permit for the Clymer Tipple in Cherryhill Township, **Indiana County** and related NPDES permit. The permit revision adds Outfall 003 to Dixon Run. Receiving Stream: Dixon Run, classified for the following use: CWF. The application was considered administratively complete on October 5, 2010. Application received August 6, 2010. Permit issued January 2, 2014.

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

**Permit No. 11130102 and NPDES No. PA0269212. E.P. Bender Coal Co., Inc.** P.O. Box 594, Carrolltown, PA 15722, commencement, operation and restoration of a bituminous surface and auger mine in Reade Township, **Cambria County**, affecting 85.0 acres. Receiving



streams: Powell Run to Clearfield Creek, classified for the following uses: cold water fishery, warm water fishery. The permit also approves Chapter 105 authorizations to construct support facilities no closer than 50 feet from two unnamed tributaries to Powell Run. There are no potable water supply intakes within 10 miles downstream. Application Received: May 10, 2013. Permit Issued: December 20, 2013.

**Permit No. 56130106 and NPDES No. PA0269221. Rosebud Mining Company**, 1117 Shaw Mines Road, Meyersdale, PA 15552, commencement, operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 305.2 acres. Receiving streams: unnamed tributaries to/and Blue Lick Creek classified for the following use: cold water fishery. The first potable water supply intake from the point of discharge is Ohiopyle Borough Municipal Water Works. Application Received: May 24, 2013. Permit Issued: December 20, 2013.

**Permit No. 56120115 and NPDES No. PA0269166. Rosebud Mining Company**, 1117 Shaw Mines Road, Meyersdale, PA 15552, commencement, operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 26.0 acres. Receiving stream: unnamed tributaries to Beaver dam, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application Received: October 17, 2012. Permit Issued: December 20, 2013.

**Permit No. 56080102 and NPDES No. PA0262609. Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, permit renewal for the continued operation and restoration of a bituminous surface mine in Shade Township, **Somerset County**, affecting 343.8 acres. Receiving streams: unnamed tributaries to/and Hinson Run; unnamed tributaries to/and Miller Run and Shade Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application Received: July 24, 2013. Permit Issued: December 20, 2013.

**Permit No. 56980107 and NPDES No. PA0234877. AMFIRE Mining Co., LLC**, ONE Energy Place, Latrobe, PA 15650, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Milford Township, **Somerset County**, affecting 277.0 acres. Receiving streams: unnamed tributaries to/and Cassleman River and South Glade Creek, classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application Received August 26, 2013. Permit Issued: December 20, 2013.

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

**17100104 and NPDES No. PA0257320. RES Coal LLC** (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine located in Chest Township, **Clearfield County** affecting 125.0 acres. Receiving stream(s): Unnamed Tributaries to Chest Creek and Chest Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 19, 2010. Permit issued: December 30, 2013.

#### GOVERNMENT FINANCED CONSTRUCTION CONTRACT

**17-11-02. John & Justin Welker**, (P.O. Box 21, 106 Root Hog Lane, Woodland, PA 16881), Troy Hill Operation, Morris Township, **Clearfield County** (Laurel Run and Moshannon Creek): A no-cost construction contract has been awarded to John & Justin Welker that will result in the reclamation of 6.7 acres of abandoned mine land, the reclamation of 650 feet of abandoned highwall, and the recovery of enough material to properly backfill the highwall and aid in the re-establishment of vegetation. The site will be reclaimed and regraded to approximate original contour. Alkaline addition in the form of baghouse lime will be added to the mining area at a rate of 100 tons/acres. A total of at least 350 tons of baghouse lime will be placed on the site. The estimated value of the reclamation work is \$30,000 which will be done at no cost to the Commonwealth. The site is located in Morris Township, Clearfield County on lands formerly mined by Thompson Coal Company.

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

**40110201C. Mineral Reclamation, LLC**, (30 Market Street, Pittston, PA 18640), correction to an existing anthracite coal refuse reprocessing operation to include surface mining and refuse disposal in Dupont and Avoca Boroughs, **Luzerne County** affecting 25.3 acres, receiving stream: Mill Creek. Application received: May 7, 2013. Permit issued: December 24, 2013.

**40110201GP104C. Mineral Reclamation, LLC**, (30 Market Street, Pittston, PA 18640), correction to General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40110201 in Dupont and Avoca Boroughs, **Luzerne County**, receiving stream: Mill Creek. Application received: May 7, 2013. Permit issued: December 24, 2013.

**40-305-007GP12C2. Mineral Reclamation, LLC**, (30 Market Street, Pittston, PA 18640), correction to general operating permit to operate a coal preparation plant on Surface Mining Permit No. 40110201 in Dupont and Avoca Boroughs, **Luzerne County**. Application received: May 7, 2013. Permit issued: December 24, 2013.

**54930201R4. Wheelabrator Culm Services, Inc.**, (4 Liberty Lane West, Hampton, NH 03842), renewal for reclamation activities only of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 114.0 acres, receiving stream: Mahanoy Creek. Application received: October 8, 2013. Renewal issued: December 30, 2013.

#### *Noncoal Permits Issued*

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

**53130801. Gary L. Drabert** (77 Card Creek Road, Roulette, PA 16746). Commencement, operation and restoration of a bluestone operation in Roulette Township, **Potter County** affecting 2.0 acres. Receiving stream(s): Card Creek. Application received: September 12, 2013. Permit issued: December 23, 2013.

**53130802. Gary L. Drabert** (77 Card Creek Road, Roulette, PA 16746). Commencement, operation and restoration of a bluestone operation in Roulette Township, **Potter County** affecting 1.0 acre. Receiving stream(s): Card Creek. Application received: September 12, 2013. Permit issued: December 23, 2013.



**08130802. Mark Decker, Jr.** (9533 SR 3004, Springville, PA 18844). Commencement, operation and restoration of a bluestone operation in Terry Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Unnamed Tributary to Sugar Run. Application received: August 14, 2013. Permit issued: December 23, 2013.

**08120304. Insinger Excavating, Inc.** (3046 Dushore-Overtown Road, Dushore, PA 18614). Commencement, operation and restoration of a large non-coal surface mine (shale and bluestone) located in Windham Township, **Bradford County** affecting 36.3 acres. Receiving streams: Unnamed Tributary to Wappasening Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 23, 2012. Permit issued: December 31, 2013.

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

**58130807. William H. Shay**, (258 Shay Road, Thompson, PA 18465), commencement, operation and restoration of a bluestone quarry operation in Gibson Township, **Susquehanna County** affecting 4.0 acres, receiving stream: unnamed tributary to Bell Creek. Application received: July 16, 2013. Permit issued: January 2, 2014.

**58130807GP104. William H. Shay**, (258 Shay Road, Thompson, PA 18465), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58130807 in Gibson Township, **Susquehanna County**, receiving stream: Bell Creek. Application received: July 16, 2013. Permit issued: January 2, 2014.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

##### *Blasting Permits Issued*

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

**08134128. Midstream Explosives LLC** (289 Southside Drive, Newville, PA 17241-8951). Blasting for pipeline located in Monroe Township, **Bradford County** with an expiration date of December 13, 2014. Permit issued December 19, 2013.

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

**22134109. John W. Gleim, Jr., Inc.**, (625 Hamilton Street, Carlisle, PA 17013), construction blasting for a new entrance at Rocky Licensing Corp. Fiddler's Elbow Quarry in Lower Swatara Township, **Dauphin County** with an expiration date of April 15, 2014. Permit issued: December 23, 2013.

**66134125. DW Drilling & Blasting**, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Alvarez Gas Pad in Windham Township, **Wyoming County** with an expiration date of December 20, 2014. Permit issued: December 30, 2013.

**09134107. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Garden Village in Plumstead Township, **Bucks**

**County** with an expiration date of December 30, 2014. Permit issued: January 2, 2014

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E09-974. Robert & Rachel McClintock**, 878 Elbow Lane, Warrington, PA 18976, Warrington, Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain approximately 240 linear feet of 15-inch CMP stream enclosure along an unnamed tributary to Neshaminy Creek (TSF, MF) for the purpose of newly constructed dwelling. The site is located approxi-

mately 0.8 mile from the intersection of Meetinghouse Road and Almshouse Road (Buckingham, PA, USGS map N: 5.8 inches; W: 7.2 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E09-963. PA DOT**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Bensalem Township, **Bucks County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the connection of Galloway Road (S.R. 2023) to Bridgewater Road (S.R. 0692). This roadway extension will require crossing an unnamed tributary to Neshaminy Creek (WWF-MF):

1. To construct and maintain a 40-foot wide 7-foot high single cell box culvert with concrete baffles impacting approximately 0.05 acre of Palustrine Forested wetlands. This work includes placement of riprap as apron, and construction of associated endwalls.

2. To construct and maintain a vernal pool as mitigation for the proposed wetland impacts.

3. To construct and maintain appropriate regarding, streambank stabilization, and the planting of riparian buffer as stream mitigation.

The project will permanently impact approximately 174 linear feet of the stream. The project is located approximately 589 feet northwest of the intersection of Byberry and Bridgewater Roads in Bensalem township, Bucks County (Beverly, NJ-PA, USGS Quadrangle N: 19.87 inches; W: 7.93 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E15-842. East Pikeland Township**, P.O. Box 58, Kimberton, PA 19442, East Pikeland Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a new 6-foot wide, 110-foot span pedestrian bridge across French Creek (TSF-MF) associated with the expansion of an existing sidewalk/trail system. The low chord of the proposed bridge will be above the 100-year flood elevation.

The site is located at 1,500 feet northeast of intersection of Hares Hill Road and Seven Stars Road (Phoenixville- PA USGS Quadrangle N: 2.33 inches W: 9.24 inches). The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E52-239. Federal Highway Administration**, 21400 Ridgetop Circle, Sterling, VA 20166. Dingman Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 7.33-foot wide steel truss pedestrian bridge, with concrete abutments, having a 110-foot span and a 17-foot underclearance across Raymondskill Creek (HQ-CWF, MF). This permit also authorizes the construction and maintenance of two outfall structures to Raymondskill Creek (HQ-CWF, MF) consisting of a 12-inch RCP, 18-inch RCP, concrete end

sections and riprap aprons. The project is located at the intersection of State Route 209 and Raymonds Kill Road (Milford, PA Quadrangle Latitude: 41°17'14"; Longitude: -75°50'2.6"). Subbasin: 1D

**E40-745. Buckeye Partners, L.P.**, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031. Pittston Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To fill approximately 60-L.F. of Lidy Creek (CWF) and to construct and maintain a 90-L.F. channel change consisting of R-5 riprap and geotextile fabric and to maintain an existing 24-inch diameter liquid petroleum pipeline with articulating concrete matting. The purpose of the project is to restore Lidy Creek's former channel alignment and to armor the existing pipeline. The project is located directly northwest of the intersection of Tariff Road and Freeport Road, approximately 1.1 mile east of the intersection of I-81 and U.S. Route 315 (Avoca, PA Quadrangle Latitude: 41°19'32"; Longitude: -75°43'14"). Subbasin: 5A.

**E58-299. Buckeye Partners, L.P.**, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031. Bridgewater Township, **Susquehanna County**, Army Corps of Engineers Baltimore District.

To stabilize and maintain a 60-foot reach of Beebe Creek (CWF, MF) with articulating concrete matting and geotextile fabric, to reduce the existing side slopes within the channel, and to provide natural stream bed material for the purpose of protecting an existing 8-inch diameter liquid petroleum pipeline crossing. The project will also impact a de minimus area of PEM wetlands equal to 0.01 acre. The project is located several hundred feet east of the intersection of Fraser Road and Lamphere Road, approximately 1.13 miles east of the intersection of U.S. Route 4007 and U.S. Route 167 (Montrose West, PA Quadrangle Latitude: 41° 51' 34.9"; Longitude: -75° 54' 58.3") in Bridgewater Township, Susquehanna County. Subbasin: 4D.

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

**E41-650. Laurel Hill Wind Energy**, 1464 Marshall Road, Roaring Branch, PA 17765-9210. Laurel Hill Wind Energy in Jackson Township, **Lycoming County**, ACOE Baltimore District (Muncy, PA Quadrangle Lat: 41° 31' 50"; Long: -77° 04' 01").

To construct and maintain two stream crossings in Jackson Township—Lycoming County, which is located over unnamed tributary to Roaring Brook. The project site is located away from public access and intended to only serve the Laurel Hill Wind Energy staff during maintenance activities. The total project acreage and disturbance is less than one acre and will be constructed outside of the 100-year floodplain.

The West Crossing will consist of one (1) 71-inch x 47-inch Corrugated Metal Pipe Arch having a length of 43-feet and one (1) 30-inch Corrugated Metal Pipe having a length of 42-feet. The East Crossing will consist of one (1) 49-inch x 33-inch Corrugated Metal Pipe Arch having a length of 33-feet. The proposed crossings will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. This project proposes to have 100 linear feet of temporary and 125 linear feet of permanent stream impacts to unnamed tributary to Roaring Brook, which is classified with a

designated use of High Quality-Cold Water Fishery (HQ-CWF) and with an existing use of Exceptional Value (EV).

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

**E20-591, City of Titusville**, 107 N. Franklin Street, Titusville, PA 16354 in City of Titusville, **Crawford County**, ACOE Pittsburgh District to construct and maintain an expansion of the existing sewage treatment plant consisting of a fifth SBR tank, blower building, flow splitter box and other modifications and repairs to the existing plant and access roadway improvements within the 100-year flood plain of Oil Creek impacting an additional area of approximately 9,028 square feet (0.2 acre) of the flood plain. (Titusville South, PA Quadrangle N: 41° 37', 23"; W: -79° 39', 19")

**E25-767, North East Township**, 10300 West Main Street, North East, PA 16428 in North East Township, **Erie County**, ACOE Pittsburgh District giving its consent to remove the existing single span steel stringer bridge and to construct and maintain a prestressed concrete spread box beam bridge with a single normal clear span of 55 feet, out to out width of 33.4 feet and an underclearance of 11.9 feet across Sixteen Mile Creek (WWF; MF) on a new alignment on North Mill Street (T-726), located approximately 160 ft North of its intersection with Sunset Drive (T-777), (North East, PA Quadrangle N: 42°, 13', 27"; W: -79°, 50', 27")

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860*

**E43-08-005, Pennant Midstream, LLC**, 5151 San Felipe, Houston, TX 77056, 130600/130700 Pipeline Project (Mercer), in Jefferson, Lackawannock, Shenango, and Wilmington Townships, **Mercer County**, Army Corps of Engineers Pittsburgh District (Edinburg, Fredonia, Greenfield, New Castle North, New Castle South, Sharon East, and Bessemer, Pa, New Middleton, OH Quadrangles N: 41° 5' 17.0016"; W: -80° 25' 10.9986").

The applicant proposes to construct and maintain approximately 15 miles of 24 inch diameter and 18 miles of 20 inch diameter natural gas pipeline in Mahoning, North Beaver, Union and Pulaski Townships, **Lawrence County** and Jefferson, Lackawannock, Shenango, and Wilmington Townships, Mercer County, PA. The proposed pipeline will connect Hilcorp Energy Company's well pads and production facility to Pennant's Hickory Bend Cryogenics Plant located in Mahoning County, OH. An additional site in Sugar Grove Township, Mercer County will be utilized to mitigate for the permanent conversion of palustrine forested and palustrine shrub-scrub wetlands to Palustrine emergent wetlands. The water obstructions and encroachments in the Mercer County portion of the project are described below:

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>               |
|-------------------|---|---|
| 00                | Mitigation: The placement of an earthen plug in an existing field drain having .01 acre of permanent impact to a palustrine emergent (PEM) wetland. An additional .11 acre of temporary impacts to PEM wetland will be necessary to access site. Anticipated results will be approximately 10 acres of restored/rehabilitated palustrine forested/palustrine shrub-scrub (PFO/PSS) wetland complex. | 41° 26' 37.68" N<br>-80° 20' 12.4794" W   |
| 1                 | A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.  | 41° 15' 58.32" N<br>-80° 17' 59.90" W     |
| 2                 | A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.   | 41° 15' 56.66" N<br>-80° 18' 6.73" W      |
| 3                 | A 20" diameter natural gas pipeline to be bored under Lackawannock Creek (TSF) and its associated floodway consisting of a palustrine shrub-scrub (PSS) wetland.  | 41° 15' 55.45" N<br>-80° 18' 11.35" W     |
| 4                 | A temporary road crossing of the floodway of a UNT to Lackawannock Creek (TSF).   | 41° 15' 52.62" N<br>-80° 18' 25.56" W     |
| 5                 | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 131 linear feet of temporary stream impact.   | 41° 15' 49.1574" N<br>-80° 18' 25.6566" W |
| 6                 | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 83 linear feet of temporary stream impact.  | 41° 15' 44.55" N<br>-80° 18' 26.27" W     |
| 7                 | A temporary road crossing of a UNT to Lackawannock Creek (TSF) and its associated floodway, having 18 linear feet of temporary stream impact.   | 41° 15' 43.19" N<br>-80° 18' 25.40" W     |
| 8                 | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 103 linear feet of temporary stream impact.   | 41° 15' 33.5016" N<br>-80° 18' 26.607" W  |
| 9                 | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 103 linear feet of temporary stream impact.   | 41° 15' 30.4554" N<br>-80° 18' 29.5014" W |



| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>               |
|-------------------|--|---|
| 10                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 87 linear feet of temporary stream impact.   | 41° 15' 24.83" N<br>-80° 18' 28.79" W     |
| 11                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Lackawannock Creek (TSF) and its associated floodway, having 150 linear feet of temporary stream impact.  | 41° 15' 20.1888" N<br>-80° 18' 31.6404" W |
| 12                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross the floodway of a UNT to Little Neshannock Creek (TSF).  | 41° 14' 29.40" N<br>-80° 19' 15.96" W     |
| 13                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross Little Neshannock Creek (TSF) and its associated floodway, having 102 linear feet of temporary stream impact.  | 41° 14' 29.1114" N<br>-80° 19' 16.8924" W |
| 14                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 120 linear feet of temporary stream impact.   | 41° 14' 27.7476" N<br>-80° 19' 20.0676" W |
| 15                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 80 linear feet of temporary stream impact.  | 41° 14' 21.72" N<br>-80° 19' 25.45" W     |
| 16                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 159 linear feet of temporary stream impact.   | 41° 13' 46.66" N<br>-80° 20' 11.59" W     |
| 17                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .08 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 13' 42.40" N<br>-80° 20' 8.56" W      |
| 18                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of the floodway of a UNT to Little Neshannock Creek (TSF), consisting of a palustrine forested (PFO) wetland; having .04 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 13' 41.80" N<br>-80° 20' 7.76" W      |
| 19                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, consisting of palustrine shrub-scrub (PSS) wetland; having 23 linear feet of temporary stream impact and .05 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 41° 13' 37.42" N<br>-80° 20' 2.56" W      |
| 20                | A temporary road crossing of a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.   | 41° 13' 21.03" N<br>-80° 20' 5.67" W      |
| 21                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 335 linear feet of temporary stream impact.   | 41° 13' 12.15" N<br>-80° 20' 13.58" W     |
| 22                | A temporary road crossing to a UNT to Little Neshannock Creek (TSF) and its associated floodway cross, having 100 linear feet of temporary stream impact.  | 41° 13' 8.8494" N<br>-80° 20' 15.11182" W |
| 22                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway consisting of a palustrine emergent (PEM) wetland; having 25 linear feet of temporary stream impact and .19 acre of temporary wetland impact.   | 41° 13' 8.8494" N<br>-80° 20' 16.1556" W  |
| 22                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 134 linear feet of temporary stream impact.   | 41° 13' 9.3174" N<br>-80° 20' 15.1182" W  |
| 23                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 131 linear feet of temporary stream impact.   | 41° 12' 55.19" N<br>-80° 20' 24.74" W     |
| 24                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 82 linear feet of temporary stream impact.  | 41° 12' 49.1796" N<br>-80° 20' 25.9362" W |



| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>               |
|-------------------|---|---|
| 25                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Little Neshannock Creek (TSF) and its associated floodway, having 128 linear feet of temporary stream impact.  | 41° 12' 43.6464" N<br>-80° 20' 25.9362" W |
| 27                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .20 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.   | 41° 12' 25.2966" N<br>-80° 20' 48.3936" W |
| 29                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .07 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.   | 41° 12' 23.43" N<br>-80° 20' 57.41" W     |
| 30                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) palustrine shrub-scrub, palustrine emergent (PFO/PSS/PEM) wetland, having .27 acre of temporary wetland impact with permanent conversion of PFO/PSS wetland to PEM wetland.   | 41° 12' 2.59" N<br>-80° 21' 5.19" W       |
| 31                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross Harthegig Run (TSF) and its associated floodway consisting of palustrine shrub-scrub (PSS) wetland; having 141 linear feet of temporary stream impact and .02 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland. | 41° 11' 55.068" N<br>-80° 21' 7.8582" W   |
| 32                | A temporary road crossing of a palustrine emergent (PEM) wetland, having .06 acre of temporary wetland impact.  | 41° 11' 53.469" N<br>-80° 21' 7.6998" W   |
| 33                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .08 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.  | 41° 11' 33.3348" N<br>-80° 21' 40.3344" W |
| 33A               | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) wetland, having .03 acre of temporary wetland impact.   | 41° 11' 17.1024" N<br>-80° 21' 53.3412" W |
| 35                | A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.  | 41° 11' 5.58" N<br>-80° 22' 2.84" W       |
| 37                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a palustrine emergent (PEM) wetland, having .15 acre of temporary wetland impact.   | 41° 11' 3.9156" N<br>-80° 22' 5.1744" W   |
| 38                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 286 linear feet of temporary stream impact.  | 41° 11' 0.4704" N<br>-80° 22' 14.2998" W  |
| 39                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 75 linear feet of temporary stream impact.   | 41° 10' 58.22" N<br>-80° 22' 22.48" W     |
| 40                | A temporary road crossing of a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 10' 57.23" N<br>-80° 22' 25.02" W     |
| 42                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 41 linear feet of temporary stream impact.   | 41° 10' 52.80" N<br>-80° 22' 30.05" W     |
| 43                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 51 linear feet of temporary stream impact and .002 acre of temporary wetland impact.   | 41° 10' 51.42" N<br>-80° 22' 29.92" W     |
| 44                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine shrub-scrub (PSS) wetland, having .009 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.   | 41° 10' 49.93" N<br>-80° 22' 30.52" W     |

| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>              |
|-------------------|--|--|
| 45                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .13 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 10' 47.30" N<br>-80° 22' 31.06" W    |
| 46                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway consisting of a palustrine forested (PFO) wetland; having 116 linear feet of temporary stream impact and .007 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 41° 10' 46.67" N<br>-80° 22' 31.20" W    |
| 47                | A 20" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.  | 41° 10' 18.37" N<br>-80° 23' .74" W      |
| 48                | A 20" diameter natural gas pipeline to be bored under West Branch Little Neshannock Creek (TSF) and its associated floodway consisting of palustrine shrub—scrub (PSS) wetland.  | 41° 10' 16.66" N<br>-80° 23' 1.70" W     |
| 49                | A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.   | 41° 10' 13.97" N<br>-80° 23' 3.24" W     |
| 49A               | A temporary access road to cross the floodway of a UNT to West Branch Little Neshannock Creek (TSF).   | 41° 10' 1.0518" N<br>-80° 23' 14.0562" W |
| 50                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway consisting of a palustrine emergent (PEM) wetland; having 151 linear feet of temporary stream impact and .13 acre of temporary wetland impact.  | 41° 9' 46.7208" N<br>-80° 23' 8.505" W   |
| 52                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 87 linear feet of temporary stream impact and .01 acre of temporary wetland impact.   | 41° 9' 32.26" N<br>-80° 23' 1.43" W      |
| 53                | A temporary road crossing of a UNT to West Branch Little Neshannock Creek (TSF) and its associated floodway, having 47 linear feet of temporary stream impact.   | 41° 9' 22.96" N<br>-80° 22' 59.61" W     |
| 55                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a palustrine forested (PFO) wetland, having .26 acre of temporary wetland impact with .26 acre permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.   | 41° 8' 56.96" N<br>-80° 23' .99" W       |
| 59                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .002 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.   | 41° 8' 39.47" N<br>-80° 23' 5.86" W      |
| 60                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub, palustrine emergent (PSS/PEM) EV wetland, having .28 acre of temporary wetland impact with .15 acre of permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.  | 41° 8' 35.73" N<br>-80° 23' 15.52" W     |
| 61                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) EV wetland, having .07 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.   | 41° 8' 29.53" N<br>-80° 23' 13.54" W     |
| 62                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross the floodway of a UNT to Buchanan Run (WWF).   | 41° 8' 28.61" N<br>-80° 23' 14.65" W     |
| 63                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 102 linear feet of temporary stream impact.  | 41° 8' 27.59" N<br>-80° 23' 16.85" W     |
| 64                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway consisting of palustrine emergent (PEM) EV wetland; having 99 linear feet of temporary stream impact and .24 acre of temporary wetland impact.   | 41° 8' 24.14" N<br>-80° 23' 21.59" W     |

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>             |
|-------------------|---|---|
| 65                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 106 linear feet of temporary stream impact. | 41° 8' 6.77" N<br>-80° 23' 29.52" W     |
| 66                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road crossing to cross a UNT to Buchanan Run (WWF) and its associated floodway, having 82 linear feet of temporary stream impact.  | 41° 7' 44.4174" N<br>-80° 23' 37.428" W |

**E37-08-001, Pennant Midstream, LLC**, 5151 San Felipe, Houston, TX 77056, 130600/130700 Pipeline Project (Lawrence), in Mahoning, North Beaver, Union and Pulaski Townships, **Lawrence County**, Army Corps of Engineers Pittsburgh District (Edinburg, Fredonia, Greenfield, New Castle North, New Castle South, Sharon East, and Bessemer, Pa, New Middleton, OH Quadrangles N: 41° 5' 17.0016"; W: -80° 25' 10.9986").

The applicant proposes to construct and maintain approximately 15 miles of 24 inch diameter and 18 miles of 20 inch diameter natural gas pipeline in Mahoning, North Beaver, Union and Pulaski Townships, Lawrence County and Jefferson, Lackawannock, Shenango, and Wilmington Townships, **Mercer County**, PA. The proposed pipeline will connect Hilcorp Energy Company's well pads and production facility to Pennant's Hickory Bend Cryogenics Plant located in **Mahoning County**, OH. An additional site in Sugar Grove Township, Mercer County will be utilized to mitigate for the permanent conversion of palustrine forested and palustrine shrub-scrub wetlands to palustrine emergent wetlands. The water obstructions and encroachments in the Lawrence County portion of the project are described below:

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>              |
|-------------------|---|--|
| 67                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross Buchanan Run (WWF) and its associated floodway, having 171 linear feet of temporary stream impact.   | 41° 7' 30.021" N<br>-80° 24' 21.999" W   |
| 69                | A 20" diameter natural gas pipeline with associated right-of-way to cross the floodway of a UNT to Buchanan Run (WWF).  | 41° 7' 24.26" N<br>-80° 24' 22.14" W     |
| 70                | A 20" diameter natural gas pipeline with associated right-of-way to cross the floodway of a UNT to Buchanan Run (WWF).  | 41° 7' 20.55" N<br>-80° 24' 25.37" W     |
| 71                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 138 linear feet of temporary stream impact.  | 41° 6' 51.429" N<br>-80° 24' 13.8954" W  |
| 72                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .09 acre of temporary wetland impact.  | 41° 6' 49.39" N<br>-80° 24' 9.17" W      |
| 73                | A 20" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).  | 41° 6' 21.906" N<br>-80° 23' 58.617" W   |
| 74                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 131 linear feet of temporary stream impact.  | 41° 6' 17.3052" N<br>-80° 23' 58.6998" W |
| 75                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 137 linear feet of temporary stream impact.  | 41° 6' 5.89" N<br>-80° 24' 10.80" W      |
| 75A               | A temporary work space to be used as a bore pit pullback area. Having .06 acre of temporary impact to a palustrine emergent (PEM) wetland.  | 41° 6' 4.5504" N<br>-80° 24' 6.6312" W   |
| 76                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 258 linear feet of temporary stream impact and .003 acre of temporary wetlands impact. | 41° 6' 0.9828" N<br>-80° 24' 11.6964" W  |
| 77                | A temporary access road and right-of-way associated with a 20" diameter natural gas pipeline to cross the floodway of a UNT to Shenango River (WWF).  | 41° 5' 59.70" N<br>-80° 24' 10.16" W     |
| 78                | A temporary access road and right-of-way associated with a 20" diameter natural gas pipeline to cross the floodway of a UNT to Shenango River (WWF).  | 41° 5' 51.03" N<br>-80° 24' 19.90" W     |
| 80                | A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.  | 41° 5' 34.94" N<br>-80° 24' 43.74" W     |
| 81                | A 20" diameter natural gas pipeline to be bored under a palustrine emergent (PEM) wetland.  | 41° 5' 32.06" N<br>-80° 24' 44.88" W     |
| 82                | A 20" diameter natural gas pipeline to be bored under the Shenango River (WWF).   | 41° 5' 22.1346" N<br>-80° 24' 48.8262" W |

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>           |
|-------------------|---|---------------------------------------|
| 83                | A 20" diameter natural gas pipeline to be bored under a palustrine unconsolidated bottom (PUB) wetland.   | 41° 5' 18.45" N<br>-80° 24' 50.25" W  |
| 85                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .12 acre of temporary wetland impact.  | 41° 5' 8.32" N<br>-80° 24' 54.85" W   |
| 92                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .02 acre of temporary wetland impact.  | 41° 5' 7.55" N<br>-80° 25' 11.51" W   |
| 93                | A 20" diameter natural gas pipeline and a 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 126 linear feet of temporary stream impact and .16 acre of temporary wetland impact. | 41° 5' 8.17" N<br>-80° 25' 11.66" W   |
| 94                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Shenango River (WWF).   | 41° 5' 8.98" N<br>-80° 25' 10.69" W   |
| 95                | A 20" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Shenango River (WWF).   | 41° 5' 7.67" N<br>-80° 25' 9.93" W    |
| 96                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .12 acre of temporary wetland impact.  | 41° 4' 48.77" N<br>-80° 24' 45.37" W  |
| 97                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 134 linear feet of temporary stream impact and .10 acre of temporary wetland impact.   | 41° 4' 41.64" N<br>-80° 24' 36.24" W  |
| 99                | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 171 linear feet of temporary stream impact.  | 41° 4' 18.2634" N<br>-80° 24' 30.6" W |
| 100               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .03 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 3' 30.77" N<br>-80° 25' 13.80" W  |
| 101               | A temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 32 linear feet of temporary stream impact.  | 41° 3' 9.61" N<br>-80° 25' 31.17" W   |
| 102               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .21 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 2' 59.99" N<br>-80° 25' 32.91" W  |
| 103               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .02 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 2' 58.27" N<br>-80° 25' 32.26" W  |
| 104               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .13 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 41° 2' 55.59" N<br>-80° 25' 31.89" W  |
| 105               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway, having 76 linear feet of temporary stream impact.   | 41° 2' 54.99" N<br>-80° 25' 23.98" W  |
| 106               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Shenango River (WWF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 19 linear feet of temporary stream impact and .07 acre of temporary wetland impact.  | 41° 2' 46.69" N<br>-80° 25' 4.69" W   |
| 107               | A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF).  | 41° 2' 28.24" N<br>-80° 25' .62" W    |
| 108               | A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.  | 41° 2' 25.46" N<br>-80° 25' 2.45" W   |
| 109               | A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF) and its associated floodway consisting of palustrine forested (PFO) wetland.  | 41° 2' 24.35" N<br>-80° 25' 3.17" W   |



| <i>Impact No.</i> | <i>Description of Impact</i>   | <i>Latitude / Longitude</i>              |
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| 110               | A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.   | 41° 2' 20.72" N<br>-80° 25' 5.56" W      |
| 112               | A 24" diameter natural gas pipeline to be bored under a palustrine emergent, palustrine shrub-scrub (PEM/PSS) wetland.   | 41° 2' 12.19" N<br>-80° 25' 20.40" W     |
| 113               | A 24" diameter natural gas pipeline to be bored under a palustrine emergent, (PEM) wetland.  | 41° 2' 10.06" N<br>-80° 25' 25.93" W     |
| 114               | A 24" diameter natural gas pipeline to be bored under a UNT to Shenango River (WWF) and its associated floodway consisting of palustrine emergent, palustrine shrub-scrub (PEM/PSS) wetland.   | 41° 2' 8.51" N<br>-80° 25' 30.03" W      |
| 115               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 144 linear feet of temporary stream impact.   | 41° 1' 46.12" N<br>-80° 25' 34.75" W     |
| 116               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 179 linear feet of temporary stream impact.   | 41° 1' 36.66" N<br>-80° 25' 38.0634" W   |
| 118               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 138 linear feet of temporary stream impact and .02 acre of temporary wetland impact.  | 41° 1' 22.7274" N<br>-80° 25' 47.0634" W |
| 119               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway consisting of palustrine shrub-scrub (PSS) wetland; having 150 linear feet of temporary stream impact and .16 acre of temporary wetland impact with .13 acre of permanent conversion from PSS wetland to palustrine emergent (PEM) wetland. | 41° 1' 19.87" N<br>-80° 25' 44.09" W     |
| 120               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .02 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.  | 41° 1' 19.53" N<br>-80° 25' 42.93" W     |
| 121               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway consisting of palustrine shrub-scrub (PSS) wetland; having 185 linear feet of temporary stream impact and .17 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.               | 41° 1' 18.84" N<br>-80° 25' 41.89" W     |
| 122               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway consisting of palustrine shrub-scrub (PSS) wetland; having 172 linear feet of temporary stream impact and .12 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.               | 41° 1' 17.12" N<br>-80° 25' 40.41" W     |
| 123               | A temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 100 linear feet of temporary stream impact.  | 41° 1' 16.9314" N<br>-80° 25' 35.544" W  |
| 124               | A temporary road to cross two UNTs to Mahoning River (WWF) and their associated floodways, having 139 linear feet of temporary stream impact.  | 41° 1' 15.82" N<br>-80° 25' 36.73" W     |
| 125               | A 24" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.  | 41° 1' .78" N<br>-80° 25' 43.47" W       |
| 126               | A 24" diameter natural gas pipeline to be bored under a palustrine shrub-scrub (PSS) wetland.  | 41° 0' 59.78" N<br>-80° 25' 44.31" W     |
| 127               | A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.   | 41° 0' 56.37" N<br>-80° 25' 47.92" W     |
| 128               | A 24" diameter natural gas pipeline to be bored under Mahoning River (WWF).  | 41° 0' 53.1426" N<br>-80° 25' 52.7586" W |
| 129               | A 24" diameter natural gas pipeline to be bored under a palustrine forested (PFO) wetland.   | 41° 0' 50.36" N<br>-80° 25' 59.03" W     |
| 130               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 131 linear feet of temporary stream impact.   | 41° 0' 44.67" N<br>-80° 26' 29.84" W     |
| 131               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .14 acre of temporary wetland impact.   | 41° 0' 42.894" N<br>-80° 26' 39.4794" W  |

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>               |
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| 132               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway, having 62 linear feet of temporary stream impact.   | 41° 0' 15.45" N<br>-80° 26' 51.83" W      |
| 133               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 78 linear feet of temporary stream impact and .13 acre of temporary wetland impact.  | 41° 0' 8.80" N<br>-80° 26' 51.41" W       |
| 134               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Mahoning River (WWF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 144 linear feet of temporary stream impact and .05 acre of temporary wetland impact. | 40° 59' 59.97" N<br>-80° 26' 50.55" W     |
| 135               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .09 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.                                     | 40° 59' 34.4826" N<br>-80° 27' 26.2764" W |
| 136               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .10 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.                                     | 40° 59' 27.36" N<br>-80° 27' 31.80" W     |
| 138               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .07 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.                                     | 40° 59' 19.65" N<br>-80° 27' 37.78" W     |
| 139               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .10 acre of temporary wetland impact.  | 40° 59' 10.392" N<br>-80° 27' 52.9158" W  |
| 140               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .24 acre of temporary wetland impact.  | 40° 58' 43.1358" N<br>-80° 27' 55.44" W   |
| 141               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 212 linear feet of temporary stream impact and .05 acre of temporary wetland impact.    | 40° 58' 42.03" N<br>-80° 27' 55.41" W     |
| 142               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 32 linear feet of temporary stream impact.  | 40° 58' 42.00" N<br>-80° 27' 54.00" W     |
| 143               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross Hickory Run (TSF) and its associated floodway, having 182 linear feet of temporary stream impact.  | 40° 58' 40.2594" N<br>-80° 27' 54.648" W  |
| 144               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .47 acre of temporary wetland impact.  | 40° 58' 36.0768" N<br>-80° 27' 55.928" W  |
| 145               | A temporary road to cross the floodway of a UNT to Hickory Run (TSF).   | 40° 57' 24.78" N<br>-80° 30' 5.73" W      |
| 146               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 128 linear feet of temporary stream impact.   | 40° 57' 26.06" N<br>-80° 30' 10.79" W     |
| 147               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 92 linear feet of temporary stream impact.  | 40° 57' 24.59" N<br>-80° 30' 16.07" W     |
| 148               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway, having 110 linear feet of temporary stream impact.   | 40° 57' 24.3714" N<br>-80° 30' 16.8834" W |
| 149               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .15 acre of temporary wetland impact.  | 40° 57' 24.41" N<br>-80° 30' 20.16" W     |
| 150               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine shrub-scrub (PSS) wetland, having .04 acre of temporary wetland impact with permanent conversion of PSS wetland to palustrine emergent (PEM) wetland.                                     | 40° 57' 24.28" N<br>-80° 30' 23.20" W     |

| <i>Impact No.</i> | <i>Description of Impact</i>  | <i>Latitude / Longitude</i>            |
|-------------------|---|--|
| 151               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway consisting of palustrine forested (PFO) wetland; having 70 linear feet of temporary stream impact and .13 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 40° 57' 24.13" N<br>-80° 30' 26.64" W  |
| 152               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .05 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 40° 57' 23.87" N<br>-80° 30' 27.77" W  |
| 153               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .17 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 40° 57' 21.62" N<br>-80° 30' 36.84" W  |
| 154               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway consisting of palustrine forested (PFO) wetland; having 57 linear feet of temporary stream impact and .09 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland. | 40° 57' 20.7" N<br>-80° 30' 38.736" W  |
| 155               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross the floodway of a UNT to Hickory Run (TSF) consisting of palustrine forested (PFO) wetland, having .07 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.   | 40° 57' 21.20" N<br>-80° 30' 40.58" W  |
| 156               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine forested (PFO) wetland, having .28 acre of temporary wetland impact with permanent conversion of PFO wetland to palustrine emergent (PEM) wetland.  | 40° 57' 21.00" N<br>-80° 30' 42.28" W  |
| 157               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .33 acre of temporary wetland impact.  | 40° 57' 24.32" N<br>-80° 31' .45" W    |
| 158               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a UNT to Hickory Run (TSF) and its associated floodway consisting of palustrine emergent (PEM) wetland; having 139 linear feet of temporary stream impact and .33 acre of temporary wetland impact.  | 40° 57' 25.40" N<br>-80° 31' 0.54" W   |
| 159               | A 24" diameter natural gas pipeline with associated right-of-way and a temporary road to cross a palustrine emergent (PEM) wetland, having .25 acre of temporary wetland impact.  | 40° 57' 35.46" N<br>-80° 31' 7.1754" W |

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

**E5729-053: Chesapeake Appalachia, LLC**, 101 North Main Street, Athens, PA 18810, Elkland Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A permanent access road using a 30 foot long, 30 inch diameter culvert impacting 40 linear feet of an unnamed tributary to Elk Creek (EV) and 430 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°33'08"N, 76°40'44"W);

2) A permanent access road using 4—12 inch diameter culverts spaced at 15 foot intervals center to center impacting 4,101 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Shunk, PA Quadrangle 41°33'11"N, 76°40'45"W).

The project will result in 4,531 square feet (0.10 acre) of permanent wetland impacts and 40 linear feet of permanent stream impacts, all for the purpose of installing an access road for Marcellus well development in Elkland Township, Sullivan County. The permittee will provide 0.16 acres of compensatory mitigation onsite.

**E5929-042: Seneca Resources Corporation.**, 5800 Corporate Drive, Suite 300, McCandless Corporate Center, Pittsburgh, PA 15327, Bloss Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary access road using a timber mat bridge, and two 12 inch diameter natural gas gathering lines, impacting 27 linear feet of an unnamed tributary to Johnson Creek (CWF) and 1,043 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle 41°40'08"N, 77°06'53"W);

2) A temporary access road using a timber mat bridge, and two 12 inch diameter natural gas gathering lines, impacting 58 linear feet of an unnamed tributary to Johnson Creek (CWF) and 45 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle 41°40'17"N, 77°06'55"W);

3) A temporary access road using a timber mat bridge, and two 12 inch diameter natural gas gathering lines, impacting 34 linear feet of an unnamed tributary to Boone Run (CWF) (Blossburg, PA Quadrangle 41°41'03"N, 77°07'15"W);



The project will result in 119 linear feet of temporary stream impacts and 1,088 square feet (0.02 acre) of temporary wetland impacts all for the purpose of installing gathering lines for Marcellus well development in Bloss Township, Tioga 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.

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

ESCGP-1 #ESX13-073-0018—Pulaski Davis Well Site  
Applicant Hilcorp Energy Company  
Contact Ms. Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400  
City Houston State TX Zip Code 77002  
County Lawrence and Mercer Township(s) Pulaski and Shenango(s)  
Receiving Stream(s) and Classification(s) Unnamed Tributary to Shenango River and Turkey Run

ESCGP-1 #ESG13-083-0010—West Branch Impoundment 3  
Applicant Seneca Resources Corporation  
Contact Mr. Doug Kepler  
Address 5800 Corporate Drive, Suite 300  
City Pittsburgh State PA Zip Code 15237  
County McKean Township(s) Norwich(s)  
Receiving Stream(s) and Classification(s) South Fork West Branch Potato Creek and (2) UNTs to same/  
Potato-Oswago Creeks

ESCGP-1 #ESX13-085-0031—Delaware Van Pelt Well Pad  
Applicant Hilcorp Energy Company  
Contact Stephanie McMurray  
Address 1201 Louisiana, Suite 1400  
City Houston State TX Zip Code 77002  
County Mercer Township(s) Delaware(s)  
Receiving Stream(s) and Classification(s) UNT 36091 to Lawrence Run

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

ESCGP-1 # ESG13-115-0119  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Lance Ridall  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Bradford and Susquehanna Counties Township(s) Wells and Apolacon Townships  
Receiving Stream(s) and Classification(s) Wappasening Creek, UNTs to Apalachin Creek, Apalachin Creek (All CWF/MF), Bow Bridge Creek (HQ/CWF);  
Secondary: Susquehanna River (CWF), Apalachin Creek (CWF/MF)

ESCGP-1 # ESG13-115-0135  
Applicant Name Southwestern Energy Production Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna County Township(s) New Milford Township  
Receiving Stream(s) and Classification(s) Salt Lick Creek (HQ-CWF/MF)

ESCGP-1 # ESG13-015-0064  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 IST Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County Township(s) Overton Township  
Receiving Stream(s) and Classification(s) Level Branch Creek, Black Creek (Both EV)

ESCGP-1 # ESX13-115-0139  
Applicant Name Williams Field Services Company, LLC  
Contact Person Lauren Miladinovich  
Address Park Place Corporate Center 2  
2000 Commerce Drive  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna County Township(s) Auburn Township  
Receiving Stream(s) and Classification(s) Dority Creek and UNTs to Dority Creek, Upper Susquehanna—Tunkhannock Watershed and other (CWF);  
Secondary: Tunkhannock Creek (CWF)

ESCGP-1 # ESX13-115-0141  
Applicant Name Williams Field Services Company, LLC  
Contact Person Lauren Miladinovich  
Address Park Place Corporate Center 2  
2000 Commerce Drive  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna County Township(s) Gibson Township  
Receiving Stream(s) and Classification(s) Ken-STR 106, KEN-STR 108, KEN-STR 100, KEN-STR 110, KEN-STR 111, KEN-SR 112, KEN-STR 113, KEN-STR 114, KEN-WET 07, KEN WET 111A (All CWF/MF);  
Secondary, Nine Partners Creek

ESCGP-1 # ESX11-015-0253 (01)  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 IST Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County Township(s) Towanda and North Towanda Townships  
Receiving Stream(s) and Classification(s) Sugar Creek, Bailey Run (WWF/MF)



*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

ESCGP-2 No.: ESX13-129-0010  
 Applicant Name: EQT Gathering LLC  
 Contact Person Mr Brian Clauto  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Westmoreland Township: Derry  
 Receiving Stream (s) And Classifications: Stony Run/ (CWF), Conemaugh River (WWF), UNTs to Stony Run (CWF), UNTs to Conemaugh River (CWF); Other Warm Water Fishes, Cold Water Fishes; Siltation-Impaired

ESCGP-2 No.: ESG13-005-0020  
 Applicant Name: XTO Energy Inc  
 Contact Person: Ms Melissa Breitenbach  
 Address: 502 Keystone Drive  
 City: Warrendale State: PA Zip Code: 15086  
 County: Armstrong Township(s): South Buffalo  
 Receiving Stream(s) and Classifications: Buffalo Creek (HQ/TSF); HQ; Other TSF

ESCGP-2 No.: ESX13-125-0086  
 Applicant Name: EQT Production  
 Contact Person: Mr Todd Klaner  
 Address: 455 Racetrack Road, Suite 101  
 City: Washington State: PA Zip Code: 15301  
 County: Washington Township(s): Carroll  
 Receiving Stream(s) and Classifications: UNT Taylors Run/Taylors Run-(WWF)/ Middle Monongahela River

ESCGP-2 No.: ESX13-059-0052  
 Applicant Name: Noble Energy Inc  
 Contact Person: Mr Christopher J London  
 Address: 333 Technology Drive, Suite 116  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Greene Township(s): Richhill  
 Receiving Stream(s) and Classifications: UNT to Dunkard Fork/Wheeling-Buffalo Creeks; Other Warm Water Fishes (WWF)

ESCGP-2 No.: ESX12-129-0020  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person: Mr Branden S Weimer  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County Westmoreland Township(s): South Huntingdon  
 Receiving Stream(s) and Classifications: UNTs to Youghiogheny River (WWF)/Youghiogheny River Watershed (WWF); Other WWF

ESCGP-2 No.: ESX12-059-0042 Major Revision  
 Applicant Name: Vista Gathering LLC  
 Contact Person: Mr Mike Hopkins  
 Address: 226 Elm Drive Suite 102  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Greene Township(s): Franklin and Jefferson  
 Receiving Stream(s) and Classifications: Coal Lick Run & UNT to Coal Lick Run/South Fork Tenmile Creek, UNT to South Fork Tenmile Creek/ South Fork Tenmile Creek, South Fork Tenmile Creek/Tenmile Creek; Other WWF

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## SPECIAL NOTICES

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### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of December 2013 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

| <i>Name</i>                              | <i>Address</i>                                      | <i>Type of Certification</i> |
|--|---|------------------------------|
| Ben Chamberlin                           | 3 Stonehedge Way<br>Carlisle, PA 17015              | Testing                      |
| Reo Cheshire                             | 32 Gold Smith Rd.<br>Dallas, PA 18612               | Testing                      |
| Michael Conroy                           | 201 Faculty Rd.<br>Duncannon, PA 17020              | Testing                      |
| James DeBellis                           | 2700 Cumberland Ave.<br>Mount Penn, PA 19606        | Mitigation                   |
| Larry Grove                              | 929 S. High St., Ste. 169<br>West Chester, PA 19382 | Testing                      |
| Gregory Hancock                          | 147 Mountain Stone Tr.<br>Lock Haven, PA 17745      | Testing                      |
| Michael Imperial                         | 2646 Fallow Hill Ln.<br>Jamison, PA 18929           | Testing                      |
| Wally Magno                              | 185 Pleasant View Dr.<br>Kittanning, PA 16201       | Testing                      |
| Richard Malin                            | 2075 Haymaker Rd.<br>Monroeville, PA 15146          | Testing                      |
| John Mallon<br>Radon Detection & Control | PO Box 419<br>South Heights, PA 15081               | Testing & Mitigation         |

| <i>Name</i>              | <i>Address</i>                            | <i>Type of Certification</i> |
|--------------------------|---|------------------------------|
| David Moss, Jr.          | 80 Holmes Rd.<br>Stillwater, PA 17878     | Testing                      |
| Paul Pujol               | 57 Lancaster Ave.<br>Malvern, PA 19355    | Testing                      |
| Paul Pujol<br>Haly Radon | 57 Lancaster Ave.<br>Malvern, PA 19355    | Mitigation                   |
| Robert Raishart          | 778 Armel Hollow Rd.<br>Latrobe, PA 15650 | Testing                      |
| John Rogers              | 1129 Old Eagle Rd.<br>Lancaster, PA 17601 | Testing                      |
| Kenneth Schutter         | PO Box 55<br>Kimberton, PA 19442          | Testing                      |
| Thomas Sebald            | 4638 Highview Blvd.<br>Erie, PA 16509     | Testing                      |

**Water Quality Certification under Section 401 of the Federal Clean Water Act for the Texas Eastern Appalachia to Market 2014 Project (TEAM 2014 Project) Natural Gas Pipeline and Compressor Station Project and Related Mitigation**

**FERC Docket NO. CP13-84-000  
PADEP File No. EA 9915-0005**

On December 26, 2013, the DEP issued Section 401 Water Quality Certification to Texas Eastern for the TEAM 2014 project. The Pennsylvania Department of Environmental Protection (PADEP) certifies that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The PADEP further certifies that the construction, operation and maintenance of the projects complies with Commonwealth water quality standards and that the construction, operation and maintenance of the projects does not violate applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the projects complies with the conditions for this certification, including the criteria and conditions of the following permits:

1. Discharge Permit—Texas Eastern shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. Erosion and Sediment Control Permit—Texas Eastern shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17) and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. Water Obstruction and Encroachment Permits—Texas Eastern shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32

P.S. §§ 679.101—679.601.) and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. Water Quality Monitoring—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Texas Eastern.

5. Operation—For each Project under this certification, Texas Eastern shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this Certification and all required permits. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Texas Eastern.

6. Inspection—The Projects, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this Certification, including all required permits required, and Pennsylvania's Water Quality Standards. A copy of this Certification shall be available for inspection by the PADEP during such inspections of the Projects.

7. Transfer of Projects—If Texas Eastern intends to transfer any legal or equitable interest in the Projects which is affected by this Certification, Texas Eastern shall serve a copy of this Certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of Certification responsibility, coverage, and liability between them.

8. Correspondence—All correspondence with and submittals to PADEP concerning this Certification shall be addressed to:

For portions of the project occurring in the Counties of Berks, Dauphin, Huntingdon, Lebanon, and Perry

Department of Environmental Protection  
South-central Regional Office  
Waterways and Wetlands Program Manager  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200

For portions of the project occurring in the Counties of Fayette, Indiana, and Westmoreland

Department of Environmental Protection  
Southwest Regional Office  
Waterways and Wetlands Program Manager  
400 Waterfront Dr.  
Pittsburgh, PA 15222

9. Reservation of Rights—PADEP may suspend or revoke this Certification if it determines that Texas Eastern has not complied with the terms and conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Texas Eastern's applicable procedural and substantive rights.

10. Other Laws—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve Texas Eastern from any responsibilities, liabilities, or penalties established pursuant to any applicable federal or state law or regulation.

11. Severability—The provisions of this Certification are severable and should any provision of this Certification be declared invalid or unenforceable, the remainder of the Certification shall not be affected thereby.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P. S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, 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 Environmental Hearing Board within 30 days of receipt of written notice of this action 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the board within 30 days. You do not need a lawyer to file an appeal with the board.

Important legal rights are at stake, however, so you should show this document to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the secretary to the board (717.787.3483) for more information.

#### Environmental Good Samaritan Act Projects

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

The Environmental Good Samaritan Act (27 Pa. C.S.A. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the: Department of Environmental Protection ("Department").

The following project proposals have been received by the Department. Copies of the proposals are available for

inspection at the Moshannon District Office, 186 Enterprise Road, Philipsburg PA 16866, Attention: Watershed Manager.

Written comments or objections may be submitted by any person or any office or head of any Federal, State, or local government agency or authority to the Department at the same address within thirty (30) days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

**EGS 17003. Emigh Run/Lakeside Watershed Association, Inc.** (PO Box 204, Morrisdale, PA 16858). Emigh Run Headwaters Relocation. A project to abate mine drainage pollution in Boggs Township, **Clearfield County** affecting 3.5 acres. Receiving stream: Emigh Run, classified for the following use(s): CWF. Project proposal received: December 20, 2007.

**EGS 17004. Clearfield Creek Watershed Association** (216 Beldin Hollow Road, Ashville, PA 16613). Morgan Run Tuff Wetland Mitigation. A project to abate mine drainage pollution in Decatur Township, **Clearfield County** affecting 6.5 acres. Receiving stream: Morgan Run classified for the following use(s): CWF. Project proposal received: January 23, 2008.

**EGS 17005. Emigh Run/Lakeside Watershed Association, Inc.** (PO Box 204, Morrisdale, PA 16858). Emigh Run 8 Acid Mine Drainage Treatment System. A project to abate mine drainage pollution in Morris Township, **Clearfield County** affecting 0.8 acre. Receiving stream: Emigh Run classified for the following use(s): CWF. Project proposal received July 10, 2008.

**EGS 17006. Emigh Run/Lakeside Watershed Association, Inc.** (PO Box 204, Morrisdale, PA 16858). Hubler Run 1 AMD Treatment System Rehabilitation. A project to abate mine drainage pollution in Graham Township, **Clearfield County** affecting 4.0 acres. Receiving stream: Hubler Run classified for the following use(s): CWF. Project proposal received: September 11, 2009.

**EGS 18006. Rocky Mountain Elk Foundation, Inc.** (5705 Grant Creek Road, Missoula, MT 59808). Kelley Highwall Reclamation. A project to abate mine drainage pollution and reclaim abandoned mine lands in West Keating Township, **Clinton County** affecting 132.0 acres. Receiving stream: Little Birch Island Run classified for the following use(s): HQ-CWF. Project proposal received: September 26, 2008.

**EGS 59001. Arnot Sportsman's Club** (PO Box 142, Arnot, PA 16911). Arnot No. 2 Mine AMD Treatment System Construction. A project to abate mine drainage pollution in Bloss Township, **Tioga County** affecting 3.1 acres. Receiving stream: Johnson Creek classified for the following use(s): CWF. Project proposal received: January 24, 2008.

**EGS 59002. Babb Creek Watershed Association, Inc.** (2051 Reed Street, Williamsport, PA 17701). Rock Run AMD Treatment System Construction. A project to abate mine drainage pollution in Duncan Township, **Tioga County** affecting 5.0 acres. Receiving stream: Rock Run classified for the following use(s): CWF. Project proposal received: September 7, 2010.

[Pa.B. Doc. No. 14-127. Filed for public inspection January 17, 2014, 9:00 a.m.]



### Bid Opportunity

**PBF 17980121.1, Surface Mine Reclamation Project, RJ Coal Company, Bloom No. 2 Operation, Bloom Township, Clearfield County.** The principal items of work and approximate quantities include mobilization and demobilization, implementation of the Erosion and Sediment Pollution Control Plan, removal and disposal of trash or debris, or both, revegetation 38.7 acres, and tree planting 26,316 trees. This bid issues on January 17, 2014, and bids will be opened on February 11, 2014, at 2 p.m. Bid documents cost \$5 per set and will not be mailed until payment has been received. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-128. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Coal Mining Reclamation Fee Amount for 2014

The Department of Environmental Protection (Department) announces the amount of the Reclamation Fee for 2014. This notice is required by 25 Pa. Code § 86.17 (relating to permit and reclamation fees). Effective January 1, 2014, the Reclamation Fee for calendar year 2014 will be \$0. While the fee will not be assessed in 2014, the regulations require annual adjustments. The fee amount for subsequent years will be calculated in accordance with 25 Pa. Code § 86.17. Refer to this section of the regulations for further information about the process.

This is the result of calculations presented in a report that contains a financial analysis of the revenue and expenditures from the account for Fiscal Year 2012-2013 and provides projections for the 2013-2014 Fiscal Years. The report was reviewed with the Mining and Reclamation Advisory Board on October 24, 2013.

The report is available at [www.portal.state.pa.us/portal/server.pt/community/reports/20866](http://www.portal.state.pa.us/portal/server.pt/community/reports/20866).

For additional information, contact William S. Allen, Jr., Department of Environmental Protection, Bureau of Mining Programs, Rachel Carson State Office Building, 5th Floor, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103, [wallen@pa.gov](mailto:wallen@pa.gov). Persons with a disability may contact the Department by using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDL users) or (800) 654-5988 (voice users).

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-129. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Pennsylvania Climate Change Action Plan

On behalf of Governor Tom Corbett, the Department of Environmental Protection (Department) announces that the Pennsylvania Climate Change Action Plan Update (Plan) was released on December 31, 2013. To read the Climate Change Action Plan Update, visit [www.depweb.state.pa.us](http://www.depweb.state.pa.us), click the "Public Participation Center" link, "Advisory Committees," then "Climate Change Advisory Committee."

The Pennsylvania Climate Change Act (71 P. S. §§ 1361.1—1361.8) mandates the preparation of an update to the Climate Change Action Plan issued in December 2009. With advice from the Climate Change Advisory Committee, the Department prepared the Plan, which discusses the reductions in greenhouse gases that have been achieved, provides work plans for additional emission reductions and makes recommendations for legislative action.

Questions regarding the Plan should be directed to Mark Brojakowski at (717) 772-3429 or [mbrojakows@pa.gov](mailto:mbrojakows@pa.gov).

Persons in need of accommodations as provided for by the Americans with Disabilities Act of 1990 should contact Alex Haas at (717) 787-9495, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-130. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Retail Space to the Commonwealth Cambria County

Proposals are invited to provide the Department of General Services with 2,000 to 4,000 usable square feet of retail space for the Liquor Control Board in Perry County. For more information on SFP No. 94543, which is due on Monday, February 10, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-131. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Apple Hill Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Apple Hill Surgery Center has requested an exception to the requirements of 28 Pa. Code § 553.3(8)(iii) (relating to governing body responsibilities).

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

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



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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-132. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Application of Aria Health Bucks Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Aria Health Bucks Campus has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.4.4 (relating to magnetic resonance imaging).

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. 14-133. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Application of Geisinger—Lewistown Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger—Lewistown Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compli-

ance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-8.5.1.2 (relating to size (TDR)).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-134. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Application of Hanover Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hanover Hospital has requested an exception to the requirements of 28 Pa. Code § 138.18(b) (relating to EPS studies).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-135. Filed for public inspection January 17, 2014, 9:00 a.m.]

### **Application of LVHN Surgical Center—Tilghman Facility for Exception to 28 Pa. Code § 553.31(a)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LVHN Surgery Center—Tilghman Facility has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

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

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

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

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

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-136. Filed for public inspection January 17, 2014, 9:00 a.m.]

### **Application of LVHN Surgical Center—Tilghman Facility for Exception to 28 Pa. Code § 561.1**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LVHN Surgical Center—Tilghman Facility has requested an exception to the requirements of 28 Pa. Code § 561.1 (relating to drugs and biologicals).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact the Division at the previously listed address or phone number or for speech and/or

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

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-137. Filed for public inspection January 17, 2014, 9:00 a.m.]

### **Application of LVHN Surgical Center—Tilghman Facility for Exception to 28 Pa. Code § 569.35**

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

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

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

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

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

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-138. Filed for public inspection January 17, 2014, 9:00 a.m.]

### **Application of Premier Podiatric Surgery Center for Exception to 28 Pa. Code § 551.3**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Premier Podiatric Surgery Center has requested an exception to the requirements of subparagraph (iii) of the definition of “classification levels” in 28 Pa. Code § 551.3 (relating to definitions), specifically PS-3 patients.

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-139. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Application of St. Luke's Hospital—Anderson for Exception to 28 Pa. Code § 153.1

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital—Anderson 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: 3.9-3.8.1.1 (relating to patient change 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. 14-140. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Application of Soldiers and Sailors Memorial Hospital for Exception to 28 Pa. Code § 153.1

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Soldiers and Sailors Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.2.6.13 (relating to examination/treatment rooms).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-141. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Application of Tyrone Hospital for Exception to 28 Pa. Code § 153.1

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Tyrone 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 (relating to general examination rooms) and 3.1-7.2.2.2 (relating to the minimum 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. 14-142. Filed for public inspection January 17, 2014, 9:00 a.m.]



### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Penn State Hershey Rehabilitation, LLC  
1135 West Chocolate Avenue  
Hummelstown, PA 17036

The following long-term care nursing facility is seeking exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

Julia Pound Care Center  
1155 Indian Springs Road  
Indiana, PA 15701

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

Manorcare Health Services—Pottsville  
Pulaski and Leader Drive  
Pottsville, PA 17901  
FAC ID 383802

Tremont Health and Rehabilitation Center  
44 Donaldson Road  
Tremont, PA 17981  
FAC ID 271102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

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

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-143. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Thursday, February 20, 2014, at 10 a.m. at the Department of Labor and Industry, 651 Boas Street, Room E-100, Harrisburg, PA 17121.

Additional information concerning the meeting may be found on the Department of Labor and Industry web site at [www.dli.state.pa.us](http://www.dli.state.pa.us). Scroll down and click on the link for "Uniform Construction Code" then "UCC Review and Advisory Council."

Questions concerning this may be directed to Edward Leister at (717) 783-6304.

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 14-144. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Medical Assistance Program Fee Schedule Revisions

The Department of Public Welfare (Department) announces changes to the Medical Assistance (MA) Program Fee Schedule. These changes are effective for dates of service on and after December 30, 2013.

#### *Fee Schedule Revisions*

The Department is making updates to the MA Program Fee Schedule based upon payment indicators specified by the Centers for Medicare and Medicaid Services, in response to requests received from providers and clinical reviews conducted by Department staff related to standards of practice, provider type/specialty combinations (PT/Spec), places of service (POS) and procedure code/modifier combinations.

#### *Physician Services*

The following surgical procedure codes will have POS 24 (ambulatory surgical center (ASC)/short procedure unit (SPU)) added for PT 31 (physician) in both the ASC and SPU unless otherwise indicated as follows:

#### *Procedure Codes*

|            |            |            |            |            |            |
|------------|------------|------------|------------|------------|------------|
| 31292(SPU) | 31293(SPU) | 31294(SPU) | 32960(SPU) | 33211(SPU) | 33217(SPU) |
| 33220(SPU) | 33235(SPU) | 33282(SPU) | 33284(SPU) | 35458(SPU) | 37208(SPU) |
| 37565(SPU) | 37605(SPU) | 37606(SPU) | 38241      | 42227      | 42507      |
| 44378      | 46760      | 53085      | 53442      | 53449      | 54316      |
| 56805      | 57291      | 57335(SPU) | 58260(SPU) | 58290(SPU) | 59100      |
| 59414(SPU) | 61026      | 61050      | 61720(SPU) | 61770      | 62000(SPU) |



*Procedure Codes*

|            |            |       |       |       |       |
|------------|------------|-------|-------|-------|-------|
| 63046(SPU) | 63048      | 64736 | 64738 | 64876 | 65800 |
| 66165      | 67218      | 67430 | 67974 | 68745 | 69530 |
| 69670      | 69725(SPU) | 69820 | 69840 | 69915 |       |

The following surgical procedure codes will have POS 99 (Special Treatment Room) added for PT 31 as indicated as follows:

*Procedure Codes*

|       |       |       |       |
|-------|-------|-------|-------|
| 35471 | 35472 | 35475 | 35476 |
|-------|-------|-------|-------|

Surgical procedure code 62291 will be end-dated in POS 22 (outpatient hospital) for PT 31 because this service is not payable to physicians in a clinic setting under MA regulations in 55 Pa. Code § 1221.51 (relating to general payment policy).

The following surgical procedure codes will have individual provider specialties end-dated and "All" specialties added because the Department has determined these procedures are within the scope of practice of all physicians:

*Procedure Codes*

|       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|
| 36561 | 36838 | 37182 | 37183 | 37500 | 50543 |
| 50592 | 52402 | 53500 | 58290 | 58553 | 61316 |
| 61517 | 62148 | 64561 | 65780 |       |       |

*Dental Services*

The following surgical procedure codes will be end-dated for all PT 27 (dentist) specialties, except provider specialty 272 (oral/maxillofacial surgeon), because the procedures can only be performed by a dentist with education and training in oral/maxillofacial surgery:

*Procedure Codes*

|       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|
| 31040 | 42205 | 42215 | 42226 | 42227 | 42235 |
| 42260 | 42507 | 64732 | 64736 | 64738 |       |

The following surgical procedure codes will have PT/Spec 27/All end-dated because the procedures are outside the provider's scope of practice, beyond their scope of education or training, or both:

*Procedure Codes*

|       |       |       |       |       |
|-------|-------|-------|-------|-------|
| 30117 | 30118 | 30125 | 30310 | 67810 |
|-------|-------|-------|-------|-------|

*Podiatrist Services*

Surgical procedure code 64787 will have POS 21 (inpatient hospital) and 24 added for PT 14 (podiatrist), with or without modifier 80, because the Department has determined that these settings are appropriate for the performance of this service.

*Certified Nurse Midwife Services*

Surgical procedure code 59414 will have POS 23 (emergency room) end-dated for PT 33 (certified nurse midwife) because the Department has determined that certified nurse midwives do not provide this service in the emergency room.

*Clinic Services*

The following surgical procedures codes will be revised for clinics as indicated in the key as follows:

| <i>Procedure Code<br/>and/or Modifier</i> | <i>PT/PS/POS<br/>End-dated</i> | <i>PT/PS/POS<br/>Added/updated</i> | <i>Comments</i>   |
|---|--------------------------------|------------------------------------|-------------------|
| 31231                                     | 08/All/49                      | 08/082/49                          | Specialty Updated |
| 57452                                     | Not applicable                 | 08/082/49                          | PT/PS/POS added   |
| 64612                                     | 08/All/49                      | 08/082/49                          | Specialty Updated |
| 64614                                     | Not applicable                 | 01/183/22                          | PT/PS/POS added   |
| 64614                                     | Not applicable                 | 08/082/49                          | PT/PS/POS added   |
| 65860                                     | Not applicable                 | 01/183/22                          | PT/PS/POS added   |

*Key:*

08/082/49  
01/183/22

Independent Medical-Surgical Clinic  
Hospital Medical Clinic

*Emergency Room Services*

Surgical procedure code 32960 will have "All" specialties end-dated for PT 01 (inpatient facility) in POS 23 and specialty 017 (ER Arrangement 2) added because only under ER arrangement 2 does the hospital bill for services provided by the emergency room physician.

*ASC/SPU Services*

The following surgical procedure codes will have PT/Specs 01/021 (SPU) or 02/020 (ASC), or both, added as follows in POS 24 with modifier SG (ASC/SPU facility support component) and will be paid the facility support component fee of \$776.00:

| <i>Procedure Code</i> | <i>PT/Spec</i> | <i>Procedure Code</i> | <i>PT/Spec</i> |
|-----------------------|----------------|-----------------------|----------------|
| 31292                 | 01/021         | 31293                 | 01/021         |
| 31294                 | 01/021         | 32960                 | 01/021         |
| 33211                 | 01/021         | 33217                 | 01/021         |
| 33220                 | 01/021         | 33235                 | 01/021         |
| 33282                 | 01/021         | 33284                 | 01/021         |
| 35458                 | 01/021         | 37565                 | 01/021         |
| 37605                 | 01/021         | 37606                 | 01/021         |
| 38241                 | 01/021, 02/020 | 42227                 | 01/021, 02/020 |
| 42507                 | 01/021, 02/020 | 43831                 | 01/021         |
| 44378                 | 01/021, 02/020 | 46760                 | 01/021, 02/020 |
| 53085                 | 01/021, 02/020 | 53442                 | 01/021, 02/020 |
| 53449                 | 01/021, 02/020 | 54316                 | 01/021, 02/020 |
| 56805                 | 01/021, 02/020 | 57291                 | 01/021, 02/020 |
| 57335                 | 01/021         | 58260                 | 01/021         |
| 59100                 | 01/021, 02/020 | 59414                 | 01/021         |
| 60502                 | 01/021         | 61026                 | 01/021, 02/020 |
| 61050                 | 01/021, 02/020 | 61720                 | 01/021         |
| 61770                 | 01/021, 02/020 | 62000                 | 01/021         |
| 62291                 | 01/021, 02/020 | 62361                 | 01/021, 02/020 |
| 63046                 | 01/021         | 64736                 | 01/021, 02/020 |
| 64738                 | 01/021, 02/020 | 65800                 | 01/021, 02/020 |
| 66165                 | 01/021, 02/020 | 67218                 | 01/021, 02/020 |
| 67430                 | 01/021, 02/020 | 67974                 | 01/021, 02/020 |
| 68745                 | 01/021, 02/020 | 69530                 | 01/021, 02/020 |
| 69670                 | 01/021, 02/020 | 69725                 | 01/021         |
| 69820                 | 01/021, 02/020 | 69840                 | 01/021, 02/020 |
| 69915                 | 01/021, 02/020 |                       |                |

The following surgical procedure codes will have PT/Specs 01/021 or 02/020, or both, end-dated as explained as follows:

| <i>Procedure Code</i> | <i>PT/Spec</i> | <i>Reason</i>  |
|-----------------------|----------------|--|
| 31290                 | 01/021, 02/020 | Service performed in inpatient setting only                    |
| 31291                 | 01/021, 02/020 | Service performed in inpatient setting only                    |
| 31800                 | 01/021, 02/020 | Service performed in inpatient setting only                    |
| 33206                 | 02/020         | Service performed in acute care facility only                  |
| 33213                 | 02/020         | Service performed in acute care facility only                  |
| 33214                 | 02/020         | Service performed in acute care facility only                  |
| 33233                 | 02/020         | Service performed in acute care facility only                  |
| 33234                 | 02/020         | Service performed in acute care facility only                  |
| 33240                 | 02/020         | Service performed in acute care facility only                  |
| 33241                 | 02/020         | Service performed in acute care facility only                  |
| 33244                 | 02/020         | Service performed in acute care facility only                  |
| 33967                 | 01/021, 02/020 | Service performed in inpatient setting only                    |
| 35450                 | 01/021, 02/020 | Service performed in inpatient setting only                    |
| 35471                 | 02/020         | Service performed in acute care facility only                  |
| 35472                 | 02/020         | Service performed in acute care facility only                  |
| 35475                 | 02/020         | Service performed in acute care facility only                  |
| 35476                 | 02/020         | Service performed in acute care facility only                  |
| 36440                 | 01/021, 02/020 | Support component payment is made only for the primary service |
| 36460                 | 02/020         | Service performed in acute care facility only                  |
| 36511                 | 01/021, 02/020 | Service does not require anesthesia                            |
| 36512                 | 01/021, 02/020 | Service does not require anesthesia                            |
| 36513                 | 01/021, 02/020 | Service does not require anesthesia                            |
| 36514                 | 01/021, 02/020 | Service does not require anesthesia                            |
| 36515                 | 01/021, 02/020 | Service does not require anesthesia                            |
| 36516                 | 01/021, 02/020 | Service does not require anesthesia                            |
| 36821                 | 02/020         | Service performed in acute care facility only                  |
| 36822                 | 01/021, 02/020 | Service performed in inpatient setting only                    |
| 36825                 | 02/020         | Service performed in acute care facility only                  |
| 36838                 | 02/020         | Service performed in acute care facility only                  |
| 36870                 | 02/020         | Service performed in acute care facility only                  |
| 37183                 | 02/020         | Service performed in acute care facility only                  |
| 37207                 | 02/020         | Service performed in acute care facility only                  |
| 37500                 | 02/020         | Service performed in acute care facility only                  |
| 37607                 | 02/020         | Service performed in acute care facility only                  |
| 37700                 | 02/020         | Service performed in acute care facility only                  |
| 37735                 | 02/020         | Service performed in acute care facility only                  |

| <i>Procedure Code</i> | <i>PT/Spec</i> | <i>Reason</i>                                 |
|-----------------------|----------------|---|
| 37760                 | 02/020         | Service performed in acute care facility only |
| 37780                 | 02/020         | Service performed in acute care facility only |
| 38120                 | 02/020         | Service performed in acute care facility only |
| 43830                 | 02/020         | Service performed in acute care facility only |
| 44820                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 44950                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 46600                 | 01/021, 02/020 | Service performed in acute care facility only |
| 46715                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 49020                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 49040                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 49425                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 50543                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 50605                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 51845                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 53448                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 53500                 | 02/020         | Service performed in acute care facility only |
| 54535                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 57110                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 57555                 | 02/020         | Service performed in acute care facility only |
| 58290                 | 02/020         | Service performed in acute care facility only |
| 58553                 | 02/020         | Service performed in acute care facility only |
| 59120                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 59121                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 59140                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 59830                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 59850                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 59851                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 59855                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 59856                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 60240                 | 02/020         | Service performed in acute care facility only |
| 60271                 | 02/020         | Service performed in acute care facility only |
| 61140                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 61575                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 61750                 | 01/021, 02/020 | Service performed in inpatient setting only   |
| 61751                 | 01/021, 02/020 | Service performed in inpatient setting only   |

The following ASC/SPU fees were reviewed and adjusted as follows:

| <i>Procedure Code</i> | <i>PT/Spec</i> | <i>MA Fee (SG modifier)</i> | <i>New Fee (SG modifier)</i> | <i>Reason</i>                               |
|-----------------------|----------------|-----------------------------|------------------------------|---|
| 30310(SG)             | 01/021, 02/020 | \$1,090.00                  | \$776.00                     | Error was made with original pricing        |
| 64561                 | 01/021, 02/020 | No fee assigned             | \$776.00                     | SG modifier was previously omitted in error |

#### *Modifier Updates*

##### *Assistant Surgeon Services*

Based upon provider requests and the Department's clinical review, the following surgical procedure codes will have modifier 80 added in POS 21 or 24, or both, as follows, with the specified fee:

| <i>Procedure Code</i> | <i>POS</i> | <i>Fee</i> | <i>Procedure Code</i> | <i>POS</i> | <i>Fee</i> |
|-----------------------|------------|------------|-----------------------|------------|------------|
| 30125                 | 21,24      | \$83.20    | 32810                 | 21         | \$93.60    |
| 33970                 | 21         | \$53.57    | 36261                 | 21,24      | \$40.00    |
| 36460                 | 21,24      | \$51.11    | 36821                 | 21,24      | \$80.10    |
| 36825                 | 21,24      | \$87.25    | 36838                 | 21,24      | \$151.30   |
| 37207                 | 21,24      | \$66.48    | 37208                 | 21,24      | \$32.12    |
| 37606                 | 21,24      | \$48.16    | 38542                 | 21,24      | \$21.76    |
| 42205                 | 21,24      | \$119.84   | 42215                 | 21,24      | \$95.76    |
| 42226                 | 21,24      | \$93.28    | 42227                 | 21,24      | \$93.28    |
| 42235                 | 21,24      | \$95.76    | 42260                 | 21,24      | \$58.40    |
| 42507                 | 21,24      | \$70.98    | 42810                 | 21,24      | \$38.64    |
| 43401                 | 21         | \$100.80   | 43830                 | 21,24      | \$47.68    |
| 43831                 | 21,24      | \$39.52    | 44820                 | 21         | \$59.92    |
| 44850                 | 21         | \$77.84    | 44900                 | 21         | \$48.08    |
| 46715                 | 21         | \$65.32    | 46750                 | 21,24      | \$59.92    |
| 46760                 | 21,24      | \$87.04    | 47010                 | 21         | \$108.64   |
| 47801                 | 21         | \$85.60    | 47802                 | 21         | \$61.44    |

| <i>Procedure Code</i> | <i>POS</i> | <i>Fee</i> | <i>Procedure Code</i> | <i>POS</i> | <i>Fee</i> |
|-----------------------|------------|------------|-----------------------|------------|------------|
| 48000                 | 21         | \$81.44    | 48020                 | 21         | \$119.84   |
| 49020                 | 21         | \$41.52    | 49425                 | 21         | \$73.60    |
| 49495                 | 21,24      | \$50.96    | 50081                 | 21,24      | \$155.36   |
| 50290                 | 21         | \$87.04    | 50605                 | 21         | \$108.80   |
| 51045                 | 21,24      | \$43.04    | 51845                 | 21         | \$86.36    |
| 53085                 | 21,24      | \$20.00    | 53442                 | 21,24      | \$52.00    |
| 53444                 | 21,24      | \$98.39    | 53446                 | 21,24      | \$75.54    |
| 53447                 | 21,24      | \$72.80    | 53448                 | 21         | \$146.64   |
| 53449                 | 21,24      | \$52.00    | 53500                 | 21,24      | \$89.10    |
| 54115                 | 21,24      | \$58.26    | 54120                 | 21,24      | \$49.68    |
| 54125                 | 21         | \$99.36    | 54130                 | 21         | \$124.40   |
| 54135                 | 21         | \$148.96   | 54522                 | 21,24      | \$82.15    |
| 54530                 | 21,24      | \$51.52    | 54535                 | 21         | \$61.92    |
| 55150                 | 21,24      | \$31.20    | 56805                 | 21,24      | \$112.16   |
| 56810                 | 21,24      | \$27.84    | 57130                 | 21,24      | \$23.06    |
| 57291                 | 21,24      | \$77.24    | 57335                 | 21,24      | \$160.00   |
| 57720                 | 21,24      | \$31.20    | 58820                 | 21,24      | \$26.64    |
| 59140                 | 21         | \$42.40    | 59150                 | 21,24      | \$65.52    |
| 59151                 | 21,24      | \$81.76    | 61140                 | 21         | \$48.16    |
| 61575                 | 21         | \$160.00   | 61850                 | 21         | \$86.16    |
| 64732                 | 21,24      | \$42.00    | 64736                 | 21,24      | \$42.00    |
| 64738                 | 21,24      | \$59.92    | 64761                 | 21,24      | \$60.28    |
| 64786                 | 21,24      | \$71.68    | 64836                 | 21,24      | \$73.84    |
| 64837                 | 21,24      | \$48.16    | 64840                 | 21,24      | \$66.48    |
| 64857                 | 21,24      | \$66.48    | 64892                 | 21,24      | \$88.40    |
| 65105                 | 21,24      | \$71.68    | 65260                 | 21,24      | \$88.56    |
| 65265                 | 21,24      | \$100.88   | 65710                 | 21,24      | \$138.54   |
| 65730                 | 21,24      | \$153.80   | 65750                 | 21,24      | \$156.21   |
| 65770                 | 21,24      | \$160.00   | 65900                 | 21,24      | \$122.26   |
| 66165                 | 21,24      | \$71.68    | 66180                 | 21,24      | \$71.68    |
| 66185                 | 21,24      | \$71.68    | 66220                 | 21,24      | \$87.95    |
| 67039                 | 21,24      | \$50.40    | 67040                 | 21,24      | \$160.00   |
| 67121                 | 21,24      | \$63.20    | 67255                 | 21,24      | \$107.04   |
| 67340                 | 21,24      | \$43.14    | 67413                 | 21,24      | \$93.76    |
| 67414                 | 21,24      | \$93.76    | 67430                 | 21,24      | \$132.08   |
| 67570                 | 21,24      | \$91.22    | 67973                 | 21,24      | \$89.60    |
| 67974                 | 21,24      | \$108.00   | 68745                 | 21,24      | \$89.60    |
| 68750                 | 21,24      | \$89.60    | 69320                 | 21,24      | \$160.00   |
| 69530                 | 21,24      | \$125.92   | 69550                 | 21,24      | \$143.64   |
| 69670                 | 21,24      | \$108.00   | 69725                 | 21,24      | \$143.84   |
| 69820                 | 21,24      | \$119.84   | 69840                 | 21,24      | \$68.64    |
| 69915                 | 21,24      | \$160.00   | 69950                 | 21         | \$160.00   |

Based upon the Department's clinical review, the following surgical procedure codes will have modifier 80 end-dated because an assistant surgeon is not appropriate for these procedures:

*Procedure Codes*

|       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|
| 30118 | 31040 | 31231 | 31235 | 31237 | 31238 |
| 31239 | 31240 | 31255 | 31256 | 31267 | 31276 |
| 31287 | 31288 | 31290 | 31291 | 31292 | 31293 |
| 31294 | 31582 | 31800 | 33206 | 33211 | 33213 |
| 33214 | 33217 | 33220 | 33223 | 33233 | 33234 |
| 33235 | 33240 | 33241 | 33244 | 33282 | 33284 |
| 33961 | 33967 | 34490 | 35458 | 35471 | 35472 |
| 35475 | 35476 | 36822 | 36870 | 37182 | 37183 |
| 37500 | 37565 | 37607 | 37700 | 37735 | 37760 |
| 37780 | 38241 | 38550 | 43205 | 43215 | 43216 |
| 43244 | 43246 | 43248 | 43249 | 43250 | 43259 |
| 43261 | 43420 | 44312 | 44340 | 44378 | 44379 |
| 44394 | 45190 | 46288 | 47561 | 50575 | 50592 |
| 51030 | 52355 | 52400 | 52402 | 53240 | 54640 |
| 54840 | 55040 | 55041 | 55500 | 55530 | 55540 |
| 58559 | 58561 | 58562 | 58670 | 58800 | 59320 |
| 59414 | 59610 | 59612 | 59614 | 59618 | 59622 |
| 61316 | 61517 | 61720 | 61735 | 61750 | 61751 |
| 61760 | 61770 | 62000 | 62148 | 62201 | 62350 |
| 62287 | 62355 | 62360 | 62361 | 62362 | 62365 |
| 64590 | 64702 | 64718 | 64719 | 64744 | 64782 |



*Procedure Codes*

|       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|
| 64784 | 64787 | 64788 | 64790 | 64820 | 65780 |
| 65782 | 65860 | 66825 | 69150 |       |       |

The following surgical procedure codes will have modifiers end-dated, because the modifier pricing equals the default pricing:

| <i>Procedure Code<br/>and/or Modifier</i> | <i>Modifier pricing</i> | <i>No modifier<br/>(default) pricing</i> |
|---|-------------------------|--|
| 57452 (U7)                                | \$39.50                 | \$39.50                                  |
| 58600 (U7)                                | \$306.50                | \$306.50                                 |
| 58611 (TH)                                | \$71.89                 | \$71.89                                  |
| 58900 (U7)                                | \$338.50                | \$338.50                                 |

The following assistant surgeon fee will be adjusted as indicated below because MA regulations at 55 Pa. Code § 1150.62(a) (related to payment levels and notice of rate setting changes) specifies that MA fees may not exceed the Medicare upper limit:

| <i>Procedure Code<br/>and/or Modifier</i> | <i>Current Fee<br/>80 modifier</i> | <i>New Fee<br/>80 modifier</i> |
|---|------------------------------------|--------------------------------|
| 63046 (80)                                | \$200.00                           | \$193.27                       |

*Right/Left/50 Modifiers*

The following surgical procedure codes will have modifiers right (Rt), left (Lt) and bilateral (50) added because the procedures may be performed bilaterally unless otherwise indicated by Rt or Lt for unilateral services only:

*Procedure Codes*

|       |           |           |           |           |       |
|-------|-----------|-----------|-----------|-----------|-------|
| 31040 | 31235     | 31237     | 31238     | 31239     | 31240 |
| 31255 | 31256     | 31267     | 31276     | 31287     | 31288 |
| 31290 | 31291     | 31292     | 31293     | 31294     | 34490 |
| 35450 | 36838     | 37500     | 37565     | 37700     | 37735 |
| 37760 | 37780     | 38542     | 42810     | 49495     | 50081 |
| 50543 | 50575     | 50605     | 52355     | 54522     | 54530 |
| 54535 | 54640     | 54840     | 55500     | 55530     | 55540 |
| 58820 | 59120(Rt) | 59120(Lt) | 59151(Rt) | 59151(Lt) | 64561 |
| 64612 | 64718     | 64719     | 64732     | 64736     | 64738 |
| 64744 | 64761     | 64786     | 64836     | 64840     | 65105 |
| 65260 | 65265     | 65710     | 65730     | 65750     | 65770 |
| 65780 | 65782     | 65800     | 65860     | 65900     | 66165 |
| 66180 | 66185     | 66220     | 66825     | 67039     | 67040 |
| 67121 | 67218     | 67255     | 67413     | 67414     | 67430 |
| 67570 | 67810     | 67973     | 67974     | 68745     | 68750 |
| 69150 | 69320     | 69530     | 69550     | 69670     | 69725 |
| 69820 | 69840     | 69915     | 69950     |           |       |

*Other Modifiers*

The following surgical procedure codes will have modifiers added as follows:

| <i>Codes</i> | <i>Modifier</i>               | <i>Codes</i> | <i>Modifiers</i>              |
|--------------|-------------------------------|--------------|-------------------------------|
| 64702        | T1,T2,T3,T4,T5,T6,T7,T8,T9,TA | 64702        | F1,F2,F3,F4,F5,F6,F7,F8,F9,FA |
| 64820        | T1,T2,T3,T4,T5,T6,T7,T8,T9,TA | 64820        | F1.F2,F3,F4,F5,F6,F7,F8,F9,FA |

**Key:**

- TA = left foot, great toe
- T1 = left foot, second digit
- T2 = left foot, third digit
- T3 = left foot, fourth digit
- T4 = left foot, fifth digit
- T5 = right foot, great toe
- T6 = right foot, second digit
- T7 = right foot, third digit
- T8 = right foot, fourth digit
- T9 = right foot, fifth digit

- FA = left hand, thumb
- F1 = left hand, second digit
- F2 = left hand, third digit
- F3 = left hand, fourth digit
- F4 = left hand, fifth digit
- F5 = right hand, thumb
- F6 = right hand, second digit
- F7 = right hand, third digit
- F8 = right hand, fourth digit
- F9 = right hand, fifth digit

Surgical procedure code 58900 will have modifier FP end-dated because the service is not a family planning service.

*Limit Updates*

The following surgical procedure codes will have changes to the limits as follows. Based on payment limitations set forth at 55 Pa. Code § 1150.54(5) (related to surgical services) no procedure has a limit greater than two.

| <i>Code</i> | <i>Present Limit</i> | <i>Revised Limit</i> | <i>Reason</i>   |
|-------------|----------------------|----------------------|---|
| 31040       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31235       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31237       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31238       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31239       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31240       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31255       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31256       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31267       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31276       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31287       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31288       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31290       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31291       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31292       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31293       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 31294       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 35450       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 35458       | 1                    | 2                    | 2 units allowed per National Correct Coding Initiative's (NCCI) medically unlikely events (MUE) |
| 35471       | 1                    | 2                    | 2 units allowed per NCCI MUE  |
| 37500       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 37565       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 37760       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 38550       | 2                    | 1                    | Only 1 unit allowed per NCCI MUE  |
| 42810       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 50081       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 50543       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 50575       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 50605       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 52355       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 54522       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 54530       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 54535       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 54840       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 55500       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 55530       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 55540       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 58820       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64561       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64726       | 1                    | 2                    | Multiple digital plantar nerves   |
| 64732       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64736       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64738       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64744       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64786       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64836       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64840       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 64857       | 1                    | 2                    | Multiple major peripheral nerves  |
| 64892       | 1                    | 2                    | Single strand repair in multiple nerves   |
| 65710       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 65730       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 65750       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 65770       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 65780       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 65782       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 65800       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 66180       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 66185       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 67039       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 67121       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 67218       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |
| 67414       | 1                    | 2                    | Adding Rt-Lt-50 modifiers   |

| <i>Code</i> | <i>Present Limit</i> | <i>Revised Limit</i> | <i>Reason</i>             |
|-------------|----------------------|----------------------|---------------------------|
| 67570       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 67973       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 67974       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 68745       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 68750       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 69320       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 69530       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 69550       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 69670       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 69725       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 69820       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 69915       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |
| 69950       | 1                    | 2                    | Adding Rt-Lt-50 modifiers |

*End-Dated Places of Service*

The following surgical procedure codes will have POS 11 (office), 12 (home), 22-24, 31 (skilled nursing facility), 32 (nursing facility), 49 (independent clinic) and/or 99 end-dated, as follows, because the Department has determined that these settings are not appropriate for the performance of these services:

| <i>Procedure Codes</i> | <i>POS</i>           | <i>Procedure Codes</i> | <i>POS</i>              |
|------------------------|----------------------|------------------------|-------------------------|
| 30117                  | 11,12,23,31,32,99    | 30118                  | 11,12,22,23,31,32,49,99 |
| 30125                  | 11,22,23,49,99       | 30310                  | 22,23,49,99             |
| 31040                  | 11,22,23,49,99       | 31231                  | 99                      |
| 31235                  | 11,22,23,49,99       | 31237                  | 11,22,23,49,99          |
| 31238                  | 11,22,23,31,32,49,99 | 31239                  | 11,99,                  |
| 31255                  | 11,23,99             | 31256                  | 11,23,99                |
| 31267                  | 99                   | 31276                  | 11,22,99                |
| 31290                  | 24                   | 31291                  | 24                      |
| 31582                  | 99                   | 31800                  | 24,99                   |
| 32810                  | 11,22,23,49,99       | 32960                  | 11,22,31,32,49,99       |
| 33206                  | 22,23,49,99          | 33211                  | 22,23,99                |
| 33213                  | 22,23,99             | 33214                  | 99                      |
| 33217                  | 99                   | 33220                  | 99                      |
| 33223                  | 99                   | 33233                  | 99                      |
| 33234                  | 99                   | 33235                  | 99                      |
| 33240                  | 99                   | 33241                  | 99                      |
| 33282                  | 99                   | 33284                  | 99                      |
| 33967                  | 22,23,24,49          | 35450                  | 24                      |
| 35471                  | 22                   | 36261                  | 22,23,49,99             |
| 36440                  | 23                   | 36460                  | 22,23,49,99             |
| 36511                  | 21,23,24,49,99       | 36512                  | 21,23,24,49,99          |
| 36513                  | 21,23,24,49,99       | 36514                  | 21,23,24,49,99          |
| 36515                  | 21,23,24,49,99       | 36516                  | 21,23,24,49,99          |
| 36822                  | 11,22,23,24,49,99    | 36838                  | 11                      |
| 37207                  | 99                   | 37208                  | 99                      |
| 37565                  | 23                   | 37607                  | 99                      |
| 37700                  | 11                   | 38542                  | 11,22,23,49,99          |
| 38550                  | 11,22,23,49,99       | 42205                  | 11,22,49                |
| 42215                  | 11,22,49             | 42226                  | 11,22,49                |
| 42227                  | 11,22,49             | 42235                  | 11,22,49                |
| 42260                  | 11,22,49,            | 42507                  | 11,22,49                |
| 42810                  | 11,22,23,31,32,49,99 | 43205                  | 11,22,23,49             |
| 43215                  | 11,22,23,31,32,49    | 43216                  | 11,22,23                |
| 43244                  | 11,22,23             | 43246                  | 11,22,23,49             |
| 43248                  | 11,22,23             | 43249                  | 11,22,23                |
| 43250                  | 11,22,23             | 43259                  | 11,22,23                |
| 43261                  | 11,22                | 43830                  | 11,22,23,99             |
| 44378                  | 11,22,23             | 44379                  | 23                      |
| 44394                  | 11,22,23             | 44820                  | 24                      |
| 44950                  | 24                   | 44955                  | 24                      |
| 45190                  | 22,23,49,99          | 46288                  | 11,22,23,99             |
| 46600                  | 12,24,31,32,99       | 46715                  | 23,24                   |
| 47802                  | 24,99                | 49020                  | 23,24,99                |
| 49040                  | 23,24,99             | 49425                  | 24                      |
| 49495                  | 22,23,49             | 50081                  | 11,22,23,49,99          |
| 50543                  | 24                   | 50575                  | 11,22,99                |
| 50605                  | 24                   | 51030                  | 22,23,49,99             |

| <i>Procedure<br/>Codes</i> | <i>POS</i>     | <i>Procedure<br/>Codes</i> | <i>POS</i>        |
|----------------------------|----------------|----------------------------|-------------------|
| 51045                      | 22,23,49,99    | 51845                      | 11,22,23,24,49,99 |
| 52355                      | 99             | 53085                      | 11,22,23,49,99    |
| 53240                      | 22,23,49,99    | 53442                      | 11,22,23,49,99    |
| 53444                      | 22,23,49       | 53446                      | 22,23,49          |
| 53448                      | 22,23,24,49    | 54530                      | 99                |
| 54535                      | 24             | 55040                      | 11,22,23,49,99    |
| 55530                      | 11,22,23,49,99 | 56810                      | 11,22,23,49,99    |
| 57110                      | 22,23,24,49,99 | 57130                      | 22,23,49,99       |
| 57452                      | 23,99          | 58562                      | 99                |
| 58600                      | 22,99          | 58950                      | 24                |
| 59120                      | 24             | 59121                      | 24                |
| 59140                      | 24             | 59320                      | 11,22,23,49,99    |
| 59414                      | 22,49,99       | 59830                      | 11,22,23,24,49    |
| 59850                      | 11,22,23,24,49 | 59851                      | 11,22,23,24,49    |
| 59855                      | 24             | 59856                      | 24                |
| 61026                      | 22,49,99       | 61050                      | 22,23,49          |
| 61140                      | 24             | 61575                      | 24                |
| 61750                      | 24             | 61751                      | 24                |
| 62148                      | 24             | 62287                      | 22                |
| 62291                      | 23,49          | 62350                      | 11,99             |
| 62355                      | 11,99          | 62360                      | 11,23,99          |
| 62361                      | 11,23,99       | 62362                      | 11,99             |
| 62365                      | 11,99          | 64590                      | 22,23,49,99       |
| 64612                      | 23,99          | 64614                      | 99                |
| 64702                      | 11,23,99       | 64719                      | 11,22,23,49,99    |
| 64782                      | 11,23,99       | 64786                      | 23,99             |
| 64787                      | 22             | 64788                      | 22,23,49,99       |
| 64836                      | 22,23,49,99    | 64837                      | 11,22,23,49,99    |
| 64840                      | 22,23,49,99    | 64857                      | 22,23,49,99       |
| 65800                      | 11,22,23,49,99 | 66165                      | 22,23,49,99       |
| 66220                      | 22,23,49,99    | 66825                      | 11,99             |
| 67039                      | 11,22,23,49,99 | 67040                      | 99                |
| 67121                      | 11,22,23,49,99 | 67218                      | 11,22,23,49,99    |
| 67255                      | 22,23,49,99    | 67340                      | 22,23,49,99       |
| 67413                      | 22,23,49,99    | 67430                      | 22,23,49,99       |
| 67570                      | 11,22,23,49,99 | 67810                      | 12,23,31,32,99    |
| 67973                      | 22,23,49,99    | 67974                      | 11,22,23,49,99    |

*Fiscal Impact*

No significant fiscal impact is anticipated as a result of this notice.

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received will be reviewed and considered for any subsequent revisions to the MA Program Fee Schedule.

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

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-855. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-145. Filed for public inspection January 17, 2014, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Crazy Wild Ca\$h Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby

provides public notice of the rules for the following instant lottery game:

- Name:* The name of the game is Pennsylvania Crazy Wild Ca\$h.
- Price:* The price of a Pennsylvania Crazy Wild Ca\$h instant lottery game ticket is \$10.
- Play Symbols:* Each Pennsylvania Crazy Wild Ca\$h instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR



NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTW), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTW), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Cash (CASH) symbol, \$50 Burst (WIN50) symbol and a CRAZY (CRAZY) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Crazy Wild Ca\$h instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$10,000 (TEN THO) appears under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$1,000 (ONE THO) appears

under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CRAZY (CRAZY) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$500 (FIV HUN) appears under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CRAZY (CRAZY) symbol, and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in two of the "prize" areas, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in eleven of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CRAZY (CRAZY) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "prize" areas, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$200 (TWO HUN) appears under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CRAZY (CRAZY) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "prize" areas, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$100 (ONE HUN) appears under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CRAZY (CRAZY) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the "prize" areas, and a prize symbol of \$5<sup>00</sup>

(FIV DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$50 Burst (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:*

| <i>When Any Of Your Numbers Match<br/>Any Winning Number, Win Prize<br/>Shown Under The Matching<br/>Number. Win With:</i> | <i>Win:</i> | <i>Approximate<br/>Odds Are 1 In:</i> | <i>Approximate No.<br/>Of Winners Per<br/>8,400,000 Tickets:</i> |
|--|-------------|---------------------------------------|--|
| \$10 w/CASH  | \$10        | 12                                    | 700,000  |
| \$10   | \$10        | 12                                    | 700,000  |
| \$10 × 2   | \$20        | 60                                    | 140,000  |
| \$20 w/CASH  | \$20        | 30                                    | 280,000  |
| \$20   | \$20        | 40                                    | 210,000  |
| \$10 × 4   | \$40        | 300                                   | 28,000   |
| \$20 × 2   | \$40        | 300                                   | 28,000   |
| (\$10 w/CASH) × 4  | \$40        | 300                                   | 28,000   |
| \$40 w/CASH  | \$40        | 300                                   | 28,000   |
| \$40   | \$40        | 300                                   | 28,000   |
| \$10 × 5   | \$50        | 600                                   | 14,000   |
| \$50 w/\$50 BURST  | \$50        | 120                                   | 70,000   |
| (\$10 w/CASH) × 5  | \$50        | 300                                   | 28,000   |
| \$50 w/CASH  | \$50        | 600                                   | 14,000   |
| \$50   | \$50        | 600                                   | 14,000   |
| CRAZY w/ ((\$10 × 5) + (\$5 × 10))   | \$100       | 600                                   | 14,000   |
| \$20 × 5   | \$100       | 600                                   | 14,000   |
| (\$50 w/\$50 BURST) × 2  | \$100       | 600                                   | 14,000   |
| \$100 w/CASH   | \$100       | 600                                   | 14,000   |
| \$100  | \$100       | 600                                   | 14,000   |
| CRAZY w/ ((\$20 × 5) + (\$10 × 10))  | \$200       | 2,000                                 | 4,200  |
| \$40 × 5   | \$200       | 6,000                                 | 1,400  |
| \$50 × 4   | \$200       | 6,000                                 | 1,400  |
| (\$50 w/\$50 BURST) × 4  | \$200       | 3,000                                 | 2,800  |
| (\$20 w/CASH) × 10   | \$200       | 6,000                                 | 1,400  |
| \$200 w/CASH   | \$200       | 6,000                                 | 1,400  |
| \$200  | \$200       | 6,000                                 | 1,400  |
| CRAZY w/ ((\$40 × 10) + (\$20 × 5))  | \$500       | 4,000                                 | 2,100  |
| CRAZY w/ ((\$100 × 2) + (\$40 × 2) + (\$20 × 11))  | \$500       | 4,000                                 | 2,100  |
| \$100 × 5  | \$500       | 12,000                                | 700  |
| (\$50 w/\$50 BURST) × 10   | \$500       | 6,000                                 | 1,400  |
| \$500 w/CASH   | \$500       | 6,000                                 | 1,400  |
| \$500  | \$500       | 12,000                                | 700  |

When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:

|   | Win:      | Approximate<br>Odds Are 1 In: | Approximate No.<br>Of Winners Per<br>8,400,000 Tickets: |
|---|-----------|-------------------------------|---|
| CRAZY w/(( $\$100 \times 5$ ) + ( $\$50 \times 10$ )) | \$1,000   | 6,000                         | 1,400   |
| \$200 $\times$ 5                                      | \$1,000   | 24,000                        | 350   |
| ( $\$100$ w/CASH) $\times$ 10                         | \$1,000   | 12,000                        | 700   |
| \$1,000 w/CASH  | \$1,000   | 12,000                        | 700   |
| \$1,000   | \$1,000   | 24,000                        | 350   |
| \$10,000 w/CASH                                       | \$10,000  | 120,000                       | 70  |
| \$10,000  | \$10,000  | 120,000                       | 70  |
| \$300,000   | \$300,000 | 840,000                       | 10  |

Reveal a "CASH" (CASH) symbol, win prize shown under it automatically.

Reveal a "\$50 BURST" (WIN50) symbol, win \$50 instantly.

Reveal a "CRAZY" (CRAZY) symbol, win all 15 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Crazy Wild Ca\$h instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Crazy Wild Ca\$h, prize money from winning Pennsylvania Crazy Wild Ca\$h instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Crazy Wild Ca\$h instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Crazy Wild Ca\$h or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-146. Filed for public inspection January 17, 2014, 9:00 a.m.]

## Pennsylvania Dublin Dollars Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Dublin Dollars.

2. *Price:* The price of a Pennsylvania Dublin Dollars instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Dublin Dollars instant lottery game ticket will contain one play area consisting of "GAME 1," "GAME 2," "GAME 3," "GAME 4," "GAME 5," "GAME 6," "GAME 7," "GAME 8," "GAME 9" and "GAME 10." Each "GAME" is played separately. Each "GAME" features a play area and a "Prize" area. The play symbols and their captions located in the play area are: Bell (BELL) symbol, Bow Tie (BOW) symbol, Cabbage (CABGE) symbol, Chest (CHEST) symbol, Apple (APPLE) symbol, Strawberries (BERRY) symbol, Coat (COAT) symbol, Crown (CROWN) symbol, Clover (CLOVER) symbol, Stack of Coins (COINS) symbol, Diamond (DMND) symbol, Gold Bar (BAR) symbol, Grapes (GRAPES) symbol, Lemon (LEMON) symbol, Dollar Sign (DLRSN) symbol, Key (KEY) symbol, Gift (GIFT) symbol, Fiddle (FIDDLE) symbol, Horseshoe (SHOE) symbol, House (HOUSE) symbol, Rabbit Foot (RBTFT) symbol, Necklace (NKLACE) symbol, Leprechaun Hat (LEPHAT) symbol, Melon (MELON) symbol, Safe (SAFE) symbol, Rainbow (RAINBW) symbol, Pineapple (PINAPLE) symbol, Star (STAR) symbol, Wallet (WALLET) symbol, Wishbone (WSHBN) symbol, Ring (RING) symbol, 7 (SVN) symbol, Cash (CASH) symbol and a 2X (2TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "Prize" area of each "GAME" are: \$1<sup>00</sup> (ONE DOL), FREE (TICKET), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, Free \$2 Ticket, \$2, \$3, \$5, \$10, \$15, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$25,000. The player can win up to 10 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct one 2014 St. Patrick's Day Payout second-chance drawing for which non-winning Pennsylvania Dublin Dollars instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 6,600,000 tickets will be printed for the Pennsylvania Dublin Dollars instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$25,000 (TWYFIVTHO) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$1,000 (ONE THO)



appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets with a 2X (2TIMES) symbol in a "GAME," and a prize symbol of \$25.00 (TWY FIV) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$25.00 (TWY FIV) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$25.00 (TWY FIV) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$25.

(m) Holders of tickets with a 2X (2TIMES) symbol in a "GAME," and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$15.00 (FIFTN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$15.00 (FIFTN) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$15.

(p) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets with a 2X (2TIMES) symbol in a "GAME," and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets with a 2X (2TIMES) symbol in a "GAME," and a prize symbol of \$2.00 (TWO DOL) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$3.00 (THR DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(w) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$3.00 (THR DOL) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$3.

(x) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$2.00 (TWO DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(y) Holders of tickets with a Cash (CASH) symbol in a "GAME," and a prize symbol of \$2.00 (TWO DOL) appears in the "Prize" area for that same "GAME," on a single ticket, shall be entitled to a prize of \$2.

(z) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of FREE (TICKET) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of one Pennsylvania Dublin Dollars instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(aa) Holders of tickets with two like play symbols in the same "GAME," and a prize symbol of \$1.00 (ONE DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

| <i>Reveal Two Like Symbols In The Same Game, Win Prize Shown For That Game. Win With:</i> | <i>Win:</i>     | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 6,600,000 Tickets</i> |
|---|-----------------|-----------------------------------|---|
| FREE  | FREE \$2 TICKET | 12.50                             | 528,000   |
| \$2 w/CASH  | \$2             | 107.14                            | 61,600  |
| \$2   | \$2             | 250                               | 26,400  |



Reveal Two Like Symbols In The Same Game, Win Prize Shown For That Game. Win With:

|                         | Win:     | Approximate Odds Are 1 In: | Approximate No. Of Winners Per 6,600,000 Tickets |
|-------------------------|----------|----------------------------|--|
| \$3 w/CASH              | \$3      | 25                         | 264,000  |
| \$3                     | \$3      | 30                         | 220,000  |
| (\$2 w/2X) + \$1        | \$5      | 100                        | 66,000   |
| \$5 w/CASH              | \$5      | 100                        | 66,000   |
| \$5                     | \$5      | 100                        | 66,000   |
| \$2 × 5                 | \$10     | 375                        | 17,600   |
| \$5 w/2X                | \$10     | 250                        | 26,400   |
| \$10 w/CASH             | \$10     | 250                        | 26,400   |
| \$10                    | \$10     | 375                        | 17,600   |
| \$5 × 3                 | \$15     | 750                        | 8,800  |
| \$10 + \$5              | \$15     | 750                        | 8,800  |
| (\$5 w/2X) + \$5        | \$15     | 375                        | 17,600   |
| \$15 w/CASH             | \$15     | 375                        | 17,600   |
| \$15                    | \$15     | 500                        | 13,200   |
| \$5 × 5                 | \$25     | 750                        | 8,800  |
| (\$3 × 5) + (\$2 × 5)   | \$25     | 750                        | 8,800  |
| (\$10 w/2X) + \$5       | \$25     | 750                        | 8,800  |
| \$25 w/CASH             | \$25     | 750                        | 8,800  |
| \$25                    | \$25     | 750                        | 8,800  |
| \$5 × 10                | \$50     | 1,714                      | 3,850  |
| \$10 × 5                | \$50     | 3,000                      | 2,200  |
| (\$15 × 2) + (\$10 × 2) | \$50     | 3,000                      | 2,200  |
| \$25 w/2X               | \$50     | 2,182                      | 3,025  |
| \$50 w/CASH             | \$50     | 2,182                      | 3,025  |
| \$50                    | \$50     | 3,000                      | 2,200  |
| \$10 × 10               | \$100    | 2,400                      | 2,750  |
| \$50 × 2                | \$100    | 6,000                      | 1,100  |
| (\$25 w/2X) × 2         | \$100    | 4,800                      | 1,375  |
| \$100 w/CASH            | \$100    | 5,000                      | 1,320  |
| \$100                   | \$100    | 8,000                      | 825  |
| \$50 × 5                | \$250    | 60,000                     | 110  |
| (\$25 w/2X) × 5         | \$250    | 60,000                     | 110  |
| \$250 w/CASH            | \$250    | 60,000                     | 110  |
| \$250                   | \$250    | 120,000                    | 55   |
| \$100 × 5               | \$500    | 120,000                    | 55   |
| \$500                   | \$500    | 120,000                    | 55   |
| \$250 × 4               | \$1,000  | 330,000                    | 20   |
| \$1,000                 | \$1,000  | 330,000                    | 20   |
| \$25,000                | \$25,000 | 660,000                    | 10   |

Reveal a "CASH" (CASH) symbol in any game, win prize shown for that game automatically.  
Reveal a "2X" (2TIMES) symbol in any game, win double the prize shown for that game.

Prizes, including top prizes, are subject to availability at the time of purchase.

*10. Pennsylvania Lottery's 2014 St. Patrick's Day Payout Second-Chance Drawing Requirements:*

(a) To be eligible for the Pennsylvania Lottery's 2014 St. Patrick's Day Payout Drawing ("Drawing") entrants must be members of the Pennsylvania Lottery VIP Players Club. To join the VIP Players Club, visit <http://www.palottery.com/vipplayersclub/login.aspx> to create a VIP Players Club Member account. Becoming a VIP Players Club member is free.

(b) To enter the Drawing, entrants must enter the identifying information from at least one non-winning PA-1070 Leprechaun Loot '14 (\$5) or PA-1071 Dublin Dollars (\$2) instant lottery ticket via the Drawing's promotional website during the entry period.

(c) The entry period for the Drawing begins after 11:59:59 p.m. January 26, 2014 and ends at 11:59:59 p.m. March 17, 2014. All time references are Eastern Time.

(d) The contents of the entry form must be accurate and complete. Incomplete entry forms cannot be submitted.

(e) Only one claimant per entry allowed.

(f) Entrants must be 18 years of age or older.

(g) Entry is limited to entrants that indicate, at the time of submitting an entry, that their entry is being submitted from an internet connected device located within Pennsylvania.

(h) The only entry method for the Drawing is via the Lottery's website at <http://www.palottery.com>. Entries mailed to the Pennsylvania Lottery will be disqualified.

(i) Players may submit unlimited entries for the Drawing.

(j) The purchase price of each non-winning PA-1070 Leprechaun Loot '14 (\$5) or PA-1071 Dublin Dollars (\$2) instant ticket entered will determine the number of entries a player will receive in the Drawing. Accordingly, entering a non-winning Leprechaun Loot '14 (\$5) ticket

will entitle the player to five entries and entering a non-winning PA-1071 Dublin Dollars (\$2) will entitle the player to two entries.

11. *Pennsylvania Lottery's 2014 St. Patrick's Day Payout Second-Chance Drawing and Prizes:*

(a) The Lottery will conduct the Drawing, from among the entries received during the entry period, between March 18, 2014 and March 21, 2014.

(b) The first ten winners selected in the Drawing, complying with the provisions of these rules, shall each be entitled to a prize of \$17,000, less required federal withholding. This prize shall be paid as a one-time, lump-sum cash payment.

(c) The winners of the Drawing will be announced during the Pennsylvania Lottery's live drawing show on March 22, 2014 and after the live drawing show via social media and the Lottery's website.

12. *Pennsylvania Lottery's 2014 St. Patrick's Day Payout Second-Chance Drawing Restrictions:*

(a) The odds of an entry being selected in the Drawing depend upon the number of entries received for the Drawing.

(b) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Drawing. The Lottery assumes no responsibility for entries that are not entered into the Drawing because of incompatible internet browsers or other technical issues related to the internet connected device used to make entry. If a Drawing entry is rejected during or following the Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(c) A computer-generated randomizer will be used to select the Drawing winners.

(d) An entrant may only win the prize for which they are first selected in the Drawing. Subsequent entries, from the same entrant, selected in the Drawing, will be disqualified and a replacement entry will be selected.

(e) If any discrepancy exists between these Drawing rules and any material describing the Drawing, these Drawing rules shall govern.

(f) Employees of the Pennsylvania Lottery and its agents, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(g) If, for any reason, the Drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawing, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Drawing.

(h) All entries shall be subject to verification by the Pennsylvania Lottery.

(i) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(j) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

(k) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(l) The payment of a prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Dublin Dollars instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Dublin Dollars, prize money from winning Pennsylvania Dublin Dollars instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Dublin Dollars instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

15. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

16. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Dublin Dollars or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-147. Filed for public inspection January 17, 2014, 9:00 a.m.]

## Pennsylvania Leprechaun Loot '14 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Leprechaun Loot '14.

2. *Price:* The price of a Pennsylvania Leprechaun Loot '14 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Leprechaun Loot '14 instant lottery game ticket will contain one play area featuring 15 play symbols and their captions. The play symbols and their captions printed in black ink and located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17

(SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), Leprechaun (LEPCH) symbol and a Pot of Gold (PTGOLD) symbol. The play symbols and their captions printed in green ink and located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY) and a Shamrock (WIN25) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$25.<sup>00</sup> (TWY FIV), \$40.<sup>00</sup> (FORTY), \$50.<sup>00</sup> (FIFTY), \$75.<sup>00</sup> (SVY FIV), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$75, \$100, \$250, \$500, \$1,000 and \$50,000. The player can win up to 15 times on the ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct one 2014 St. Patrick's Day Payout second-chance drawing for which non-winning Pennsylvania Leprechaun Loot '14 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Leprechaun Loot '14 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$50,000 (FTY THO) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$1,000 (ONE THO) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$500 (FIV HUN) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a Pot of Gold (PTGOLD) symbol in the play area and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in five of the "prize" areas and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$250 (TWOHUNFTY) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets with a Pot of Gold (PTGOLD) symbol in the play area and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in ten of the "prize" areas and a prize

symbol of \$10.<sup>00</sup> (TEN DOL) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(g) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with a Pot of Gold (PTGOLD) symbol in the play area and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in five of the "prize" areas and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$75.<sup>00</sup> (SVY FIV) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$75.

(j) Holders of tickets with a Pot of Gold (PTGOLD) symbol in the play area and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in all fifteen of the "prize" areas, on a single ticket, shall be entitled to a prize of \$75.

(k) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$50.<sup>00</sup> (FIFTY) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$40.<sup>00</sup> (FORTY) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets with a Shamrock (WIN25) symbol in the play area, on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$20.<sup>00</sup> (TWENTY) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$10.<sup>00</sup> (TEN DOL) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$5.<sup>00</sup> (FIV DOL) in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal A "LEPRECHAUN" (LEPCH)  
Symbol, Win Prize Shown Under  
That Symbol. Win With:

|   | Win:     | Approximate<br>Odds Are 1 In: | Approximate No.<br>Of Winners Per<br>4,800,000 Tickets |
|---|----------|-------------------------------|--|
| \$5                                     | \$5      | 8.57                          | 560,000  |
| \$5 × 2                                 | \$10     | 30                            | 160,000  |
| \$10                                    | \$10     | 30                            | 160,000  |
| \$10 × 2                                | \$20     | 120                           | 40,000   |
| \$20                                    | \$20     | 120                           | 40,000   |
| \$5 × 5                                 | \$25     | 300                           | 16,000   |
| \$25 w/SHAMROCK                         | \$25     | 120                           | 40,000   |
| \$25                                    | \$25     | 200                           | 24,000   |
| \$5 × 8                                 | \$40     | 600                           | 8,000  |
| \$10 × 4                                | \$40     | 600                           | 8,000  |
| (\$25 w/SHAMROCK) + \$10 + \$5          | \$40     | 300                           | 16,000   |
| \$40                                    | \$40     | 600                           | 8,000  |
| \$10 × 5                                | \$50     | 600                           | 8,000  |
| \$25 × 2                                | \$50     | 600                           | 8,000  |
| (\$25 w/SHAMROCK) × 2                   | \$50     | 300                           | 16,000   |
| \$50                                    | \$50     | 600                           | 8,000  |
| POT OF GOLD w/(\$5 × 15)                | \$75     | 800                           | 6,000  |
| (\$25 w/SHAMROCK) × 3                   | \$75     | 800                           | 6,000  |
| \$75                                    | \$75     | 1,200                         | 4,000  |
| POT OF GOLD w/(\$10 × 5) + (\$5 × 10))  | \$100    | 3,429                         | 1,400  |
| \$25 × 4                                | \$100    | 4,000                         | 1,200  |
| \$50 × 2                                | \$100    | 4,000                         | 1,200  |
| (\$25 w/SHAMROCK) × 4                   | \$100    | 1,600                         | 3,000  |
| \$100                                   | \$100    | 4,000                         | 1,200  |
| POT OF GOLD w/(\$20 × 10) + (\$10 × 5)) | \$250    | 8,000                         | 600  |
| \$50 × 5                                | \$250    | 12,000                        | 400  |
| (\$25 w/SHAMROCK) × 10                  | \$250    | 8,000                         | 600  |
| \$250                                   | \$250    | 12,000                        | 400  |
| POT OF GOLD w/(\$50 × 5) + (\$25 × 10)) | \$500    | 17,143                        | 280  |
| (((\$25 w/SHAMROCK) × 10) + (\$50 × 5)) | \$500    | 17,143                        | 280  |
| \$100 × 5                               | \$500    | 40,000                        | 120  |
| \$500                                   | \$500    | 40,000                        | 120  |
| \$500 × 2                               | \$1,000  | 40,000                        | 120  |
| \$1,000                                 | \$1,000  | 120,000                       | 40   |
| \$50,000                                | \$50,000 | 480,000                       | 10   |

Reveal a "SHAMROCK" (WIN25) symbol, win \$25 instantly.

Reveal a "POT OF GOLD" (PTGOLD) symbol, win all 15 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Pennsylvania Lottery's 2014 St. Patrick's Day Payout Second-Chance Drawing Requirements:*

(a) To be eligible for the Pennsylvania Lottery's 2014 St. Patrick's Day Payout Drawing ("Drawing") entrants must be members of the Pennsylvania Lottery VIP Players Club. To join the VIP Players Club, visit <http://www.palottery.com/vipplayersclub/login.aspx> to create a VIP Players Club Member account. Becoming a VIP Players Club member is free.

(b) To enter the Drawing, entrants must enter the identifying information from at least one non-winning PA-1070 Leprechaun Loot '14 (\$5) or PA-1071 Dublin Dollars (\$2) instant lottery ticket via the Drawing's promotional website during the entry period.

(c) The entry period for the Drawing begins after 11:59:59 p.m. January 26, 2014 and ends at 11:59:59 p.m. March 17, 2014. All time references are Eastern Time.

(d) The contents of the entry form must be accurate and complete. Incomplete entry forms cannot be submitted.

(e) Only one claimant per entry allowed.

(f) Entrants must be 18 years of age or older.

(g) Entry is limited to entrants that indicate, at the time of submitting an entry, that their entry is being submitted from an internet connected device located within Pennsylvania.

(h) The only entry method for the Drawing is via the Lottery's website at <http://www.palottery.com>. Entries mailed to the Pennsylvania Lottery will be disqualified.

(i) Players may submit unlimited entries for the Drawing.

(j) The purchase price of each non-winning PA-1070 Leprechaun Loot '14 (\$5) or PA-1071 Dublin Dollars (\$2) instant ticket entered will determine the number of entries a player will receive in the Drawing. Accordingly, entering a non-winning Leprechaun Loot '14 (\$5) ticket will entitle the player to five entries and entering a non-winning PA-1071 Dublin Dollars (\$2) will entitle the player to two entries.

11. *Pennsylvania Lottery's 2014 St. Patrick's Day Payout Second-Chance Drawing and Prizes:*

(a) The Lottery will conduct the Drawing, from among the entries received during the entry period, between March 18, 2014 and March 21, 2014.

(b) The first ten winners selected in the Drawing, complying with the provisions of these rules, shall each



be entitled to a prize of \$17,000<sup>00</sup>, less required federal withholding. This prize shall be paid as a one-time, lump-sum cash payment.

(c) The winners of the Drawing will be announced during the Pennsylvania Lottery's live drawing show on March 22, 2014 and after the live drawing show via social media and the Lottery's website.

**12. Pennsylvania Lottery's 2014 St. Patrick's Day Payout Second-Chance Drawing Restrictions:**

(a) The odds of an entry being selected in the Drawing depend upon the number of entries received for the Drawing.

(b) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Drawing. The Lottery assumes no responsibility for entries that are not entered into the Drawing because of incompatible internet browsers or other technical issues related to the internet connected device used to make entry. If a Drawing entry is rejected during or following the Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(c) A computer-generated randomizer will be used to select the Drawing winners.

(d) An entrant may only win the prize for which they are first selected in the Drawing. Subsequent entries, from the same entrant, selected in the Drawing, will be disqualified and a replacement entry will be selected.

(e) If any discrepancy exists between these Drawing rules and any material describing the Drawing, these Drawing rules shall govern.

(f) Employees of the Pennsylvania Lottery and its agents, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(g) If, for any reason, the Drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawing, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Drawing.

(h) All entries shall be subject to verification by the Pennsylvania Lottery.

(i) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(j) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

(k) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(l) The payment of a prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

**13. Retailer Incentive Awards:** The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Leprechaun Loot '14 instant lottery

game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

**14. Unclaimed Prize Money:** For a period of 1 year from the announced close of Pennsylvania Leprechaun Loot '14, prize money from winning Pennsylvania Leprechaun Loot '14 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Leprechaun Loot '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

**15. Governing Law:** In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

**16. Termination of the Game:** The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Leprechaun Loot '14 or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-148. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Pennsylvania Money Bags Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. **Name:** The name of the game is Pennsylvania Money Bags. 2. **Price:** The price of a Pennsylvania Money Bags instant lottery game ticket is \$1.

2. **Price:** The price of a Pennsylvania Money Bags instant lottery game ticket is \$1.

3. **Play Symbols:** Each Pennsylvania Money Bags instant lottery game ticket will contain one play area and a separate "BONUS" area containing one prize symbol. The "BONUS" area is played separately. The play symbols and their captions located in the play area are: X (XXXX) symbol and a Money Bag (MNYBAG) symbol. The play symbols and their captions located in the "BONUS" area are: Piggy Bank (PIGBNK) symbol, Wallet (WALLET) symbol, Coins (COINS) symbol, Safe (SAFE) symbol, Bank (BANK) symbol and a Cash (WIN10) symbol.

4. **Prize Symbols:** The prize symbols and their captions located in the play area are: FREE (TICKET), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$600 (SIX HUN) and \$6,000 (SIX THO).

5. **Prizes:** The prizes that can be won in this game are: Free \$1 Ticket, \$2, \$3, \$5, \$10, \$20, \$30, \$40, \$100, \$600 and \$6,000.

6. **Approximate Number of Tickets Printed For the Game:** Approximately 12,000,000 tickets will be printed for the Pennsylvania Money Bags instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$6,000 (SIX THO) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$6,000.

(b) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$600 (SIX HUN) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$600.

(c) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal

and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets with a Cash (WIN10) symbol in the "BONUS" box area, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$3<sup>00</sup> (THR DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets with three matching Money Bag (MNYBAG) symbols appearing in a row, column or diagonal and a prize symbol of FREE (TICKET) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of one Pennsylvania Money Bags instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal Three "MONEY BAG"  
(MNYBAG) Symbols In A Row,  
Column Or Diagonal, Win Prize  
Shown In the Prize Box. Win With:

|                      | Win:            | Approximate Odds Are 1 In: | Approximate No. of Winners Per 12,000,000 Tickets |
|----------------------|-----------------|----------------------------|---|
| FREE                 | FREE \$1 TICKET | 9.68                       | 1,240,000   |
| \$2                  | \$2             | 20                         | 600,000   |
| \$3                  | \$3             | 33.33                      | 360,000   |
| \$5                  | \$5             | 60                         | 200,000   |
| \$10                 | \$10            | 176.47                     | 68,000  |
| \$10 w/CASH          | \$10            | 176.47                     | 68,000  |
| \$20                 | \$20            | 600                        | 20,000  |
| \$10 + (\$10 w/CASH) | \$20            | 600                        | 20,000  |
| \$30                 | \$30            | 3,000                      | 4,000   |
| \$20 + (\$10 w/CASH) | \$30            | 1,500                      | 8,000   |
| \$40                 | \$40            | 3,000                      | 4,000   |
| \$30 + (\$10 w/CASH) | \$40            | 3,000                      | 4,000   |
| \$100                | \$100           | 12,000                     | 1,000   |
| \$600                | \$600           | 60,000                     | 200   |
| \$6,000              | \$6,000         | 480,000                    | 25  |

Reveal a "CASH" (WIN10) symbol in the bonus box, win \$10 automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Money Bags instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Money Bags,

prize money from winning Pennsylvania Money Bags instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Money Bags instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Money Bags or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-149. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Pennsylvania Three Million Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Three Million.

2. *Price:* The price of a Pennsylvania Three Million instant lottery game ticket is \$30.

3. *Play Symbols:* Each Pennsylvania Three Million instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a separate “Cash Bonus” area. The “Cash Bonus” area is played separately. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), 41 (FRYONE), 42 (FRYTWO), 43 (FRYTHR), 44 (FRYFOR), 45 (FRYFIV), 46 (FRYSIX), 47 (FRYSVN), 48 (FRYEGT), 49 (FRYNIN), 50 (FIFTY), 51 (FTYONE), 52 (FTYTWO), 53 (FTYTHR), 54 (FTYFOR), 55 (FTYFIV), 56 (FTYSIX), 57 (FTYSVN), 58 (FTYEGT), 59 (FTYNIN), 60 (SIXTY), 61 (SXTONE), 62 (SXTTWO), 63 (SXTTHR), 64 (SXTFOR), 65 (SXTFIV), 66 (SXTSIX), 67 (SXTSVN), 68 (SXTEGT), 69 (SXTNIN), 70 (SEVNTY), 71 (SVYONE), 72 (SVYTWO), 73 (SVYTHR), 74 (SVYFOR) and 75 (SVYFIV). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), 41 (FRYONE), 42 (FRYTWO), 43 (FRYTHR), 44 (FRYFOR), 45 (FRYFIV), 46 (FRYSIX), 47 (FRYSVN), 48 (FRYEGT),

49 (FRYNIN), 50 (FIFTY), 51 (FTYONE), 52 (FTYTWO), 53 (FTYTHR), 54 (FTYFOR), 55 (FTYFIV), 56 (FTYSIX), 57 (FTYSVN), 58 (FTYEGT), 59 (FTYNIN), 60 (SIXTY), 61 (SXTONE), 62 (SXTTWO), 63 (SXTTHR), 64 (SXTFOR), 65 (SXTFIV), 66 (SXTSIX), 67 (SXTSVN), 68 (SXTEGT), 69 (SXTNIN), 70 (SEVNTY), 71 (SVYONE), 72 (SVYTWO), 73 (SVYTHR), 74 (SVYFOR), 75 (SVYFIV), Star (STAR) symbol, 5X (5TIMES) symbol and a 10X (10TIMES) symbol. The play symbols and their captions located in the “Cash Bonus” area are: Diamond (DIAMOND) symbol, Horseshoe (HSHOE) symbol, Safe (SAFE) symbol, Gold Bar (GOLD) symbol, Stack of Coins (COINS) symbol and a \$\$\$ (BONUS) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$30<sup>00</sup> (THIRTY), \$35<sup>00</sup> (TRY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$75<sup>00</sup> (SVY FIV), \$100 (ONEHUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$30,000 (TRY THO), \$300,000 (THRHUNTHO) and \$3MILL (THR MIL). The prize symbols and their captions located in the “Cash Bonus” area are: \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY) and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won in this game are: \$30, \$35, \$40, \$50, \$75, \$100, \$250, \$500, \$1,000, \$30,000, \$300,000 and \$3,000,000. The prizes that can be won in the “Cash Bonus” area are: \$40, \$50, \$100, \$250 and \$500. A player can win up to 26 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,600,000 tickets will be printed for the Pennsylvania Three Million instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$3MILL (THR MIL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3,000,000. This prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30,000 (THR THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$30,000 (THR THO) appears in the “prize” area under the Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the match-







of \$35<sup>00</sup> (TRY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$35.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$35<sup>00</sup> (TRY FIV) appears in the “prize” area under the Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$35.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under the

matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(gg) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under the Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$30.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

| <i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 6,600,000 Tickets:</i> |
|--|-------------|-----------------------------------|--|
| \$30 w/STAR  | \$30        | 10                                | 660,000  |
| \$30   | \$30        | 15                                | 440,000  |
| \$35 w/STAR  | \$35        | 30                                | 220,000  |
| \$35   | \$35        | 30                                | 220,000  |
| \$40 w/STAR  | \$40        | 30                                | 220,000  |
| \$40   | \$40        | 60                                | 110,000  |
| \$50 w/STAR  | \$50        | 50                                | 132,000  |
| \$50   | \$50        | 75                                | 88,000   |
| \$40 + \$35  | \$75        | 300                               | 22,000   |
| (\$40 w/BONUS) + \$35  | \$75        | 150                               | 44,000   |
| \$75 w/STAR  | \$75        | 150                               | 44,000   |
| \$75   | \$75        | 300                               | 22,000   |
| \$50 × 2   | \$100       | 300                               | 22,000   |
| (\$30 × 2) + \$40  | \$100       | 300                               | 22,000   |
| (\$50 w/BONUS) + \$50  | \$100       | 300                               | 22,000   |
| \$100 w/STAR   | \$100       | 300                               | 22,000   |
| \$100  | \$100       | 300                               | 22,000   |
| \$50 × 5   | \$250       | 1,200                             | 5,500  |
| (\$50 w/BONUS) + (\$100 × 2)   | \$250       | 1,200                             | 5,500  |
| (\$100 w/BONUS) + \$100 + \$50   | \$250       | 1,200                             | 5,500  |
| (\$30 w/5X) + \$100  | \$250       | 480                               | 13,750   |
| (\$40 w/5X) + \$50   | \$250       | 480                               | 13,750   |
| \$250 w/STAR   | \$250       | 1,200                             | 5,500  |
| \$250  | \$250       | 1,200                             | 5,500  |
| \$100 × 5  | \$500       | 6,000                             | 1,100  |
| (\$40 × 5) + (\$30 × 10)   | \$500       | 6,000                             | 1,100  |
| (\$100 w/BONUS) + (\$50 × 8)   | \$500       | 4,000                             | 1,650  |
| (\$250 w/BONUS) + (\$30 × 7) + \$40  | \$500       | 4,000                             | 1,650  |
| (\$50 w/5X) × 2  | \$500       | 1,091                             | 6,050  |
| \$50 w/10X   | \$500       | 800                               | 8,250  |
| \$500 w/STAR   | \$500       | 6,000                             | 1,100  |
| \$500  | \$500       | 6,000                             | 1,100  |
| \$40 × 25  | \$1,000     | 12,000                            | 550  |
| \$100 × 10   | \$1,000     | 12,000                            | 550  |
| (\$250 w/BONUS) + (\$30 × 25)  | \$1,000     | 6,000                             | 1,100  |
| (\$500 w/BONUS) + (\$100 × 5)  | \$1,000     | 6,000                             | 1,100  |
| (\$50 w/5X) × 4  | \$1,000     | 2,400                             | 2,750  |
| \$100 w/10X  | \$1,000     | 1,714                             | 3,850  |
| \$1,000 w/STAR   | \$1,000     | 12,000                            | 550  |
| \$1,000  | \$1,000     | 12,000                            | 550  |
| (\$1,000 w/10X) × 3  | \$30,000    | 60,000                            | 110  |
| \$30,000 w/STAR  | \$30,000    | 120,000                           | 55   |
| \$30,000   | \$30,000    | 120,000                           | 55   |
| \$300,000  | \$300,000   | 440,000                           | 15   |
| \$3,000,000  | \$3,000,000 | 1,650,000                         | 4  |

Reveal a “STAR” (STAR) symbol, win prize shown under it automatically.

Reveal a “5X” (5TIMES) symbol, win 5 times the prize shown under it.

Reveal a “10X” (10TIMES) symbol, win 10 times the prize shown under it.

Cash Bonus: Reveal a “\$\$\$” (BONUS) symbol, win prize shown under that symbol. Cash Bonus Played Separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Three Million instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Three Million, prize money from winning Pennsylvania Three Million instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Three Million instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Three Million or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 14-150. Filed for public inspection January 17, 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 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 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 two 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<br/>Comment Period</i> | <i>IRRC<br/>Comments<br/>Issued</i> |
|-----------------|--|---|-------------------------------------|
| 57-294          | Pennsylvania Public Utility Commission<br>Review of Long Term Infrastructure<br>Improvement Plan<br>43 Pa.B. 6206 (October 19, 2013) | 12/3/13                                       | 01/02/14                            |
| 126-6           | Philadelphia Parking Authority<br>Taxicab Medallion Sales by the Authority<br>43 Pa.B. 6674 (November 9, 2013)                       | 12/9/13                                       | 01/08/14                            |

### Pennsylvania Public Utility Commission

#### Regulation #57-294 (IRRC #3032)

#### Review of Long Term Infrastructure Improvement Plan

January 2, 2014

We submit for your consideration the following comments on the proposed rulemaking published in the October 19, 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 Public Utility Commission (PUC) to respond to all comments received from us or any other source.

#### 1. Implementation procedures.

A commentator has suggested that this proposal be amended to specify how the rulemaking will be applied to water and wastewater utilities that already have a Distribution System Improvement Charge (DSIC), as it pertains to the filing of a Long-term Infrastructure Improvement Plan (LTIIP). We ask the PUC to explain what effect, if any, this rulemaking will have on water and wastewater utilities that already have a PUC-approved DSIC in place.

The same commentator also believes that the PUC should establish a schedule that would provide a phased filing of the various submissions required under this rulemaking by the utilities seeking to implement a DSIC. This approach, according to the commentator, would allow interested parties and the statutory advocates the time to provide a more thorough and meaningful analysis of the submissions. The PUC should consider such an approach and in the final-form regulation submittal, explain why it did or did not adopt a phased filing schedule.

#### 2. Section 121.2. Definitions.—Consistency with law; Clarity.

##### *Eligible property*

This definition references “property” as defined in 66 Pa.C.S.A. § 1351, relating to definitions. The cited section of the statute does not define the term “property.” The defined term in the statute is “eligible property.” The final-form regulation should be amended accordingly.

##### *Major modification*

Under this definition, a change or deviation to a utility’s previously approved LTIIP that meets certain criteria is defined as a “major modification.” In order for a modification to be considered a “major modification,” does it have to meet all four of the criteria found in this

definition? This should be clarified in the final-form rulemaking by inserting either the word “or” or “and” at the end of Paragraph (iii).

In addition, commentators have raised several concerns with this definition. For example, they note that the elimination of a certain category of eligible property from an LTIIIP in Paragraph (i) or the extension of time of scheduled repair beyond two years in Paragraph (ii) should not automatically categorize the modification as a “major modification.” They also suggest that the 15% threshold included in Paragraph (iii) is too low because of the timeframes associated with certain projects. In the Preamble to the final-form rulemaking, we ask the PUC to explain why it believes all of the criteria of this definition are reasonable and needed.

**3. Section 121.3. LTIIIP.—Whether the regulation is consistent with the intent of the General Assembly; Implementation procedures; Need; Clarity.**

Subsection (a) requires utilities to file LTIIIPs and establishes nine elements that must be included in an LTIIIP. We note that the first six paragraphs of this subsection correspond to 66 Pa.C.S.A. §§ 1352(a)(1)–(6). We have two concerns. First, we ask the PUC to explain the need for including three additional elements in a utility’s LTIIIP that are not included in statute and why it believes these additional elements are consistent with the intent of the General Assembly and Act 11 of 2012 (Act 11). The elements relate to workforce management and training, outreach efforts, and additional information to be provided by natural gas distribution companies.

Second, Subsection (a) states that utilities “shall” file an LTIIIP. Similar language can be found in § 121.5 (c), pertaining to modifications to and expiration of an LTIIIP. It is our understanding that an LTIIIP is required only for utilities seeking to impose a DSIC. We suggest that the rulemaking be clarified to state that the filing of an LTIIIP is not mandatory for all utilities and applies only to those utilities seeking to impose a DSIC.

**4. Section 121.4. Filing and Commission review procedures.—Statutory authority; Implementation procedures; Clarity.**

This section sets forth the filing procedures for LTIIIPs, the public comment period associated with those filings and the manner in which the PUC will review a LTIIIP. Commentators have expressed concern with various provisions of this section.

First, under Subsection (a), a commentator has suggested that the term “parties” be limited to persons who formally participated in the most recent base rate case proceeding. We ask the PUC to clarify what is meant by the term “parties.”

Second, a commentator has suggested that a utility seeking proprietary treatment of certain information under Subsection (b) should have to obtain that approval from the PUC before the filing of an LTIIIP. We ask the PUC to explain when a utility is required to obtain the aforementioned approval and clarify the regulation accordingly.

Third, a commentator believes that the 20-day public comment period included in Subsection (c) does not provide interested parties enough time to review LTIIIPs. A similar concern was raised with § 121.5(a), relating to modifications to and expiration of an LTIIIP. What factors did the PUC consider when determining that 20-day public comment periods are appropriate for reviewing LTIIIPs?

Fourth, commentators are concerned that Subsections (e) and (f) provide the PUC the authority to direct a particular work plan or schedule but Act 11 does not grant such authority. Under these subsections, can the PUC direct a particular work plan or schedule? If so, under what specific statutory authority can this be accomplished?

Finally, Subsection (f) states that the PUC will order a utility to file a new or revised LTIIIP if the LTIIIP does not meet the criteria of this section. We note that the elements of a LTIIIP are found in the preceding section of the rulemaking. Should the regulation reference both §§ 121.3 and 121.4? In addition, several commentators have suggested that Subsection (f) be amended to state that a utility has the right to withdraw an LTIIIP. We ask the PUC to consider adding a provision that specifically states a utility has the right to withdraw an LTIIIP.

**5. Section 121.5. Modifications to and expiration of an LTIIIP.—Implementation procedures; Clarity.**

This section sets forth the procedures for modifying a PUC-approved LTIIIP and filing a new LTIIIP prior to the expiration of the filed plan. Subsection (b) states that minor modifications to an LTIIIP will be addressed concurrent with the review of a utility’s Annual Asset Optimization plan (AAO plan). A commentator has noted that this concurrent review will not be possible if a utility’s DSIC has not been approved by the PUC. We ask the PUC to explain how this provision will be implemented.

**6. Section 121.6. AAO plan filings.—Implementation procedures; Clarity.**

The elements of and the procedures for filing AAO plans are addressed in this section. Commentators have raised several concerns with this section.

First, under Subsection (a), an AAO plan must be filed with the PUC on or before March 1st. Commentators have expressed concerns with the filing date. One commentator has suggested that a more appropriate time for filing an AAO plan would be three months after the end of the 12-month period used by a utility in its LTIIIP. As the PUC develops the final-form rulemaking, we ask it to consider this recommendation. We believe it would provide the PUC with more accurate information, address the concern about the March 1st deadline and provide interested parties a more meaningful timeframe for reviewing AAO plans on a staggered basis.

Second, Subsection (b)(3) requires an AAO plan to include a utility’s system reliability data for the prior five years. Commentators have raised several concerns with this provision. First they note that this requirement goes beyond the scope of Act 11 and 66 Pa.C.S.A. § 1356. Second, they question the need to include this information in an AAO plan because electric utilities supply similar information under § 57.195, related to reporting requirements, of the PUC’s existing regulations. Third, they question the relevance of this type of information for utilities other than electric utilities. We agree with the concerns raised and ask the PUC to explain how this provision is consistent with Act 11 and why this information is needed.

Third, under Subsection (e), an AAO plan will be deemed approved absent any major modifications to an LTIIIP, adverse comments or PUC action within 60 days of the filing. Commentators believe the inclusion of “adverse comments” in this provision is inappropriate because the filing of an AAO plan is for informational purposes and is not intended to be an adversarial proceeding. In the Preamble to the final-form rulemaking, we ask the PUC



to explain the rationale for this provision and why it is appropriate that the filing of “adverse comments” could delay the approval of an AAO plan.

**7. Section 121.7. Periodic review of an LTIP.—Reasonableness; Implementation procedures.**

Commentators provided two suggestions on how this section of the rulemaking could be implemented. One commentator suggested that if the PUC finds a utility’s implementation of an LTIP to be deficient, the utility should have the option to withdraw the LTIP and suspend the corresponding DSIC. They ask the PUC to add language to the final-form rulemaking to allow this action. Another commentator suggested the section be amended to state the five-year review of an existing LTIP could be satisfied by the review of new proposed LTIP. In the context of these suggestions, we ask the PUC to explain why the language of this section is reasonable.

**8. Section 121.8. Enforcement of LTIP implementation.—Statutory authority; Consistency with law; Reasonableness.**

Subsection (c) states the following:

The remedies for noncompliance with an approved LTIP may include civil penalties, revocation of the DSIC and other remedies as may be appropriate based on the record developed in the enforcement proceeding.

We note that Act 11 provides the PUC with the authority to promulgate regulations on this matter as follows:

The regulations shall ensure that a distribution system improvement charge *shall* terminate if the commission determines that the utility is not in compliance with the approved plan. 66 Pa.C.S.A. § 1352(b)(2). [Emphasis added.]

Commentators raise three concerns with this subsection. One commentator notes that, under the statute, noncompliance with an LTIP requires a DSIC to be discontinued and the regulation provides the PUC discretion in this matter. Others believe that Act 11 does not grant the PUC the authority to impose civil penalties. A third commentator questions the reasonableness of imposing penalties and believes the potential for penalties would discourage infrastructure development. We ask the PUC to explain its statutory authority for this provision and how it is consistent with Act 11. We also ask the PUC to explain why the imposition of penalties is reasonable.

**9. Determining whether the regulation is in the public interest.**

Section 5.2 of the RRA (71 P. S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed regulation and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under § 745.5(a) in the Regulatory Analysis Form (RAF).

We ask the PUC 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 PUC 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.

**10. Miscellaneous clarity.**

- Under § 121.4(b), the reference to § 5.423 is not accurate. That section of the PUC’s existing regulations is currently reserved.

- As noted by a commentator, the phrase “major changes” in § 121.5(b) should be amended to the defined term “major modification.”

**Philadelphia Parking Authority**

**Regulation #126-6 (IRRC #3039)**

**Taxicab Medallion Sales by the Authority**

**January 8, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the November 9, 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. Comments by Senator Lawrence M. Farnese, Jr.—Legislative intent; Protection of the public welfare.**

Senator Farnese submitted comments to highlight several concerns he has with this regulation in a letter dated January 7, 2014. His concerns relate to specifying a minimum number of Wheelchair Accessible Vehicles to be licensed; using a public, open bidding process; and allowing more non-medallion owner taxicab drivers and potential new and reputable companies to buy medallions. Senator Farnese concludes that, ultimately, the intent of Act 119 of 2012 (Act 119) was to provide for more wheelchair accessible taxicabs in Philadelphia and the regulations, as written, do not adequately represent this intent. We will review the Authority’s responses to Senator Farnese as part of our consideration of whether the final regulation is in the public interest.

**2. Sale of 150 additional medallions—Consistency with statute; Legislative intent; Implementation procedure; Clarity.**

*Background*

The amendments made by Act 119 provide the procedure for the sale of additional medallions by the Authority in 53 Pa.C.S. § 5711(c)(2):

The Authority is authorized to issue the following:

(i) Subject to the provisions of subparagraph (ii), a maximum of 1,600 certificates of public convenience and corresponding medallions for citywide call or demand service and an additional 15 certificates of public convenience and corresponding medallions restricted to wheelchair-accessible taxicab service as provided in this chapter.

(ii) Beginning June 1, 2013, and each June 1 thereafter until there is a total of 1,750 certificates of public convenience and corresponding medallions, the maximum number of certificates of public convenience and corresponding medallions for citywide call or demand service shall be increased by 15. The authority, in its discretion, may issue the certificates and medallions authorized by this subparagraph with special rights, privileges and limitations applicable to issuance and



use as it determines necessary to advance the purposes of this chapter and may issue the certificates and medallions authorized by this subparagraph in stages.

In the Preamble to the proposed regulation, the Authority explains, in part: “The Authority has been authorized by the Legislature through the act of July 5, 2012, (P. L. 1022, No. 119) (“Act 119”) to issue up to 150 new taxicab medallions over the next 10 years, including medallions designated only for use on wheelchair accessible vehicles.” We note that the regulation does not specify what type the new medallions will be, but rather states the notice of the sale will specify “special restrictions that have been attached to a medallion.” See proposed Sections 1013.33 and 1013.34(4).

In relation to the comments submitted on this proposed regulation, commentators raise two points:

*Will the 150 new medallions exclusively be issued as wheelchair accessible medallions?*

Commentators express concern that the Authority’s interpretation of Act 119 is that not all medallions will be issued as wheelchair accessible medallions. One commentator asserts that the Authority has exceeded its legal authority through the proposed regulation.

In regard to what type of medallions (e.g., “special restrictions . . . attached to a medallion”) the Authority will issue, we ask the Authority to:

- Provide its interpretation of the statute and how the regulation is consistent with legislative intent;
- Explain how the regulation’s language properly implements the statute;
- Explain why the regulation is not specific regarding what type of medallions will be issued; and
- Explain the Authority’s intentions regarding what type(s) of medallions will be issued.

*How many new medallions does the Authority anticipate selling each year?*

The statute set forth a process that began June 1, 2013, with a maximum annual increase of 15 medallions each June 1 thereafter until there is a total of 1,750 certificates of public convenience and corresponding medallions. 53 Pa.C.S. § 5711(c)(2)(ii). It is our understanding that the Authority has not yet sold any additional medallions over the cap of 1,600 established prior to Act 119. Given that the starting date of June 1, 2013 has passed, it is not clear what specific plan the Authority will pursue in selling the new medallions.

Commentators believe that the Authority should sell all 150 medallions at once to address the shortage of wheelchair accessible vehicles in Philadelphia. Public comments also question the 10-year distribution schedule of medallions.

We agree to the extent that it is not clear how the statute is being implemented at this point. For example, if the regulation was effective by April 15, 2014, as the Authority expects, how many new medallions would the Authority offer for sale as of June 1, 2014, June 1, 2015, etc.? We ask the Authority to provide a schedule of its intended sale of new medallions for the period “beginning June 1, 2013, and each June 1 thereafter until there is a total of 1,750 certificates of public convenience and corresponding medallions.”

### **3. Section 1013.32. Bidder qualifications.—Reasonableness; Clarity; Implementation procedure.**

*Person in good standing*

Paragraph (a)(3) states a person in good standing with the Authority is a person who “has not sold a medallion in the most recent 365 days.” This provision implies that anyone who sells a medallion for any reason is no longer in good standing with the Authority. On one hand, this might deter bidders whose only intention is to resell medallions. It would also eliminate a person who had to sell a medallion due to Authority violations. On the other hand, this provision would also eliminate a bidder who has held a medallion for many years in good standing, but wants to sell a medallion to raise funds to bid on a wheelchair-accessible medallion. We also question whether this provision would affect an otherwise qualified bidder who owns and sells a medallion outside of the Authority’s jurisdiction. In the final regulation submittal, the Authority should explain why this provision is needed and what goals it accomplishes in establishing a person’s credentials as a qualified bidder.

*Pending medallion taxicab certificate holder*

We question the reasonableness of the timeline for a person to qualify as a pending medallion taxicab certificate holder. Section 1013.34, consistent with 53 Pa.C.S. § 5717(b), requires notice of a proposed sale to be published in the *Pennsylvania Bulletin* 60 days or more before bids are due. Subsection (b) addresses bidders who are not medallion taxicab certificate holders: “To qualify to bid as a pending medallion taxicab certificate holder, the SA-1 shall be filed 45 days or more before the date bids are due.” [Emphasis added.] This potentially would leave only 15 days from publication of the notice for a person to submit the information to qualify as a pending medallion taxicab certificate holder. As outlined in the following comment, this form requires a lot of information, such as a credit report obtained within the last 30 days. The Authority should explain how 15 days is sufficient time for a bidder to submit the information to qualify as a pending medallion taxicab certificate holder.

*SA-1 application*

The SA-1 application we found on the Authority’s website (<http://philapark.org/taxis-limousines/forms/>) is titled “APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND OR THE TRANSFER OF TAXICAB, LIMOUSINE OR DISPATCH RIGHTS ISSUED BY PHILADELPHIA PARKING AUTHORITY.” This appears to be a multi-purpose document, consisting of 18 pages, which includes issuance of a certificate of public convenience along with transfer of rights for a taxicab, limousine or dispatch.

We note that successful completion of the SA-1 application is critical to a successful bid and furthermore to a pool of bidders who may bring the highest bid. We did not find clear direction either in the regulation, or in the directions to fill out SA-1, as to how to correctly fill out this document for the purposes of qualifying to bid as a pending medallion taxicab certificate holder. In the final regulation submittal, we recommend that the Authority establish a clear process for a person to qualify as a pending medallion taxicab certificate holder and provide an explanation of how the process is in the public interest.

**4. Section 1013.33. General provisions.—Economic impact; Reasonableness; Implementation procedure.**

*Advertisement for bids or for public auction*

Under 53 Pa.C.S. § 5717(b), the Authority is given the following authority to solicit bids:

Medallions shall be sold to the highest bidder after due notice *by advertisement for bids or for public auction* in the *Pennsylvania Bulletin* . . . [Emphasis added.]

Subsection (a) of the proposed regulation directly states that the Authority “will sell taxicab medallions by sealed bid.”

Parties opposing sealed bids provided the following comments:

- The regulation does not have enough procedures in place to prevent corruptive bidding practices.
- How can the industry and the public ensure that the Authority is conducting sales with objectivity without an open and honest live auction?
- The auction should be a transparent process conducted in an open manner.
- There have been several examples of sealed bids that ended in investigations in other jurisdictions, including allegations of collusion and corruption.

We note that neither the preamble nor the regulatory analysis form (RAF) provide a detailed explanation of why the Authority proposed a sealed bid process for the sale of medallions. Furthermore, in response to RAF Question #26, the Authority responds that no other alternative regulatory provisions were considered. In the final regulation submittal, we request that the Authority explain how the process proposed to sell medallions is in the public interest. The Authority should explain how the regulation preserves the integrity of the bidding process and how it eliminates or reduces the opportunity for collusion and corruption.

**5. Section 1013.34. Notice of medallion sale by the Authority.—Reasonableness; Clarity; Implementation procedure.**

*60 days or more*

The opening paragraph states that “Notice of a proposed sale of a medallion by the Authority will be published in the *Pennsylvania Bulletin* 60 days or more before the sealed bids are due from bidders.” This tracks the statutory provision at 53 Pa.C.S. § 5717(b)(1). We outlined concerns that bidders might not have enough time to qualify to bid as a pending medallion taxicab certificate holder under Subsection 1013.32(b). Given the discretion in statute to publish “not less than 60 days before auction,” the Authority should consider establishing in regulation a longer timeframe than 60 days, or explain how all bidders can reasonably meet a timeline with as little as a 60 day notice before sealed bids are due.

*Other terms of sale*

Paragraph (8) allows the notice of medallion sale to include “other terms of sale.” This provision is vague because it could encompass an unlimited realm of terms of sale. It should either be deleted or amended to limit the scope of these terms of sale.

**6. Section 1013.35. Procedures for bidding.—Reasonableness; Fiscal impact; Clarity.**

*Form No. MA-2*

Paragraph (a)(3) requires completed form MA-2 and states the form is available on the Authority’s website at [www.philapark.org/tld](http://www.philapark.org/tld). We were not able to locate this document on the website. Without this form, we are not able to evaluate whether Paragraph (a)(3) is in the public interest because we do not know what information it entails. The same concerns apply to Subsection (c).

*Deposits for bids*

Subparagraph (a)(4)(i) requires a deposit of \$5,000. A commentator questions whether this amount is sufficient compared to the expected market value for the medallions which the commentator believes is now more than \$500,000. The Authority should explain how the amount of the required deposit specified in the final regulation is sufficient.

*Unsuccessful bids*

Subparagraph (a)(4)(i) specifies that the \$5,000 deposit will be nonrefundable as to the highest bidder and credited toward the sale price if the sale is approved. We recommend that the regulation also specify what happens to the deposits from the unsuccessful bidders and, in relation to Subsection 1013.36(b), what happens to the deposit from a bidder who originally won the bid but subsequently was not approved as the winning bidder.

**7. Section 1013.36. Bid opening.—Reasonableness, Economic impact; Clarity.**

*Timeline in Subsection (b) Nonsuccessful bid review*

If the high bidder is subsequently not approved, Subsection (b) sets forth the procedures to determine and notify the highest nonsuccessful bidder, or readvertise the bid. Paragraph (4) allows the Director to amend the mandatory closing date. However, Paragraph (5) also allows the Director to request to readvertise the bid process if “. . . the original successful bidder fails to close by the date designated in Section 1013.34.” Between Paragraphs (4) and (5), it would appear there is a time period when the Director could simultaneously offer the bid to another bidder with an amended closing date and readvertise the bid after the original closing date published under Section 1013.34. We recommend that the Authority amend Subsection (b) so that a medallion is clearly either in the process of being sold or being readvertised for a new bid.

*As provided in this subchapter*

Paragraph (b)(2) ends with the phrase “as provided in this subchapter.” Is the intention to reference the entirety of Subchapter C, or was the intent to reference this “section”? The final-form regulation should clarify the reference.

**8. Section 1013.37. Medallion bid approval process and closing on sale.—Consistency with statute; Reasonableness; Clarity.**

*Transfer or sale of medallions*

Subsection (g) establishes measures which the Authority describes in the Preamble as “intended to discourage” rapid turnaround sales “through graduated fee transfer disincentives during the first three years after purchase. . . .” The Authority should explain how these multipliers of transfer fees are consistent with the statute, needed and reasonable.

*Reference to the act*

Paragraphs (g)(1), (2) and (3) reference the fee schedule in "section 5710(a) of the act." Should these references be to section 5710(b)(8) of the act?

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 14-151. Filed for public inspection January 17, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of Alliance National Insurance Company; Pennsylvania Compensation Rating Bureau; Doc. No. CL12-12-023

A prehearing telephone conference initiated by this office is scheduled for February 27, 2014, at 9:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before February 25, 2014. A date for a hearing shall be determined, if necessary, at the prehearing conference.

Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102 on or before February 6, 2014. Answers to petitions to intervene, if any, shall be filed on or before February 20, 2014. The Hearings Administrator shall serve this order, the appointment order and the request for hearing upon MJC Labor Solutions, LLC as an interested party and possible intervenor.

At the prehearing conference/telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter. In particular, the parties should be prepared to discuss the threshold issue whether the appellant as an insurance carrier has standing to appeal.

A written request for continuance of the scheduled prehearing telephone conference, for good cause will be considered by the Presiding Officer. Prior to requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-152. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Application for Approval of Certificates of Authority as a Nonprofit Hospital Plan and a Nonprofit Professional Health Services Plan Submitted by Highmark Senior Health Company

Highmark Senior Health Company, a domestic nonprofit corporation, has applied for Certificates of Authority to operate both a hospital plan and a professional health services plan. The filing was made under 40 Pa.C.S. Chapters 61 and 63 (relating to hospital plan corporations; and professional health services plan corporations).

Persons wishing to comment on the application are invited to submit a written statement to the Pennsylvania Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov. Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-153. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Health Maintenance Organization Certificate of Authority Application Filed by UPMC Health Coverage, Inc.

On July 8, 2013, UPMC Health Coverage, Inc. filed an application with the Department of Health and the Insurance Department for a certificate of authority to establish, operate and maintain a health maintenance organization (HMO) under the Health Maintenance Organization Act (40 P.S. §§ 1551—1567), Department of Health HMO regulations (28 Pa. Code §§ 9.631—9.654) and the Insurance Department HMO regulations (31 Pa. Code §§ 301.1—301.204).

The proposed service area of the applicant are Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington and Westmoreland Counties.

A copy of the application is available for public inspection, by appointment only, at the following locations:

Department of Health  
Bureau of Managed Care  
Room 912, Health and Welfare Building  
Harrisburg, PA 17109-0900  
(717) 787-5193

Insurance Department  
Company Licensing Division  
1345 Strawberry Square  
Harrisburg, PA 17120  
(717) 787-2735



Interested parties are invited to submit written comments to William Wiegmann, Department of Health or Cressinda Bybee, Insurance Department at the previously listed addresses.

Persons who wish to submit written comments regarding the application may do so within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Persons with disabilities may submit information and comments through alternative formats, such as by audio tape, Braille or using the Department of Health TDD (717) 783-6514. Persons with a disability requesting alternative forms may contact William Wiegmann to make the necessary arrangements.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-154. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Increase in the Accident Surcharge Dollar Threshold (Cap) to \$1,550; Notice 2014-01; Correction

An error occurred in the notice published at 44 Pa.B. 143 (January 4, 2014). An editorial change in the fourth paragraph altered the meaning of the sentence. The correct version of this paragraph follows. The remainder of the notice was accurate as published.

Insurers writing private passenger automobile insurance in this Commonwealth may not, by law, penalize their policyholders (for example, apply rate surcharges or otherwise increase premiums) whose aggregate claim cost over a 3-year period does not exceed a certain threshold (cap). This threshold (cap) applies to any person injured or property damaged, and is measured in excess of any deductible or self-insured retention. Effective July 1, 2014, the Insurance Department (Department) has increased the threshold (cap) to \$1,550.

Section 1799.3(a) of 75 Pa.C.S. (relating to limit on cancellations, refusals to renew, refusals to write, surcharges, rate penalties and point assignments) does not allow an insurer to "cancel or refuse to renew a policy or apply any surcharge, rate penalty or driver record point assignment" when the threshold (cap) is not exceeded.

By law, the Department is required to adjust the amount of the threshold (cap) at least once every 3 years. Section 1799.3(e) of 75 Pa.C.S. stipulates that the adjustment be made relative to changes in the Consumer Price Index for medical care and automobile maintenance and repair costs and may be rounded to the nearest \$50. The previous adjustment to the threshold (cap) was effective July 1, 2011, when the threshold (cap) increased to \$1,450.

Each individual insurer, ISO, AIPSO and MSO should file the above change for prior approval by April 1, 2014, and specify an effective date of no later than July 1, 2014.

To expedite the review process, companies are advised to limit their rate/rule filings to the required threshold revision only. Any unrelated changes, revisions and manual pages should not be included in the filing. Additionally, "surcharge disclosure plan(s)" required under 75 Pa.C.S. § 1793(b) (relating to special provisions relating to premiums) do not require the Department's review and prior approval and should not be submitted in response to this notice.

Questions regarding this notice may be directed to James Di Santo, Actuarial Review Division, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2118, jadisanto@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-155. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Qualified Unlicensed Reinsurers List

Under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1), the Insurance Commissioner (Commissioner) hereby lists reinsurers not licensed by the Insurance Department (Department) which shall be considered qualified to accept reinsurance from insurers licensed by the Department.

This listing of qualified unlicensed reinsurers shall be published in the *Pennsylvania Bulletin* when additions to or deletions from the listing are made by the Commissioner. This present listing shall replace in their entirety previously published listings of qualified unlicensed reinsurers which appeared at 6 Pa.B. 2423 (September 25, 1976); 6 Pa.B. 3140 (December 18, 1976); 7 Pa.B. 501 (February 19, 1977); 7 Pa.B. 1766 (June 25, 1977); 8 Pa.B. 276 (January 28, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 3461 (December 2, 1978); 9 Pa.B. 4235 (December 22, 1979); 11 Pa.B. 38 (January 3, 1981); 12 Pa.B. 37 (January 2, 1982); 12 Pa.B. 2368 (July 23, 1982); 13 Pa.B. 657 (February 5, 1983); 13 Pa.B. 2826 (September 10, 1983); 14 Pa.B. 1053 (March 24, 1984); 14 Pa.B. 3065 (August 18, 1984); 15 Pa.B. 402 (February 2, 1985); 15 Pa.B. 3214 (September 7, 1985); 16 Pa.B. 290 (January 25, 1986); 17 Pa.B. 461 (January 24, 1987); 17 Pa.B. 5368 (December 26, 1987); 18 Pa.B. 5540 (December 10, 1988); 19 Pa.B. 713 (February 18, 1989); 19 Pa.B. 3129 (July 22, 1989); 19 Pa.B. 5476 (December 23, 1989); 20 Pa.B. 6227 (December 15, 1990); 21 Pa.B. 3286 (July 20, 1991); 21 Pa.B. 5445 (November 23, 1991); 22 Pa.B. 4591 (September 5, 1992); 23 Pa.B. 60 (January 2, 1993); 23 Pa.B. 5678 (November 27, 1993); 24 Pa.B. 4151 (August 13, 1994); 24 Pa.B. 6033 (December 3, 1994); 25 Pa.B. 5799 (December 16, 1995); 26 Pa.B. 5665 (November 16, 1996); 27 Pa.B. 2593 (May 24, 1997); 27 Pa.B. 6019 (November 15, 1997); 28 Pa.B. 5733 (November 14, 1998); 28 Pa.B. 5922 (December 5, 1998); 29 Pa.B. 5965 (November 20, 1999); 30 Pa.B. 6033 (November 18, 2000); 31 Pa.B. 205 (January 13, 2001); 31 Pa.B. 6251 (November 10, 2001); 31 Pa.B. 7083 (December 29, 2001); 33 Pa.B. 92 (January 4, 2003); 33 Pa.B. 6474 (December 27, 2003); 34 Pa.B. 6617 (December 11, 2004); 35 Pa.B. 7073 (December 31, 2005); 36 Pa.B. 7359 (December 2, 2006); 38 Pa.B. 327 (January 12, 2008); 38 Pa.B. 6670 (December 6, 2008); 40 Pa.B. 824 (February, 6, 2010); 40 Pa.B. 1613 (March 20, 2010); 41 Pa.B. 577 (January 22, 2011); 42 Pa.B. 283 (January 14, 2012); 43 Pa.B. 395 (January 19, 2013).

### Qualified Unlicensed Reinsurers List

|       |   |
|-------|---|
| 15539 | CSAA Insurance Exchange, Walnut Creek, California           |
| 26883 | AIG Specialty Insurance Company, Chicago, Illinois          |
| 10852 | Allstate New Jersey Insurance Company, Northbrook, Illinois |



|       |   |       |   |
|-------|---|-------|---|
| 37990 | American Empire Insurance Company,<br>Cincinnati, Ohio                        | 14925 | Lancashire Insurance Company Limited,<br>Hamilton, Bermuda            |
| 10316 | Appalachian Insurance Company, Johnston,<br>Rhode Island                      | 19437 | Lexington Insurance Company, Wilmington,<br>Delaware                  |
|       | Aspen Bermuda Ltd., Hamilton, Bermuda   | 41939 | Liberty Northwest Insurance Corporation,<br>Portland, Oregon          |
| 11680 | Aspen Insurance UK Limited, London,<br>England                                |       | Lloyd's Underwriters, London, England                                 |
| 27189 | Associated International Insurance Company,<br>Woodland Hills, California     | 12324 | Mapfre Re, Compania de Reaseguros, S.A.,<br>Madrid, Spain             |
| 14927 | AXIS Specialty Limited, Pembroke, Bermuda                                     | 10744 | Markel International Insurance Company<br>Limited, London, England    |
| 98167 | Blue Cross Blue Shield of Florida,<br>Jacksonville, Florida                   | 26743 | Maxum Indemnity Company, Wilmington,<br>Delaware                      |
| 27081 | Bond Safeguard Insurance Company,<br>Louisville, Kentucky                     | 13921 | Montpelier Reinsurance Ltd., Hamilton,<br>Bermuda                     |
| 30511 | Castle Key Insurance Company, Northbrook,<br>Illinois                         | 20079 | National Fire & Marine Insurance Company,<br>Omaha, Nebraska          |
| 36951 | Century Surety Company, Columbus, Ohio  | 41629 | New England Reinsurance Corporation,<br>Hartford, Connecticut         |
| 36552 | Coliseum Reinsurance Company, Wilmington,<br>Delaware                         | 17400 | Noetic Specialty Insurance Company,<br>Chicago, Illinois              |
| 39993 | Colony Insurance Company, Richmond,<br>Virginia                               | 31143 | Old Republic Union Insurance Company,<br>Chicago, Illinois            |
| 27812 | Columbia Insurance Company, Omaha,<br>Nebraska                                | 88099 | Optimum Re Insurance Company, Dallas,<br>Texas                        |
| 40371 | Columbia Mutual Insurance Company,<br>Columbia, Missouri                      | 13787 | Partner Reinsurance Company Ltd.,<br>Hamilton, Bermuda                |
| 14034 | DaVinci Reinsurance Ltd., Pembroke,<br>Bermuda                                | 38636 | Partner Reinsurance Company of the U. S.,<br>New York, New York       |
| 40509 | EMC Reinsurance Company, Des Moines,<br>Iowa                                  | 88536 | Protective Life and Annuity Insurance<br>Company, Birmingham, Alabama |
| 39020 | Essex Insurance Company, Wilmington,<br>Delaware                              | 29807 | PXRE Reinsurance Company, Hartford,<br>Connecticut                    |
| 35378 | Evanston Insurance Company, Evanston,<br>Illinois                             | 11515 | QBE Specialty Insurance Company, New<br>York, New York                |
| 21555 | Farm Bureau Mutual Insurance Company of<br>Michigan, Lansing, MI              | 14033 | Renaissance Reinsurance Ltd., Pembroke,<br>Bermuda                    |
| 11049 | Genworth Mortgage Reinsurance Corporation,<br>Raleigh, NC                     | 12318 | RiverStone Insurance (UK) Limited, London,<br>England                 |
| 37532 | Great American E & S Insurance Company,<br>Wilmington, Delaware               | 21911 | San Francisco Reinsurance Company, Novato,<br>California              |
| 41858 | Great American Fidelity Insurance Company,<br>Wilmington, Delaware            | 87017 | SCOR Global Life Re Insurance Company of<br>Texas, Plano, Texas       |
| 14117 | Grinnell Mutual Reinsurance Company,<br>Grinnell, Iowa                        | 97071 | SCOR Global Life USA Reinsurance<br>Company, Leawood, Kansas          |
| 88340 | Hannover Life Reassurance Company of<br>America, Orlando, Florida             | 87572 | Scottish Re (U.S.) Inc., Dover, Delaware                              |
| 10241 | Hannover Ruckversicherung AG, Hannover,<br>Germany                            | 90670 | Scottish Re Life Corporation, Dover, Delaware                         |
| 93505 | Hartford International Life Reassurance<br>Corporation, Hartford, Connecticut | 41297 | Scottsdale Insurance Company, Columbus,<br>Ohio                       |
| 42374 | Houston Casualty Company, Houston, Texas                                      | 23388 | Shelter Mutual Insurance Company,<br>Columbia, Missouri               |
| 27960 | Illinois Union Insurance Company, Chicago,<br>Illinois                        | 26557 | Shelter Reinsurance Company, Columbia,<br>Missouri                    |
| 22829 | Interstate Fire & Casualty Company,<br>Chicago, Illinois                      | 39187 | Suecia Insurance Company, Nanuet, New<br>York                         |
| 22993 | Kentucky Farm Bureau Mutual Insurance<br>Company, Louisville, Kentucky        | 13604 | Starr Surplus Lines Insurance Company,<br>Chicago, Illinois           |

- 19887 Trinity Universal Insurance Company, Dallas, Texas
- 37982 Tudor Insurance Company, Keene, New Hampshire
- 10292 Unionamerica Insurance Company Limited, London, England
- 36048 Unione Italiana Reinsurance Company of America, Inc., New York, New York
- 10172 Westchester Surplus Lines Insurance Company, Atlanta, Georgia
- 13196 Western World Insurance Company, Keene, New Hampshire

**Changes to the Qualified  
Unlicensed Reinsurers List**

The following company was merged out of existence since the List was last published at 43 Pa.B. 395:

- Medmarc Mutual Insurance Company

The following companies have been added since the List was last published at 43 Pa.B. 395:

- AXIS Specialty Limited
- Lancashire Insurance Company Limited
- Starr Surplus Lines Insurance Company

The following companies have changed their names since the List was last published at 43 Pa.B. 395:

- AAA Northern California, Nevada and Utah Insurance Exchange to CSAA Insurance Exchange
- Chartis Specialty Insurance Company to AIG Specialty Insurance Company
- Generali USA Life Reassurance Company to SCOR Global Life USA Reinsurance Company

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-156. Filed for public inspection January 17, 2014, 9:00 a.m.]

**Surplus Lines Agents and Interested Parties; Export List of Insurance Coverages**

In April 2013, the Insurance Commissioner (Commissioner) determined that certain insurance coverages were generally unavailable in the authorized market and declared those coverages as exportable. A list of exportable coverages was published at 43 Pa.B. 2404 (April 27, 2013). Accordingly, for those insurance coverages that are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

The Commissioner declared that the export list would remain in effect until revised or superseded by a subsequent list.

At this time, the Commissioner is soliciting comments regarding the current export list. Any person may request in writing that a coverage be added or removed from the list.

Persons wishing to comment on the Commissioner's current export list are invited to submit a written statement within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include sufficient detail and relevant

facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA, 17120, fax (717) 787-8557, cbybee@pa.gov. After consideration of all comments received, the Commissioner will publish a notice in the *Pennsylvania Bulletin* providing a 15-day opportunity to comment on any proposed changes before formal publication of the revised list.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-157. Filed for public inspection January 17, 2014, 9:00 a.m.]

**LEGISLATIVE  
REFERENCE BUREAU**

**Documents Filed But Not Published**

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

*Executive Board*

Resolution No. CB-13-014, Dated December 9, 2013. Authorizes the memorandum of understanding between the Commonwealth, PASSHE and the Pennsylvania Doctors Alliance signed on November 14, 2013, covering the period July 1, 2012, through June 30, 2016.

*Governor's Office*

Management Directive No. 205.9—Code of Conduct Statement of Financial Interest—Filing, Amended December 11, 2013.

Management Directive No. 205.10—Financial Disclosures Required by the Public Official and Employee Ethics Act, 65 Pa.C.S. §§ 1101—1113, Amended December 11, 2013.

Management Directive No. 505.26—HIV/AIDS and Other Bloodborne Infections/Diseases in the Workplace, Amended December 11, 2013.

Management Directive No. 530.30—Sick, Parental and Family Care Absence, Military Exigency Absence and Military Caregiver Absence Policy, Amended December 11, 2013.

Administrative Circular No. 13-18—Computation of Interest Penalties, Act 1982-266, Amended December 30, 2013.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 14-158. Filed for public inspection January 17, 2014, 9:00 a.m.]

# PATIENT SAFETY AUTHORITY

## Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, January 28, 2014.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 14-159. Filed for public inspection January 17, 2014, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Eligible Telecommunications Carriers; Federal Universal Service Low Income Support

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as eligible telecommunications carriers (ETC) for purposes of Federal universal service low income support:

Sage Telecom Communications, LLC, Petition for Designation as an Eligible Telecommunications Carrier; Doc. No. P-2013-2395687

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket numbers within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petitions at the Commission web site <http://www.puc.pa.gov> or hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P.O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is Rhonda L. Daviston, Assistant Counsel, Law Bureau, (717) 787-6166.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-160. Filed for public inspection January 17, 2014, 9:00 a.m.]

## Internal Corporate Restructuring

**A-2013-2398872; A-2013-2398896; A-2013-2398897. Qwest Communications Company, LLC and Certain of its Certificated CLEC and IXC Affiliates (Embarq Communications Inc. d/b/a CenturyLink Communications and CenturyTel Long Distance, LLC d/b/a CenturyLink Long Distance).** Joint Application of Qwest Communications Company, LLC and certain of its Certificated CLEC and IXC affiliates (Embarq Communications Inc. d/b/a CenturyLink Communications and CenturyTel Long Distance, LLC d/b/a CenturyLink Long Distance) for all approvals required for Internal Corporate Restructuring.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 3, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicants:* Qwest Communications Company, LLC; Embarq Communications Inc. d/b/a CenturyLink Communications; CenturyTel Long Distance, LLC d/b/a CenturyLink Long Distance

*Through and By Counsel:* Zsuzsanna E. Benedek, Associate General Counsel, CenturyLink, 240 North Third Street, Suite 300, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-161. Filed for public inspection January 17, 2014, 9:00 a.m.]

## Telecommunications

**A-2013-2398906. Verizon Pennsylvania, LLC and Mosaic Networkx, LLC** Joint petition of Verizon Pennsylvania, LLC and Mosaic Networkx, LLC for approval of the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Mosaic Networkx, LLC, by its counsel, filed on December 23, 2013, at the Public Utility Commission, a joint petition for approval of 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 Verizon Pennsylvania, LLC and Mosaic Networkx, 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](http://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. 14-162. Filed for public inspection January 17, 2014, 9:00 a.m.]



### Telecommunications

**A-2014-2399773. Verizon Pennsylvania, LLC and Peerless Networks of Pennsylvania, LLC.** Joint Petition of Verizon Pennsylvania, LLC and Peerless Networks of Pennsylvania, LLC for approval of amendment no. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Peerless Networks of Pennsylvania, LLC, by its counsel, filed on January 7, 2014, at the Public Utility 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 Verizon Pennsylvania, LLC and Peerless Networks of Pennsylvania, 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](http://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. 14-163. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Telecommunications

**A-2014-2399774. Verizon North, LLC and Peerless Networks of Pennsylvania, LLC.** Joint Petition of Verizon North, LLC and Peerless Networks of Pennsylvania, LLC for approval of amendment no. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Peerless Networks of Pennsylvania, LLC, by its counsel, filed on January 7, 2014, at the Public Utility 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 Verizon North, LLC and Peerless Networks of Pennsylvania, 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](http://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. 14-164. Filed for public inspection January 17, 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) at Docket A-13-12-03 by the following named applicant. The company has applied to transfer the rights held by Adam & Neima, Inc. (CPC No. 1000169-01, Medallion P-1516) 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.

**Leyla Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on October 4, 2013.

*Attorney for Applicant:* David Alperstein, 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

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, with a copy served on the applicant by February 3, 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. 14-165. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-12-02 by the following named applicant. The company has applied to transfer the rights held by J-S Gabrielle Corp. (CPC No. 1000042-01, Medallion P-1024) 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.

**Pier Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on November 21, 2012.

*Attorney for Applicant:* David Alperstein, 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

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, with a copy served on the applicant by February 3, 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. 14-166. Filed for public inspection January 17, 2014, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-13-12-01 by the following named applicant. The company has applied to transfer the rights held by Afroso, Inc. (CPC No. 1000169-01, Medallion P-1476) 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.

**Ryder Cup Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148 registered with the Department of State on November 30, 2011.

*Attorney for Applicant:* David Alperstein, 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

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, with a copy served on the applicant by February 3, 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. 14-167. Filed for public inspection January 17, 2014, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 14-001.9, Berth Dredging at Tioga Marine Terminal, until 2 p.m. on Thursday, February 6, 2014. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-168. Filed for public inspection January 17, 2014, 9:00 a.m.]

## STATE POLICE

### Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

The State Police, under 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4) (relating to exceptions to prohibition of interception and disclosure of communications; and exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), published at 34 Pa.B. 1304 (February 28, 2004) a notice of Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems for use until the next comprehensive list is published.

As an addendum to the listing of approved mobile video recording systems published at 34 Pa.B. 1304, the State Police, under the authority cited previously, has approved for use, until the next comprehensive list is published, subject to interim amendment, the following additional approved mobile video recording system, which meets the minimum equipment standards published at 34 Pa.B. 1304:

MVX1000 Mobile Video Recorder, Motorola Solutions Inc., Schaumburg, IL

Comments, suggestions or questions should be directed to State Police, Bureau of Patrol, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110.

COLONEL FRANK NOONAN,  
*Commissioner*

[Pa.B. Doc. No. 14-169. Filed for public inspection January 17, 2014, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on February 6, 2014, at 2:30 p.m. at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA. The public hearing will end at 5 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for March 6, 2014, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is February 18, 2014.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 1306, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission Water Resource Portal at [www.srbc.net/wrp](http://www.srbc.net/wrp). Materials and supporting documents are available to inspect and copy in accordance

with the Commission's Access to Records Policy at [www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF](http://www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF).

#### *Opportunity to Appear and Comment*

Interested parties may appear at the hearing to offer comments to the Commission on any project listed as follows. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement the rules at the hearing. Written comments on any project listed as follows may also be mailed to Richard Cairo, General Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before February 18, 2014, to be considered.

#### *Supplementary Information*

The public hearing will cover the following projects:

#### *Public Hearing—Projects Scheduled for Action*

1. Project Sponsor and Facility: Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, PA. Application for surface water withdrawal of up to 2.500 mgd (peak day).

2. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20091201).

3. Project Sponsor and Facility: DS Waters of America, Inc., Clay Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.115 mgd (30-day average) from Well 6 (Docket No. 20000203).

4. Project Sponsor and Facility: Jay Township Water Authority, Jay Township, Elk County, PA. Application for groundwater withdrawal of up to 0.265 mgd (30-day average) from Brynedale Well #1.

5. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Modification to low flow protection requirements and authorization of additional water uses of the surface water withdrawal approval (Docket No. 20110616).

6. Project Sponsor and Facility: Manheim Borough Authority, Manheim Borough, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.936 mgd (30-day average) from Well 4 (Docket No. 19830903).

7. Project Sponsor and Facility: Martinsburg Municipal Authority, North Woodbury Township, Blair County, PA. Application for groundwater withdrawal of up to 0.288 mgd (30-day average) from Wineland Replacement Well 2.

8. Project Sponsor and Facility: Newport Borough Water Authority, Oliver Township, Perry County, PA. Application for groundwater withdrawal of up to 0.162 mgd (30-day average) from Well 1.

9. Project Sponsor: Old Dominion Electric Cooperative. Project Facility: Rock Springs Expansion, Rising Sun District, Cecil County, MD. Application for consumptive water use of up to 7.900 mgd (peak day).

10. Project Sponsor and Facility: Old Dominion Electric Cooperative (Susquehanna River), Fulton Township, Lancaster County, PA. Application for surface water withdrawal of up to 8.700 mgd (peak day).

11. Project Sponsor: Pennsylvania Department of Environmental Protection—South-central Regional Office, City of Harrisburg, Dauphin County, PA. Facility Location: Leacock Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.576 mgd (30-day average) from Stoltzfus Well.

12. Project Sponsor: Pennsylvania Department of Environmental Protection—South-central Regional Office, City of Harrisburg, Dauphin County, PA. Facility Location: Leacock Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Township Well.

13. Project Sponsor and Facility: Pro-Environmental, LLC (Martins Creek), Lathrop Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).

14. Project Sponsor and Facility: Seneca Resources Corporation (Arnot No. 5 Mine Discharge), Bloss Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20090908).

15. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC (Susquehanna River), Meshoppen Township, Wyoming County, PA. Application of surface water withdrawal of up to 2.000 mgd (peak day).

16. Project Sponsor and Facility: SWEPI LP (Susquehanna River), Sheshequin Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.850 mgd (peak day) (Docket No. 20091202).

17. Project Sponsor and Facility: Talisman Energy USA, Inc. (Fall Brook—C.O.P. Tioga State Forest), Ward Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20091204).

18. Project Sponsor and Facility: Talisman Energy USA, Inc. (Fellows Creek-C.O.P. Tioga State Forest), Ward Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20091205).

19. Project Sponsor and Facility: XTO Energy, Inc. (Little Muncy Creek), Moreland Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.249 mgd (peak day) (Docket No. 20100313).

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* January 6, 2014.

ANDREW DEHOFF,  
*Executive Director*

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