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Pennsylvania Bulletin  
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# PENNSYLVANIA BULLETIN

Volume 44  
Saturday, February 15, 2014 • Harrisburg, PA  
Number 7  
Pages 873—982

## **Agencies in this issue**

The General Assembly

The Courts

Department of Aging

Department of Banking and Securities

Department of Environmental Protection

Department of General Services

Department of Health

Department of Transportation

Fish and Boat Commission

Independent Regulatory Review Commission

Insurance Department

Legislative Reference Bureau

Pennsylvania Public Utility Commission

Public School Employees' Retirement Board

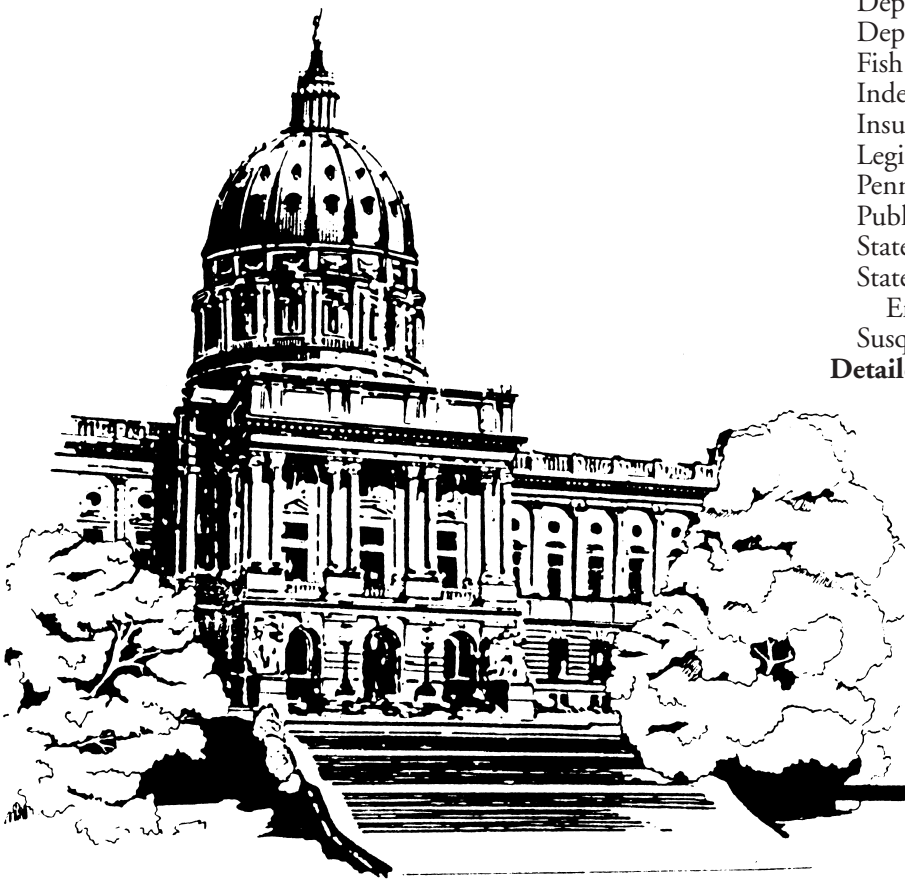
State Board of Cosmetology

State Registration Board for Professional

Engineers, Land Surveyors and Geologists

Susquehanna River Basin Commission

**Detailed list of contents appears inside.**



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

**No. 471, February 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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Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

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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.

<b>4 Pa. Code (Administration)</b>		627a	599, 619
<b>Adopted Rules</b>		629a	599, 619
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		635a	619
<b>Statements of Policy</b>		637a	619
9	32, 783	649a	619
		659a	619
<b>12 Pa. Code (Commerce, Trade and Local Government)</b>		661a	619
<b>Adopted Rules</b>		663a	619
149	488	665a	619
<b>25 Pa. Code (Environmental Protection)</b>		<b>Proposed Rules</b>	
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<b>37 Pa. Code (Law)</b>		71	901
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		<b>201 Pa. Code (Rules of Judicial Administration)</b>	
<b>49 Pa. Code (Professional and Vocational Standards)</b>		<b>Adopted Rules</b>	
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37	888	<b>Adopted Rules</b>	
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		83	768
<b>Proposed Rules</b>			
21	648	<b>207 Pa. Code (Judicial Conduct)</b>	
		<b>Adopted Rules</b>	
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		200	323
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**237 Pa. Code (Juvenile Rules)**

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

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**Proposed Rules**

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**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 883

**255 Pa. Code (Local Court Rules)**

Unclassified ..... 16, 17, 18, 19, 20, 21, 23, 24, 25,  
247, 324, 325, 480, 481, 581

# THE GENERAL ASSEMBLY

## Recent Actions during the 2014 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during 2014 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>2014 General Acts of Regular Session Enacted—Act 001 through 005</b>					
001	Jan 22	HB0807	PN0918	60 days	Health and Safety (35 Pa.C.S.)—volunteer firefighters' relief association funds
002	Jan 22	HB1529	PN2039	60 days	Second Class Township Code—filing and recording of ordinances
003	Jan 22	HB1656	PN2276	Immediately	Repealing the act requiring physicians to obtain informed consent from patients for treatment of breast disease
004	Jan 22	SB0029	PN1474	90 days	Domestic Relations Code (23 Pa.C.S.)—mandatory reporting of infants born and identified as being affected by illegal substance abuse
005	Jan 22	SB0689	PN0677	90 days	Domestic Relations Code (23 Pa.C.S.)—prevention of abduction of children

\* 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 (Department) 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 \$25.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$25, payable to the "Commonwealth of Pennsylvania."

VINCENT C. DeLIBERATO, Jr.,  
*Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 14-310. Filed for public inspection February 14, 2014, 9:00 a.m.]

## COMMISSION ON SENTENCING

### Meetings Scheduled

The Commission on Sentencing announces the following meetings to be held at the Harrisburg Hilton and Towers Hotel, One North Second Street, Harrisburg, PA and at the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA.

Wednesday, March 5, 2014	6 p.m.	Dinner Meeting Harrisburg Hilton and Towers Hotel One North Second Street Harrisburg, PA
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THE GENERAL ASSEMBLY

Thursday, March 6, 2014

9 a.m. Policy Committee Meeting  
Pennsylvania Judicial Center  
601 Commonwealth Avenue  
Harrisburg, PA

1 p.m. Commission Meeting  
Pennsylvania Judicial Center  
601 Commonwealth Avenue  
Harrisburg, PA

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 14-311. Filed for public inspection February 14, 2014, 9:00 a.m.]

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# THE COURTS

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Commerce Case Management Program; Administrative Doc. 1 of 2014

*And Now*, this 1st day of January, 2014, it is hereby *Ordered* and *Decreed* that the following protocols shall apply to all civil cases within the Commerce Case Management Program on or after January 1, 2000:

#### Commerce Case Management Program: Procedure for Disposition of Commerce Program Cases Filed on and after January 1, 2000

A Commerce Case Management Program (“Commerce Program”) has previously been established within the Trial Division of the Court of Common Pleas (Administrative Docket 01 of 1999 and 01 of 2000 and 02 of 2003).

##### A. Organization

1. *Judges*. The Administrative Judge shall appoint four judges to the Commerce Program, one of whom shall be designated to serve as “Coordinating Judge” of the Commerce Program. The number of Commerce Program Judges may be adjusted from time to time by the Administrative Judge consistent with the caseload of the Program.

2. *Filings & Listings*. Upon consultation with the Administrative Judge, the Trial Division—Civil Supervising Judge and the Commerce Program Coordinating Judge shall establish procedures for maintenance of filings and listings in actions assigned to the Commerce Program with the goal of ease of access by the Commerce Program Judges and their staff, the parties and the public, Civil Administration.

##### B. Assignment of Cases Subject to Commerce Program

1. *Cases Subject to Commerce Program*. Notwithstanding anything to the contrary in General Court Regulation 95-2 (Day Forward Program) or any other General Court Regulation, and except as otherwise provided below in subsection 2, Jury, Non-Jury & Equity, and Class Action cases filed on or after January 1, 2000 shall be assigned to the Commerce Program if they are among the following types of actions:

a. Actions relating to the internal affairs or governance, dissolution or liquidation, rights or obligations between or among owners (shareholders, partners, members), or liability or indemnity of managers (officers, directors, managers, trustees, or members or partners functioning as managers) of business corporations, partnerships, limited partnerships, limited liability companies or partnerships, professional associations, business trusts, joint ventures or other business enterprises, including but not limited to any actions involving interpretation of the rights or obligations under the organic law (e.g., Pa. Business Corporation Law), articles of incorporation, by-laws or agreements governing such enterprises;

b. Disputes between or among two or more business enterprises relating to transactions, business relationships or contracts between or among the business enterprises. Examples of such transactions, relationships and contracts include:

- (1) Uniform Commercial Code transactions;
- (2) Purchases or sales of businesses or the assets of businesses;
- (3) Sales of goods or services by or to business enterprises;
- (4) Non-consumer bank or brokerage accounts, including loan, deposit cash management and investment accounts;
- (5) Surety bonds;
- (6) Purchases or sales or leases of, or security interests in, commercial, real or personal property; and
- (7) Franchisor/franchisee relationships.

c. Actions relating to trade secret or non-compete agreements;

d. “Business torts,” such as claims of unfair competition, or interference with contractual relations or prospective contractual relations;

e. Actions relating to intellectual property disputes;

f. Actions relating to securities, or relating to or arising under the Pennsylvania Securities Act;

g. Derivative actions and class actions based on claims otherwise falling within these ten types, such as shareholder class actions, but not including consumer class actions, personal injury class actions, and products liability class actions;

h. Actions relating to corporate trust affairs;

i. Declaratory judgment actions brought by insurers, and coverage dispute and bad faith claims brought by insureds where the dispute arises from a business or commercial insurance policy, such as a Comprehensive General Liability policy, and;

j. Third-party indemnification claims against insurance companies where the subject insurance policy is a business or commercial policy and where the underlying dispute would otherwise be assigned to the Commerce Program, not including claims where the underlying dispute is principally a personal injury claim.

All of the above types of actions may involve individuals named as parties, so long as all other criteria are met and the essential nature of the litigation is a business dispute. For example, a dispute over a commercial loan may include individual guarantors as either plaintiffs or defendants, as the case may be, but such a lawsuit would still be a commercial dispute.

2. *Cases Not Subject to the Commerce Program*. The following types of matters are not to be included in the Commerce Program:

a. Matters subject to Compulsory Arbitration in this Court or to the jurisdiction of the Municipal Court, including any appeals.

b. Personal injury, survival or wrongful death matters.

c. Individual consumer claims against businesses or insurers, including products liability and personal injury cases.

d. Matters involving occupational health or safety.

e. Environmental claims not involved in the sale or disposition of a business and other than those addressed in Commerce Program types (i) or (j) above.

f. Matters in eminent domain.

g. Malpractice claims, other than those brought by business enterprises against attorneys, accountants, architects or other professionals in connection with the rendering of professional services to the business enterprise.

h. Employment law cases, other than those referenced in Commerce Program type (c) above.

i. Administrative agency, tax, zoning and other appeals.

j. Petition Actions in the nature of Change of Name, Mental Health Act, Appointment of an Arbitrator, Government Election Matters, Leave to Issue Subpoena, or to Compel Medical Examination.

k. Individual, residential real estate and non-commercial landlord-tenant disputes.

l. Domestic relations matters, and actions relating to distribution of marital property, custody or support.

m. Any matter required by statute, including 20 Pa.C.S. Chapter 7, §§ 711 & 713, to be heard in the Orphans' Court or Family Court Division of the Philadelphia Court of Common Pleas, or other matter which has heretofore been within the jurisdiction of the Orphans' Court or Family Court Division of this Court.

n. Any criminal matter other than criminal contempt in connection with a Commerce Program action.

o. Such other matters as the Court shall determine.

3. *Assignments to Commerce Program.* When submitting the initial filing electronically, the party commencing an action that meets the criteria for the Commerce Program shall choose "Commerce" as the Program type. The court's electronic filing system will automatically generate a "Commerce Program Addendum" and the filing party must check the boxes adjacent to the applicable type or types of action which result in the matter being assigned to the Commerce Program. A copy of the Civil Cover Sheet generated by the electronic system, including any Commerce Program Addendum, shall be served with the original process served on all parties.

All actions designated into the Commerce Program pursuant to the Commerce Program Addendum are hereby assigned to the Commerce Program and to the individual calendar of one of the Commerce Program Judges, according to a random procedure established by the Administrative Judge or the designee of the Administrative Judge. This assignment shall be noted on the Docket. All further filings in the matter shall state prominently in the caption and on any cover sheets that the matter is "ASSIGNED TO COMMERCE PROGRAM."

4. *Disputes Arising From the Civil Cover Sheet Designation.* If any party disagrees with the designation or lack of designation of a case into the Commerce Program, that party shall file and serve on all parties a Notice of Management Program Dispute, not exceeding three pages in length, as soon as practical. A copy of the Complaint or other filing commencing the litigation shall be attached to the Notice of Management Program Dispute. Any party opposing the Notice of Management Program Dispute may, but need not, submit a response thereto not exceeding three pages in length within seven days of service of the Notice. The management program dispute will be resolved by the Coordinating Judge of the Commerce Program.

If a Notice of Management Program Dispute is filed, a copy of that Notice shall be referenced in all motions and

responses to motions filed by any party pending the resolution of the management program dispute.

### C. Commencement of Action

All subject actions shall be commenced as provided in Pa.R.C.P. No. 1007. Philadelphia Civil Rule \*205.2(b) shall be followed. As noted above, in all cases, not just those designated into the Commerce Program, a copy of the Civil Cover Sheet, including any Commerce Program Addendum, shall be served with original process on all parties.

All jury demands shall be perfected in accordance with Pa.R.C.P. No. 1007.1 and Phila. Civ. R. \*1007.1.

A party seeking emergency relief immediately upon commencing an action subject to the Commerce Program shall follow the procedure set forth in part D.6. below (Rules to Show Cause and Emergency Motions and Petitions).

### D. Case Management Procedures

1. *Authority Over Commerce Program Status:* When there is a dispute as to whether the case is properly assigned to the Commerce Program, the decision will be made by the Coordinating Judge of the Commerce Program. If the Civil Case Manager conducting a case management conference or any party objects to the Commerce Program assignment, the Case Manager will forward the dispute to the Commerce Program Coordinating Judge.

2. *Alternative Procedures Available:* The assigned Commerce Program Judge, in his/her discretion may, upon application of any party or upon his/her own initiative, modify these case management procedures. Requests for changes in these procedures will be made by filing a Petition for Extraordinary Relief (which Petition calls for a ten-day response time).

3. *The Case Management Conference:* Typically, notice of a Case Management Conference ("CMC") will be sent to counsel and unrepresented parties sixty days after the action is commenced and scheduling the CMC for approximately ninety days after commencement. In certain circumstances, the CMC may be scheduled by the assigned Commerce Program Judge.

a. *Presiding Officer:* Unless otherwise ordered, the CMC shall be conducted by a Civil Case Manager/Commerce Program Law Clerk designated by the Court, acting on behalf of the assigned Commerce Program Judge.

b. *Issues to be Addressed:* The following subjects, along with other appropriate topics, such as service of process, venue, pleadings, discovery, possible joinder of additional parties, theories of liability, damages claimed and applicable defenses (see also Pa.R.C.P. No. 213.3), will be discussed.

#### (1) Means for Early Disposition

a. Timing and potential forms of Alternative Dispute Resolution (ADR). The case manager will make available the list of Commerce Program Judges Pro Tempore (as provided by the Business Litigation Committee of the Philadelphia Bar Association).

b. Scheduling pre-discovery dispositive motions, only if oral argument is needed. (Whether to hear oral argument is up to the Commerce Program Judge).

c. Scheduling limited-issue discovery in aid of early dispositive motions. The Case Manager will advise counsel of the assigned Commerce Program Judge's day for hearing discovery disputes.

## (2) Schedules and Deadlines

a. Assignment to a Case Management Track and issuance of a Case Management Order (“CMO”), which will set forth a target trial date, deemed the earliest trial date pursuant to Pa.R.C.P. No. 212.1.

b. A discovery plan and schedule based on the CMO date for the completion of discovery.

c. Anticipated areas of expert testimony, timing for identification of experts, responses to expert discovery, exchange of expert reports as set forth in the CMO.

## (3) Potential Use of a Commerce Program Judge Pro Tempore (“JPT”)

a. On stipulation of all parties or if the court deems appropriate, for supervision of discovery.

b. For mediation.

Use of a JPT for purposes of discovery or mediation will not affect the deadlines set forth in the CMO, unless the assigned Commerce Program Judge allows an extension of those dates.

The assigned Commerce Program Judge may establish informal procedures to achieve expeditious resolution of discovery disputes and other non-dispositive issues. Prior to the CMC, it shall be the obligation of the parties to confer concerning all of the above matters, for the purposes of reaching agreements.

## 4. Case Management Order:

After the CMC, the Case Manager shall issue a Case Management Order (“CMO”) setting forth projected dates for a Settlement Conference and for a Pretrial Conference (with Pretrial Statements typically to be filed in advance), and for Trial. The CMO will also address cut-off dates for completion of discovery, for the service of expert reports, and for the filing of motions.

Based upon the nature and complexity of the case, the Case Manager with input from the parties at the CMC shall assign the case to a track. The Commerce Program shall typically employ the following management tracks: Commerce Expedited (Target Trial Date within 13 months of filing) and Commerce Standard (Target Trial Date within 18 months of filing). Only exceptionally complicated cases should be designated Commerce Complex (Target Trial Date within two years of filing). In the latter instance, the Commerce Program Judge may schedule status conferences at six month intervals or at other times upon application of the parties, if appropriate.

The Commerce Expedited Track shall apply to matters in which minimal discovery is needed and legal issues are anticipated to be routine. Examples of such actions, in the absence of complicating factors, are actions relating to commercial loans, and simple contract, UCC and foreclosure matters. Other matters should presumptively be designated Commerce Standard. Actions in which preliminary injunctive relief is sought may be appropriate for any of the tracks, depending upon the circumstances.

## 5. Commerce Court Motions.

## a. Motion Practice and Discovery Motions.

The Commerce Program Judge to whom the action is assigned will hear all pretrial motions, including discovery motions, except that, to the extent scheduling or other concerns so require, a Commerce Program Judge may make arrangements for certain discovery and other pretrial motions to be heard by another Commerce Program Judge. All motions shall be electronically filed. Procedures of the Discovery Court should generally be followed. In

some instances, the Commerce Program Judge may direct further briefing of complex discovery motions. Any Notice of Management Program Dispute that is pending or is being filed contemporaneously with the motion filing, should be noted in the motion. Oral argument is at the discretion of the assigned Commerce Program Judge.

A Commerce Program Discovery List for each Commerce Program Judge shall be established so that discovery matters ordinarily will be heard by that Judge on a particular day of the week. Each Judge may also schedule argument or hearings on non-discovery motions on his/her discovery day, or at such other times as the Court deems appropriate.

## b. Petitions for Extraordinary Relief.

A Petition for Extraordinary Relief must be filed whenever a party seeks an extension of a deadline imposed by a Case Management Order. Any party may seek relief from the time requirements by filing the Petition for Extraordinary Relief. This Petition must be electronically filed prior to the deadline that the party is seeking to change. Any adverse party has ten (10) days after the filing of the motion to file a response.

The Petition for Extraordinary Relief will be ruled on by the Commerce Program Judge assigned to the case. The party filing the Petition must include a proposed order that sets forth the extension requested in thirty (30) day increments, as well as a copy of the current Case Management Order.

Counsel’s agreement to extend deadlines within a Case Management Order is not a recognized basis for an extension. A movant must demonstrate extraordinary and unforeseeable circumstances justifying the deadline extension request. Requests for extensions of Court ordered deadlines should be utilized only as a last resort and with compelling reasons offered in support thereof.

6. Rules to Show Cause and Emergency Motions and Petitions. Rules to show cause in cases assigned to the Commerce Program shall be electronically filed. Upon acceptance of the filing, Civil Administration will forward it the assigned Commerce Program Judge for consideration.

Unless there is a dispute as to Commerce Program applicability, emergency motions or petitions in a newly filed action presented in a matter appropriate for assignment to the Commerce Program shall be referred to a Commerce Program Judge for disposition. If there is any dispute regarding Commerce Program applicability, that dispute shall be referred to the Commerce Program Coordinating Judge.

If the assigned Commerce Program Judge is unavailable, an emergency motion or petition in an action already assigned to the Commerce Program shall be heard by another Commerce Program Judge, if available, with any subsequent hearing referred back to the assigned Commerce Program Judge. If no Commerce Program Judge is available to hear an emergency motion or petition, such motion or petition shall be referred to a Judge assigned to Motion Court (or, if necessary, the Emergency Judge), with any subsequent hearing referred back to the appropriate Commerce Program Judge. An emergency motion heard by a Commerce Program Judge in a case that has not yet gone through the random assignment procedure shall be subject to that procedure prior to any subsequent hearing and the subsequent hearing shall be scheduled before the Commerce Program Judge assigned.

7. *Settlement Conferences.* A settlement conference with a Commerce Program JPT will be scheduled after pre-trial motions are decided. A settlement conference may be scheduled earlier in any case in which counsel agree that such a conference may be productive. Such a request shall be made in writing by letter to the assigned Commerce Program Judge.

Except as otherwise provided in Phila. Civ. R. \*212.3 (Settlement Conferences—Non Jury Cases), Commerce Program Judges may assist the parties in reaching a fair and reasonable settlement or other resolution of the matter. To that end, the assigned Commerce Program Judge, in his or her discretion, may schedule one or more formal settlement conferences. The Commerce Program Judge may also encourage the parties to engage in settlement discussions and in any form of Alternative Dispute Resolution (ADR), including the assistance of a Commerce Program JPT, that may result in settlement, avoidance of trial or expeditious resolution of the dispute. Except upon order of the Court, the pendency of any form of ADR shall not alter the date for commencement of trial.

8. *Pretrial Conference.* A Pretrial Conference shall be held in all Commerce Program actions. Typically, the Pre-Trial Scheduling Order will require the filing of Pretrial Statements (Pa.R.C.P. No. 212.2) in advance of the Pretrial Conference. Prior to the Pretrial Conference, principal trial counsel shall confer on the matters set forth in Pa.R.C.P. No. 212.3, and attempt to reach agreement on any such matters.

Following the Pretrial Conference, the Commerce Program Judge shall enter a Trial Scheduling Order, identifying the date by which the matter should be prepared for trial, and, if applicable, the date to be placed into a trial pool or the date of any special listings. The Trial Scheduling Order may further provide specific dates, to the extent not already addressed in the Case Management Order, for such matters as:

- a. Exchange of proposed stipulations and filing of stipulations in writing to facts about which there can be no reasonable dispute;
- b. Pre-marking and exchanging copies of all documents or other exhibits to be offered in evidence at trial;
- c. Service and filing of written objections to any documents or other exhibits as to which a party intends to object at trial, together with the legal basis for such objections;
- d. Identification in writing of all deposition testimony, by page and line number, intended to be read into the record at trial, followed by counter-designations and objections to deposition designations;
- e. Exchange of trial briefs and proposed findings of fact and conclusions of law (nonjury) or requested points for jury charge (jury).

At such time prior to trial as may be fixed by the Court, it shall rule on all matters placed in issue under this procedure.

In addition, the Commerce Program Judge may establish procedures consistent with the requirements of each case to ensure close interaction with the parties in order to minimize trial time.

#### *E. Commerce Program Judges Pro Tempore And Alternative Dispute Resolution*

There shall be established in the Commerce Program, an Alternative Dispute Resolution program for Commerce

Program actions, which may include, but is not limited to, mediation and the assistance of Commerce Program JPTs.

1. *Panel of Commerce Program Judges Pro Tempore.* The Commerce Program Coordinating Judge shall designate a panel of Commerce Program JPTs from among volunteers nominated by the Philadelphia Bar Association Business Law Section, Business Litigation Committee ("Committee") and/or the Court, and recommended by the Committee. In order to qualify as a Commerce Program JPT, one must be a licensed Pennsylvania attorney with no less than fifteen (15) years of experience in litigation or alternate dispute resolution (ADR), including a practice focused on the types of disputes described in section B.1. above (Cases Subject to Commerce Program), and shall have participated in a minimum of 10 hours of ADR training by a court-sponsored provider or certified CLE provider, or shall have participated as a neutral, JPT, or mediator in a minimum of 3 ADR proceedings, including but not limited to mediations, settlement conferences and private arbitrations, involving the types of disputes described in section B.1. above, prior to approval as a Judge Pro Tempore.

Commerce Program JPTs shall serve without charge for up to three hours for each case, exclusive of preparation time before a settlement conference or initial mediation session. Such preparation time likewise will not be compensable. After the JPT has devoted three hours of service free of charge to the assigned case, and upon agreement of the participating parties to continue the mediation or settlement conference beyond those three hours, the JPT shall be compensated at the rate of \$300 per hour (or at such higher rate as the Commerce Program Coordinating Judge shall set hereafter) for further work on the case. Unless otherwise agreed to by the participating parties, or upon further order of the Court, the obligation to compensate the JPT shall be borne equally among the parties. JPTs shall promptly invoice the parties for services and reasonable expenses for which they are entitled to be compensated. Persons may be added to or removed from the panel of JPTs as the Commerce Program Coordinating Judge may determine consistent with the qualifications above.

2. The Court may order a Commerce Program case to be assigned for Settlement Conference with a Commerce Program JPT who shall, on a date certain, hold a Settlement Conference which must be attended by: 1) all represented parties, unless they are excused by the JPT; 2) counsel knowledgeable about the case and with authority to settle; and 3) any unrepresented parties. If the JPT excuses represented parties from attending, they shall be available telephonically. All parties shall provide to the Commerce Program JPT prior to the Settlement Conference a fully completed Settlement Memorandum, in a form to be established by the Commerce Program Judges. The parties may also submit additional, confidential, materials to the JPT alone. The Commerce Program JPT on such a referral is not authorized to rule on any motions, but will attempt to facilitate a settlement between the parties. The JPT may report to the Commerce Program Judge assigned to the case the result of the settlement conference.

#### *3. Mediation.*

a. *Referral to Mediation and Selection of Mediator.* Commerce Program cases may be referred to nonbinding mediation at the discretion of the Commerce Program Judge, who may make such referrals at the time of the Case Management Conference, at the Pretrial Conference referenced above, or at any other time. Where appropriate

and whether or not mediation is pursued at an early stage of the litigation, the Commerce Program Judge has the discretion to refer cases to nonbinding mediation at a later stage of the proceedings. The Court may permit the parties to choose the mediator from among the panel of Commerce Program JPTs, or agree to pay for a mediator not on the panel. The order of reference to mediation shall not stay or delay any scheduling dates, unless the Court specifically so orders.

b. *Conflicts of Interest.* A mediator to whom a case is assigned must disclose to the parties and to the Court any apparent conflict of interest. Unless the mediator determines consistent with any applicable ethical requirements and guidelines that he or she should preside notwithstanding any such apparent conflict of interest and the parties and the Court agree that such mediator nevertheless shall preside, another mediator shall be selected.

c. *Confidentiality of Mediation.* The order referring an action to mediation shall require that the mediator report to the Court the disposition of the mediation in accordance with a schedule as determined by the Court, under the guidelines below. The order shall also provide that all information received by the mediator as to the merits of the matter, including the submitted memoranda, shall remain confidential and not be reported or submitted to the Court by the mediator or the parties, except as necessary in a stipulation of settlement agreed to by the parties.

c. *Mediation Procedure.* The first mediation session preferably shall be conducted within 30 days of the execution of the order of reference, unless the Court establishes a different schedule. At least ten days before the first session, each party shall deliver to the mediator a copy of its pleadings, any briefs filed in the action important to the mediation, and a memorandum in the form specified by the mediator setting forth that party's contentions as to liability and damages. The memorandum shall be served on all parties, but shall be marked "Confidential, for Mediation Only," and may not be used, cited, quoted, marked as an exhibit or referenced in any proceedings. The parties may also submit additional, confidential, materials to the JPT alone. Attendance at the first mediation session shall be mandatory, and the mediator may require, in addition to the appearance of the attorneys, the presence of the parties or their representatives with authority to settle. If the first session is successful, the settlement shall be reduced to a stipulation, and the mediator shall submit forthwith the stipulation, the notice of discontinuance and the report of disposition to the Court. The report of disposition shall be on a form prescribed by the Court Administrator.

e. *Report; Extensions.* If the action is not settled upon completion of the first session, the mediator may schedule additional sessions on consent of the parties. However, at the end of the first session, any party or the mediator may terminate the mediation effort, and in that case the mediator shall advise the Court forthwith that mediation has been terminated but shall not disclose the identity of any parties who terminated or did not terminate the mediation. Except as set forth below, subsequent sessions should be concluded within 15 days from the date by which the first session was to have been held according to the order of reference. The mediator shall report to the Court as to the outcome of the mediation session(s) no later than 20 days from the date by which the first

session was to have been held according to the order of reference. If mediation cannot be concluded within 15 days from the date by which the first session was to have been held according to the order of reference, upon consent of all parties a 30-day extension of time to conduct further sessions may be granted by the mediator. If such extension is granted, the mediator shall report to the Court as to the success or lack of success of the additional sessions as soon as practicable but in any event no later than 5 days after the final mediation session.

This Order is issued in accordance with Pa.R.C.P. No. 239 and the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration and shall become effective immediately. The original order shall be filed with the Civil Judicial Records Officer (formerly, Prothonotary) in a Docket maintained for Administrative orders issued by the Administrative Judge of the Trial Division, Court of Common Pleas of Philadelphia County, and shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the order shall be submitted to the Administrative Office of Pennsylvania Courts, the Civil Procedural Rules Committee, American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://www.courts.phila.gov/regs>.

By the Court

HONORABLE JOHN W. HERRON,  
*Administrative Judge, Trial Division*

[Pa.B. Doc. No. 14-312. Filed for public inspection February 14, 2014, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension; Correction

An error occurred in the notice published at 44 Pa.B. 782 (February 8, 2014). A word was omitted from the suspension period. The correct language follows. The remainder of the notice was accurate as published.

Notice is hereby given that Faye Esther Bennett having been suspended from the practice of law in the State of Florida for a period of ninety-one days by Order of the Supreme Court of Florida dated November 28, 2012, the Supreme Court of Pennsylvania issued an Order dated January 27, 2014 suspending Faye Esther Bennett from the practice of law in this Commonwealth for a period of ninety-one days, effective February 26, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-313. Filed for public inspection February 14, 2014, 9:00 a.m.]



# RULES AND REGULATIONS

## Title 4—ADMINISTRATION

[ 4 PA. CODE CH. 113 ]

LEGISLATIVE REFERENCE BUREAU

Replacement of References

Under section 6 of the act of December 23, 2013 (P. L. 1256, No. 129) (Act 129), the Legislative Reference Bureau (Bureau) is directed to “replace references to the Pennsylvania Emergency Management Agency with references to the Office of the State Fire Commissioner” in Chapter 113 (relating to volunteer fire company, ambulance service and rescue squad assistance). Act 129 is effective February 21, 2014.

To accomplish the replacement, the Bureau is deleting the definition of “Agency” and adding a definition of “OSFC—Office of the State Fire Commissioner” in § 113.1 (relating to definitions). Throughout §§ 113.2—113.12, 113.101—113.110, 113.201—113.207 and 113.301—113.307, references to “Agency” will be changed to “OSFC” as needed.

VINCENT C. DELIBERATO, Jr.,  
*Director*

[Pa.B. Doc. No. 14-314. Filed for public inspection February 14, 2014, 9:00 a.m.]

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE REGISTRATION BOARD FOR  
PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND GEOLOGISTS

[ 49 PA. CODE CH. 37 ]

Qualifications for Licensure

The State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board) amends §§ 37.1, 37.16, 37.17, 37.31—37.33, 37.34, 37.36, 37.37, 37.47—37.49 and 37.57 and adds §§ 37.33a and 37.36a (relating to grandfather requirements for licensure as a professional engineer without certification as an engineer-in-training; and requirements for licensure as a professional geologist without certification as geologist-in-training) to read as set forth in Annex A.

*Background and Need for the Final-Form Rulemaking*

The act of May 12, 2010 (P. L. 192, No. 25) (Act 25) amended section 4.4 of the Engineer, Land Surveyor and Geologist Registration Law (act) (63 P. S. § 151.4) to provide for certification of geologists-in-training, in addition to licensure of professional geologists. This two-stage process is analogous to the two-stage processes for certification of engineers-in-training and licensure of professional engineers and for certification of surveyors-in-training and licensure of professional land surveyors. Additionally, in looking at and amending regulations concerning the licensure process for geologists in response to Act 25, the Board also reviewed regulations concerning

the licensure process for engineers and land surveyors and concluded that those regulations should be updated to conform to current administrative practice.

*Summary of Comments and Responses to Proposed Rulemaking*

The Board published the proposed rulemaking at 41 Pa.B. 6975 (December 31, 2011) with a 30-day public comment period. The Board did not receive comments from the public. The Board received comments from the House Professional Licensure Committee (HPLC) and the Independent Regulatory Review Commission (IRRC) as part of their review of proposed rulemaking under the Regulatory Review Act (71 P. S. §§ 745.1—745.12). The Board did not receive comments from the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC).

The HPLC commented that the change from “applicant” to “candidate” was not consistent throughout the proposed rulemaking. IRRC agreed and recommended that the Board use one term consistently. The Board revised §§ 37.16, 37.32(a), 37.34(b), 37.37(a) and 37.47(2)(ii) to use “candidate” when referring to an individual whose qualifications are at issue, rather than “applicant.” To the extent the references in § 37.34(b) (relating to branches of engineering) concern the practice of a professional engineer, the Board uses “professional engineer” rather than “applicant” or “candidate.” Because these provisions focus on the act of applying and the supporting documentation rather than the applicant’s qualifications, the Board has not amended §§ 37.18, 37.37, 37.61 and 37.71 to replace “applicant” with “candidate.” Additionally, because § 37.61 (relating to temporary practice) addresses the process by which a professional engineer, professional land surveyor or professional geologist licensed to practice in another jurisdiction may apply for a temporary permit to practice in this Commonwealth, “candidate” is not appropriate for an applicant who has already been licensed. To be consistent with the other provisions concerning the registration number and seal, the Board replaced “applicant” in § 37.57 (relating to registration number) with “registrant.” Because there is not a need to make the method of determining the registration number into a regulatory requirement, the Board also deleted the second sentence of § 37.57 concerning the assignment of consecutively issued registration numbers and inserted into the first sentence a notation that the assigned registration number will be unique. Similarly, for additional clarity, the Board uses “accredited” and not “approved” when referring to an engineering or land surveying curriculum accredited by ABET. The HPLC also commented that the organization mentioned in § 37.36 (relating to requirements for certification as a geologist-in-training and for licensure as a professional geologist) should read “World Education Services.” The Board revised § 37.36(b)(1)(iii) to reflect the correct name as suggested.

IRRC commented about consistency with case law. Because an issue raised by the petitioner but not decided by the court in *Whymeyer v. State Reg. Bd. for Professional Engineers, Land Surveyors and Geologists*, 997 A.2d 1254 (Pa. Cmwlth. 2010) was whether the Board “abdicated its statutory responsibility” to approve engineering programs by delegating that authority to ABET, IRRC questioned whether the Board would independently approve programs under section 4(a) of the act (63 P. S. § 151(a)), despite providing in this final-form rulemaking

for ABET to be the exclusive accreditor. Absent extraordinary circumstances and except when the regulations specify an evaluation of the candidate's educational program, the Board will not independently review engineering or surveying programs. The Board will defer exclusively to ABET.

At the end of its opinion, the *Whymeyer* majority noted:

Because of our disposition of the issues [of whether the regulation at issue is unconstitutionally vague and whether the Board erred in refusing to independently evaluate the program *Whymeyer* attended], we need not address whether a regulation which clearly specified graduation from a program with ABET accreditation as a mandatory prerequisite to taking the initial exam would amount to an abdication of the Board's statutory responsibilities and an unlawful delegation of the authority vested in it by the General Assembly.

*Whymeyer* at 1260 n. 7. In dissent, Judge Pellegrini wrote:

In *Appeal of Murphy*, 482 Pa. 43, 393 A.2d 369 (1978), our Supreme Court addressed the issue of whether the Board of Law Examiners properly refused admission of one applicant to sit for the bar exam and another applicant admission by comity (recognizing five or more years of practice in a reciprocating sister state and good standing). Both applicants graduated from law schools which were not accredited by the American Bar Association (ABA). The applicants argued that the "selection of the American Bar Association as the accrediting agency... [was] an unconstitutional delegation of judicial authority to a non-governmental body such as the ABA." *Id.*, 482 Pa. at 47, 393 A.2d at 371.

In determining that the Board properly refused admission due to the lack of accreditation of the law schools, the Court stated that it had not delegated any judicial function to the ABA and "Pennsylvania, like every other state in the union, has chosen to avail itself of the results of the ABA accreditation procedure, and accepts and adopts the ABA listing. The ABA's long-standing concern with the quality of legal education in the United States needs no documentation here." 482 Pa. at 48, 393 A.2d at 372. The Court went on to explain the credentials of the ABA and then stated:

[W]e see no virtue either in allowing a school unapproved by the ABA to seek independent recognition from Pennsylvania, or in permitting a bar examination applicant to attempt to prove to this Court that his unapproved school does in fact measure up to ABA standards. Our holding today is in accord with longstanding and unanimous authority which has rejected the non-delegation argument here advanced as well as a host of other constitutional attacks on the requirement that an applicant for admission to the bar be a graduate of an ABA-approved law school. See, e.g., *Potter v. New Jersey Supreme Court*, 403 F.Supp. 1036 (D.N.J. 1975), *aff'd* 546 F.2d 418 (3d Cir. 1976); *Rossiter v. Colorado State Board of Law Examiners*, No. C-4767 (D. Colo., filed August 26, 1975) (three-judge court); *Lombardi v. Tauro*, 470 F.2d 798 (1st Cir. 1972) (no unlawful delegation).

482 Pa. at 52, 393 A.2d at 374.

Similarly, in this case, the Board has the authority to delegate the accreditation function to ABET to ensure that future engineers meet all of the necessary requirements before beginning their careers. Here, *Whymeyer* did not graduate from a curriculum approved by ABET.

*Whymeyer* at 1261. Thus, the Board is permitted to—and has in this final-form rulemaking—determine that it is appropriate to rely on accreditation by ABET and approve only those engineering and surveying programs that have been accredited by ABET.

IRRC noted that although the Regulatory Analysis Form of the proposed rulemaking cited as the Board's authority for the rulemaking sections 4(b) and (l) and 4.4 of the act and sections 4.2 and 4.3 of the act (63 P.S. §§ 151.2 and 151.3), the preamble cited only section 4(l) of the act. The Board included all of these provisions of the act in this preamble as the statutory authority for this final-form rulemaking.

IRRC addressed the clarity of certain terms used by the Board in § 37.31 (relating to requirements for certification as an engineer-in-training and for licensure as a professional engineer) and similar sections. IRRC noted that proposed § 37.31(1) and (2) required candidates to "successfully complete" the required examinations and suggested that the final-form regulation specify what constitutes "satisfactory" completion. IRRC expressed similar concerns with §§ 37.33(b) and (c), 37.36(b) and (c), 37.47(1) and (2) and 37.49(b). The Board revised these sections to use the phrase "achieve a passing score." IRRC noted that proposed § 37.31(1)(i) permitted a qualified student to sit for the fundamentals of engineering examination but required the student to provide "proof of graduation" before being certified as an engineer-in-training and suggested that the Board clarify the type of documentation required to demonstrate that proof. IRRC expressed similar concerns about § 37.36(b)(1)(i) and (ii) and § 37.47(1)(i) (relating to requirements for certification as a surveyor-in-training and for licensure as a professional land surveyor). Virtually every candidate who has applied based upon graduation from an approved program has been able to prove graduation by having the school provide a transcript showing that the candidate has graduated, as directed by the application forms. In the extremely rare instances in which the candidate could not have a transcript provided directly by the school (such as the school is out of operation and adequate provisions to maintain records were not made), the candidates have been able to provide other documentary proof of graduation. Because there have not been instances of confusion and to avoid being overly prescriptive, the Board has not revised these sections.

IRRC noted that the required "grade and character" of experience necessary under proposed § 37.31(1)(iii) to qualify for the principles and practice of engineering examination was vague and suggested clarifying the intent of this language in the final-form regulation. IRRC expressed similar concerns about proposed §§ 37.31(2)(i), 37.47(1)(iii), 37.47(2)(i) and 37.49(c). As stated in section 4.2(c)(1) of the act, an engineer-in-training must obtain 4 years or more of experience that, among other things, is "of a grade and character to fit [the candidate] to assume responsible charge of the work involved in the practice of engineering." Throughout its history, the Board has been applying this standard in reviewing candidate qualifications. The Board does not set certain criteria for the grade or character of the work; instead, the standard

is whether it has prepared the candidate to assume responsible charge of the work involved in the practice of engineering. Adopting criteria for the grade and character of the experience would be overly prescriptive for the engineers-in-training who have a tremendously wide variety of experience. Accordingly, the Board has not revised this provision in response to this comment. IRRC also noted that proposed § 37.31(1)(iii) (final-form § 37.31(a)(1)(v)) permits “academic training in engineering subjects” to be counted as part of the experience to qualify to sit for the fundamentals of engineering examination without a degree and recommended that the Board define this term and specify how this training will be counted toward the experience requirement. Section 4.2(b)(1)(iii) of the act permits a candidate to qualify for the fundamentals of engineering examination by having 8 years or more of “progressive experience in engineering work and knowledge, skill and education approximating that attained through graduation from an approved engineering curriculum.” This regulation implements that statutory provision and permits a candidate to use academic training that is similar to that in an accredited engineering program to be counted toward the requirement. Because it views this provision as sufficiently clear, the Board has not revised it.

IRRC noted that proposed § 37.31(2) (final-form § 37.31(a)(2)) requires a candidate to sit for the “NCEES principles and practice of engineering examination in one of the branches of engineering” and suggested that the Board cross-reference this provision with § 37.34. The Board revised final-form § 37.31(a)(2) to include this cross-reference. IRRC noted that proposed § 37.31(2)(ii) required that the teaching experience a candidate could use to qualify to sit for the principles and practice of engineering must include teaching at a third-year, fourth-year or graduate level “covering the breadth and depth of the curriculum” and suggested that the Board specify what it meant to cover through the use of this vague term. IRRC expressed similar concerns in § 37.47(2)(ii) for teaching in a land surveying curriculum. This phrase comes from the former definition of “progressive teaching experience” in § 37.1 (relating to definitions) and incorporating in the substantive text of the regulation. The purpose of this provision is to ensure that the candidate is gaining experience in a wider range of engineering subjects that are not merely what is required for entry-level practice. Because there has not been a history of confusion with this term in administering the current regulations, the Board has not made revisions in response to this comment.

IRRC’s next set of comments addressed § 37.33 (relating to grandfather requirements for certification as an engineer-in-training and for licensure as a professional engineer). The act of December 19, 1990 (P. L. 782, No. 192) (Act 192) amended the act to raise the standards for licensure. Section 14 of Act 192 provided that the new standards do not apply and instead the prior requirements apply to a candidate who by June 30, 1994, completed the educational requirements or by the effective date of the amendments (February 19, 1991) began the experience requirements. IRRC recommended that the Board explain the significance of the date in providing in § 37.33(b) that candidates who received a degree prior to January 1, 1968, are not required to complete the fundamentals of engineering examination. This provision is statutorily required. Former section 4(a)(3) of the act provided that to become licensed a candidate was required to have 4 years or more of progressive experience in engineering work under the supervision of a profes-

sional engineer or a similarly qualified engineer of a grade and character to fit him to assume responsible charge of the work involved in the practice of engineering, and be either an engineer-in-training or a graduate in engineering of an approved institution or college having a course in engineering of 4 years or more. Former section 4(a)(3) of the act also provided that the candidate was required to successfully pass the examinations prescribed by the Board for both professional engineers and engineers-in-training, except that “graduates in engineering who were graduated prior to January 1, 1968, or engineers-in-training who received a certificate from the board prior to January 1, 1968, shall not be required to take the examination prescribed for engineers-in-training.”

IRRC next asked the Board to explain the difference between “satisfactory completion” of the fundamentals of engineering examination in § 37.33(b) and “successful completion” of the same examination in § 37.33(c)(1)(ii). As previously noted, the Board revised these provisions to refer to “achieving a passing score” on the examination. IRRC also noted that § 37.33(c)(1)(i) requires a graduate of an approved engineering curriculum to have 4 years of progressive experience and § 37.33(c)(1)(ii) requires a candidate who was not a graduate to have 8 years of progressive experience; IRRC asked the Board to explain how these time frames were determined to be appropriate. These time frames are statutorily required. As noted previously, former section 4(a)(3) of the act required a candidate who was either an engineer-in-training or a graduate of an approved engineering program to have at least 4 years of experience meeting the standard to sit for the licensure examination. Former section 4(a)(4) of the act permitted a candidate to qualify to sit for the examinations if the candidate had 12 years or more of progressive experience in engineering work, at least 8 years of which shall have been under the supervision of a professional engineer or similarly qualified engineer of a grade and character to fit him to assume responsible charge of the work involved in the practice of engineering.

IRRC also commented on § 37.36. Under § 37.36(b)(1)(iii), a candidate educated in a foreign country shall have an evaluation from World Education Services or “other Board-approved professional evaluation service” to qualify to sit for the fundamentals of geology examination. IRRC inquired as to what other professional evaluation services are approved by the Board and recommended that they either be identified in the regulation or maintained in a list on the Board’s web site in a way that cross-references the regulation. At this time, the Board is not aware of any other appropriate evaluation services; no candidate has inquired about using any service other than World Education Services. However, the Board will post on its web site a notice about approved professional evaluation services for foreign geology education. IRRC also noted that under § 37.36(c)(2) acceptable experience may include “technical completeness reviews” and suggested that the final-form regulation define this term. Section 37.1 defines “professional geological work” as the performance of geological service or work, “including technical completeness reviews.” “Technical completeness review” is generally understood in the geology profession as verifying that all required documentation is included with necessary topics addressed based upon an appropriate utilization of the principles of the geological sciences. Because this term of art is understood in the profession, the Board has not provided a separate definition.

IRRC next commented on § 37.37 (relating to references for licensure as a professional geologist). In contrast

to analogous provisions for engineers and land surveyors in §§ 37.32(a) and 37.48(a) (relating to references for certification as an engineer-in-training or licensure as a professional engineer; and references for certification as a surveyor-in-training or licensure as a professional land surveyor), respectively, § 37.37(a) does not require that references be unrelated to the candidate for licensure as a professional geologist. The Board revised all three subsections to be essentially identical and require that at least three of the references are licensees unrelated to the candidate.

IRRC also commented on § 37.47 asking how the Board determined that it was appropriate for § 37.47(1)(iii) to require that a candidate qualifying to sit for the fundamentals of land surveying examination without a qualifying degree have at least 6 years of appropriate diversified field and office experience that includes at least 25% in each area. This requirement is continued from § 37.47(1)(iii), which requires an applicant to show “diversification of field and office experience, with a minimum of 25% of the experience in each area.”

IRRC’s final comment addressed § 37.49 (relating to grandfather requirements for licensure as a professional land surveyor). IRRC asked the Board to further explain the basis and need for changes to the grandfathering requirements for land surveyors. The existing regulation merely provides that for those applicants who completed the prior educational requirements by June 30, 1994, or who began the prior experience requirements before February 19, 1991, the prior requirements apply instead of the current requirements. However, because the regulation did not give an indication of what those prior requirements were, the Board amends § 37.49 so that applicants who qualify for treatment under the prior provisions will know exactly what is required of them. IRRC then asked how the Board determined that it was appropriate for § 37.49(c) to require that a candidate qualifying to sit for the land surveying examinations without a qualifying degree have at least 6 years of appropriate diversified field and office experience that includes at least 25% in each area. This requirement is statutorily mandated by former section 4(d)(2) of the act, which required that applicants for licensure as a professional land surveyor “show a diversification in both field and office experience, with the smallest percentage of time allowed in either category to be twenty-five percent.” IRRC also asked how the Board determined that it was appropriate for § 37.49(b)(1) and (2) to require that a candidate qualifying to sit for the land surveying examinations with a qualifying degree have at least 4 years of progressive experience in land surveying work and for § 37.49(b)(3) to require that a candidate qualifying to sit for the land surveying examinations without a qualifying degree have at least 10 years of progressive experience in land surveying work that includes at least 5 years in responsible charge of primary land surveying functions. These requirements are statutorily mandated by former section 4(d)(1) of the act, which required that an applicant for licensure as a professional land surveyor with a qualifying degree have “four or more years’ progressive experience in land surveying, under the supervision of a professional land surveyor or a similarly qualified land surveyor of a character indicating that the applicant is competent to assume responsible charge of the practice of land surveying,” and by former section 4(d)(2) of the act, which required that an applicant for licensure as a professional land surveyor without a qualifying degree have “ten or more years’ progressive experience in land surveying work half of which time shall have been spent

in responsible charge of primary land surveying functions, under the supervision of a professional land surveyor or a similarly qualified surveyor of a character indicating that the applicant is competent to assume responsible charge of the work involved in the practice of land surveying.”

In addition to the revisions made in response to comments, the Board has significantly reorganized § 37.31 in the final-form rulemaking. To follow parallel structure, the Board renumbered as subsection (a) the existing regulation addressing licensure under the current provisions of the act, maintaining the identified paragraphs. The Board correspondingly added subsection (b) to direct those who would be evaluated under the grandfather provisions of the act to § 37.33 or § 37.33a. The Board revised § 37.31(a)(1)(i) to limit this provision to graduates of ABET-accredited undergraduate programs in the United States—the only category of candidates who may sit for the fundamentals of engineering examination while still a student. The Board further revised this provision to make clear that the effective date of certification as an engineer-in-training is the later of graduation or notification from the National Council of Examiners for Engineering and Surveying (NCEES) of passing the fundamentals examination. Because ABET accredits a limited number of graduate programs in the United States as well as a limited number of both undergraduate and graduate programs in foreign countries, the Board provides in final-form § 37.31(a)(1)(ii) that graduates of this type of program are eligible to sit for the fundamentals of engineering examination. Subsequent to the Board’s preparation of the draft proposed rulemaking, the method of evaluating qualifications of certain candidates who did not attend an ABET-accredited program has changed dramatically. Both ABET’s Engineering Credentials Evaluation International and NCEES’s Center for Professional Engineering Education Services have gone out of existence and no longer evaluate credentials. However, NCEES has a credentials evaluations division that now provides this service. Previously, only foreign education would be evaluated and not education in the United States at other than an ABET-accredited program. NCEES now will evaluate the education of a candidate with a graduate degree in engineering from a school in the United States who completed an undergraduate engineering program in the United States that was not accredited by ABET. On the theory that holding a graduate degree qualifies one at least as well as holding an undergraduate degree, all other things being equal, the Board proposed in § 37.31(1)(ii) to permit a graduate of a graduate engineering curriculum at a school that has an ABET-accredited curriculum in the same discipline and has completed basic engineering courses to sit for the exam. Because NCEES will evaluate the education of a candidate with a graduate degree in engineering, there is not a need for the Board to conduct this independent review; the Board provided in final-form § 37.31(a)(1)(iii) that one with a graduate degree in engineering from a school in the United States who also graduated from an undergraduate engineering curriculum in the United States that is not ABET-accredited may sit for the fundamentals of engineering examination if an evaluation by NCEES’s credentials evaluation division shows that the candidate’s education was substantially equivalent to an ABET-accredited curriculum. The Board acknowledges that this does not allow for those with a graduate degree in engineering whose undergraduate degree was in a field other than engineering. However, a candidate may be considered with 8 years of experience, giving appropriate credit for engineering education. Qualifying to sit for the

fundamentals of engineering examination based upon an evaluation of a foreign education has been moved to final-form § 37.31(a)(1)(iv) revising the permitted evaluator and allowing that the foreign education may include graduate study in engineering. Qualifying for the fundamentals of engineering examination on the basis of experience has been moved to final-form § 37.31(a)(1)(v) without change to the substantive provisions.

The Board has also revised final-form § 37.31(a)(2) setting forth requirements to sit for the principles and practice of engineering examination. Because often a candidate sat for the fundamentals of engineering examination and became certified as an engineer-in-training in another state, the Board should allow for candidates who were certified in the other state, but also ensure that the certification was based upon criteria substantially similar to those of the Commonwealth. Accordingly, the Board revised final-form § 37.31(a)(2) to provide for a candidate who has been certified as an engineer-in-training “in this Commonwealth or another jurisdiction having satisfied the requirements . . . to sit for the fundamentals of engineering examination.” Additionally, because not all other states require that the experience be gained after certification as an engineer-in-training, the Board also revised this paragraph to provide that the effective date of certification for one who was certified as an engineer-in-training in another jurisdiction is the date the certificate was first issued, unless otherwise stated by that jurisdiction.

Similar to the revisions to final-form § 37.31(a)(1) under the current provisions of the act, the Board revised § 37.33(b) to provide the requirements for a candidate under the former provisions of the act to sit for the fundamentals of engineering examination. Because a candidate will not be permitted to sit for the examination while a student, the provisions for a graduate of an ABET-accredited program have been consolidated into § 37.33(b)(1). The provision for the evaluation of the education of a candidate with both a graduate degree and an undergraduate engineering degree in the United States has been placed in § 37.33(b)(2). The provision for the evaluation of a candidate’s foreign engineering education has been placed in § 37.33(b)(3). The previously-proposed provision for a candidate qualifying on the basis of experience has been moved to § 37.33(b)(4) without change to the substantive provisions. Similar to the revisions to final-form § 37.31(a)(2) under the current provisions of the act, the Board also revised § 37.33(c)(1) to provide that a candidate under the former provisions of the act who has been certified as an engineer-in-training “in this Commonwealth or another jurisdiction having satisfied the requirements . . . to sit for the fundamentals of engineering examination” may sit for the principles and practice of engineering examination upon meeting the additional experience requirement. With the deletion of proposed § 37.33(c)(1)(ii), the Board has reorganized final-form § 37.33(c)(1) to list in separate subparagraphs the requirements to qualify for the principles and practice examination (possession of an engineer-in-training certificate, satisfaction of the requirements to sit for the fundamentals of engineering examination and 4 years of progressive engineering experience) as proposed and required under former section 4(b)(3) of the act. The Board also looked more closely at this section for consistency with the prior provisions of the act. Because former section 4(c) of the act permitted a candidate to be certified as an engineer-in-training based upon experience instead of engineering education, the Board revised § 37.33(c)(1) to delete the limitation that it applies to a

candidate who “is a graduate from an approved engineering curriculum” and replaced that with “satisf[ies] the requirements under subsection (b) to sit for the fundamentals of engineering examination.” Moreover, to avoid confusion associated with this phrase due to the coincidence of the amount of time being 4 years, the Board further provided that this experience cannot be used to satisfy the 4 years of progressive experience required under § 37.33(c)(1)(iii). The Board noticed that proposed § 37.33(c)(2) would require a candidate’s experience to comply with the standards of proposed § 37.31(2). Because that paragraph included standards other than experience, the Board revised this provision to refer to § 37.31(a)(2)(i) and (ii). As included in proposed § 37.33(c)(1)(ii), an individual satisfying these requirements would be permitted to sit for both examinations and upon passing both would become licensed as a professional engineer without prior certification as an engineer-in-training, the Board moved this provision into § 37.33a. Also, the language used by the Board in this proposed provision in attempting to describe it in terms of the experience required in addition to what was required to sit for the fundamentals of engineering examination was not a clear and accurate statement about the requirement to qualify for licensure as a professional engineer based upon experience alone without engineering education. The Board also revised this provision to track the language of former section 4(b)(4) of the act to require “at least 12 years of progressive engineering experience, at least 8 years of which shall have been under the supervision of a professional engineer or a similarly qualified engineer.” Although an individual who meets these requirements qualifies to sit for both examinations, a candidate may not sit for the principles and practice of engineering examination until achieving a passing score on the fundamentals examination.

Similar to the revision to allow for candidates for the principles and practice of engineering examination who sat for the fundamentals of engineering examination and were certified as engineers-in-training in another state, the Board revised § 37.36(c)(1) to provide for a candidate who has been certified as a geologist-in-training “in this Commonwealth or another jurisdiction having satisfied the requirements . . . to sit for the fundamentals of geology examination.” Because certification as a geologist-in-training is not a mandatory step in licensure as a professional geologist and a candidate could first apply after meeting all criteria to sit for both examinations, the Board revised § 37.36(a) to make clear that there is an alternative and added § 37.36a to provide that a candidate qualifying under this provision who has not already been certified as a geologist-in-training may, upon meeting the education and experience requirements, apply to sit for both examinations. However, a candidate may not sit for the principles and practice of geology examination until achieving a passing score on the fundamentals examination.

Similar to proposed § 37.31(1)(i) for engineering students who sat for the fundamentals of engineering examination prior to graduation, the Board revised § 37.36(b)(1)(i) and (ii) to make clear that the effective date of certification as a geologist-in-training for one who sat for the fundamentals of geology examination while a geology student is the later of graduation from an accredited program or notification from the National Association of State Boards of Geology (ASBOG) of passing the fundamentals examination. To make clear that those candidates who sat for the fundamentals examination while a geology student must comply with the

additional provisions about the content of the geology program, the Board added to the requirement of providing proof of graduation that this include compliance with § 37.36(b)(2). Similarly, the Board revised § 37.36(b)(1)(iii) to make clear that a graduate of a foreign education program must also satisfy that requirement.

The Board also revised § 37.47(1)(i) to make clear that the effective date of certification as a surveyor-in-training for one who sat for the fundamentals of surveying examination while a surveying student is the later of graduation from an accredited surveying program or notification from NCEES of passing the fundamentals examination. Additionally, because not all other states require that the experience be gained after certification as a surveyor-in-training, the Board also revised § 37.47(2) to provide that the effective date of certification for one who was certified as a surveyor-in-training in another jurisdiction is the date the certificate was first issued, unless otherwise stated by that jurisdiction. Because certification as a surveyor-in-training was not a mandatory step in licensure as a professional land surveyor under the prior provisions of the act and a candidate could first apply after meeting all criteria to sit for both examinations, the Board added § 37.49(d) to provide that a candidate qualifying under this provision may not sit for the principles and practice of land surveying examination and the state-specific land surveying examination until achieving a passing score on the fundamentals examination, similar to § 37.33a(c) for engineers and § 37.36a(c) for geologists.

As previously indicated, NCEES has changed its process for evaluating education other than at an ABET-accredited program. NCEES is also changing its examination means. Beginning with the administration in April 2014, the fundamentals of engineering and the fundamentals of land surveying examinations will be computer-based instead of “pencil and paper.” The principles and practice of engineering and the principles and practice of land surveying examinations will later also become computer-based. Once the principles and practice of land surveying examination is computer-based, the Board’s state-specific land surveying examination will also be computer-based. The computer-based exams will be offered not on a single day twice each year, but instead on any business day within a testing window each quarter. As a result of these changes, the Board is also amending §§ 37.16 and 37.17 (relating to general information; application and examination; and schedule of fees). Section 37.16(a) formerly provided that the examination applications was available by contacting the Board. The Board has replaced this provision first to require that applications for certification or licensure, most typically by reciprocity, in addition to any applications to sit for the examinations, are to be submitted to the Board office along with the appropriate application fee and supporting documentation and second to make clear that the fee is nonrefundable and nontransferable. Section 37.16(b) addresses reexamination. As previously discussed, the Board replaced “applicant” with “candidate” and made clear that these requirements apply to a candidate who did not sit for the examination, as well as a candidate who failed the examination. Because both NCEES and ASBOG require candidates to submit a scheduling form or other documentation directly to these organizations, the Board also revised this subsection to provide that a reexamination candidate may be required by NCEES or ASBOG to submit the paperwork directly to the testing organization and pay an additional fee. Section 37.16(c) formerly

provided that “written examination will be held in Pittsburgh, Harrisburg and Philadelphia . . . during the months of April and October of each year.” Because the examinations will be computer-based, the Board deleted “written.” Because the examinations will be available in windows throughout the year, the Board deleted the requirement that the examination be held in those specific months. The Board also amended this subsection to delete the two application deadline dates and instead require the candidate to apply at least 120 days in advance of the testing organization registration deadline so that the Board will have adequate time to review the application without guaranteeing that the review will be completed for that administration of the examination. Because NCEES and ASBOG require candidates to submit a scheduling form or other documentation directly to these organizations, the Board amended this subsection to require the candidate to submit the paperwork directly to the testing organization as required by the testing organization.

Section 37.17 was inconsistent in the way in which fees were listed. It identified fees for engineers and land surveyors in subsection (a), fees for geologists in subsection (b) and other fees in subsection (c). However, there are no “other” classifications of licensees. Moreover, the applications are not listed under subsection (a) for engineers and land surveyors, as these fees are listed under subsection (b) for geologists. The Board reorganized § 37.17 so that subsection (a) addresses renewal fees, subsection (b) addresses nonrenewal application fees and subsection (c) addresses fees for other services, such as certification of licensure. These changes do not in any way alter the fees charged by the Board, but merely place the recitation of the fee in a more understandable user-friendly location. The Board amended § 37.17(d) to clarify that only the fees for the state-specific examination are set by agreement between the Commonwealth and the third-party testing organization. The fee for NCEES and ASBOG examinations are set by the National organizations and are paid directly to NCEES or ASBOG separate from the fees paid to the Board.

#### *Fiscal Impact and Paperwork Requirements*

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

#### *Effective Date*

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

#### *Statutory Authority*

The final-form rulemaking is authorized by sections 4(b) and (l), 4.2, 4.3 and 4.4 of the act.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on December 15, 2011, the Board submitted a copy of the notice of proposed rulemaking, published at 41 Pa.B. 6975, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on January 15, 2014, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on January 16, 2014, and approved the final-form rulemaking.

#### *Additional Information*

Persons who require additional information about the final-form rulemaking should submit inquiries to the Regulatory Unit Counsel, Department of State, P.O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-5540, RA-STRegulatorycounsel@pa.gov.

#### *Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

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

(3) The amendments to this final-form rulemaking do not enlarge the scope of the proposed rulemaking published at 41 Pa.B. 6975.

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

#### *Order*

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

(a) The regulations of the Board, 49 Pa. Code Chapter 37, are amended by adding §§ 37.33a and 37.36a and amending §§ 37.1, 37.16, 37.17, 37.31—37.33, 37.34, 37.36, 37.37, 37.47—37.49 and 37.57 to read as set forth in Annex A.

*(Editor's Note:* The amendments to §§ 37.16, 37.17, 37.34 and 37.57 and the addition of §§ 37.33a and 37.36a were not included in the proposed rulemaking published at 41 Pa.B. 6975.)

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

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

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

ELIZABETH A. CATANIA, PE,  
*President*

*(Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 751 (February 1, 2014).)

**Fiscal Note:** Fiscal Note 16A-4711 remains valid for the final adoption of the subject regulations.

## Annex A

### TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

#### PART I. DEPARTMENT OF STATE

#### Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

#### CHAPTER 37. STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

#### GENERAL PROVISIONS

##### § 37.1. Definitions.

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

*ABET*—The Nationally-recognized accrediting body that accredits undergraduate engineering programs offered by colleges and universities in the United States. ABET was formerly known as the Accreditation Board for Engineering and Technology, Inc.

*ASBOG*—The National Association of State Boards of Geology.

*Act*—The Engineer, Land Surveyor and Geologist Registration Law (63 P. S. §§ 148—158.2).

*Board*—The State Registration Board for Professional Engineers, Land Surveyors and Geologists.

*Bureau*—The Bureau of Professional and Occupational Affairs.

*Documents*—Specifications, land surveys, reports, plats, drawings, plans, design information and calculations.

*Hearing examiner*—An individual appointed by the Board, with the approval of the Governor, to conduct hearings as may be required under the act in accordance with the act and this chapter.

*NCEES*—The National Council of Examiners for Engineering and Surveying.

*Office management*—

(i) The term includes mechanical office and business skills, such as typing, speed writing, preparation of advertising copy, development of sales promotion devices, word processing, calculator and computer operation, and internal operations and procedures that do not have a professional interest.

(ii) The term does not include the use of technology in delivering engineering, land surveying or geologic services.

*PDH—Professional development hour*—Fifty minutes of instruction or presentation relevant to professional practice as defined in section 2 of the act (63 P. S. § 149).

*Practice building*—

(i) Marketing or any other activity that has as its primary purpose increasing the business volume or revenue of a licensee or employer and does not involve the practice of engineering, land surveying or geology as defined in section 2 of the act.

(ii) The term includes procuring or offering to procure land surveying work for the licensee or others and managing or conducting as managers, proprietors or agents any place of business from which land surveying work is solicited, performed or practiced as included in the definition of “practice of land surveying” in section 2(d) of the act. This term includes procuring or offering to

procure engineering or geologic work for the licensee or others and managing or conducting as managers, proprietors or agents any place of business from which engineering or geologic work is solicited, performed or practiced.

(iii) The term does not include education in a professional area merely because it would expand the licensee's skills enabling the licensee to practice in an additional area.

*Special meetings*—A meeting scheduled by the Board after the Board's regular schedule of meetings has been established.

**QUALIFICATIONS FOR LICENSURE**

**§ 37.16. General information; application and examination.**

(a) *Applications.* Applications to take a licensing examination to be certified as an engineer-in-training, surveyor-in-training or geologist-in-training, or to be licensed as a professional engineer, professional land surveyor or professional geologist shall be submitted directly to the Administrative office of the Board at Post Office Box 2649, Harrisburg, Pennsylvania 17105-2646. Applications shall be submitted with the appropriate application fee in § 37.17 (relating to schedule of fees) and required supporting documentation. Application fees are nonrefundable and nontransferrable.

(b) *Reexaminee applications.* An approved examination application shall entitle the candidate to take the examination once upon payment of one fee. If the candidate fails the examination or fails to sit for the examination, the candidate shall submit a reexamination application to the Board and pay a new fee. If the candidate fails an examination or fails to sit for the examination, the candidate may also be required to submit a reexamination application, scheduling form and examination fees directly to NCEES or ASBOG or the examination service on behalf of the Board. NCEES or ASBOG may limit the number of reexamination attempts. Reexamination fees are nonrefundable and nontransferrable.

(c) *Examinations.* Examinations will be held in places designated by the Board, NCEES or ASBOG during at least two examination windows each year. Applications for examination eligibility shall be submitted to the Board office at least 120 days prior to the examination registration deadline established by NCEES, ASBOG or the examination service on behalf of the Board. The candidate shall register with NCEES or ASBOG as required and comply with the deadlines set by NCEES, ASBOG or the examination service on behalf of the Board.

(d) *Eligibility determination.* The Board will not review an application until the completed application, required supporting documents, if any, and required fees have been received by the Board office. Submission of an application to sit for an examination does not guarantee that the Board will approve or disapprove the application within a specified time frame.

**§ 37.17. Schedule of fees.**

(a) *Renewal fee.* The Board will charge the following renewal fee:

Biennial renewal of registration . . . . . \$50

(b) *Application fees.* The Board will charge the following nonrefundable application fees:

Permission to sit for examination . . . . . \$50

Certification, licensure or registration . . . . . \$50

Temporary permit. . . . . \$25

(c) *Other fees.* The Board will charge the following fees:

Certification of license, registration, permit or scores . . . . . \$25

Verification of license, registration or permit. . . . . \$15

(d) *Fees to testing organizations.* Examination fees for state-specific examinations are established by agreement between the Commonwealth and the third-party testing organizations that develop, administer and grade the examinations. Examination fees for the National examinations are established by NCEES or ASBOG. Examination candidates shall pay the required examination fees directly to the relevant testing organizations. Examination fees are paid separate from the application fees.

**REGISTERED PROFESSIONAL ENGINEERS**

**§ 37.31. Requirements for certification as an engineer-in-training and for licensure as a professional engineer.**

(a) The following requirements apply to a candidate who received a qualifying academic degree on or after June 30, 1994, or who began acquiring qualifying experience on or after February 19, 1991.

(1) *Engineer-in-training.* A candidate for certification as an engineer-in-training shall be of good moral character and achieve a passing score on the NCEES fundamentals of engineering examination. To qualify for the fundamentals of engineering examination, the candidate shall possess one of the following qualifications:

(i) Graduation from an undergraduate engineering curriculum in the United States accredited by ABET. A student who has completed 2 years in an ABET-accredited undergraduate curriculum in the United States and has maintained current enrollment may, with Board approval, sit for the fundamentals of engineering examination, but will not be eligible for certification as an engineer-in-training until the student provides proof of graduation. The effective date of certification will be the later of the date of graduation or the date of notification from NCEES of achieving a passing score on the fundamentals of engineering examination.

(ii) Graduation from an ABET-accredited graduate-level engineering curriculum in the United States or from a foreign ABET-accredited undergraduate or graduate engineering curriculum. Enrollment in a graduate-level or foreign engineering curriculum does not authorize the student to sit for the fundamentals of engineering examination prior to graduation.

(iii) Graduation from both a graduate-level engineering curriculum at a college or university in the United States and from an undergraduate engineering curriculum at a college or university in the United States that was substantially equivalent to an ABET-accredited curriculum, as shown by an evaluation of the candidate's credentials by NCEES's credentials evaluation division.

(iv) Graduation from a foreign undergraduate or graduate, or both, engineering curriculum that was substantially equivalent to an ABET-accredited curriculum, as shown by an evaluation of the candidate's credentials by NCEES's credentials evaluation division.

(v) Eight years of progressive experience in engineering work and knowledge, skill and education approximating that attained through graduation from an approved engineering curriculum. The experience must be of a grade and character sufficient to enable the candidate to independently learn through practice the principles of math-



ematics and science attained through formal education. Academic training in engineering subjects may be counted towards the experience requirement.

(2) *Professional engineer.* A candidate for licensure as a professional engineer shall be of good moral character, be certified as an engineer-in-training in this Commonwealth or another jurisdiction having satisfied the requirements under paragraph (1) to sit for the fundamentals of engineering examination, and achieve a passing score on the NCEES principles and practice of engineering examination in one of the branches of engineering as listed in § 37.34 (relating to branches of engineering). Unless otherwise stated by the appropriate licensing authority of that jurisdiction, the effective date of the engineer-in-training certificate of a candidate who was certified in a jurisdiction other than this Commonwealth will be the date the certificate was first issued. To qualify for the principles and practice examination, the engineer-in-training shall have obtained one of the following experience qualifications after the effective date of the engineer-in-training certificate and before the submission of the examination application:

(i) Four years of progressive experience in a major branch of engineering, acquired under the supervision of a professional engineer licensed in the United States or an engineer who, through education and experience, possesses the equivalent level of expertise as that of a professional engineer licensed in the United States. The experience must be of a grade and character to qualify the candidate to assume responsible charge of the work involved in the practice of the major branch of engineering in which the candidate indicates proficiency. For sales, construction and similar nondesign experience to be acceptable, the candidate shall demonstrate that engineering principles and engineering knowledge were actually employed. Unacceptable experience includes the selection of data or equipment from a company catalog or similar publication, the execution as a contractor of work designed by a professional engineer, the supervision of construction work as a superintendent and the operation or maintenance of machinery or equipment. The candidate shall support all work experience, regardless of duration, with adequate references.

(ii) Four years of progressive full-time teaching experience in an ABET-accredited engineering curriculum under the supervision of a professional engineer or an engineer who, through education and experience, possesses the equivalent level of expertise as a professional engineer. The experience must include the teaching of engineering courses at the third-year, fourth-year or graduate level, covering the breadth and depth of the curriculum, and be of a grade and character to qualify the candidate to assume responsible charge of the work involved in the practice of engineering.

(3) A post-baccalaureate engineering degree may be substituted for each year of experience required under paragraph (2), up to a maximum of 2 years, if the following conditions are met:

(i) The degree is from an academic institution that has an ABET-accredited undergraduate curriculum.

(ii) The degree is in the same discipline as an earned undergraduate degree.

(iii) The academic time is not concurrent with earned experience.

(b) A candidate who received a qualifying academic degree before June 30, 1994, or who began acquiring qualifying experience before February 19, 1991, may

apply under § 37.33 or § 37.33a (relating to grandfather requirements for certification as an engineer-in-training and for licensure as a professional engineer; and grandfather requirements for licensure as a professional engineer without certification as an engineer-in-training), as appropriate.

**§ 37.32. References for certification as an engineer-in-training or licensure as a professional engineer.**

(a) A candidate for licensure as a professional engineer, and a candidate for certification as an engineer-in-training who seeks to qualify for the examination based on experience, shall provide as references the names and addresses of at least five persons who can attest to the candidate's good moral character and who either directly supervised the candidate or can otherwise verify the candidate's experience. At least three of the references shall be professional engineers licensed in the United States who are unrelated to the candidate. The remaining references may be professional land surveyors, professional geologists or unlicensed engineers who, through education and experience, possess an equivalent level of expertise as that of a professional engineer. A reference who is not a professional engineer licensed in the United States is required to submit a curriculum vitae.

(b) If, in the opinion of the Board, the references adversely reflect on the candidate's character or qualifications, the Board may withhold processing the candidate's application until an investigation into the candidate's character or qualifications, or both, is completed. The candidate will be notified in writing of any investigation that is being conducted. Based on the results of the investigation, the Board may require the candidate to submit additional references.

**§ 37.33. Grandfather requirements for certification as an engineer-in-training and for licensure as a professional engineer.**

(a) *Scope.* This section applies to a candidate for certification as an engineer-in-training and subsequent licensure as a professional engineer who received a qualifying academic degree before June 30, 1994, or who began acquiring qualifying experience before February 19, 1991.

(b) *Engineer-in-training.* A candidate for certification as an engineer-in-training under this subsection shall be of good moral character and achieve a passing score on the NCEES fundamentals of engineering examination, except that completion of the fundamentals of engineering examination is not required of a candidate who received a qualifying academic degree before January 1, 1968. To qualify for the fundamentals of engineering examination, the candidate shall possess one of the following qualifications:

(1) Graduation from an undergraduate or graduate-level engineering curriculum in the United States accredited by ABET or graduation from a foreign undergraduate or graduate-level engineering curriculum accredited by ABET.

(2) Graduation from both a graduate-level engineering curriculum at a college or university in the United States and from an undergraduate engineering curriculum at a college or university in the United States that was substantially equivalent to an ABET-accredited curriculum, as shown by an evaluation of the candidate's credentials by NCEES's credentials evaluation division.

(3) Graduation from a foreign undergraduate or graduate, or both, engineering curriculum that was substan-

tially equivalent to an ABET-accredited curriculum, as shown by an evaluation of the candidate's credentials by NCEES's credentials evaluation division.

(4) Four years of experience in engineering work, having acquired knowledge, skill and education approximating that attained through graduation from an approved engineering curriculum. Experience used to satisfy this requirement may not also be used to satisfy the experience requirements of subsection (c)(1)(iii).

(c) *Professional engineer.* A candidate for licensure as a professional engineer under this subsection shall be of good moral character and achieve a passing score on the NCEES principles and practice examination in one of the branches of engineering.

(1) To qualify for the principles and practice examination, the candidate shall:

(i) Possess an engineer-in-training certificate in this Commonwealth or another jurisdiction.

(ii) Satisfy the requirements under subsection (b) to sit for the fundamentals of engineering examination.

(iii) Have at least 4 years of progressive engineering or teaching experience.

(2) The engineering and teaching experience required under this subsection must comply with the standards in § 37.31(a)(2)(i) and (ii) (relating to requirements for certification as an engineer-in-training and for licensure as a professional engineer). A candidate may not substitute a post-baccalaureate engineering degree for any part of the required experience.

**§ 37.33a. Grandfather requirements for licensure as a professional engineer without certification as an engineer-in-training.**

(a) *Scope.* A candidate who began acquiring qualifying experience before February 19, 1991, may apply for licensure as a professional engineer without being certified as an engineer-in-training by satisfying the requirements of this section.

(b) *Qualifications.* A candidate for licensure as a professional engineer shall be of good moral character and have had 12 years or more of progressive experience in engineering work, at least 8 years of which must comply with the standards in § 37.31(a)(2) (relating to requirements for certification as an engineer-in-training and for licensure as a professional engineer).

(c) *Examinations.* A candidate who has satisfied the requirements of subsection (b) will be licensed as a professional engineer upon achieving a passing score on the NCEES fundamentals of engineering examination and the NCEES principles and practice examination in one of the branches of engineering. A candidate may not be admitted to sit for the principles and practice of engineering examination until achieving a passing score on the fundamentals of engineering examination.

**§ 37.34. Branches of engineering.**

(a) The Board recognizes the following as major branches of engineering practice and may eliminate or add other branches of engineering practice it deems necessary in the interest of the profession.

- (1) Aeronautical/aerospace engineering.
- (2) Agricultural engineering.
- (3) Chemical engineering.
- (4) Civil engineering.

- (5) Electrical engineering.
- (6) Industrial engineering.
- (7) Manufacturing engineering.
- (8) Mechanical engineering.
- (9) Metallurgical engineering.
- (10) Mining/mineral engineering.
- (11) Nuclear engineering.
- (12) Petroleum engineering.
- (13) Fire protection engineering.
- (14) Sanitary engineering.
- (15) Structural engineering.
- (16) Control systems engineering.

(b) A candidate who has passed an examination in one of the major branches of engineering listed in subsection (a), or in other branches of engineering as are subsequently recognized by the Board, will be granted registration as a professional engineer. The professional engineer may then practice any branch of engineering in which the professional engineer has proven proficiency by reason of education and experience, and in which the professional engineer is willing to accept full legal, financial and professional responsibility. A professional engineer may not be limited to the practice of any one major branch of engineering because the professional engineer has passed a written examination based upon the major branch of engineering, subject to this chapter and the provisions of the act relating to Code of Ethics.

**REGISTERED PROFESSIONAL GEOLOGISTS**

**§ 37.36. Requirements for certification as a geologist-in-training and for licensure as a professional geologist.**

(a) *General.* The requirements in this section apply to candidates for certification as a geologist-in-training and candidates for subsequent licensure as a professional geologist. A candidate who meets the applicable requirements may apply at the same time both to sit for the fundamentals of geology examination and to sit for the principles and practice of geology examination to be licensed as a professional geologist as provided in § 37.36a (relating to requirements for licensure as a professional geologist without certification as geologist-in-training).

(b) *Geologist-in-training.* A candidate for certification as a geologist-in-training shall be of good moral character and achieve a passing score on the ASBOG fundamentals of geology examination.

(1) To qualify for the fundamentals of geology examination, the candidate shall possess one of the following qualifications:

(i) Graduation from an accredited institution of higher learning in the United States, having majored in geology, geophysics, geochemistry or engineering geology and having completed 30 semester hours or 45 quarter hours in the major. A student who has completed 2 years in a program and has maintained current enrollment may, with Board approval, sit for the fundamentals of geology examination, but will not be eligible for certification as a geologist-in-training until the student provides proof of graduation, including compliance with the educational content requirements of paragraph (2). The effective date of certification will be the later of the date of graduation

or the date of notification from ASBOG of achieving a passing score on the fundamentals of geology examination.

(ii) Graduation from an accredited institution of higher learning in the United States that does not offer a major in geology, geophysics, geochemistry or engineering geology, having completed 30 semester hours or 45 quarter hours or an equivalent amount of geological education, including 24 semester hours or an equivalent amount in third-year or fourth-year courses or graduate courses. A student who has completed 2 years in a program and has maintained current enrollment may, with Board approval, sit for the fundamentals of geology examination, but will not be eligible for certification as a geologist-in-training until the student provides proof of graduation, including compliance with the educational content requirements of paragraph (2). The effective date of certification will be the later of the date of graduation or the date of notification from ASBOG of achieving a passing score on the fundamentals of geology examination.

(iii) Graduation from a foreign college or university that World Education Services or other Board-approved professional evaluation service deems equivalent to a bachelor's degree in geology, geophysics, geochemistry or engineering geology from an accredited institution of higher learning in the United States and which satisfies the educational content requirements of paragraph (2).

(2) The formal education required under this subsection must include field geology and structural geology coursework that is sufficient to demonstrate that the candidate has educational experience in tectonics and fractured bedrock geology and the field methods needed to measure, map and evaluate geologic data.

(c) *Professional geologist.* A candidate for licensure as a professional geologist shall be of good moral character, be certified as a geologist-in-training and achieve a passing score on the ASBOG principles and practice of geology examination.

(1) To qualify for the principles and practice examination, the geologist-in-training certified in this Commonwealth or another jurisdiction who also satisfies the requirements under subsection (b) to sit for the fundamentals of geology examination shall have obtained one of the following experience qualifications prior to the submission of the examination application:

(i) Five years of experience performing geological services or work in a position that requires independent judgment, competence and accountability.

(ii) Five years of experience performing geological services or work, including 3 years under the supervision of a professional geologist, except that experience acquired prior to February 16, 1993, may be under the supervision of an unlicensed geologist who, through education and experience, possesses the equivalent level of expertise as that of a professional geologist.

(iii) Five years of progressive full-time teaching experience in a geological curriculum, including senior-level or graduate-level coursework, at an accredited institution of higher learning.

(2) The experience required under this subsection must require the utilization, application and interpretation of fundamental and practical principles of the geological science and be of a character and grade to qualify the candidate to assume responsible charge of the work involved in the practice of geology. Acceptable experience may include the technical completeness reviews or inspec-

tions of unfinalized work product. Unacceptable experience includes routine sampling, laboratory work and geological drafting. A graduate degree in geology, geophysics, geochemistry or engineering geology may be substituted as part of the experience requirements in this paragraph, at a rate of 1 year for a master's degree and 1 year for a doctoral degree. Credit for graduate degrees may not exceed 2 years of experience.

**§ 37.36a. Requirements for licensure as a professional geologist without certification as geologist-in-training.**

(a) *General.* As an alternative to the requirements of § 37.36 (relating to requirements for certification as a geologist-in-training and for licensure as a professional geologist), a candidate who is not certified as a geologist-in-training may apply for licensure as a professional geologist by satisfying the requirements of this section.

(b) *Qualifications.* A candidate for licensure as a professional geologist shall be of good moral character and satisfy the requirements of this subsection.

(1) The candidate shall possess one of the following educational qualifications that include field geology and structural geology coursework that is sufficient to demonstrate that the candidate has educational experience in tectonics and fractured bedrock geology and the field methods needed to measure, map and evaluate geologic data:

(i) Graduation from an accredited institution of higher learning in the United States, having majored in geology, geophysics, geochemistry or engineering geology and having completed 30 semester hours or 45 quarter hours in the major.

(ii) Graduation from an accredited institution of higher learning in the United States that does not offer a major in geology, geophysics, geochemistry or engineering geology, having completed 30 semester hours or 45 quarter hours or an equivalent amount of geological education, including 24 semester hours or an equivalent amount in third-year or fourth-year courses or graduate courses.

(iii) Graduation from a foreign college or university that World Education Services or other Board-approved professional evaluation service deems equivalent to a bachelor's degree in geology, geophysics, geochemistry or engineering geology from an accredited institution of higher learning in the United States.

(2) The candidate shall have obtained experience in accordance with this paragraph prior to the submission of the examination application. The experience must require the utilization, application and interpretation of fundamental and practical principles of the geological science and be of a character and grade to qualify the candidate to assume responsible charge of the work involved in the practice of geology. Acceptable experience may include the technical completeness reviews or inspections of unfinalized work product. Unacceptable experience includes routine sampling, laboratory work and geological drafting. A graduate degree in geology, geophysics, geochemistry or engineering geology may be substituted as part of the experience requirements in this paragraph at a rate of 1 year for a master's degree and 1 year for a doctoral degree. Credit for graduate degrees may not exceed 2 years of experience. The candidate shall possess one of the following experience qualifications:

(i) Five years of experience performing geological services or work in a position that requires independent judgment, competence and accountability.

(ii) Five years of experience performing geological services or work, including 3 years under the supervision of a professional geologist, except that experience acquired prior to February 16, 1993, may be under the supervision of an unlicensed geologist who, through education and experience, possesses the equivalent level of expertise as that of a professional geologist.

(iii) Five years of progressive full-time teaching experience in a geological curriculum, including senior-level or graduate-level coursework, at an accredited institution of higher learning.

(c) *Examinations.* A candidate who has satisfied the requirements of subsection (b) will be licensed as a professional geologist upon achieving passing scores on the ASBOG fundamentals of geology examination and the ASBOG principles and practice of geology examination. A candidate may not be admitted to sit for the principles and practice of geology examination until achieving a passing score on the fundamentals of geology examination.

**§ 37.37. References for licensure as a professional geologist.**

(a) A candidate for licensure as a professional geologist shall provide as references the names and addresses of at least five persons who can attest to the candidate's good moral character and who either directly supervised the candidate or can otherwise verify the candidate's experience. At least three of the references shall be professional geologists licensed in the United States who are unrelated to the candidate. The remaining references may be professional engineers, professional land surveyors or unlicensed geologists who, through education and experience, possess an equivalent level of expertise as that of a professional geologist. A reference who is an unlicensed geologist is required to submit a curriculum vitae.

(b) If, in the opinion of the Board, the references reflect adversely on the candidate's character or qualifications, the Board may withhold processing the candidate's application until an investigation into the candidate's character or qualifications, or both, is completed. The candidate will be notified in writing of any investigation that is being conducted. Based upon the results of the investigation, the Board may require the candidate to submit additional references.

**REGISTERED PROFESSIONAL LAND SURVEYORS**

**§ 37.47. Requirements for certification as a surveyor-in-training and for licensure as a professional land surveyor.**

The following requirements apply to a candidate who received a qualifying academic degree on or after June 30, 1994, or who began obtaining qualifying experience on or after February 19, 1991.

(1) *Surveyor-in-training.* A candidate for certification as a surveyor-in-training shall be of good moral character and achieve a passing score on the NCEES fundamentals of surveying examination. To qualify for the fundamentals of surveying examination, the candidate shall possess one of the following qualifications:

(i) Graduation from an undergraduate civil engineering curriculum in the United States accredited by ABET, including a minimum of 10 credit hours of instruction in surveying or graduation from an undergraduate 4-year surveying curriculum in the United States accredited by ABET. A student who has completed 2 years of a 4-year surveying curriculum and has maintained current enrollment may, with Board approval, sit for the fundamentals

of surveying examination, but will not be eligible for certification as a surveyor-in-training until the student provides proof of graduation. The effective date of certification will be the later of the date of graduation or the date of notification from NCEES of achieving a passing score on the fundamentals of surveying examination.

(ii) Graduation from an associate's degree program in a surveying technology curriculum accredited by ABET.

(iii) Six years of progressive experience in surveying, and knowledge, skill and education equivalent to that attained through graduation from an approved land surveying or civil engineering curriculum. The experience must reflect diversification of field and office work, with no less than 25% of the experience in either area and be of a grade and character sufficient to enable the candidate to independently learn through practice the surveying skills and principles of mathematics attained through formal education.

(2) *Professional land surveyor.* A candidate for licensure as a professional land surveyor shall be of good moral character, be certified as a surveyor-in-training and achieve a passing score on the NCEES principles and practice of surveying examination. Unless otherwise stated by the appropriate licensing authority of that jurisdiction, the effective date of the surveyor-in-training certificate of a candidate who was certified in a jurisdiction other than this Commonwealth will be the date the certificate was first issued. To qualify for the principles and practice examination, the surveyor-in-training shall have obtained one of the following experience qualifications between the effective date of the surveyor-in-training certificate and the submission of the examination application:

(i) Four years of progressive experience in surveying work acquired under the supervision of a professional land surveyor or a land surveyor who, through education and experience, possesses the equivalent level of expertise as that of a professional land surveyor. The experience shall be of a grade and character to qualify the candidate to assume responsible charge of the work involved in the practice of land surveying.

(ii) Four years of progressive full-time faculty teaching experience in a surveying curriculum accredited by ABET under the supervision of a professional land surveyor or a surveyor who, through education and experience, possesses the equivalent level of expertise as a professional land surveyor. The experience must include the teaching of surveying courses at the third-year, fourth-year or graduate level, covering the breadth and depth of the curriculum, and be of a grade or character to qualify the candidate to assume responsible charge of the work involved in the practice of land surveying.

**§ 37.48. References for certification as a surveyor-in-training or licensure as a professional land surveyor.**

(a) A candidate for licensure as a professional land surveyor, and a candidate for certification as a surveyor-in-training who seeks to qualify for the certification examination based on experience, shall provide as references the names and addresses of at least five persons who can attest to the candidate's good moral character and who either directly supervised the candidate or can otherwise verify the candidate's experience. At least three of the references shall be professional land surveyors licensed in the United States who are unrelated to the candidate. The remaining references may be professional engineers, professional geologists or unlicensed surveyors

who, through education and experience, possess an equivalent level of expertise as that of a professional land surveyor. A reference who is an unlicensed surveyor is required to submit a curriculum vitae.

(b) If, in the opinion of the Board, the references reflect adversely on the candidate's character or qualifications, the Board may withhold processing the candidate's application until an investigation into the candidate's character or qualifications, or both, is completed. The candidate will be notified in writing of any investigation that is being conducted. Based on the results of the investigation, the Board may require additional references.

**§ 37.49. Grandfather requirements for licensure as a professional land surveyor.**

(a) This section applies to a candidate who received a qualifying academic degree before June 30, 1994, or who began obtaining qualifying experience before February 19, 1991.

(b) A candidate for licensure as a professional land surveyor under this section shall be of good moral character and achieve passing scores on the NCEES fundamentals of surveying examination and principles and practice of surveying examination. To qualify for the examinations, the candidate shall possess one of the following sets of qualifications prior to submission of the examination application:

(1) Graduation from an undergraduate civil engineering curriculum in the United States accredited by ABET, including a minimum of 10 credit hours of instruction in surveying, and 4 years of progressive experience in land surveying work.

(2) Graduation from an associate's degree program in a curriculum in surveying accredited by ABET and 4 years of progressive experience in land surveying work.

(3) Ten years of progressive experience in land surveying work, including 5 years in responsible charge of primary land surveying functions.

(c) The experience required under this section must have been acquired under the supervision of a professional land surveyor or an unlicensed surveyor who, through education and experience, possesses the equivalent level of expertise as that of a professional land surveyor. The experience must be of a grade and character to qualify the candidate to assume responsible charge of the work involved in the practice of land surveying. The experience must reflect diversification of field and office work, with no less than 25% of the experience in either area.

(d) A candidate may not be admitted to sit for the principles and practice of land surveying examination and the state-specific land surveying examination until achieving a passing score on the fundamentals of land surveying examination.

**REGISTRATION NUMBER AND SEAL**

**§ 37.57. Registration number.**

Upon registering with the Board, each registrant will be assigned a unique registration number.

[Pa.B. Doc. No. 14-315. Filed for public inspection February 14, 2014, 9:00 a.m.]

# PROPOSED RULEMAKING

## FISH AND BOAT COMMISSION

[ 58 PA. CODE CHS. 61, 63, 69, 71 AND 73 ]

### Fishing

The Fish and Boat Commission (Commission) proposes to amend Chapters 61, 63, 69, 71 and 73. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

#### A. *Effective Date*

The proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2015.

#### B. *Contact Person*

For further information on the proposed rulemaking, contact Laurie E. Shepler, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at [www.fish.state.pa.us](http://www.fish.state.pa.us).

#### C. *Statutory Authority*

The proposed amendments to §§ 61.1—61.4, 63.46, 69.12, 71.6 and 73.1 are published under the statutory authority of section 2102 of the code (relating to rules and regulations).

#### D. *Purpose and Background*

The specific purpose and background of the proposed amendments are described in more detail under the summary of proposal.

#### E. *Summary of Proposal*

Crayfish are one of the most conspicuous and ecologically important components of aquatic communities in this Commonwealth and across the globe. They are an important forage item for fishes, mammals, birds, reptiles and amphibians and facilitate the transfer of nutrients up through the food chain to higher trophic levels. About half of North America's crayfish fauna is imperiled, and native crayfishes across the continent and in this Commonwealth are rapidly being replaced by introduced (exotic) crayfishes.

The replacement of native crayfish by introduced crayfish represents a significant threat to aquatic communities. Introduced crayfish attain densities that are exceedingly high (sometimes in excess of 200 individuals/m<sup>2</sup>), often eliminate aquatic macrophytes and suppress benthic invertebrate communities. They can have strong negative effects on amphibians, mussels and fishes.

Stopping the spread of introduced crayfish is difficult once they become widespread. Since the distributions of most introduced crayfishes in this Commonwealth are still limited, there is still time to stop the spread of exotic crayfishes and preserve the native stocks that remain.

Exotic crayfishes occur in a number of water bodies in this Commonwealth and are available from bait shops, biological warehouses, pet stores, live food vendors and aquaculture facilities. To help prevent additional introductions of crayfish in this Commonwealth, stringent regulations and their enforcement is warranted.

The invasive rusty crayfish (*Orconectes rusticus*) has been tightly regulated in this Commonwealth since 2005, and live individuals cannot be possessed, sold, transported or cultured within this Commonwealth. However, there are five other introduced crayfishes that occur in this Commonwealth that are currently unregulated. These exotic crayfishes can be purchased from commercial dealers or collected from invaded water bodies and released legally into the Commonwealth's waters with potentially devastating effects on native communities. Additionally, although the invasive red swamp crayfish (*Procambarus clarkii*) cannot be propagated in flow-through systems or introduced into Commonwealth waters, the species can be possessed, sold and transported legally within this Commonwealth.

Extending the *Orconectes rusticus* ban to other exotic crayfish species would be impossible to enforce because most natural resource managers and conservation officers have difficulty identifying crayfish species. For this reason, the Commission proposes restricting the sale, possession, introduction, transportation and culture of all live native and nonnative crayfishes in this Commonwealth. Similar restrictions have been passed elsewhere (for example, Wisconsin and parts of Maryland and Canada) with broad public support.

As part of the proposed rulemaking, licensed anglers will still be allowed to harvest up to 50 crayfish per day. However, the head must be immediately removed behind the eyes upon capture unless the crayfish are used as bait in the water from which they were taken. When crayfish are used as bait in the water from which they were taken, the head does not have to be removed. When crayfish are transported from the water from which they were collected, the head must be removed behind the eyes. The proposed rulemaking also restricts the sale of all live native and nonnative crayfishes in this Commonwealth except when they are sold for testing and scientific purposes or restaurant consumption, adequate measures have been taken to prevent their escape and they are accompanied by documentation stating the point of origin and the destination to which they are to be delivered. The proposed rulemaking restricts possession, introduction and transportation of all live native and nonnative crayfishes except when: (i) they are possessed and used as bait on, in or about the water from which taken; or (ii) they are possessed or imported for testing and scientific purposes or restaurant consumption, adequate measures have been taken to prevent their escape and they are accompanied by documentation stating the point of origin and the destination to which they are to be delivered. Except when they are used as bait as previously described, the introduction of any live crayfish into Commonwealth waters will be strictly prohibited.

Although propagation is not specifically addressed by this proposed rulemaking, Commission staff are working with the Department of Agriculture (Department) and registered propagators to address issues pertaining to crayfish culture. Section 71.2 (relating to fish species approved for artificial propagation and introduction) provides that the Bureau of Fisheries (Bureau) will maintain a list of species by watershed for which the Department may issue registrations for artificial propagation and registrations for dealers of live aquatic animals. The section further provides that the Bureau may update or modify the list of authorized species by adding species to or deleting species from the list as necessary to provide

for the protection and management of fish in this Commonwealth. Therefore, concurrent with this proposed rulemaking, the Commission is proposing to remove all crayfish species from the list of species approved for open-system propagation and introduction in this Commonwealth. The culture and propagation of crayfish will still be permitted in closed systems. Regulatory action is not required to accomplish this change. However, Commission staff already have shared the proposal with the Department and registered propagators, and a dialogue has started. The Commission will seek public comments regarding the restriction on crayfish propagation at the same time as it seeks public comments on the proposed amendments in this proposed rulemaking. The Commission will solicit those comments by notifying the Pennsylvania Aquaculture Advisory Committee and its Aquaculture Coordinator of this proposed rulemaking and publication in the *Pennsylvania Bulletin*.

The Commission proposes to amend §§ 61.1—61.4, 63.46, 69.12, 71.6 and 73.1 to restrict the sale, possession, introduction and transportation of all crayfish species in this Commonwealth to read as set forth in Annex A.

**F. Paperwork**

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

**G. Fiscal Impact**

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will not impose new costs on the private sector or the general public. Any fiscal impact to the private sector is expected to be nominal. Some

businesses sell crayfish as pets or bait, but the revenue generated is typically a very minor component of total sales. Other commercial uses include testing and scientific purposes and restaurant consumption. However, under the proposed rulemaking, the sale, possession and transportation of live crayfish is permitted for those purposes when adequate measures have been taken to prevent their escape and they are accompanied by documentation stating the point of origin and the destination to which they are to be delivered. Therefore, laboratories, research facilities and restaurants will not be significantly affected by the proposed rulemaking.

**H. Public Comments**

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 60 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** 48A-256. No fiscal impact; (8) recommends adoption.

**Annex A**  
**TITLE 58. RECREATION**  
**PART II. FISH AND BOAT COMMISSION**  
**Subpart B. FISHING**  
**CHAPTER 61. SEASONS, SIZES AND CREEL LIMITS**

**§ 61.1. Commonwealth inland waters.**

\* \* \* \* \*

(d) Except as otherwise provided in this subpart, the following seasons, sizes and creel limits apply to inland waters of this Commonwealth and the Youghiogheny Reservoir:

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
	* * * * *		
BAIT FISH FISH BAIT except mud bugs [ and ], mussels/clams and crayfish	Open year-round	No minimum	50 (combined species)
	* * * * *		
PADDLEFISH	Closed year-round	—	0
<b>CRAYFISH (ALL SPECIES)</b>	<b>Open year-round</b>		<b>50. The head must be immediately removed behind the eyes upon capture unless used as bait in the water from which taken.</b>

**§ 61.2. Delaware River, West Branch Delaware River and River Estuary.**

\* \* \* \* \*

(d) The following seasons, sizes and creel limits apply to the Delaware River, West Branch Delaware River and Delaware River tributaries, from the mouths of the tributaries upstream to the limit of the tidal influence and the Lehigh River from its mouth upstream to the first dam in Easton, Pennsylvania:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
* * * * *			
BAIT FISH FISH BAIT, except mussels/clams and crayfish	Open year-round	No minimum	50 (combined species)
* * * * *			
OTHER SPECIES	Inland seasons, size and creel limits apply except for waters under special regulations (See Chapter 65). See § 61.1 (relating to Commonwealth inland waters).		
<b>CRAYFISH (ALL SPECIES)</b>	<b>Open year-round</b>		<b>50. The head must be immediately removed behind the eyes upon capture unless used as bait in the water from which taken.</b>

§ 61.3. Pymatuning Reservoir.

\* \* \* \* \*

(c) Except as provided by special regulations, the following sizes and creel limits apply to Pymatuning Reservoir:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
* * * * *			
MUSSELS/CLAMS	Closed year-round		0
<b>CRAYFISH (ALL SPECIES)</b>	<b>Open year-round</b>		<b>50. The head must be immediately removed behind the eyes upon capture unless used as bait in the water from which taken.</b>

§ 61.4. Conowingo Reservoir.

\* \* \* \* \*

(d) The following seasons, sizes and creel limits apply to the Conowingo Reservoir, which includes the Susquehanna River from the Maryland State Line upstream to Holtwood Dam:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
* * * * *			
BAIT FISH FISH BAIT, <b>except</b> <b>mussels/clams and crayfish</b>	Open year-round	No minimum	35
* * * * *			
BIVALVES/SHELLFISH (Mussels/Clams)	Closed (no open season)	Closed	0
<b>CRAYFISH (ALL SPECIES)</b>	<b>Open year-round</b>		<b>50. The head must be immediately removed behind the eyes upon capture unless used as bait in the water from which taken.</b>

**CHAPTER 63. GENERAL FISHING REGULATIONS**

§ 63.46. Sale, purchase or barter of injurious, nonnative species.

It is unlawful for a person to sell, purchase, offer for sale or barter the following live species in this Commonwealth:

\* \* \* \* \*

(10) [ **Rusty crayfish (*Orconectes rusticus*).** ] Crayfish (all species) except when:

(i) They are sold, purchased, offered for sale or bartered for testing and scientific purposes or restaurant consumption.

(ii) Adequate measures have been taken to prevent their escape.

(iii) They are accompanied by documentation stating the point of origin and the destination to which they are to be delivered.

\* \* \* \* \*



CHAPTER 69. FISHING IN LAKE ERIE AND BOUNDARY LAKES

Subchapter B. SPORT FISHING AND ANGLING

§ 69.12. Seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters.

\* \* \* \* \*

(f) Subject to the provisions of subsections (d) and (e), the following seasons, sizes and creel limits apply to Lake Erie, Lake Erie tributaries and Presque Isle Bay, including peninsula waters:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
* * * * *			
BAIT FISH FISH BAIT, except mussels/clams and crayfish	Open year-round	None	50 (combined species)
CRAYFISH (ALL SPECIES)	Open year-round		<b>50. The head must be immediately removed behind the eyes upon capture unless used as bait in the water from which taken.</b>
* * * * *			

CHAPTER 71. PROPAGATION AND INTRODUCTION OF FISH INTO COMMONWEALTH WATERS

§ 71.6. Prohibited acts.

\* \* \* \* \*

(d) It is unlawful to possess the following live species in this Commonwealth. It is unlawful to introduce or import the following live species into the waters of this Commonwealth:

\* \* \* \* \*

(10) [ Rusty crayfish (*Orconectes rusticus*) ] Crayfish (all species).

(i) Except when they are either:

(A) Possessed and used as bait on, in or about the water from which taken.

(B) Possessed or imported for testing and scientific purposes or restaurant consumption, adequate measures have been taken to prevent their escape and they are accompanied by documentation stating the point of origin and the destination to which they are to be delivered.

(ii) Except when used as bait as provided in this section, introduction of live crayfish (all species) into the waters of the Commonwealth is prohibited.

\* \* \* \* \*

CHAPTER 73. TRANSPORTATION OF LIVE FISH INTO THIS COMMONWEALTH

§ 73.1. Transportation.

\* \* \* \* \*

(d) Transportation of the following live species in or through this Commonwealth is prohibited.

\* \* \* \* \*

(10) [ Rusty crayfish (*Orconectes rusticus*). ] Crayfish (all species) except when they are either transported:

(i) As bait on, in or about the water from which taken.

(ii) For testing and scientific purposes or restaurant consumption, adequate measures have been taken to prevent their escape and they are accompanied by documentation stating the point of origin and the destination to which they are to be delivered.

\* \* \* \* \*

[Pa.B. Doc. No. 14-316. Filed for public inspection February 14, 2014, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGING

### Senior Community Center Grant Application Announcement; Extended Deadline

The purpose of this notice is to update the announcement at 44 Pa.B. 788 (February 8, 2014) of a grant funding opportunity for senior community centers (centers) in this Commonwealth. The notice is updated to inform potential grant applicants that the deadline for submission has been extended to March 31, 2014.

The Department of Aging had announced the availability of \$2.15 million in grant funding to help modernize centers throughout this Commonwealth. Funding is available for centers as outlined in the Department of Aging Program Directive #96-04-01 Senior Community Center and Satellite Center Policies and Standards, and as revised by memo dated 2-24-06 found at <http://www.portal.state.pa.us/portal/server.pt?open=514&objID=616013&mode=2>. The funds will be issued through a competitive grant process.

The grants will focus on modernizing facilities, developing a more diverse membership and participation; expanding and increasing quality programs; and encouraging sustainable and innovative programs and services.

The application period began February 8, 2014, and applications must be submitted by the extended deadline of 5 p.m. on March 31, 2014. For more information about the grant announcement and application process, as well as centers, visit [www.aging.state.pa.us](http://www.aging.state.pa.us).

BRIAN M. DUKE,  
Secretary

[Pa.B. Doc. No. 14-317. Filed for public inspection February 14, 2014, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending February 4, 2014.

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

### BANKING INSTITUTIONS

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-24-2014	ESSA Bank and Trust Stroudsburg Monroe County  Application for approval to purchase assets and assume liabilities of two branches of First National Community Bank, Dunmore, located at:  5120 Milford Road East Stroudsburg Monroe County	Effective
	301 McConnell Street Stroudsburg Monroe County (Deposits and loans only)	

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-30-2014	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	100 Buffalo Plaza Sarver Butler County (Limited Service Facility)	Filed

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-31-2014	CNB Bank Clearfield Clearfield County	4545 West Dublin Granville Road Dublin Franklin County, Ohio	Approved
2-4-2014	Royal Bank America Narberth Montgomery County	231 St. Asaph's Road Bala Cynwyd Montgomery County (Limited Service Facility)	Approved

### SAVINGS INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-30-2014	<i>From:</i> Armstrong County Building and Loan Association of Ford City, PA Ford City Armstrong County  <i>To:</i> Armstrong County Building and Loan Association Ford City Armstrong County	Approved

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

#### Branch Applications

#### Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-24-2014	ESSA Bank and Trust Stroudsburg Monroe County	<i>Into:</i> 5120 Milford Road East Stroudsburg Monroe County  <i>From:</i> 5801 Milford Road East Stroudsburg Monroe County	Effective
1-24-2014	ESSA Bank and Trust Stroudsburg Monroe County	<i>Into:</i> 5120 Milford Road East Stroudsburg Monroe County  <i>From:</i> 143 Seven Bridge Road Marshalls Creek Monroe County	Effective

### CREDIT UNIONS

#### Change of Principal Place of Business

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Address</i>	<i>Action</i>
2-4-2014	PSECU Harrisburg Dauphin County	<i>To:</i> 1500 Elmerton Avenue Harrisburg Dauphin County  <i>From:</i> 1 Credit Union Place Harrisburg Dauphin County	Effective

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-318. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of March 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 March, 2014, is 6 1/4%.

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. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department 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 3.83 to which was added 2.50 percentage points for a

total of 6.33 that by law is rounded off to the nearest quarter at 6 1/4%.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-319. Filed for public inspection February 14, 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**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0052272 (IW)	Henry Kimberton Facility 336 Cold Stream Road Kimberton, PA 19442	Chester County East Pikeland Township	Unnamed Tributary to French Creek (3-D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0087521 (IW)	SuperValu, Inc. 250 E. Parkcenter Blvd. PO Box 20 Dept 72405 Boise, ID 83726	Lancaster County East Cocalico Township	UNT to Little Muddy Creek / 7-J	Y
PA0023604 (Sew)	McAlisterville Area Joint Authority PO Box 61 McAlisterville, PA 17049	Juniata County Fayette Township	Little Lost Creek / 12-A	Y
PA0084174 (Sew)	Covance Research Products, Inc. 310 Swamp Bridge Road Denver, PA 17517	Lancaster County West Cocalico Township	UNT to Cocalico Creek / 7-J	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. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0209431 (SRSTP)	Thomas R ShROUT Residence Orchard Park Road Port Matilda, PA 16870	Halfmoon Township Centre County	UNT of Halfmoon Creek (11-A)	Y
PA0060208 (Sewage)	Nelson Township Authority Wastewater Treatment Plant 328 Bliss Road Nelson, PA 16940-0100	Tioga County Nelson Township	Cowanesque River (4-A)	Y
PA0114316 (Sewage)	John & Sandra Erdley Residence 175 Eagle Lane Milmont, PA 17845	Union County Hartley Township	Penns Creek (6-A)	Y
PA0114880 (SFTF)	Church Of Jesus Christ Latter Day Saints Berwick, PA 18603	Columbia County North Centre Township	UNT to West. Branch. Briar Creek (5-D)	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*

**PA0217913**, Sewage, SIC Code 4952, **William J. McIntire**, P O Box 171, Shelocta, PA 15774. Facility Name: Urling Mine 1 & 2 Main Portal STP. This existing facility is located in Armstrong Township, **Indiana 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), Anthony Run, is located in State Water Plan watershed 17-E and is classified for Cold Water Fishes. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.023 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.023	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Total Residual Chlorine (Interim)	XXX	XXX	XXX	2.3	XXX	4.6
(Final)	XXX	XXX	XXX	1.0	XXX	2.3
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
BOD <sub>5</sub> Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen May 1 - Oct 31	XXX	XXX	XXX	13.0	XXX	26.0
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The EPA Waiver is in effect.

**PA0254720**, Storm Water, SIC Code 3273, **Dennis Lumber Co. Inc.**, 4888 National Pike, Markleysburg, PA 15459. Facility Name: Dennis Lumber Co. Inc. Hopwood Plant. This proposed facility is located in North Union Township, **Fayette County**.

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

The receiving stream, Unnamed Tributary to Redstone Creek, is located in State Water Plan watershed 19-C and is classified for, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
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
Dissolved Iron	XXX	XXX	XXX	Report	7.0	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.48	0.75	XXX
Total Iron (Interim)	XXX	XXX	XXX	3.5	7.0	XXX
(Final)	XXX	XXX	XXX	1.5	2.34	XXX
Total Manganese (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.64	1.0	XXX

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

- Compliance Schedule

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.

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

**PA0054780**, Sewage, SIC Code 4952, **Concord Township**, 43 Thornton Road, Glen Mills, PA 19342. Facility Name: Riviera at Concord STP. This existing facility is located in Concord Township, **Delaware 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), Green Creek, is located in State Water Plan watershed 3-G and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0635 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>Instant. 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	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	13	XXX	XXX	25	XXX	50
Total Suspended Solids	16	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	3.0	XXX	XXX	6.0	XXX	12.0
Nov 1 - Apr 30	9.5	XXX	XXX	18.0	XXX	36.0
Total Phosphorus						
May 1 - Oct 31	0.5	XXX	XXX	1.0	XXX	2.0
Nov 1 - Apr 30	1.0	XXX	XXX	2.0	XXX	4.0

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

- A. No Stormwater
- B. Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Minimization
- E. Operator Notification

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.

**PA0013323**, SIC Code 3721, **The Boeing Company**, PO Box 16858, Philadelphia, PA 19142-0858. Facility Name: Boeing Helicopters Ridley Facility. This existing facility is located in Ridley Township, **Delaware County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated process wastewater, cooling tower blow down, and stormwater.

The receiving stream(s), Crum Creek, Darby Creek and Delaware River, are located in State Water Plan watershed 3-G and is classified for Warm Water Fishes, Migratory Fishes, Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.087 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>Instant. 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
Free Available Chlorine	XXX	XXX	XXX	0.5	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	2500
Oil and Grease	XXX	XXX	XXX	15	XXX	30
PCBs						
(Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
(Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 002, 003 and 016 are based on an average flow of stormwater.

<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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
PCBs (Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 004, 009, 010, 011, 012, 013, 014, 015, 017, 019, 020, 021, 022, 023, and 025 are based on an average flow of stormwater.

<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>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on an average flow of oil bearing stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30
PCBs (Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are based on an average flow of oil bearing stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30

The proposed effluent limits for Outfall 101 are based on a design flow of 0.05 MGD as batch discharge.

<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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Cadmium	XXX	XXX	XXX	0.26	0.69	XXX
Hexavalent Chromium	XXX	XXX	XXX	1.71	2.22	XXX
Total Copper	XXX	XXX	XXX	2.07	3.38	XXX
Total Nickel	XXX	XXX	XXX	2.38	3.98	XXX
Total Silver	XXX	XXX	XXX	0.24	0.43	XXX
Total Zinc	XXX	XXX	XXX	1.48	2.61	XXX
Total Toxic Organics	XXX	XXX	XXX	XXX	2.13	XXX

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Condition
- D. BAT/ELG Reopener
- E. Thermal Requirement
- F. TTO Definition
- G. TTO Monitoring
- H. TMDL/WLA Data
- I. Monitoring Waiver
- J. PCB PMP Requirement
- K. Chemical Additive Requirement
- L. Stormwater Requirement

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

The EPA Waiver is in effect.



**PA0052965**, Industrial Waste, SIC Code 3398, **Rex Heat Treat-Lansdale Inc.**, PO Box 270, Lansdale, PA 19446-0270. Facility Name: Rex Heat Treat Lansdale. This existing facility is located in Lansdale Borough, **Montgomery County**.

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

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 discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, 002, 003, and 004 are based on a storm event.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Total Arsenic	XXX	XXX	XXX	Report	XXX	XXX
Total Cadmium	XXX	XXX	XXX	Report	XXX	XXX
Total Chromium	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Lead	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 301 are based on a design flow of 0.06 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Tetrachloroethylene	XXX	XXX	XXX	0.005	0.010	0.013
Influent	XXX	XXX	XXX	Report	XXX	Report
Trichloroethylene	XXX	XXX	XXX	Report	XXX	Report
Influent	XXX	XXX	XXX	Report	XXX	Report
Trichloroethylene	XXX	XXX	XXX	0.005	0.010	0.013

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

- Necessary Property Rights
- Stripping Tower Cleaning Wastewater
- BAC/BAT Reopener
- Small Stream Discharge
- Stormwater Discharge Requirements

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

The EPA Waiver is in effect.

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

**PAS212222**, Storm Water, SIC Code 3231, **AGC Flat Glass North America Inc.**, Clidco Drive, Carbondale, PA 18407. Facility Name: AGC Flat Glass. This proposed facility is located in Carbondale City, **Lackawanna County**.

Description of Proposed Activity: The application is for a new NPDES permit for existing discharges of Storm Water associated with Industrial activities from an existing facility.

The receiving stream(s), Fall Brook and Lackawanna River, are located in State Water Plan watershed 5-A; and the Lackawanna River is classified for High Quality Waters—Cold Water Fishes and Fall Brook is classified Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 (Fall Brook) and Outfalls 002, 003, and 004 (Lackawanna River) are based on a design flow of 0.000000 MGD (stormwater only).

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Standard IW conditions (Necessary property rights; proper management of residuals; BAT/ELG requirements) and standard stormwater conditions.

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

The EPA Waiver is in effect.

**PA0044024 A-1**, IW, SIC Code 0921, **PA Fish & Boat Commission, Benner Spring Fish Research Station**, 1735 Shiloh Road, State College, PA 16801-8435. Facility Name: Pleasant Mount State Fish Hatchery a.k.a. Pleasant Mt Fish Cultural Station. This existing facility is located in Mount Pleasant Township, **Wayne County**.

Description of Existing Activity: This is a Department-initiated amendment of an NPDES permit for an existing discharge of treated fish hatchery waste to address post-permitting public comments.

The receiving stream(s), West Branch Lackawaxen River, is located in State Water Plan watershed 1-B and is classified for High Quality Cold Water Fishery, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 & Outfall 002 are based on a design flow of 1.3 MGD (combined).

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net	XXX	XXX	XXX	XXX	10.0	XXX
Influent	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids						
Influent	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net	XXX	XXX	XXX	XXX	20.0	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N						
Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Influent	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen						
Effluent Net	XXX	XXX	XXX	XXX	20.0	XXX
Influent	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen						
Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Influent	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Formaldehyde	XXX	XXX	XXX	XXX	Report*	XXX
Florfenicol	XXX	XXX	XXX	XXX	Report*	XXX

\*See Permit Part C.I.E for details.

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

- Part C.I.E has been amended to delete the minimum florfenicol monitoring frequency requirement (while allowing for voluntary monitoring) and expanded language has been included. Standard Part A and B language has been updated per latest Department template. Part A.I.B includes a corrected typographical error (CBOD<sub>5</sub> monitoring is required, not BOD<sub>5</sub> monitoring). No other changes to recently renewed NPDES Permit.

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

The EPA Waiver is in effect.

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

**PA0023248**, Sewage, SIC Code 4952, **Berwick Area Joint Sewer Authority**, 1108 Freas Avenue, Berwick, PA 18603-1710. Facility Name: Berwick Municipal Authority WWTP. This existing facility is located in Berwick Borough, **Columbia 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), Susquehanna River, is located in State Water Plan watershed 5-D 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 2.2 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	459	734	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	550	826	XXX	30	45	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	Report
Total Aluminum (µg/L)	Report	Report	XXX	Report	Report	XXX
Free Available Cyanide (µg/L)	Report	Report	XXX	Report	Report	XXX
Total Mercury (µg/L)	Report	Report	XXX	Report	Report	XXX
Total Thallium (µg/L)	Report	Report	XXX	Report	Report	XXX
4,4-DDD (µg/L)	0.0009	0.002	XXX	0.05	0.11	0.14
4,4-DDT (µg/L)	0.0009	0.002	XXX	0.05	0.11	0.14
4,4-DDE (µg/L)	0.0009	0.002	XXX	0.05	0.11	0.14
3,3-Dichlorobenzidine (µg/L)	0.1	0.2	XXX	5.5	11	14
Pentachlorophenol (µg/L)	Report	Report	XXX	Report	Report	XXX
2,3,7,8-TCDD (µg/L)	0.00000001	0.00000003	XXX	0.000001	0.000002	0.0000025
Aldrin (µg/L)	0.0001	0.0003	XXX	0.01	0.02	0.03
Hexachlorobenzene (µg/L)	0.001	0.002	XXX	0.07	0.15	0.18
Benzo(a)Anthracene (µg/L)	0.01	0.03	XXX	1.0	2.0	2.5
Benzo(a)Pyrene (µg/L)	0.01	0.03	XXX	1.0	2.0	2.5
Benzo(k)Fluoranthene (µg/L)	0.01	0.03	XXX	1.0	2.0	2.5
3,4-Benzofluoranthene (µg/L)	0.01	0.03	XXX	1.0	2.0	2.5
Bis(2-Chloroethyl)Ether (µg/L)	0.1	0.2	XXX	8.0	16	20
Chrysene (µg/L)	0.01	0.03	XXX	1.0	2.0	2.5
Dibenzo(a,h)Anthracene (µg/L)	0.01	0.03	XXX	1.0	2.0	2.5
Dieldrin (µg/L)	0.0001	0.0003	XXX	0.01	0.02	0.03
Endrin (µg/L)	Report	Report	XXX	Report	Report	XXX
Heptachlor (µg/L)	0.0003	0.0007	XXX	0.02	0.04	0.05
Heptachlor Epoxide (µg/L)	0.0001	0.003	XXX	0.01	0.02	0.025
Hexachlorocyclopentadiene (µg/L)	0.3	0.7	XXX	20	40	50
Indeno(1,2,3-cd)Pyrene (µg/L)	0.01	0.03	XXX	1.0	2.0	2.5
N-Nitrosodimethylamine (µg/L)	0.003	0.006	XXX	0.18	0.37	0.46
N-Nitrosodi-N-Propylamine (µg/L)	0.01	0.04	XXX	1.0	2.5	3.0
Phenanthrene (µg/L)	Report	Report	XXX	Report	Report	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)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	66,848			
Net Total Phosphorus	Report	8,913			

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.

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

**PA0027057**, Sewage, SIC Code 4952, **Williamsport Sanitary Authority**, 253 W 4th Street, Williamsport, PA 17701-6113. Facility Name: Central Plant. This existing facility is located in Williamsport City, **Lycoming 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-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 8.4 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.217	XXX	0.710
CBOD <sub>5</sub>	1750	2800 Wkly Avg	XXX	25	40 Wkly Avg	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	2100	3150 Wkly Avg	XXX	30	45 Wkly Avg	60
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10000
Ammonia-Nitrogen	Report	Report Wkly Avg	XXX	Report	Report Wkly Avg	XXX
Total Copper (µg/L)	0.89	1.78	XXX	12.77	25.54	31.92
Acute Toxicity—						
Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	2.42	XXX
Pimephales Survival (TUa)	XXX	XXX	XXX	XXX	2.42	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	153,423			
Net Total Phosphorus	Report	20,456			

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

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

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

The EPA Waiver is not in effect.

*Northwest Regional Office: Regional Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.*

**PA0272752**, SIC Code 4952, 8811, **Linsey Westerman & Mark Stonebraker**, 3202 N Osche Road, Butler, PA 16002. Facility Name: Linsey Westerman & Mark Stonebraker SRSTP. This proposed facility is located in Clearfield Township, **Butler County**.

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

The receiving stream(s), Little Buffalo Run, is located in State Water Plan watershed 18-F and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Minimum	Average Monthly	Geo Mean	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0221520**, Sewage, SIC Code 4941, 4952, **Highland Township Municipal Authority Elk County**, PO Box 143, James City, PA 16734. Facility Name: Highland Township Municipal Authority STP. This existing facility is located in Highland Township, **Elk 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, an Unnamed Tributary to Wolf Run, is located in State Water Plan watershed 16-F, 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 0.035 MGD.

Parameters	Mass (lbs/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	2.9	4.4	XXX	10	15	20
Nov 1 - Apr 30	5.8	8.8	XXX	20	30	40
BOD <sub>5</sub>						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	2.9	4.4	XXX	10	15	20
Nov 1 - Apr 30	5.8	8.8	XXX	20	30	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 2,000	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lbs/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>	
Ammonia-Nitrogen						
May 1 - Oct 31	0.6	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	1.8	XXX	XXX	6.0	XXX	12.0

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

- Requirement to Use eDMR System
- Solids Management
- Ultraviolet (UV) Disinfection Equipment

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0101508**, Industrial Waste, SIC Code 1389, **Fluid Recovery Services, LLC**, P.O. Box 232, Creekside, PA 15732. Facility Name: Fluid Recovery Services—Franklin Facility. This existing facility is located in Cranberry Township, **Venango County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated natural gas drilling wastewater.

The receiving stream(s), Allegheny River, is located in State Water Plan watershed 16-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.3 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	0.3	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
BOD <sub>5</sub> (Final)	Report	Report	XXX	53	163	163
Total Suspended Solids (Interim)	XXX	XXX	XXX	30	XXX	60
(Final)	Report	Report	XXX	11.3	29.6	29.6
Total Dissolved Solids (Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	1,251	2,502	XXX	500	1,000	1,250
Oil and Grease	Report	XXX	XXX	15	XXX	30
Acidity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Alkalinity, Total (as CaCO <sub>3</sub> ) Effluent Net	XXX	XXX	0	XXX	XXX	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Total Antimony (Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	Report	Report	XXX	0.0312	0.111	0.111
Total Arsenic (Final)	Report	Report	XXX	0.0199	0.0993	0.0993
Total Barium (Interim)	Report	Report	XXX	Report	Report	XXX
(Final)	Report	Report	XXX	10	20	25
Total Cadmium (Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	Report	Report	XXX	0.0102	0.0172	0.0255
Hexavalent Chromium (Interim)	Report	XXX	XXX	Report	XXX	XXX
Total Chromium (Final)	Report	Report	XXX	0.0522	0.167	0.167
Total Cobalt (Final)	Report	Report	XXX	0.0703	0.182	0.182
Total Copper (Interim)	1.4	2.8	XXX	0.56	1.12	1.40
(Final)	Report	Report	XXX	0.216	0.659	0.659
Total Iron	Report	XXX	XXX	3.5	XXX	7.0
Total Lead (Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	0.392	0.785	XXX	0.157	0.314	0.392

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Mercury (Final)	Report	Report	XXX	0.000246	0.000641	0.000641
Total Nickel (Final)	Report	Report	XXX	0.309	0.794	0.794
Total Selenium (Final)	Report	Report	XXX	0.0698	0.176	0.176
Total Silver (Interim)	0.54	1.08	XXX	0.215	0.413	0.539
(Final)	Report	Report	XXX	0.0122	0.0318	0.0318
Total Strontium (Interim)	Report	Report	XXX	Report	Report	XXX
(Final)	Report	Report	XXX	10	20	25
Sulfate	Report	XXX	XXX	Report	XXX	XXX
Total Tin (Final)	Report	Report	XXX	0.0367	0.0955	0.0955
Total Titanium (Final)	Report	Report	XXX	0.00612	0.0159	0.0159
Total Vanadium (Final)	Report	Report	XXX	0.0518	0.0628	0.130
Total Zinc (Final)	Report	Report	XXX	0.252	0.657	0.657
o-Cresol (Final)	Report	Report	XXX	0.561	1.92	1.92
2,4,6-Trichlorophenol (Final)	Report	Report	XXX	0.106	0.155	0.265
Phenol (Final)	Report	Report	XXX	1.08	3.65	3.65
Acetone (Final)	Report	Report	XXX	7.97	30.2	30.2
Acetophenone (Final)	Report	Report	XXX	0.0562	0.114	0.141
Butyl Benzyl Phthalate (Final)	Report	Report	XXX	0.0887	0.188	0.222
Chloride (Interim)	147	245	XXX	Report	Report	XXX
(Final)	(lbs/min) 625	(lbs/min) 1251	XXX	250	500	625
Bromide	Report	XXX	XXX	Report	XXX	XXX
2-Butanone (Final)	Report	Report	XXX	1.85	4.81	4.81
Bis(2-Ethylhexyl)Phthalate (Final)	Report	Report	XXX	0.101	0.215	0.253
Fluoranthene (Final)	Report	Report	XXX	0.0268	0.0537	0.067
Carbazole (Final)	Report	Report	XXX	0.276	0.598	0.698
n-Decane (Final)	Report	Report	XXX	0.437	0.948	1.09
n-Octadecane (Final)	Report	Report	XXX	0.302	0.589	0.755
p-Cresol (Final)	Report	Report	XXX	0.205	0.698	0.698
Pyridine (Final)	Report	Report	XXX	0.182	0.37	0.455
Radium 226/228, Total (pCi/L) (Final)	XXX	XXX	XXX	Report	Report	XXX
Radium-226 (pCi/L) (Interim)	XXX	XXX	XXX	5	10	XXX
Radium-228 (pCi/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX

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

- Chemical Additives

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 4813204**, Industrial Waste, **Grand Central Sanitary Landfill Inc.**, 910 West Pennsylvania Avenue, Pen Argyl, PA 18072.

This proposed facility is located in Plainfield Township, **Northampton County**.

Description of Proposed Action/Activity: Reuse/reclamation of leachate for dust control, tire wash, and other onsite uses.

**WQM Permit No. 4813404**, Sewage, **Northampton Borough**, Northampton County, 1401 Laubach Ave, Northampton, PA 18067-0070.

This proposed facility is located in Northampton Borough, **Northampton County**.

Description of Proposed Action/Activity: The project is for a wastewater treatment plant rerate to identify the maximum monthly hydraulic loading and the maximum monthly organic loading.

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

**WQM Permit No. WQG01621402**, Sewage, **Harriet Riggs**, 3180 Egypt Hollow Road, Russell, PA 16345.

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

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

**WQM Permit No. 2014401**, Sewage, **Peter J. Rabbitt**, 17381 Adamsville Road, Cochranon, PA 16314.

This proposed facility is located in Greenwood Township, **Crawford 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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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**PAI130508**, MS4, **East Whiteland Township Chester County**, 209 Conestoga Road, Frazer, PA 19355. 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 East Whiteland Township, **Chester County**. The receiving stream(s), Little Valley Creek, Unnamed Tributary of Ridley Creek, Unnamed Tributary to Valley Creek and Valley Creek, is located in State Water Plan watershed 3-F, 3-G and 3-H and is classified for Exceptional Value Waters, Migratory Fish, High Quality Waters—Trout Stocking, Migratory Fish, 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 484-250-5910.

The EPA waiver is not in effect.

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

**PAI132226**, MS4, **Emmaus Borough Lehigh County**, 28 S 4th Street, Emmaus, PA 18049-3802. 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 Emmaus Borough, **Lehigh County**. The receiving stream(s), Leibert Creek, Little Lehigh Creek, Unnamed Tributary to Leibert Creek and Unnamed Tributary to Little Lehigh Creek, are located in State Water Plan watershed 2-C and are classified for 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.

**PAI132204**, MS4, **Upper Milford Township**, PO Box 210, Old Zionsville, PA 18068-0210. 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 Upper Milford Township, **Lehigh County**. The receiving stream(s), Leibert Creek, Unnamed Tributary of Hosensack Creek, Unnamed Tributary to Hosensack Creek, Unnamed Tributary to Leibert Creek, Unnamed Tributary to Little Lehigh Creek and Unnamed Tributary to Swabia Creek, Saucon Creek are located in State Water Plan watershed 2-C and 3-E and are classified for High Quality Waters—Cold Water 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 570-826-5472.

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 5114001	Medical Products Laboratories, Inc.	Philadelphia	City of Philadelphia	Pennypack Creek TSF—MF
PAI01 4613013	Upper Merion Township 175 West Valley Forge Road King of Prussia, PA 19406	Montgomery County	Upper Merion Township	Trout Creek Unnamed Tributary to Valley Creek WWF—MF

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

*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>
PAI024508001R	Steve Parisi P.O. Box 655 Brodheads ville, PA 18322	Monroe	Polk Township	Pohopoco Creek (HQ-CWF, MF) Middle Creek (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>
PAI030514001	Bedford Joint Municipal Authority PO Box 148 Bedford, PA 15522	Bedford	Bedford Borough, Bedford Township	Shober's Run (HQ-CWF), EV Wetlands

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

*Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041408014R	Glenn O Hawbaker Inc 1952 Waddle Rd State College PA 16803	Centre	Patton Township	UNT to Spring Creek CWF

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

*Jefferson County Conservation District, 1514 Route 28, Brookville PA 15825*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063314001	Department of Transportation 2550 Oakland Avenue PO Box 429 Indiana PA 15701	Jefferson	Polk Township	North Fork of Redbank Creek HQ-CWF; TSF

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

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PAG-12            CAFOs

### STATE CONSERVATION COMMISSION

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed

NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

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

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

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

**APPLICATIONS**

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Ken Gebhart Blue Berry Hill Farm 2950 Centennial Road Hanover, PA 17331	Adams	619.9	556.73	Swine	NA	Renewal
Noah W Kreider & Sons 1461 Lancaster Road Manheim, PA 17545	Lancaster	450	6,772.5	Layers	HQ	R

**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**

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

**Permit No. 0913521** Public Water Supply

Applicant	<b>North Penn Water Authority</b>
City	Bucks
Township	New Britain
Responsible Official	Dan Preston 300 Forty Foot Road Lansdale, PA 19446
Type of Facility	PWS
Consulting Engineer	Charlie Liu, P.E. Cardno BCM 920 Germantown Pike Suite 200 Plymouth Meeting, PA. 19462
Application Received Date	December 9, 2013
Description of Action	A transfer station/interconnection at School House Road and Railroad Avenue to deliver water from the Forest Park Water Treatment Plant to North Water Authority's distribution system.

**Permit No. 0913523** Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**  
 City Bucks  
 Township Bristol  
 Responsible Official Marc A. Lucca  
 Vice President-Production  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Type of Facility PWS  
 Consulting Engineer Margo M. Weigner, P.E.  
 GHD  
 1240 North Mountain Road  
 Harrisburg, PA 17112

Application Received December 16, 2013  
 Date

Description of Action To permit Edgely Wells 9 and 10  
 as part of the Aqua PA Bristol  
 Water System.

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

**Permit No. 3614503**, Public Water Supply.

Applicant **City of Lancaster**  
 Municipality West Lampeter Township  
 County **Lancaster**  
 Responsible Official Robert J Ruth PE,  
 Deputy Director of Public  
 Works/City Engineer  
 120 North Duke Street  
 PO Box 1599  
 Lancaster, PA 17608-1599

Type of Facility Public Water Supply  
 Consulting Engineer Matthew D Warfel  
 The ARRO Consulting, Inc.  
 108 West Airport Road  
 Lititz, PA 17543

Application Received: 1/13/2014  
 Description of Action New East Pump Station and  
 supply/transmission main.

**Application No. 5014501 MA, Minor Amendment,**  
Public Water Supply.

Applicant **Borough of Blain**  
 Municipality Blain Borough  
 County **Perry**  
 Responsible Official Connie Zellers, Secretary  
 PO Box 9,  
 Municipal Bldg  
 Main Street Blain, PA  
 17006-0009

Type of Facility Public Water Supply  
 Consulting Engineer Angelo A Tesoriero, P.E.  
 GeoSource Engineers  
 7 Winter Drive  
 Dillsburg, PA 17019-9550

Application Received: 1/13/2014  
 Description of Action Installation of a new raw water  
 reservoir liner.

**WATER ALLOCATIONS****Applications received under the Act of June 24,  
1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641)  
relating to the Acquisition of Rights to Divert  
Waters of the Commonwealth**

*Southcentral Region: Safe Drinking Water Program  
 Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-  
 8200*

**WA 36-574F**, Water Allocations. **East Petersburg Borough, Lancaster County.** The applicant is requesting the right to purchase up to 500,000 gallons per day (gpd), based on a 30-day average, with a maximum daily purchase of up to 700,000 gpd, from the City of Lancaster through an interconnection in East Petersburg Borough, Lancaster County. Consulting Engineer: Cynthia L Zawrotuck, ARRO Consulting, Inc. Application Received: 5/10/2005.

**WA 06-1036**, Water Allocations. **Muhlenberg Township Authority, Berks County.** The applicant is requesting the right to purchase up to 265,000 gallons per day, based on a peak month 30-day average, from the Reading Area Water Authority (RAWA) in the City of Reading through two existing active interconnections: one in the City of Reading and one in Muhlenberg Township, Berks County. The applicant is also requesting the right to purchase up to an additional 2.016 million gallons per day from RAWA on an emergency basis through four existing emergency interconnections: one in the City of Reading and three in Muhlenberg Township, Berks County. Consulting Engineer: Matthew J Carnish, Gannett Fleming, Application Received: 5/14/2010.

**WA 36-1035**, Water Allocations. **West Earl Water Authority, Lancaster County.** The applicant is requesting the right to purchase up to 675,000 gallons per day, based on a 30-day average, from the City of Lancaster through an interconnection in Manheim Township, Lancaster County. Consulting Engineer: Matthew D Warfel, The ARRO Consulting, Inc., Application Received: 5/5/2010.

**WA 36-1034**, Water Allocations. **Northwestern Lancaster County Authority, Lancaster County.** The applicant is requesting the right to purchase up to 25,000 gallons per day, based on a 30-day average, from the City of Lancaster through an interconnection in Penn Township, Lancaster County. Consulting Engineer: Mark L Homan, Becker Engineering, LLC, Application Received: 10/27/2009.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION****UNDER ACT 2, 1995  
PREAMBLE 1****Acknowledgment of Notices of Intent to Remediate  
Submitted under the Land Recycling and Environmental  
Remediation Standards Act (35 P. S.  
§§ 6026.101—6026.907)**

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to

use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Robert Gearhart**, 3165 Tower Road, Limestone Township, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Robert Gearhart submitted a Notice of Intent to Remediate. A release of over 200-gallons of #2 heating oil/kerosene occurred at the site impacting soils and surface water. The site will remain a residential property. The Notice of Intent to Remediate was published in the *Daily Item* on July 31, 2013.

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

**Douglas Shaffer Property**, 1999 and 2002 Ritner Highway, Carlisle, PA 17015, Carlisle Borough, Dickinson and West Pennsboro Townships, **Cumberland County**. Advantage Engineers, LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Goodman North American

Partnership Holdings, LLC, 1275 Glenlivet Drive, Suite 100, Allentown, PA 18106 and Douglas Shaffer, 440 Barnstable Road, Carlisle, PA 17015, submitted a Notice of Intent to Remediate groundwater contaminated with Chlorinated Solvents from an undetermined source. The site will be remediated to the Background Standard. Future use of the site is nonresidential/commercial. The Notice of Intent to Remediate was published in *The Sentinel* on December 12, 2013.

**Christian Counseling Center**, 309 Allen Road, Carlisle, PA 17015, Carlisle Borough, **Cumberland County**. Advantage Engineers, LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Goodman North American Partnership Holdings, LLC, 1275 Glenlivet Drive, Suite 100, Allentown, PA 18106 and Equiterria Properties, 140 West Huffaker Lane, Suite 509, Reno, NV 89511 submitted a Notice of Intent to Remediate groundwater contaminated with Chlorinated Solvents from an undetermined source. The site will be remediated to the Background Standard. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in *The Sentinel* on January 15, 2014.

**Former Graybill Site**, 200 North Broad Street, York, PA 17401, City of York, **York County**. Thomas I Warman, LLC, 393 Tri Hill Drive, York, PA 17403, on behalf of City of York Redevelopment Authority, 101 South George Street, York, PA 17401, submitted a Notice of Intent to Remediate site soils contaminated with lead and cadmium resulting from historical operations of a metal scrap yard and metal recycling facility. The site will be remediated to the Nonresidential Statewide Health Standard. The site will be developed for commercial or light industrial use. The Notice of Intent to Remediate was published in the *York Dispatch / York Daily News* on December 13, 2014.

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

**PennDOT Doylestown Maint. Facility**, 229 North Broad Street, Doylestown Borough, **Bucks County**. William S. Pendexter, Ph.D., P.G., Dewberry Engineers, Inc., 600 Parsippany Road, Suite 301, Parsippany, NJ 07054 on behalf of James R. Fogel, PennDOT, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525 has submitted a Notice of Intent to Remediate. The tar-like substance contained petroleum related volatile organic compounds as well as Polycyclic Aromatic Hydrocarbons has been impacted in the soil. The future use of the site is currently used as a Penn Dot maintenance facility. The Notice of Intent to Remediate was published in *The Intelligencer* on October 06, 2013. PF629598.

**JB's Restaurant**, 482 West Trenton Avenue, East Falls Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038, Carl Wright, The Wright Game, P. O. Box 1908, Media, PA 19063 on behalf of Anthony Vitella, 378 Alexander Street, Princeton, NJ 08540 has submitted a Notice of Intent to Remediate. A release of no. 2 fuel oil impacted the soil. The future use of the property will remain the same. The Notice of Intent to Remediate was published in *The Courier Times Incorporated* on December 4, 2013. PF771772.

**Dublin Service Station & Garage**, Dublin Township, **Bucks County**. Grey Firely, Langan Engineering and Environmental Services, P.O. Box 1569, Doylestown, PA 18901 on behalf of Dennis Bishop, Dublin Services Sta-

tion and Garage, P.O. Box 72, Dublin, PA 18917 has submitted a Notice of Intent to Remediate. Soil at the property has been impacted with the release of 1, 2, 4-trimethylbenzene; 1, 3, 5-trimethylbenzene; lead, iron and arsenic. The intended future use of the property will remain the same. The Notice of Intent to Remediate was published in *The Intelligencer* on December 23, 2013. PF772074.

**15 Swamp Road**, 15, Swamp Road, Newtown Township, **Bucks County**. Mark Fortna, DelValSoil & Environmental Consultants, Sky Run II, Suite A1, 4050 Skyron Drive, Doylestown, PA 18902, Univest Bank Trust Company, 15 Washington Avenue, Souderton, PA 18964 on behalf of Robert Delia, 15 Swamp Road, LTD, and 106 Meadow View Drive, Newtown, PA 19040 has submitted a Notice of Intent to Remediate. Petroleum impacted soil and concentration of volatile organic compounds, including 1, 2, 4 Trimethylbenzene and 1, 3, 5 Trimethylbenzene. The future use of the site will remain the same. The Notice of Intent to Remediate was published in *The Intelligencer* on December 16, 2013. PF620497.

**Armstrong Engineering Associates Inc.**, 1845 West Strasburg Road, West Bradford Township, **Chester County**. Thomas Petrecz, Penn E&R, Inc., 2755 Bergey Road Hatfield, PA 19440, Walter Kuchlak, Armstrong Engineering Associates, Inc., 1101 West Strasburg Road, West Chester. PA 19382 on behalf of Richard M. Armstrong, Jr., f/b/o Susan D. Armstrong, P. O. Box 633, West Chester, PA 19383-0633, A. Joseph Armstrong, III 450 Lucky Hill Road, West Chester, PA 19382 has submitted a Notice of Intent to Remediate. Site soil and groundwater have been found to be impacted by VOC's, primarily chlorinated hydrocarbons. The proposed future use of the property will be non-residential for manufacturing as well as construction of a new administrative headquarters. The Notice of Intent to Remediate was published in *The Daily Local News* on December 11, 2013. PF772076.

**Decker Residence**, 377 Sherwood Drive. Lower Makefield Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Robin Sigler, State Farm Insurance, P. O. Box 8061, Ballston Spa, NY 12020 on behalf of Audrye Frohman, 377 Sherwood Drive, Yardley, PA 19067 has submitted a Notice of Intent to Remediate. A release of petroleum impacted the shallow soil and groundwater on the property. The intended future use of the site is residential. The Notice of Intent to Remediate was published in *The Courier Times Incorporated* on March December 5, 2013. PF741016.

**Meinstein Residence**, 8035 Seminole Street, City of Philadelphia, **Philadelphia County**. Paul Nachlas, P.G., Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111, Michael Techky, Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111 on behalf of Adam Meinstein, 8035 Seminole Street, Philadelphia, PA 19118 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The proposed future use of the property will be residential for continued use as a single family, detached dwelling. The Notice of Intent to Remediate was published in *The Philadelphia Daily News* on November 20, 2013. PF620497.

**Buggy Residence**, 4750 Anaconda Road, Bensalem Township, **Bucks County**. Thomas Hippensteal, P.G., Envirosearch Consultants, Inc., P.O. Box 940 Springhouse, PA 19020, Dan Yonker, Phoenix Consulting, LLC, P.O. Box 229, 183 Bridge Street, Phoenixville, PA 19460

on behalf of Ay Buggy, 4750 Anaconda Road, Bensalem, PA 19020 has submitted a Notice of Intent to Remediate. The release impacted soil on the property. The property will remain residential. The Notice of Intent to Remediate was published in *The Advance of Bucks County* on October 6, 2013. PF768877.

**Bartram's Trail—A**, 1627-35 South 49th Street, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, P.G., Duffield Associates, Inc., 211 North 13th Street, Philadelphia, PA 19107, Christopher Dougherty, Philadelphia Parks and Recreation, One Parkway Building, 1515 Arch Street, 10th Floor, Philadelphia, PA 19102 on behalf of Monica Trudeau, Philadelphia Authority for Industrial Development, 2600 Centre Square West, 1500 Market Street, Philadelphia, PA 19102 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of other organics. The intended future use of the property is for residential recreational purpose. The Notice of Intent to Remediate was published in *The Philadelphia Daily News* on January 15, 2014. PF772459.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGR098D003. Blackwood, Inc.**, P.O. Box 639, Wind Gap, PA 18091, **Schuylkill County**. The Department of Environmental Protection, Bureau of Waste Management has received an application for renewal of a determination of applicability under General Permit WMGR098. General Permit WMGR098 authorizes the beneficial use of waste foundry system sand and sand system dusts generated by ferrous metal foundries and steel foundries for use as a construction material, or as a soil additive or soil amendment. The determination of applicability application was determined administratively complete on January 13, 2014.

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

### AIR QUALITY

#### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

##### NEW SOURCES AND MODIFICATIONS

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

application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department received applications for Plan 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.**

*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*

**63-00936G: MarkWest Liberty Midstream & Resources, LLC** to install an additional 200 mmscf/d gas plant (230 permit capacity), one 6.59 mmbtu/hr heater, a replacement of the small flare and fugitive emissions for components in both gas and liquid light service at the Houston Gas Plant in Chartiers Township, **Washington County**. This is a major facility Plan Approval application submittal.

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

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

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**46-0005AO: Merck, Sharp & Dohme, Corp.** (770 Sumneytown Pike, West Point, PA 19486-0004) for the installation and operation of two (2) 2950 horsepower diesel-fired generator sets, each capable of generating 2200kW in **Montgomery County**. Each unit is limited to 400 hours operating time per year and the aggregate potential annualized emissions (in tons) are as follows: NO<sub>x</sub>—1.196, VOC—0.052, CO—0.156, SO<sub>x</sub>—0.014, PM—0.116, PM<sub>10</sub>—0.096, and PM<sub>2.5</sub>—0.094. This project will not trigger applicability to the federal PSD regulations or PADEP's NSR regulations. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-0009G: Quad Graphics, LLC.** (4371 County Line Road, Chalfont, PA 18914) for the following changes at their facility in New Britain Township, **Bucks County**:

Installation of a new lithographic printing press to replace an existing lithographic press.

Removal of the dryer from an existing lithographic press and installing it on another existing press.

As a result of potential emissions of VOCs, the facility is a Title V facility. The installation of the new press and the modification of the existing press will not exceed the following site-wide pollutant emission limits established in the Title V Operating Permit No. 09-00009: volatile organic compounds (VOCs): 49.26 tpy; nitrogen oxides (NO<sub>x</sub>): 24.23 tpy; hazardous air pollutants: 10 tpy (single HAP) and 25 tpy (combined HAPs).

In addition, the Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**36-03030A: ICM of Pennsylvania, Inc.** (638 Lancaster Avenue, Malvern, PA 19355) to reauthorize the operation of a portable crushing facility previously authorized under State-only Operating Permit No. 36-03030 at their Talmage quarry located in Upper Leacock Township, **Lancaster County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the abovementioned project.

The plan approval will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provi-

sions derived from NSPS Subpart OOO, "Standards of Performance for Nonmetallic Mineral Processing Plants." The subject facility's estimated actual emissions of PM-10 are expected to be around 8.0 tons per year. Other criteria pollutants are negligible.

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

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

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

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.

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

**06-03117H: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 19606) for installation of a nuisance dust collector to remove wax, metals, minerals, or any other powder processed during facility operations at the facility located in Exeter Township, **Berks County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the above mentioned company for the above mentioned project.

This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date. This plan approval is for the authorization to install the MAC central dust collection system (#2 Plant 2) or equivalent. Estimated particulate matter (PM) emissions are not expected to exceed 0.175 tons per year. The Plan Approval and Operating permit will contain additional testing, recordkeeping, and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The project will not trigger PSD or NSR 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, 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information

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

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

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, protests, or requests for a public hearing.

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

**36-05156A: L & S Sweeteners, Inc.** (388 East Main Street, Leola, PA 17540) for modification to existing Plan Approval No. 36-05156A, issued on June 18, 2012, for the construction of two (2) landfill gas-fired engine generator sets in Upper Leacock Township, **Lancaster 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 the abovementioned company for the abovementioned project.

The Plan Approval modification will remove the requirements for the pre-test sampling of HAPs at the inlet of the two (2) approved landfill gas-fired engine generator sets and the removal of stack testing requirements for HAPs other than Formaldehyde.

The proposed project has the potential to emit 150.9 tpy of CO, 21.6 tpy of NO<sub>x</sub>, 1.7 tpy of SO<sub>2</sub>, 5.2 tpy of PM<sub>10</sub>, 37.9 tpy of VOCs, and 18.8 tpy of Formaldehyde. The facility is subject to and contains all applicable requirements of 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, and 40 CFR Part 63, Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines. 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, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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.

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

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

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

**59-00004H Ward Manufacturing, LLC** (117 Gulick Street, P.O. Box 9, Blossburg, PA 16912-0009) for a plan approval to construct a metal castings shot blast machine and for the installation of an air cleaning device, an existing cartridge collector, for the control of air contaminant emissions from the proposed shot blast machine at their facility in Blossburg Borough, **Tioga County**. This is a Title V facility for which Title V Operating Permit 59-00004 has been issued.

The Department's review of the information submitted by Ward Manufacturing, LLC indicates that construction of the shot blast machine and installation of the cartridge collector will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to approve the application and issue plan approval for construction of the source and installation of the air cleaning device. Additionally, if the Department determines the shot blast machine is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into Title V Operating Permit 59-00004 via an administrative amendment in accordance with 25 Pa. Code § 127.450 at a later date.

The following is a summary of the conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the emission of particulate matter into the outdoor atmosphere from Source ID 163 in a manner such that the concentration of particulate matter in the effluent gas from Control Device ID C24 exceeds 0.01 grain per dry standard cubic foot whenever the 14 cubic foot, Rosler JMT #14 tumblast cleaning machine and/or the Metcast model M-14D shot blast machine is/are the only machine(s) incorporated in Source ID 163 that is/are operating and being controlled by Control Device ID C24. At all other times the concentration of particulate matter

in the effluent gas from Control Device ID C24 shall not exceed 0.04 grain per dry standard cubic foot.

2. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, Control Device ID C24 shall be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis. This instrumentation is to be maintained in operable condition at all times.

3. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand a sufficient quantity of spare cartridges for Control Device ID C24 in order to be able to immediately replace any cartridges requiring replacement due to deterioration resulting from routine operation of Source ID 163 and Control Device ID C24.

4. All conditions contained in Title V Operating Permit 59-00004 shall remain in effect unless superseded or amended by conditions contained in this plan approval. If there is a conflict between a condition or requirement contained in this plan approval and a condition or requirement contained in Title V Operating Permit 59-00004, the permittee shall comply with the condition or requirement contained in this plan approval rather than the conflicting condition or requirement contained in Title V Operating Permit 59-00004.

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

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this plan approval, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments; identification of the proposed plan approval (specify Plan Approval No. 59-00004H); concise statements regarding the relevancy of the information or objections to issuance of the plan approval.

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

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

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

**26-00488E:** In accordance with 25 Pa. Code §§ 127.44 and 127.46, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it in-



tends to issue an Air Quality Plan Approval to Laurel Aggregates of Delaware, LLC (1600 Market Street, 38th Floor, Philadelphia, PA 19102) to allow increase in throughput of limestone production to 3,600,000 tpy at their existing limestone processing plant located in Springhill Township, **Fayette County**.

Previously installed equipment includes one (1) Front-end loader, Six (6) Crushers, Eight (8) Screens, Numerous Feeders, Conveyors, and Stackers. Potential emissions from are based on the proposed maximum production for all sources.

Upon authorization of this plan approval the facility will have a potential to emit 99.3 tons of PM<sub>10</sub> on an annual basis. The facility is subject to applicable requirements of 40 CFR Part 60, Subpart OOO, and 25 Pa. Code Chapters 121—145. The proposed Plan Approval has a limitation of throughput, as well as monitoring, record keeping, reporting, and work practice requirements.

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

Any person may submit comments or object to the plan approval 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 § 127.44 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed plan approval issuance being opposed (Plan Approval 26-00488E) 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 § 127.46 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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

**30-00194B: EQT Gathering, LLC** (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46, that the Department of Environmental Protection intends to issue Air Quality Plan Approval PA-30-00194B to authorize construction and temporary operation of a project which includes the following proposed sources and controls at the existing EQT Gathering, LLC (EQT) Callisto Compressor Station (Callisto) located in Morris

Township, **Greene County**: two natural gas-fired Caterpillar G3616LE compressor engines each rated at 4,735 bhp and controlled by an oxidation catalyst; five natural gas-fired microturbines each rated at 200 kW; one triethylene glycol dehydration unit rated at 125 MMsfd with associated reboiler rated at 2.31 MMBtu/hr and controlled by an enclosed ground flare; one natural gas-fired fuel gas heater rated at 0.38 MMBtu/hr; and associated piping components.

The project will result in an increase in the annual potential to emit (PTE) at the facility of approximately 4 tons of PM<sub>10</sub>, 4 tons of PM<sub>2.5</sub>, 1 ton of SO<sub>x</sub>, 16 tons of CO, 49 tons of NO<sub>x</sub>, 16 tons of VOC, 62,000 tons of CO<sub>2e</sub>, 2 tons of HCHO, and 8 tons of combined HAP. Upon completion of the project the facility will become a major source of NO<sub>x</sub> and CO<sub>2e</sub> with an annual facility-wide PTE not exceed 9 tons of PM<sub>10</sub>, 8 tons of PM<sub>2.5</sub>, 1 ton of SO<sub>x</sub>, 37 tons of CO, 121 tons of NO<sub>x</sub>, 49 tons of VOC, 145,000 tons of CO<sub>2e</sub>, 8 tons of HCHO, and 22 tons of combined HAP. Upon construction and commencement of operation of the proposed sources EQT will be required to obtain a Title V operating permit for Callisto as a major source of NO<sub>x</sub> and CO<sub>2e</sub>.

This authorization is subject to State and Federal regulations including applicable requirements of 25 Pa. Code Chapters 123 and 127; 40 CFR Part 60, Subparts JJJJ and OOOO; 40 CFR Part 63 Subpart HH and ZZZZ; and includes emission limitations, testing, monitoring, record keeping, reporting, and work practice requirements.

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

Any person may submit comments or object to the plan approval 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 § 127.44 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed plan approval issuance being opposed (Plan Approval 30-00194B) and a concise statement of the objections to the plan approval 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 § 127.46 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, 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 Devin Tomko, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive,

Pittsburgh, PA 15222. For additional information concerning the plan approval or the issuance procedure, contact Mr. Tomko at 412-442-5231.

**30-00116A: Columbia Gas Transmission Co.** (1700 MacCorkle Avenue, Charleston, WV 25314-1518) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval: PA-30-00116A for the construction and temporary operation of one (1) natural gas-fired compressor turbine rated at 4,700 bhp, one (1) natural gas-fired emergency generator rated at 585 bhp, and ancillary heating equipment at the Waynesburg Compressor Station located in Waynesburg Borough, **Greene County**.

This facility will have the potential to emit the following type and quantity of air contaminants (on an annual basis): 96.0 tons of NO<sub>x</sub>, 63.4 tons of CO, 3.2 tons of VOC, 6.4 tons of PM<sub>10</sub>, 6.4 tons of PM<sub>2.5</sub>, 0.42 ton of SO<sub>x</sub>, 0.5 ton of HCHO, 0.7 ton of total HAPs, and 70,000 tons of greenhouse gases. Best available technology (BAT) for the proposed natural gas-fired turbine includes good combustion practices including operation in SoLoNO<sub>x</sub> mode and proper maintenance and operation. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, and 123.31; Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart KKKK for stationary combustion turbines and Subpart JJJJ for stationary spark ignition internal combustion engines; and National Emission Standards for Hazardous Air Pollutants (NESHAPS) including Subpart ZZZZ for stationary internal combustion engines. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes NO<sub>x</sub>, CO, VOC and visible emission limits, and testing, work practice, monitoring, recordkeeping, and reporting conditions. This plan approval will also limit the operation of three (3) existing turbines to 7,000 hours of operation per year.

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-30-00116A) 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.

**63-00983A:** In accordance with 25 Pa. Code §§ 127.44—127.46, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it intends to issue a Plan Approval to Columbia Gas Transmission Company (1700 MacCorkle Avenue, Charleston, WV 25314-1518) for the construction and temporary operation of (2) new natural gas-fired compressor turbines and

associated equipment at its proposed Redd Farm Compressor Station to be located in Amwell Township, **Washington County**.

Equipment at this facility includes two (2) natural gas fired Solar Turbines each rated at 4,700 bhp, one (1) natural gas fired emergency generator rated at 440 bhp, one (1) Indirect-fired Heat Exchanger rated at 0.75 MMBtu/hr, and forty (40) Catalytic Space Heaters each rated at 72,000 Btu/hr or 12-60 each rated at 30,000 Btu/hr. 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 diesel generator which will have a limit of 500 hours per year.

Upon authorization of this plan approval the facility will have a potential to emit (on an annual basis): 41.5 tons of NO<sub>x</sub>, 66.4 tons of CO, 3.3 tons of VOC, 7.7 tons of PM, 7.7 tons of PM<sub>2.5</sub>, 0.30 ton of SO<sub>2</sub>, 0.4 ton of HCHO, 0.5 ton of HAP, and 53,207 tons of greenhouse gases. The facility is subject to applicable requirements of 40 CFR Part 60, Part 63, Part 98, and 25 Pa. Code Chapters 121—145. The proposed Plan Approval contains applicable emission limits, as well as testing, monitoring, record keeping, reporting, and work practice requirements.

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

Any person may submit comments or object to the plan approval 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 § 127.44 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed plan approval issuance being opposed (PA- 63-00983A) and a concise statement of the objections to the plan approval 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 § 127.46 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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

**32-00230B: Texas Eastern Transmission, LP** (PO Box 1642, Houston, TX 77251). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the

Department of Environmental Protection (“Department”) intends to issue Air Quality Plan Approval PA-32-00230B to Texas Eastern Transmission, LP for the construction and initial temporary operation of the following additional air contamination sources (and controls) at the Armagh Compressor Station (“facility”), an existing natural gas transmission station located in West Wheatfield Township, Indiana County: one (1) Solar Titan 130 lean-premixed dry low-NO<sub>x</sub> natural gas-fired combustion turbine (to drive a centrifugal natural gas compressor) rated at 20,500-bhp (at ISO conditions) equipped with an oxidation catalyst; one (1) Waukesha lean-burn natural gas-fired emergency generator engine rated at 880-bhp which will replace the existing LeRoi rich-burn natural gas-fired engine rated at 445-bhp; one (1) natural gas-fired process heater rated at 0.750 MMBtu/hr; one (1) pressure vessel; and one (1) parts washer.

The plan approval includes revised and additional requirements for the existing GE Frame 5 combustion turbine at the facility, as follows: eliminate the 25-ton NO<sub>x</sub> ozone season restriction which will subject the unit to additional requirements of the Department’s NO<sub>x</sub> budget program under 25 Pa. Code Chapter 145; reactivate the continuous emission monitoring systems (CEMS) for NO<sub>x</sub> and CO to demonstrate compliance with federally enforceable emission limits and comply with the NO<sub>x</sub> budget program requirements. The plan approval will also include revised CO and NO<sub>x</sub> emissions limitations applicable to the existing GE Frame 5 based on revised emissions calculation methodologies for startup, shutdown, and low-temperature operations.

The proposed project will result in annual potential to emit (PTE) increases at the facility of approximately 39.17 tons of nitrogen oxides (NO<sub>x</sub>), 41.40 tons of carbon monoxide (CO), 19.10 tons of volatile organic compounds (VOC), 10.45 tons of sulfur oxides (SO<sub>x</sub>), 4.69 tons of particulate matter less than 10 microns in diameter (PM<sub>10</sub>), 4.69 tons of particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), 0.59 ton of benzene, 0.33 ton of formaldehyde, 0.94 ton of hexane, 5.06 tons of total hazardous air pollutants (HAPs), and 94,283 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year.

Best available technology (BAT) for the proposed natural gas-fired turbine includes the implementation of good combustion practices including lean-premixed dry low-NO<sub>x</sub> combustion (SoLoNO<sub>x</sub>), installation and operation of an oxidation catalyst, minimization of startup and shutdown events, and proper maintenance and operation. The proposed project is subject to State regulations including the applicable portions of 25 Pa. Code Chapters 123 and 127; Federal New Source Performance Standards (NSPS) promulgated under 40 CFR Part 60 Subpart KKKK—Standards of Performance for Stationary Combustion Turbines and Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; and Federal National Emission Standards for Hazardous Air Pollutants (NESHAPS) promulgated under 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The plan approval conditions include emission and fuel sulfur limitations, testing, work practice, monitoring, record-keeping, and reporting requirements. The facility is currently subject to Title V permitting as it is a major source of GHG emissions. Since the proposed project includes an increase of GHG emissions greater than 75,000 tons of CO<sub>2</sub>e per year, it is also subject to the provisions of 40 CFR § 52.21—Prevention of Significant Deterioration (PSD) of Air Quality which requires the evaluation of

Best Available Control Technology (BACT) and the application of a BACT limitation for GHG emissions. Upon commencement of operation of the proposed sources, PTE from the facility will be approximately 113.25 tons of nitrogen oxides (NO<sub>x</sub>), 110.10 tons of carbon monoxide (CO), 50.33 tons of volatile organic compounds (VOC), 9.94 tons of particulate matter less than 10 microns in diameter (PM<sub>10</sub>), 9.94 tons of particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), 22.14 tons of sulfur oxides (SO<sub>x</sub>), 0.61 ton of benzene, 1.13 ton of formaldehyde, 0.98 ton of hexane, 6.53 tons of total hazardous air pollutants (HAPs), and 212,836 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year. Based on the post-project facility-wide PTE, the facility will be classified as a major source of NO<sub>x</sub>, CO, VOC, and GHG emissions, and Texas Eastern is required to apply for and obtain a Title V operating permit for the facility. A Title V operating permit application for the facility was received by the Department on June 28, 2012.

A person may oppose the proposed plan approval by filing a written protest with the Department through Devin P. Tomko, 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-32-00230B) 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 Devin P. Tomko at 412-442-5231.

## 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*

**15-00002: QG, LLC** (4581 Lower Valley Road, Atglen, PA 19310) for operation of their printing facility in West Sadsbury Township, **Chester County**. The permit is for a Title V facility. In accordance with 25 Pa. Code § 127.542, the operating permit is modified to incorporate the provisions of 40 C.F.R. Part 63, Subpart DDDDD. The applicable requirements of 40 C.F.R. Section 63.7540, the work practice standards, are addressed to the boilers located at this facility, that are (units) designed to burn gas 1 subcategory as per definition in 40 C.F.R. Section 63.7575. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**09-00122: Arkema, Inc.—Altuglas International** (100 PA Route 413, Bristol, PA 19007) for operation of their acrylic molding resins manufacturing facility in Bristol Township, **Bucks County**. The permit is for a Title V facility. In accordance with 25 Pa. Code § 127.542, the operating permit is modified to incorporate the provisions of 40 C.F.R. Part 63, Subpart DDDDD. The applicable requirements of 40 C.F.R. Section 63.7540, the work practice standards, are addressed to the boilers located at this facility, that are (units) designed to burn gas 1 subcategory as per definition in 40 C.F.R. Section 63.7575. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant 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 Daniel Husted, New Source Review Chief—Telephone: 717-949-705-4863*

**29-05001: JLG Industries, Inc.** (1 JLG Drive, McConnellsburg, PA, 17233) for operation of an aerial work platform and telescoping material handler manufacturing facility in Ayr Township, **Fulton County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the above-mentioned facility. The subject facility has actual 2012 emissions of approximately 31.86 tons of VOCs, 6.53 tons of NO<sub>x</sub>, 5.29 tons of CO, 0.98 ton of PM<sub>10</sub>, 0.12 ton of SO<sub>x</sub> and 1.54 ton of combined 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. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; 40 CFR Part 63, Subpart CCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities and 25 Pa. Code § 129.52—Surface Coating Processes.

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 for requests for a public hearing.

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. The Department will give notice of any sched-

uled public hearing at least thirty days in advance of the hearing as per 25 Pa. Code § 127.521. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

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.

Permits issued to sources identified in 25 Pa. Code § 127.44(b)(1)—(4) or permits issued to sources with limitations on the potential to emit used to avoid otherwise applicable Federal requirements may become part of the SIP, and will be submitted to EPA for review and approval.

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

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

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

**09-00106: Univar USA, Inc.** (200 Dean Sievers Place, Morrisville, PA 19067) submitted a renewal for a Non-Title V Facility, State-Only, Synthetic Minor Permit in Falls Township, **Bucks County**. Univar USA Inc is a chemical and allied products merchant wholesaler. The sources of emissions include: a boiler, diesel fire pump, emergency generators, storage tanks and transfer stations. The facility voluntarily took a total VOC HAP and total NO<sub>x</sub> emission limit of 24.9 tons per year and a 9.9 ton per year limit on individual HAPs calculated on a 12-month rolling sum. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**23-00035: Community Light and Sound, Inc.** (333 East 5th Street, Chester, PA 19013-4511) for a renewal of a non-Title V, State-Only, Synthetic Minor Permit in Chester City, **Delaware County**. Community Light and Sound is a manufacturer of household audio and video equipment. The facility has taken site level restriction limits of 24.9 tons per year for VOC's and 9.9 tons per year for any single HAP and 24.9 tons per year for combined HAP's. The restrictions will ensure that Community Light and Sound remains under the emission thresholds. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**23-00091: Union Packaging, LLC.** (6250 Baltimore Avenue, Yeadon, PA 19050) for operation of rotogravure and flexographic presses in Yeadon Borough, **Delaware County**. This action is a renewal of the State Only Operating Permit (Natural Minor), which was issued on March 18, 2004. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

**09-00136: Powdersize, Inc.** (20 Pacific Drive, Quakertown, PA 18951-3601) for operation of pulverizing and screening powder form products to meet customer specifications in Richland Township, **Bucks County**. This action is a renewal of the State Only Operating Permit (Natural Minor). The original State Only Operating Permit was issued on January 29, 2004. The renewal con-

tains all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

**09-00064: CRC Industries, Inc.** (885 Louis Drive, Warminster, PA 18974) is a non- Title V, Synthetic Minor facility in Warminster Township, **Bucks County**. This action is a renewal of the State Only Operating Permit. CRC Industries, Inc. manufactures specialty chemicals used in the automotive, marine, electrical and industrial maintenance markets. The main emissions for this facility are volatile organic compounds, of which the facility is limited to less than 18 tons per year of emissions, and hazardous air pollutants, of which the facility is limited to less than 10 tons per year for any single hazardous air pollutant and less than 25 tons per year for all of the hazardous air pollutants combined. The requirements from 40 C.F.R. Part 60, Subpart JJJJ were added for a new natural gas fired emergency generator that was installed at the facility in March, 2012. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

**09-00084: Grandview Hospital** (700 Lawn Ave., Sellersville, PA 18960) for a renewal of the State Only Operating Permit in West Rockhill Township, **Bucks County**. The initial permit was initially issued on 1-29-04 and was subsequently renewed on 1-30-2009. The permit is for the operation of three (3) dual fuel-fired (i.e., natural gas and No. 6 fuel oil) boilers, two (2) 650-kW diesel-fired emergency generators, two (2) 750-kW diesel-fired emergency generators, and two (2) hospital ethylene oxide sterilizers. The permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**46-00118: Ursinus College** (601 Main St., Collegeville, PA 19426) for a non-Title V, State Only, Synthetic Minor operating permit in Collegeville Borough, **Montgomery County**. This action is a second renewal of the State Only Operating Permit. The permit was initially issued on 8/3/2004 and was subsequently renewed on 7/30/2009. The permit is for the operation of a No. 6 fuel oil-fired Heat Plant boiler with a rated heat input capacity of 12 MMBtu/hr, a dual fuel-fired (e.g., No. 6 fuel oil and natural gas) Heat Plant boiler with a rated heat input capacity of 12 MMBtu/hr, forty-eight (48) No. 2 fuel oil and natural gas-fired, miscellaneous boilers each with a rated heat input capacity less than 0.7 MMBtu/hr, and sixteen (16) natural gas-fired emergency generators. The renewed permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**23-00053: Delaware County Memorial Hospital** (501 North Lansdowne Avenue, Drexel Hill, PA 19026) for a renewal of State Only (Synthetic Minor) Operating Permit No. 23-00053 in Upper Darby Township, **Delaware County**. The facility's air emissions sources consist of three (3) natural gas/No. 2 fuel oil-fired boilers and one natural gas- and 3 diesel fuel-fired emergency generator sets at its facility. The renewal permit is for a non-Title V (State Only) facility. Nitrogen oxides ("NO<sub>x</sub>") emissions from the engines of the emergency generator sets are restricted to 100 pounds per hour, 1,000 pounds per day, 2.75 tons per ozone season (i.e., the period from May 1-September 30 of each year), and 6.6 tons per year, calculated monthly as a 12-month rolling sum; and the potential to emit NO<sub>x</sub> from the facility exceeds 25 tons per year. However, Delaware County Memorial Hospital ("DCMH") has elected to restrict NO<sub>x</sub> emissions from the

facility to less than 25 tons per year. Therefore, the facility is categorized as Synthetic Minor.

Since the State Only Operating Permit ("SOOP") was renewed in 2008, no physical changes have occurred at the facility. However, since this time, separate Maximum Achievable Control Technology ("MACT") standards were promulgated for boilers and internal combustion ("IC") engines. DCMH has stated that the each of the boilers will only consume No. 2 fuel oil during periods of gas curtailment or supply interruption, startups, or periodic testing not to exceed 48 hours per year; as such, the boilers will meet the definition of the term "gas-fired boiler" indicated in 40 C.F.R. § 63.11237 and not be subject to the provisions of 40 C.F.R. Part 63, Subpart JJJJJ (though this requirement will be included in the renewal SOOP). The IC engines of the emergency generator sets have become subject to the provisions of 40 C.F.R. Part 63, Subpart ZZZZ, and all applicable requirements of this regulation will be included in the renewal SOOP.

The renewal SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**66-00010: Chief Gathering, LLC—Hirkey Compressor Station** (101 West Third Street, Williamsport, PA 17701) to issue a State Only (Synthetic Minor) Operating Permit for a gas compression station in Washington Township, **Wyoming County**. Potential Emissions before limitations as reported by the facility in the permit application include: NO<sub>x</sub>—92.24 tpy, CO—50.48 tpy, VOC—29.32 tpy, PM—6.26 tpy, and HAP—5.85 tpy. The facility is taking site level emission limits for Nitrogen Oxides (NO<sub>x</sub>), Volatile Organic Compounds (VOC), and Hazardous Air Pollutants (HAPs) to maintain Synthetic Minor status. The proposed State Only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards used to verify facility compliance with Federal and State Air Pollution Regulations.

**54-00059: Magdalene Crematory** (P.O. Box 215, Ringtown, PA 17967-0215) to operate a human crematory facility in Ringtown, PA, **Schuylkill County**. The primary sources consist of two (2) crematory incinerators.

The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), 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.

**40-00112: Four Daughters, LLC** (1 Korn Street, Kingston, PA 18704) for manufacture of wood kitchen cabinets in Kingston Borough, **Luzerne County**. The primary sources consist of three (3) spray booths with panel filters and a drying oven. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Synthetic 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.

**66-00006: Geary Enterprises, Inc.** (316 Post Hill Road, Falls PA 18515-7897) for crushed and broken stone mining and quarrying operations in Falls Township, **Wyoming County**. The primary sources consist of crushers, screens, and conveyors. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), 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.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**36-05106: Premier Custom Built, Inc.** (110 Short Street, New Holland, PA 17557) for the operation of its cabinet manufacturing facility in East Earl Township, **Lancaster County**. This is a renewal of their State-only operating permit issued in 2009.

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

The facility's actual emissions for 2012 were reported as 0.10 tpy CO, 0.10 tpy NO<sub>x</sub>, 0.11 tpy PM<sub>10</sub>, 0.00 tpy SO<sub>x</sub>, 16.21 tpy VOC, 5.60 tpy of combined HAPs & 3.50 tpy of a single HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52, 129.101—129.107 and 129.77.

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, or for requests for a public hearing. 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.

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.

**06-05037: McConway and Torley LLC.** (109 48th Street, Pittsburgh PA 15201-2755) for operation of a steel foundry in Kutztown Borough, **Berks 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.

Facility emissions for 2012 were: 5.8 tons of PM<sub>10</sub>, 5.5 tons of PM<sub>2.5</sub>; 8.5 tons of CO; 6.8 tons of NO<sub>x</sub>; 5.5 tons of SO<sub>x</sub>; and 7.3 tons of VOC which included 3.1 tons of HAPS. 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 or protests, or for requests for a public hearing. 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.

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.

**36-05118: RR Donnelley and Sons, Co.** (1375 Harrisburg Pike, Lancaster, PA 17601) for operation of its printing facility in the City of Lancaster, **Lancaster County**. This is a renewal of the State-Only Operating Permit issued in 2009.

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

The facility's actual emissions for 2012 were reported as 3.42 tpy CO, 4.07 tpy NO<sub>x</sub>, 0.12 tpy PM<sub>10</sub>, 0.02 tpy SO<sub>x</sub>, 25.41 tpy VOC, 2.32 tpy of combined HAPs & 1.48 tpy of a single HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units & 40 CFR 63, Subpart ZZZZ—National Emissions Standards

for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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

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

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

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

**06-05003: Stone Pointe Management Corp.** (2525 North 12th Street, Reading, PA 19605-2749) for operation of a convention center including four (4) boilers and two (2) emergency generators in Muhlenberg Township, **Berks County**. This is a renewal of their state-only operating permit issued in 2009.

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

The facility's actual emissions for the timeframe 11/2011 to 10/2012 were estimated to be 0.41 tpy CO, 0.49 tpy NO<sub>x</sub>, 0.02 tpy PM<sub>10</sub>, 0.00 tpy SO<sub>x</sub>, 0.03 tpy VOC, & 0.00 tpy of combined 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. Among other items, the conditions include provisions derived from 40 CFR 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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, or for requests for a public hearing. 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.

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.

**22-03030: Pennsy Supply, Inc.** (PO Box 3331, Harrisburg, PA 17105) for their Fiddler's Elbow limestone crushing plant in Lower Swatara Township, **Dauphin County**.

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

The subject facility employs wet suppression to control particulate matter (PM) emissions from limestone crushing and handling. The crushing plant includes equipment subject to 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The facility has the potential to emit an estimated 28 tons per year of particulate matter emissions. Actual operating hours and emissions are well below maximum 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. 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, or for requests for a public hearing. 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.

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.

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

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

**14-00037: Spectrum Controls, Inc.** (1900 West College Avenue, State College, PA 16801-2723) to issue a renewal of an Air Quality Operating Permit for the above mentioned facility in Ferguson Township, **Centre 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 a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 7.21 TPY of CO; 10.94 TPY of NO<sub>x</sub>; 0.05 TPY of SO<sub>x</sub>; 12.48 TPY of PM/PM<sub>10</sub>; 29.48 TPY of VOC; 7.48 TPY of HAP and 2,747 TPY of CO<sub>2e</sub>. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12, as well as the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Part 63 Subpart ZZZZ Sections 63.6580 through 63.6675. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with 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 Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701

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 following: Name, address and telephone number of the person submitting the comments; Identification of the proposed permit by the permit number listed above; 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. Muhammad Q. Zaman, Environmental Program Manager, may be contacted at 570-327-3648, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

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

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

**63-00872: RTS Packaging LLC / Charleroi Partition** (300 & Penn Central R.R., Charleroi, PA 15022) for the manufacturing corrugated and solid fiber boxes located Charleroi Borough, **Washington County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and is providing public notice that it intends to issue an Air Quality Operating Permit renewal for the above mentioned facility.

The subject facility consists of a spray booth, parts washer, water/oil separator, MSK bag machine, 18 space

heaters, shredder and one corrugated die cutter. The fabrication sources are controlled by a transfer cyclone and a main cyclone before exhausting to the atmosphere. The facility's potential emissions are calculated to be 4.81 tpy NO<sub>x</sub>, 4.04 tpy CO, 0.03 tpy SO<sub>x</sub>, 2.32 tpy VOC, 0.09 tpy HAPs, 29.87 tpy PM and 0.66 tpy PM<sub>10</sub>. The facility is required to maintain records of the volume used, mix ratio, density or specific gravity, weight percent of total volatiles, water, solids and exempt solvents and VOC content of each coating as supplied and applied. The proposed authorization is subject to State and Federal Regulations. The permit includes additional operational requirements, monitoring requirements, and recordkeeping 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, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing 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.

All requests for a public hearing, and all protests 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 must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 63-00872) 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 in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly files 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 (and the time, place and purpose of such 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 Sheila Shaffer, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Sheila Shaffer at (412) 442-5227.

**04-00061: Nalco Company / North/South Plant** (125 Nalco Way, Ellwood City, PA 16117) for the specialty chemicals including liquid polymers, latex emulsion polymers and industrial biocide blends located Franklin Township, **Beaver County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and is providing public notice that it intends to issue an Air Quality Operating Permit renewal for the above mentioned facility.



The subject facility consists of a North Plant and South Plant. The North Plant consists of natural gas boilers, biocides blending process, bulk storage tanks, solution polymers line, latex polymer line and cosmetic polymer line. The South Plant consists of natural gas boilers, liquid blend processing, furnace room process, bulk storage tanks and fragrance tabs operation. Various bulk storage tanks and process tanks are controlled by carbon canisters. The facility's potential emissions for both North and South Plant are calculated to be 25.35 tpy NO<sub>x</sub>, 21.29 tpy CO, 0.15 tpy SO<sub>x</sub>, 3.65 tpy VOC, 2.11 tpy HAPs, and 3.79 tpy PM<sub>10</sub>. The proposed authorization is subject to State and Federal Regulations. The permit includes operational requirements, monitoring requirements, and recordkeeping 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, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing 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.

All requests for a public hearing, and all protests 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 must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 04-00061) 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 in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly files 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 (and the time, place and purpose of such 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 Sheila Shaffer, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Sheila Shaffer at (412) 442-5227.

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

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

**42-00181: Elkhorn Gas Processing—Lewis Run Plant** (4613 East 91st Street Tulsa, OK 74137) the Department intends to issue a renewal of the Natural Minor Operating Permit to operate the natural gas processing plant in Bradford Township, **McKean**

**County.** The facility's primary emission sources include a dehydration unit, combustion emissions for the dehydration unit, a fractionation skid with an associated combustion heater, two inlet compressors (rated at 607 HP and 700 HP, respectively) a 265 HP refrigeration compressor, potential equipment leaks, product storage tanks and loading, and an emergency natural gas generator. The inlet compressors and refrigeration compressor are 4 stroke rich burn engines equipped with catalytic converters. These three engines are subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Units. The dehydration unit is subject to 40 CFR 63 Subpart HH—NESHAPs from Oil and Natural Gas Production Facilities. The emergency engine is subject to 40 CFR 60 Subpart JJJJ. Actual emissions from the facility are less than the Title V emission thresholds. The conditions of the previous plan approval and operating permit were incorporated into the renewal permit along with the newer Federal Requirements.

**61-00191: WS Packaging Group, Inc.** (1642 Debence Drive, Franklin, PA 16323-2050) for a renewal of the Synthetic Minor Operating Permit to operate commercial printing presses located in Sandycreek Township, **Venango County.** The emitting sources included, 1) Plant Heating System, 2) Pressroom (Lithograph presses) (twenty eight), 3) Miscellaneous fugitive emission source and, 4) Two Degreaser units. The facility has taken a restriction of emissions of Volatile Organic Compound (VOC) from the facility to not exceed 49.5 Tons per year and maintains the status of Synthetic Minor. The facility reported the following VOC emissions in 2012: Source ID# 103: 4.24 Tons per year (TPY), Source ID # 104: 3.07 TPY, Source ID # 105: 6.2 TPY. Total VOC emission from the facility was 13.51 TPY in the year of 2012.

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

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

**S09-016A: Philadelphia University** (School House Lane and Henry Avenue, Philadelphia, PA 19144) for the operation of a university in the City of Philadelphia, **Philadelphia County.** The facility's air emission sources include twenty five (25) combustion unit each less than 2 MMBTU/hr that burn natural gas, eight (8) combustion unit each less than 3 MMBTU/hr that burn No 2 fuel oil, thirteen (13) combustion unit each less than 5 MMBTU/hr that burn No 2 fuel oil or natural gas, four (4) diesel emergency generators, and one (1) diesel fire pump.

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.

## 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*

**32921301. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit for the Plumcreek No. 1 Mine in Washington Township, **Indiana County** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**03841305. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA

15317) to transfer the permit for the Emilie No. 1 and 2 Mine in Plumcreek and Cowanshannock Townships, **Armstrong County** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No additional discharges. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**03801302. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit for the Margaret No. 7 Mine Water Treatment Plant in Plumcreek and Cowanshannock Townships, **Armstrong County** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**32841321 and NPDES No. PA0006874. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the O'Donnell No. 3 Mine in Plumcreek and Washington Townships, **Armstrong and Indiana Counties** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**03831305 and NPDES No. PA0002283. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Jane Mine in Plumcreek Township, **Armstrong County** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**32141301 (formerly 32101701) and NPDES No. PA0235890. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the O'Donnell No. 4/Manor #8 Treatment Systems in Washington Township, **Indiana County** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**32803712 and NPDES No. PA0092142. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Lewisville Recovery Plant in Young and Blacklick Townships, **Indiana County** from Keystone Coal Mining Corporation to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**65130702 and NPDES No. PA0214116. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Hutchinson AMD Plant in Sewickley Township, **Westmoreland County** from Consolidation Coal Company to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**30841313 and NPDES No. PA0022594. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Dilworth Mine in Cumber-

land Township, **Greene County** from Consolidation Coal Company to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**30830701 and NPDES No. PA0214124. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Dilworth Rock Disposal Area in Cumberland Township, **Greene County** from Consolidation Coal Company to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**02733702 and NPDES No. PA0023370. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Renton Refuse Area in Plum Borough Township, **Allegheny County** from Consolidation Coal Company to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**02141301 (formerly 02891701) and NPDES No. PA0215571. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Harmar Mine in Harmar and Indiana Townships, **Allegheny County** from Consolidation Coal Company to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**63141301 (formerly 63851702) and NPDES No. PA0215431. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Westland Mine in Chartiers Township, **Washington County** from Consolidation Coal Company to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**30841601. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit for the Robena Preparation Plant in Monongahela Township, **Greene County** from Consolidation Coal Company to Consol Mining Company, LLC. No discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**63131302 and NPDES No. PA0001147. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Hahn AMD Treatment Plant in Cecil Township, **Washington County** from Consolidation Coal Company to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**30733707 and NPDES No. PA0215830. Consol Mining Company, LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To transfer the permit and related NPDES permit for the Robena Refuse Disposal Site in Monongahela Township, **Greene County** from Consolidation Coal Company to Consol Mining Company, LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014.

**30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company, LLC**, (1525 Pleasant Grove Rd., PO Box J, Claysville, PA 15323). To revise the permit for the BMX Mine in Morris Township, **Greene County** and related NPDES permit to install the 2B Bleeder Airshaft and add NPDES Outfall 034. The point source discharge will not degrade the existing water quality of Browns Creek. Surface Acres Proposed 21.3. Receiving Stream: Unnamed Tributary to Browns Creek, classified for the following use: HQ-WWF. The application was considered administratively complete on January 31, 2014. Application received November 12, 2013.

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

**Permit No. 32940105 and NPDES No. PA0212806. Consol Mining Company, LLC**, CNX Center, 1000 Energy Drive, Canonsburg, PA 15317, transfer of an existing bituminous surface and auger mine from Keystone Coal Mining Corporation, P.O. Box 219, Shelocta, PA 15774, located in Center Township, **Indiana County**, affecting 180.0 acres. Receiving stream: Unnamed tributary to Yellow Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Edison Mission Energy Homer City Generating Station. Application received: January 6, 2014.

**Permit No. 3279103 and NPDES No. PA0079791. Consol Mining Company, LLC**, CNX Center, 1000 Energy Drive, Canonsburg, PA 15317, transfer of an existing bituminous surface mine from Keystone Coal Mining Corporation, P.O. Box 219, Shelocta, PA 15774, located in Young Township, **Indiana County**, affecting 19.0 acres. Receiving stream: unnamed tributary to Big Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 6, 2014.

**Permit No. 32890109 and NPDES No. PA0598640. Consol Mining Company, LLC**, CNX Center, 1000 Energy Drive, Canonsburg, PA 15317, transfer of an existing bituminous surface and auger mine from Keystone Coal Mining Corporation, P.O. Box 219, Shelocta, PA 15774, located in Blacklick Township, **Indiana County**, affecting 18.4 acres. Receiving stream: Unnamed tributary to Aultman's Run classified for the following use: trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 6, 2014.

**Permit No. 32803010 and NPDES No. PA0124834. Consol Mining Company, LLC**, CNX Center, 1000 Energy Drive, Canonsburg, PA 15317, transfer of an existing bituminous surface mine from Keystone Coal Mining Corporation, P.O. Box 219, Shelocta, PA 15774, located in Blacklick Township, **Indiana County**, affecting 89.9 acres. Receiving stream: Unnamed tributary to Aultman's Run classified for the following use: trout stocked fishery. The first downstream potable water supply intake from the point of discharge is Saltsburg Borough Indiana County Municipal Waterworks Conemaugh River SWI. Application received: January 6, 2014.

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

**03793072 and NPDES Permit No. PA061237. Consol Mining Company, LLC** (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). Application received to transfer permit currently issued to Keystone

Coal Mining Corporation for continued mining and operation of a bituminous surface mining site located in Kiskiminetas and Young Townships, **Armstrong and Indiana Counties**, affecting 302.0 acres. Receiving streams: unnamed tributary to Long Run and Big Run, classified for the following use: WWF. There is no potable water supply intake within ten miles downstream from the point of discharge. Transfer application received: January 27, 2014.

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

**04090101. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258) Revision to an exist-

ing bituminous surface and auger mine to change the post-mining land use from forestland to unmanaged natural habitat in Shippingport Borough, **Beaver County**, affecting 99.8 acres. Receiving streams: Unnamed tributary to Peggs Run and Peggs Run, classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is Midland Borough Municipal Authority. Application received: January 22, 2014.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**37080303. Three Rivers Aggregates, LLC** (1807 Shenango Road, New Galilee, PA 16141) Revision to an existing large industrial minerals mine to add 0.6 acre in Scott & Plain Grove Townships, **Lawrence County**, affecting a total of 71.6 acres. Receiving streams: Unnamed tributary to Taylor Run and Taylor Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 21, 2014.

**24589-37080303-E-1. Three Rivers Aggregates, LLC** (1807 Shenango Road, New Galilee, PA 16141) Application for a stream encroachment to construct and maintain the conveyor stream crossing over Taylor Run in Scott and Plain Grove Townships, **Lawrence County**. Receiving streams: Unnamed tributary to Taylor Run and Taylor Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 21, 2014.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\* The parameter is applicable at all times.

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth. More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

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

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

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

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

*Coal NPDES Draft Permits*

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

**NPDES No. PA0269239 (Mining permit no. 32130105), Bedrock Mines, LP**, 111 Freeport Road, Pittsburgh, PA 15215, new NPDES permit for surface coal mine in Washington Township, **Indiana County**, affecting 66.5 acres. Receiving stream: South Branch Plum Creek, classified for the following use: Cold Water Fishery. This receiving stream is included in the South Branch Plum Creek Watershed. Application received: August 14, 2013.

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

The outfalls listed below discharge to South Branch Plum Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Sediment Pond A	Y
002—Treatment Pond 1	Y

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0258636 (Permit No. 37080305). Terra Resources, LLC** (267 Gilmore Road, Enon Valley, PA 16120) Renewal of an existing NPDES permit for a large industrial minerals surface mine in Slippery Rock Township, **Lawrence County**, affecting 83.8 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. TMDL: None. Application received: January 8, 2014.

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

The outfall(s) listed below discharge to unnamed tributary No. 1 to Slippery Rock Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

<sup>1</sup> The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributary No. 1 to Slippery Rock Creek:

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

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

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

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, draw-

ings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E45-497. Department of Transportation, Engineering District 5-0**, 1002 Hamilton Street, Allentown, PA 18103, Smithfield Township and Middle Smithfield Township, **Monroe County**, Army Corps of Engineers, Philadelphia District.

To remove an existing 6-span twin girder bridge and an existing 4-span twin girder bridge and to construct and maintain Phase II of a limited access highway, known as the Lehigh Valley Thruway consisting of a 6-lane 640-foot

wide, 5-span PA bulb tee beam bridge, having spans of 100-feet, 140-feet, 160-feet, 140-feet and 100-feet respectively, and having a minimum underclearance of approximately 39-feet, across the Lehigh River (CWF, MF) and a 530-foot wide, 4-span PA bulb tee beam bridge, having spans of 120-feet, 160-feet, 145-feet and 105-feet respectively, and having a minimum underclearance of approximately 47-feet across the Lehigh Canal (CWF, MF). The project is located at S.R. 22, Segment 0400 (Catasauqua, PA Quadrangle Latitude: 40° 38' 13.1"; Longitude: -75° 27' 26.5"), in Whitehall and Hanover Townships, Lehigh County.

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

**F31-229: Petersburg Borough**, 223 Penn Street, Huntingdon PA 16652 in Petersburg Borough, **Huntingdon County**, ACOE Baltimore District.

To remove structures from the floodplain at the locations listed. The projects propose to temporarily affect approximately .1 acre of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	424 Columbia St. Petersburg, PA 16669	Shavers Creek	HQ-CWF	Alexandria, PA	40.5735	-78.0494

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

**E6629-019: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, North Branch Township, **Wyoming County**, ACOE Baltimore District.

To construct, operate and maintain the Porter Gathering Line Project, which consists of one 8-inch natural gas pipeline, with the following impacts:

1. 844 square feet of permanent impacts to Palustrine Emergent (PEM) Wetlands via the placement of fill for a permanent access road (Jenningsville, PA Quadrangle, Latitude: N41°34'04.00", Longitude: W76°12'43.00");

2. 4,000 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°34'04.00", Longitude: W76°12'39.00");

3. 510 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'43.00", Longitude: W76°12'08.00");

4. 3,210 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'43.00", Longitude: W76°12'03.00");

5. 5,228 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'40.00", Longitude: W76°11'50.00");

6. 498 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'32.00", Longitude: W76°11'42.00"); and

7. 59.0 linear feet of a UNT to Miller Brook (CWF, MF) and 6,726 square feet of temporary impacts to Exceptional Value (EV) Palustrine Scrub Shrub (PSS) Wetlands via open cut trenching and a temporary construction access road crossing (Jenningsville, PA Quadrangle, Latitude: N41°33'31.00", Longitude: W76°11'37.00").

The project will result in 59.0 linear feet of temporary stream impacts, 7,720 square feet (0.18 acre) of temporary impacts to Palustrine Emergent (PEM) Wetlands, 844 square feet (0.02 acre) of permanent impacts to Palustrine Emergent (PEM) Wetlands, 5,726 square feet (0.13 acre) of permanent impacts to Palustrine Forested (PFO) Wetlands, and 6,726 square feet (0.15 acre) of temporary impacts to Exceptional Value (EV) Palustrine Scrub Shrub (PSS) Wetlands all for the purpose of installing one 8-inch natural gas gathering line and associated access roadways for Marcellus shale development.

Note: This posting is being republished due to the incorrect township being identified in the original posting.

**E5829-066. Angelina Gathering Company, LLC**; 2350 North Sam Houston Parkway E, Suite 125, Houston, TX 77032; Franklin, Great Bend, and New Milford Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 71 linear feet of Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 55' 07" Lat., W -75° 46' 06" Long.),

2) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 39 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 55' 07" Lat., W -75° 46' 07" Long.),

3) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 46,296 square feet (1.06 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 55' 01" Lat., W -75° 46' 20" Long.),

4) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 9,785 square feet (0.22 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 51" Lat., W -75° 46' 21" Long.),

5) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 1,101 square feet (0.03 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 51" Lat., W -75° 46' 21" Long.),

6) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing

impacting 83 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 50" Lat., W -75° 46' 21" Long.),

7) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 2,298 square feet (0.05 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 26" Lat., W -75° 46' 24" Long.),

8) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 69 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 24" Lat., W -75° 46' 24" Long.),

9) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 78 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 22" Lat., W -75° 46' 25" Long.),

10) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 502 square feet (0.01 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 22" Lat., W -75° 46' 25" Long.),

11) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 1,452 square feet (0.03 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 13" Lat., W -75° 46' 32" Long.),

12) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 71 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 11" Lat., W -75° 46' 32" Long.),

13) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 982 square feet (0.02 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 10" Lat., W -75° 46' 36" Long.),

14) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 1,985 square feet (0.05 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 09" Lat., W -75° 46' 36" Long.),

15) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 725 square feet (0.02 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 54' 09" Lat., W -75° 46' 41" Long.),

16) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 70 linear feet of an unnamed tributary to Dubois Creek (CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 54' 08" Lat., W -75° 46' 36" Long.),

17) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 20,453 square feet (0.47 acre) of PFO wetlands (Franklin Forks, PA Quadrangle; N 41° 53' 50" Lat., W -75° 46' 35" Long.),

18) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber mat crossing impacting 1,946 square feet (0.04 acre) of PEM wetlands (Franklin Forks, PA Quadrangle; N 41° 53' 44" Lat., W -75° 46' 34" Long.),

19) two 12-inch diameter natural gas pipeline, a 16-inch HDPE waterline, and temporary timber bridge crossing impacting 8 linear feet of an unnamed tributary to Beaver Creek (HQ, CWF-MF) (Franklin Forks, PA Quadrangle; N 41° 53' 40" Lat., W -75° 46' 334" Long.).

The project consists of constructing approximately 2.8 miles of dual 12" natural gas gathering lines at a depth of 4' and a 16" waterline at a depth of 5', within a maintained 50 foot permanent right of way located in Franklin, Great Bend, and New Milford Townships, Susquehanna County. The project will result in 489 lineal feet of temporary stream impacts, 1.54 acre of temporary wetland impacts, and 0.60 acre of permanent wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

## ACTIONS

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

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

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

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction



requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0061085 (Sewage)	Glenburn Service Co. Wastewater Plant PO Box O Clarks Summit, PA 18411	Lackawanna County Glenburn Township	Ackerly Creek (4-F)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0081817— SEW	Juniata County School District— East Juniata High School RR 2 Box 2411 McAlisterville, PA 17049	Juniata County / Fayette Township	Cocolamus Creek / 12-C	Y
PA0247847— SEW	Rodger C. Petrone—(Lot #6) 3920 Market Street Camp Hill, PA 17011	York County / Carroll Township	UNT Yellow Breeches Creek / 7-E	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0027677 (IW)	US DOI Northern Appalacian Research Laboratory 176 Straight Run Road Wellsboro, PA 16901	Tioga County Shippen Township	Marsh Creek (9-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0240141 (Sewage)	Steven Sherk SFTF 20 Yohe Road, Bradford, PA 16701	McKean County Corydon Township	Unnamed Tributary to the Willow Creek (16-B)	Y

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

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

**NPDES Permit No. PA0232432**, SIC Code 4953, **PA DOT Engineering District 2-0**, PO Box 342, Clearfield, PA 16830.

This proposed facility will be located in Huston Township, **Centre County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated ARD.

**NPDES Permit No. PA0020486**, Sewage, SIC Code 4952, **Bellefonte Borough**, 236 W Lamb Street, Bellefonte, PA 16823-1502.

This existing facility is located in Spring Township, **Centre County**.

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

**NPDES Permit No. PA0232408**, SIC Code 1389, **Aquatech International Corporation**, 1 Four Coins Drive, Canonsburg, PA 15317.

This proposed facility will be located in Lawrence Township, **Tioga County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated industrial waste.

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

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

**WQM Permit No. 2813404**, Sewerage, **Chambersburg Borough**, 100 S. 2nd Street, Chambersburg, PA 17201.

This proposed facility is located in Chambersburg Borough, **Franklin County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of: the replacement of 1,248 LF of Chambersburg Borough's Plant Approach Interceptor.

*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. 4910201**, Industrial Waste, SIC Code 2033, **Furman Foods Inc.**, PO Box 500, Northumberland, PA 17857-0500.

This existing facility is located in Point Township, **Northumberland County**.

Description of Proposed Action/Activity: Permit issued approving installation of rotary screen for vegetable skin removal.

**WQM Permit No. 4779403-A1**, Sewage, SIC Code 4952, **Danville Municipal Authority**, 12 West Market Street, Danville, PA 17821.

This existing facility is located in Danville Borough, **Montour County**.

Description of Proposed Action/Activity: The installation of a new pump station and increasing the size existing conveyance lines to remedy deficiencies in the system.

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

**WQM Permit No. 0213411**, SIC Code 9900, **Pittsburgh Water and Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222.

This proposed facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Replacement and separation of the existing 20" combined line that serves residence of Valmont Street and Aylesboro Avenue in the City of Pittsburgh.

**WQM Permit No. WQG026143**, Sewage, **Ligonier Township Municipal Authority**, 1 Municipal Park Drive, Ligonier, PA 15658.

This proposed facility is located in Ligonier Township, **Westmoreland County**.

Description of Proposed Action/Activity: Construction of collection sewers, pump station and force main to serve existing homes in Darlington area.

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

**WQM Permit No. 6182201**, Industrial Waste, A2, **Fluid Recovery Services Franklin Facility**, P.O. Box 232, 5035 Route 110, Creekside, PA 15732.

This existing facility is located in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Permit revision to address interim changes to equipment and operations of the Franklin Facility.

**WQM Permit No. 1013406**, Sewage, **Linsey Westerman & Mark Stonebraker**, 3202 North Osche Road, Butler, PA 16002.

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

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

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

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

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

*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>
PAI02394513010	Saylorsburg DG, LLC 361 Summit Blvd., Suite 110 Birmingham, AL 35243	Monroe	Ross Township	UNT to Lake Creek (HQ-CWF, MF)
PAI023912020	Old Saucon Investment L.P. 1412 Walter Street Bethlehem, PA 18015	Lehigh and Northampton	Upper and Lower Saucon Townships	UNT to Saucon Creek (CWF, MF); UNT to Black River (CWF, MF)
PAI025212004	Pocono Lakefront, LLC 40 Warren Street Patterson, NJ 07524	Pike	Palmyra Township	Wallenpaupack Creek (HQ-CWF, MF) UNT to Wallenpaupack Creek (HQ-CWF, MF)
PAI025206007(R)	Blue Heron, LLC 5 Manorview Drive Dallas, PA 18612	Pike	Blooming Grove Township Lackawaxen Township Palmyra Township	Decker Creek (HQ-CWF, MF) Blooming Grove Creek (HQ-CWF, MF)

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

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041813003	C Grant Miller Central PA Auto Auction 41 Airstrip Rd Mill Hall PA 17751	Clinton	Lamar Township	UNT to Fishing Creek HQ-CWF

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

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

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

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Radnor Township Delaware County	PAG0200 2313018	Crowe Investment Properties, LP 1595 Paoli Pike West Chester, PA 19380	Unnamed Tributary to Gulph Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG0200 2313032	115 Strafford Avenue, LLC 110 N. Phoenixville Pike Malvern, PA 19355	Darby Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4613088	Pitt-Ohio 15 27th Street Pittsburgh, PA 15222	Unnamed Tributary to Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511332	Temple University 1009 West Montgomery Avenue Philadelphia, PA 19122	Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Nesquehoning Borough Carbon County	PAG02001308007R	Mike Brida 128 E. Phillips Street Coaldale, PA 18218	Nesquehoning Creek (CWF, MF)	Carbon County Conservation District 610-377-4894
Olyphant Borough Lackawanna County	PAG02003505008(1)R	Joseph Lawrence 4 Alpine Lane Jim Thorpe, PA 18229 Mericle 1200 East Lackawanna Ave. LLC 100 Baltimore Drive Wilkes-Barre, PA 18702	Sterry Creek (CWF, MF)	Lackawanna County Conservation District 570-392-3086
City of Bethlehem and Lower Saucon Township	PAG02004813020	Bethlehem Commerce Center, LLC 13191 Crossroads Parkway North City of Industry, CA 91746	Saucon Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Bridgewater Township Susquehanna County	PAG02005813006	Pump N' Pantry 754 Grow Avenue Montrose, PA 18801	UNT to South Branch Wyalusing Creek (CWF, MF)	Susquehanna County Conservation District 570-278-4600

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Conewago Township, Adams County	PAG02000111023R (Issued)	Laverne Leese BJML Enterprises 982 Bollinger Road Littlestown, PA 17340  Robert Groft GB Groft Inc. (co-applicant) 3048 Centennial Road Hanover, PA 17331	UNT of South Branch Conewago Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Conewago Township, Adams County	PAG02000103020R (Issued)	Laverne Leese Labre, LLC 982 Bollinger Road Littlestown, PA 17340	UNT of South Branch Conewago Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Conewago Township, Adams County	PAG02000109003R (Issued)	Jeff Stough/ Joseph A. Myers Building and Development 160 Ram Drive Hanover, PA 17331	UNT of South Branch Conewago Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
East Pennsboro Township, Cumberland County	PAG02002111025R (Issued)	Michael Gillespie PennDOT Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Conodoguinet Creek (WWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
West Manchester Township, York County	PAG02006711044R (Issued)	Glenlyn Enterprises Glenn C. Rexroth PO Box 297 Dallastown, PA 17313	UNT to S Branch Codus Creek (WWF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
York Township, York County	PAG02006712010R (Issued)	Jeffrey L. Henry, Inc. Jeffrey L. Henry 2845 Springwood Road Red Lion, PA 17356	Mill Creek (WWF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Carroll Township, York County	PAG02006713050 (Issued)	Roger C. Petrone 4076 Market Street Camp Hill, PA 17011	Yellow Breeches Creek (CWF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
York Township, York County	PAG02006711049R (Issued)	Multi-Properties, Inc. Richard S. Hantgan Pikesville Professional Ctr. 7 Church Lane Suite 22 Pikesville, MD 21208-37329	UNT to Codorus Creek (WWF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

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

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lawrence Twp Clearfield County	PAG02001713015R	Rivers Bend Properties Keith Billotte 18 N 2nd St Clearfield PA 16830	Clearfield Creek WWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Montoursville Borough Lycoming County	PAG02004113005	Donnie Jaccopetti PO Box 23 Montoursville PA 17754	UNT to Loyalsock Creek TSF, MF	Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003
S Williamsport Lycoming County	PAG02004113019	Charles Hauser Williamsport Municipal Water Authority 253 W 4th St Williamsport PA 17701	UNT to W B Susquehanna River WWF, MF Hagermans Run CWF, MF	Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford Township McKean County	PAG02004206002R	Universal Well Services 201 Arch Street Meadville PA 16335	Rutherford Run CWF	McKean County Conservation District 814-887-4001
City of Hermitage Mercer County	PAG02004313012(1)	CCL Container Corporation 1 Llodio Drive Hermitage PA 16148	Shenango River WWF	Mercer County Conservation District 724-662-2242

*General Permit Type—PAG-03*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Falls Township Bucks County	PAG030001	New Seaview LLC 725 Skippack Pike Blue Bell, PA 19422	Unnamed Tributary to Delaware River—2-E	Southeast Region Clean Water Program 484.250.5970
Falls Township Bucks County	PAG030004	Solvay USA Inc. CN 7500 8 Cedar Brook Drive Cranbury, NJ 08512	Biles Creek—2-E	Southeast Region Clean Water Program 484.250.5970
South Centre Township Columbia County	PAR124813	Del Monte Corporation 375 N Shore Drive Pittsburgh, PA 15212	Susquehanna River and Pennsylvania Canal	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Decatur Township Clearfield County	PAR604819	DC Enterprises PO Box 406 2381 Philipsburg Bigler Highway Philipsburg, PA 16866-0406	Little Lauren Run—CWF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
New Eagle Borough Washington County	PAG036106	Therm O Rock East Inc. Pine Street PO Box 429 New Eagle, PA 15067	Dry Run—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-8*

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Cumberland County / Monroe Township	PAG083603	South Middleton Township Municipal Authority PO Box 8 345 Lear Lane Boiling Springs, PA 17007	South Middleton Township Municipal Authority WWTP PO Box 8 345 Lear Lane Boiling Springs, PA 17007	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

## STATE CONSERVATION COMMISSION

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

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications

for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

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

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Dennis Ulrich 330 Brown Road Bethel, PA 19507	Berks	17.9	308.7	Laying Chickens	NA	Approved
Hetrickdale Farms 69 Hetrick Road Bernville, PA 19506	Berks	3270.3	2449.02	Dairy	NA	Approved
Star Rock Dairy and Star Rock Farms LLC 13845 Ted Wallace Road Brogue, PA 17309	York	34.9	2108.5	Cattle	None	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free

pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER**

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

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

**Permit No. 4613513, Public Water Supply.**

Applicant	<b>North Penn Water Authority</b> 300 Forty Foot Road P.O. Box 1659 Lansdale, PA 19446
Township	Skippack
County	<b>Montgomery</b>
Type of Facility	PWS
Consulting Engineer	Entech Engineering, Inc. 4 South 4th Street Reading, PA 19602
Permit to Construct Issued	January 31, 2014

**Permit No. 4613514, Public Water Supply.**

Applicant	<b>Horsham Water and Sewer Authority</b> 617 Horsham Avenue Horsham, PA 19044-1207
Township	Horsham
County	<b>Montgomery</b>

Type of Facility PWS  
 Consulting Engineer Carroll Engineering Corporation  
 Penn's Greene, Suite 100  
 949 Easton Road  
 Warrington, PA 18976-1880

Permit to Construct January 31, 2014  
 Issued

**Permit No. 1513527**, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 852 Wesley Drive  
 Mechanicsburg, PA 17055

Township East Vincent

County **Chester**

Type of Facility PWS

Consulting Engineer PA American Water Company  
 100 Cheshire Court  
 Coatesville, PA 19320

Permit to Construct January 31, 2014  
 Issued

**Permit No. 1508509**, Public Water Supply.

Applicant **Borough of Kennett Square**  
 120 Marshall Street  
 Kennett Square, PA 119348

Township Kennett

County **Chester**

Type of Facility PWS

Consulting Engineer Rettew Associates, Inc.  
 3020 Columbia Avenue  
 Lancaster, PA 17603

Permit to Construct January 31, 2014  
 Issued

**Operations Permit # 1511535** issued to: **Appleville Mobile Home Park**, [(PWSID)] West Bradford Township, **Chester County** on January 31, 2014 for the operation of a certification of a 4-Log Treatment of Viruses.

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

**Permit No. 3613512**, Public Water Supply.

Applicant **Mount Joy Borough Authority**

Municipality Mount Joy Borough

County **Lancaster**

Responsible Official John D Leaman,  
 Authority Manager  
 21 East Main Street  
 PO Box 25 Mount Joy, PA 17552

Type of Facility Church street replacement  
 booster pump station.

Consulting Engineer Ran Liu Ph.D, P.E.  
 ARRO Consulting, Inc.  
 108 West Airport Road  
 Lititz, PA 17543

Permit to Construct 1/30/2014  
 Issued:

**Permit No. 3613513 MA, Minor Amendment**, Public Water Supply.

Applicant **Ephrata Area Joint Authority**

Municipality Ephrata Borough

County **Lancaster**

Responsible Official Thomas Natarian,  
 Director of Operations  
 124 South State Street  
 Ephrata, PA 17522

Type of Facility Installation of air scour for the  
 backwash system in the Ephrata  
 Water Treatment Plant.

Consulting Engineer Timothy J Glessner, P.E.  
 Gannett Fleming, Inc.  
 PO Box 67100  
 Harrisburg, PA 17106-7100

Permit to Construct 1/30/2014  
 Issued:

**Operations Permit** issued to: **Wrightsville Borough Municipal Authority**, 7670097, Wrightsville Borough, **York County** on 1/30/2014 for the operation of facilities approved under Construction Permit No. 6713506 MA.

**Source Water Protection Program Approval** issued to **Pennsylvania American Water—Hershey**, 200 E. Canal Street, Hummelstown, PA 17036, PWSID 7220017, South Hanover Township, **Dauphin County** on January 28, 2014.

**Source Water Protection Program Approval** issued to **Pennsylvania American Water—Mechanicsburg**, 852 Wesley Drive, Mechanicsburg, PA 17055, PWSID 7210029, Multiple Municipalities, **Cumberland County** on January 30, 2014.

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

**Operation Permit** issued to **Eldred Township Municipal Authority**, PWSID #6330840, Eldred Township, **Jefferson County**. Permit Number 3386504-MA2 issued January 29, 2014 for the operation of the newly painted/ repaired storage tank. This permit is issued in response to a Certificate of Construction/Modification Form which was received on January 21, 2014 and the subsequent acceptable Bacteriological and VOCs sample results.

**Operation Permit** issued to **Young Men's Christian Association of Greater Erie**, PWSID #6250402, Girard Township, **Erie County**. Permit Number 2513502 issued January 30, 2014 for the operation of the Camp Sherwin Public Water Supply. This permit is issued in response to an operation inspection conducted by the Pennsylvania Department of Environmental Protection on January 16, 2014.

**Permit No. 3789504-T1-MA3** Public Water Supply

Applicant **Pennsylvania American Water Company**

Township or Borough Neshannock Township

County **Lawrence**

Type of Facility Public Water Supply

Consulting Engineer Bruce A. Brubaker, P.E.  
 Pennsylvania American Water Co.  
 852 Wesley Drive  
 Mechanicsburg, PA 17055

Permit to Construct January 31, 2014  
 Issued



**Permit No. 3713502** Public Water Supply  
 Applicant **Pennsylvania American Water Company**  
 Township or Borough Neshannock Township  
 County **Lawrence**  
 Type of Facility Public Water Supply  
 Consulting Engineer Matthew J. Carnish, P.E.  
 Gannett Fleming, Inc.  
 P.O. Box 67100  
 Harrisburg, PA 17106-7100  
 Permit to Construct January 31, 2014  
 Issued

**WATER ALLOCATIONS**

**Actions taken on applications received under the Act of June 24, 1939 (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**WA 36-181B, Water Allocations.** City of Lancaster, **Lancaster County.** The right to withdrawal up to a maximum of 28.59 million gallons per day (mgd) from the existing intake in the Susquehanna River located on the east bank approximately one mile below the Columbia-Wrightsville Bridge in Columbia Borough, Lancaster County. Consulting Engineer: Jason D Wert, P.E., Herbert Rowland & Grubic Inc., Permit Issued: 12/11/2013.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:* Athens Township and Athens Borough, Bradford Co.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Athens Borough	Borough: 2	Bradford
Athens Township	South River Street Athens, PA 18810 Township: 45 Herrick Avenue Sayre, PA 18840	

*Plan Description:* The approved plan calls for the replacement of Pump Station 1 (PS1), Pump Station 6 (PS6), and their associated force mains with larger facilities to serve current and future needs in their sewer sheds. PS6 will be a duplex pumping station designed for 1500 EDUs. The current PS6 discharges to the Elmira Street sewer main/interceptor, which then flows by gravity to PS1. The force main for PS6 will be increased from 6 inch to 12 inch, and now take a route directly to PS1, bypassing the Elmira Street sewer main/interceptor. Approximately 12,680 lineal feet of force main will be installed between PS6 and PS1. PS1 will be a triplex pumping station designed for 2800 EDUs. The force main for PS 1 will be increased from 8 inches to 12 inches, and follow the same general path through Athens Borough to the treatment plant as the existing force main. The area to be served is Athens Township, although a small portion of South Waverly Borough is tributary to the Elmira Street sewer main/interceptor. The total project cost is

estimated to be \$4.3 million and is expected to be funded by a secured line of credit through First Citizens Community Bank. The Department has not identified any major environmental impacts from this plan.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Paxton Township	425 Prince Street, Harrisburg, PA 17109	Dauphin

*Plan Description:* The approved plan provides for a change from the implementation of a wet weather storage facility to eliminate inflow and infiltration (I&I) in the Beaver Creek Interceptor Drainage Basin, to sewer system replacement and rehabilitation as outlined in the Beaver Creek Corrective Action Plan. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Antis Township	909 North Second Street Bellwood PA 16617	Blair County

*Plan Description:* Approval of a revision to the official plan of Antis Township, Blair County. The project is known as Harold and Bernese Fleig SFTF. The plan provides for construction of a Small Flow Treatment Facility for a single family home on 1.073 acres. The proposed sewage flows are 400 gallons per day with a discharge to Riggles Gap Run. The proposed development is located on Riggles Gap Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code No. is A3-07906-307-3S and the APS Id is 826541. Any permits must be obtained in the name of the property owner

**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 summa-

ries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Robert Gearhart**, 3165 Tower Road, Mifflinburg, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Robert Gearhart, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Methyl tert-butyl Ether, Isopropylbenzene (Cumene), Naphthalene, 1,3,5-Trimethylbenzene, and 1,2,4-trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Douglas Shaffer Property**, 1999 and 2002 Ritner Highway, Carlisle, PA 17015, Carlisle Borough, Dickinson and West Pennsboro Townships, **Cumberland County**. Advantage Engineers, LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Goodman North American Partnership Holdings, LLC, 1275 Glenlivet Drive, Suite 100, Allentown, PA 18106 and Douglas Shaffer, 440 Barnstable Road, Carlisle, PA 17015, submitted a Final Report concerning remediation of groundwater contaminated with VOCs. The report is intended to document remediation of the site to the Background Standard.

**Mount Penn CVS Store # 10045**, Route 422, Howard Boulevard and Fern Street NWC, Reading, PA, Mount Penn Borough, **Berks County**. RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301, on behalf of Pennsylvania CVS Pharmacy, LLC, c/o Summit Realty Advisors, LLC, 201 South Maple Avenue, Suite 100, Ambler, PA 19002, submitted a Final Report concerning remediation of site soils contaminated with VOCs and PAHs. The report is intended to document remediation of the site to meet a combination of the Residential and Nonresidential Statewide Health Standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Maple Press Company**, 480 Willow Springs Lane, York, PA 17404, Manchester Township, **York County**. BL Companies, Inc., 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of The Maple Press Company, 480 Willow Springs Lane, York, PA 17406, submitted a

Final Report concerning the remediation of groundwater contaminated with petroleum hydrocarbons and chlorinated solvents. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on January 14, 2014.

**Mount Penn CVS Store # 10045**, Route 422, Howard Boulevard and Fern Street NWC, Reading, PA, Mount Penn Borough, **Berks County**. RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301, on behalf of Summit Realty Advisors, LLC, 201 South Maple Avenue, Suite 100, Ambler, PA 19002, submitted a Final Report concerning site soils contaminated with PAHs and VOCs. The Final Report demonstrated attainment of the Residential and Nonresidential Statewide Health standard, and was approved by the Department on January 29, 2014.

**Lefevre & Watson Residential Release**, 33 and 35 North Mann Avenue, Yeagertown, PA, Derry Township, **Mifflin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance Company, PA Fire Claims, PO Box 106110, Atlanta, GA, 30348-6110; Mr. and Mrs. Michael Lefevre, 16 South Main Street, Yeagertown, PA 17099; and Richard Watson, 33 North Mann Avenue, Yeagertown, PA 17099, submitted a Final Report concerning remediation of site soils contaminated with #2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on January 31, 2014.

*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Kozik 2V Well Site**, 467 Portman Road, Summit Township, **Butler County**. Leidos Engineering, Inc., 180 Gordon Drive, Suite 109, Exton, PA 19341, on behalf of XTO Energy, Inc. 502 Keystone Drive, Warrendale, PA 15086, submitted a Remedial Investigation/Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Xylene, Arsenic, Barium, Boron, Cadmium, Chloride, Chromium, Iron, Lead, Manganese, Selenium, Silver, and Mercury. The Remedial Investigation/Final Report demonstrated attainment of combined Statewide Health & Site-Specific standards, and was approved by the Department on January 24, 2014.

**Salem Tube**, 951 Fourth Street, Pymatuning Township, **Mercer County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Salem Tube, Inc., 951 Fourth Street, Greenville, PA 16125, submitted a Cleanup Plan concerning the remediation of site soil contaminated with tetrachloroethene (PCE) and trichloroethene (TCE); site groundwater contaminated with cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), 1,2-dichloroethene total (1,2-DCE (total), vinyl chloride, TCE, 1,1-dichloroethene, 1,1-dichloroethane, 1,1,2-trichloroethane, PCE, and methylene chloride; site sediment contaminated with TCE and vinyl chloride. The Plan was disapproved by the Department on January 31, 2014.

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

**Owl Cleaners, Inc.** (Wexford Plaza), 10562 Perry Highway, Wexford, PA 15090 **Allegheny County**. Cummings/Riter Consultants, Inc. 300 Penn Center Boulevard, Suite 800, Pittsburgh, PA 15235 on behalf of CH

Realty III/ Wexford LP, 3333 New Hyde Park Rd., Suite 100, New Hyde Park, NY 11042 has submitted a Final Report concerning the remediation of site soils and groundwater contaminated with PCE, TCE and DCE. The Final Report demonstrated attainment of the non-residential site specific standard for soil and groundwater and was approved by the department on January 30, 2014.

*Proposed Action on a Request for Bond Release*

**Bond release and Final Closure Certification proposal under the Solid Waste Management Act, the Act of July 7, 1980, P. L. 380, 35 P. S. §§ 6018.101—6018.1003 and regulations to operate a solid waste processing or disposal area or site.**

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

**Kurt J. Lesker Company**, 255 William Pitt Way, Pittsburgh, PA 15238. The Department of Environmental Protection (DEP) is releasing \$50,000 in bond liability for Kurt J. Lesker Company for clean closure and bond release of its Vacuum Fluid Reclaim Facility operated under site specific PADEP Residual Waste Processing Permit #301278. Kurt J. Lesker Company submitted Final Closure Certification and request for bond release on January 15, 2014 for the facility located at the UPARC complex on Gulf Lab Road in Harmar Township, **Allegheny County**, Pennsylvania. The bond release is issued February 4, 2014 in accordance with 25 Pa. Code Section 287.341.

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

**Permit(s) 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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.*

**Permit ID No. 301359. MAX Environmental Technologies, Inc.**, 1815 Washington Road, Pittsburgh, PA 15241-1498. For operation of Bulger Facility, 200 MAX Lane, Bulger, PA 15019. This permit authorizes the construction and operation of a residual waste processing facility to process residual wastes generated from oil and gas development. The facility will be located in Smith Township, **Washington County**. This permit was issued by the Southwest Regional Office February 3, 2014.

#### **AIR QUALITY**

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

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

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**GP3-09-0117: Haines & Kibblehouse, Inc.** (2052 Lucon Road, Skipack, PA 19474) on January 29, 2014,

was authorized to operate a portable nonmetallic mineral processing plant in West Rockhill Township, **Bucks County**.

**GP9-09-0046: Haines & Kibblehouse, Inc.** (2052 Lucon Road, Skippack, PA 19474) on January 29, 2014, was authorized to operate three (3) diesel/#2 fuel-fired internal combustion engines in West Rockhill Township, **Bucks County**.

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

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**GP9-45-005: PPL Electric Utilities Corp.** (827 Hausman Road, Allentown, PA 18104) on January 27, 2014, to install and operate a Diesel I/C Engine(s) at their site in Pocono Township, **Monroe County**.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**GP1-22-03019A: Harrisburg Housing Authority** (100 Hall Manor, Harrisburg, PA 17104) on January 31, 2014, for Small Gas and No. 2 Oil Fired Combustion Units under GP1 in the City of Harrisburg, **Dauphin County**. This is a renewal of the GP1 permit.

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

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

**GP1-47-035: Danville State Hospital** (200 State Hospital Drive, Danville, PA 17821-9198) on January 29, 2014, to construct and operate a 12 MMBtu/hr Victory Energy VS-2 "O" type natural gas-fired boiler pursuant to the General Plan Approval and General Operating Permit for Small Gas & #2 Oil Fired Combustion Units (BAQ-GPA/GP-1) at their facility in Mahoning Township, **Montour County**.

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

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

**GP5-32-00404A: Mountain Gathering, LLC** (810 Houston Street, Suite 2000, Fort Worth, TX 76102) on April 13, 2012, for the continued operation of one rich burn natural gas-fired compressor engine rated at 175 bhp and controlled by non-selective catalytic reduction, and one 400 bbl produced water tank at the Penelec Compressor Station located in Center Township, **Indiana County**.

**GP5-04-00732C: Utica Gas Services, LLC** (P.O. Box 54342, Oklahoma City, OK 73154) on January 30, 2014, for the installation of two (2) 100 MMscfd TEG dehydrators with associated reboilers at the existing Beaver Creek CDP located in South Beaver Township, **Beaver County** and allow the continued operation of a 15 MMscfd triethylene glycol (TEG) dehydrator with associated reboiler.

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

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

**GP5-10-370D: MarkWest Liberty Bluestone—LLC**, Trilith Compressor Station (314 East Lancaster Road, Harmony, PA 16037) on January 24, 2014, to operate two (2) 1,053 bhp natural-gas fired generator engines, Caterpillar G3516LE (BAQ/GPA/GP-5) in Lancaster Township, **Butler County**.

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**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.**

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

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**15-0142: Mars Drinks North America LLC** (1301 Wilson Drive, West Chester, PA 19380) on January 27, 2014, for a coffee roaster, associated equipment and air pollution control devices at their existing packaging facility in East Goshen Township, **Chester County**. Emissions of particulate matter (PM) from the coffee roaster and a cooler are controlled by cyclones and from a destoner and briquetting press by fabric filters. The briquetting press is used to compact particulate matter collected from the cyclones. Emissions of carbon monoxide (CO) and volatile organic compounds (VOC) from the coffee roaster are controlled by an afterburner and catalytic oxidizer. Design capacity of the coffee roaster is 4400 lb/hr green beans and 7 MMBtu/hr roasting capacity. The afterburner design capacity is 3 MMBtu/hr. The coffee roaster and afterburner are fueled by natural gas. This is a minor facility, with the installation of the coffee roasting and associated equipment. Emissions from the coffee roasting operation in tons/year on a 12-month rolling basis are conservatively estimated as 0.83 VOC, 8.15 PM, 5.3 CO, 4.25 nitrogen oxides (NO<sub>x</sub>) and 0.026 sulfur oxide (SO<sub>2</sub>). All dust collectors will achieve less than 0.02 grains/dry stand cubic foot particulate (PM), which is considered to meet Best Available Technology (BAT). Control of CO and VOC with the afterburner/catalytic oxidizer (minimum 90% VOC destruction efficiency) is considered to meet BAT. The permittee shall monitor pressure and temperature across the catalyst bed to assure optimum operation of the oxidizer. The permittee shall keep records and meet work practice standards to minimize emissions and keep the facility operating within all applicable emission standards.

**09-0226: Nosco ODSC, Inc.** (1504 Grundy Lane, Bristol, PA 19007) on January 29, 2014, for installation of a new seven-color digital printing press at an existing facility in Bristol Township, **Bucks County**. The facility currently operates one flexographic printing press and one other digital printing press, which were each approved by the Department through a Request for Determination (RFD). The primary pollutant of concern from the new digital printing press will be volatile organic compounds (VOC) and hazardous air pollutants (HAP) as a result of the printing process. The plant will be a minor facility based on its potential emissions. The plan approval will include monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

**46-0031D: GlaxoSmithKline** (1250 South Collegeville Road, Collegeville, PA 19420) on January 30, 2014, submitted a Plan Approval application to address the Boiler MACT under 40 C.F.R. 63 Subpart DDDDD in **Montgomery County**, Horsham Township. GlaxoSmith-

Kline is a Title V Facility. The Plan Approval will contain monitoring, recordkeeping and operating restrictions only applying to Subpart DDDDD designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

**23-0119A: Sunoco Partners, Marketing & Terminals, L.P.** (100 Green Street, Marcus Hook, PA 19061) on January 30, 2014, to install a 4-bay natural gasoline loading/unloading rack with vapor balance in **Delaware County**. The following deactivated sources will be reactivated for this project: 15-2B T05 fractionation tower and associated piping and equipment; three (3) existing spheres for storage for the pentane; four (4) existing internal floating roof tanks for storage of light naphtha; four (4) existing internal floating roof tanks for the storage of natural gasoline; and off-loading of the light naphtha through either an existing marine vessel loading dock, or via rail. The air emissions from the project will be fugitive and will not exceed 2.4 tons of VOC increase over their previous operation. All other Air emissions (NO<sub>x</sub>, CO, SO<sub>x</sub>, PM, and GHG) will decrease over previous years. This project does trigger applicability to PADEP's NSR regulations and 34.65 tons of VOC ERCs will be required for this project. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**23-0003S: Monroe Energy, LLC.** (4101 Post Road, Trainer, PA 19061) on January 28, 2014, to operate a flare gas recovery system in Trainer Borough, **Delaware County**.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**06-05066I: Exide Technologies** (P. O. Box 14294, Reading, PA 19612-4294) on January 31, 2014, to implement control measures that will contribute to attainment of the 2008 Lead NAAQS in the North Reading Area, and to modify existing Source ID 147—Refining Kettles, at the secondary lead smelter facility in Muhlenberg Township and Laureldale Borough, **Berks County**. The plan approval was extended.

**06-05069Q: East Penn Mfg. Co., Inc.** (Deka Road, PO Box 147, Lyon Station, PA 19536) on January 31, 2014, for modifications and additions to the A-4 battery assembly plant and lead oxide mills at the lead acid battery manufacturing facility located in Richmond Township, **Berks County**. The plan approval was extended.

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

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

**57-00003A: Sullivan County School District** (777 South Street, Laporte, PA 19626) on January 22, 2014, to

extend the authorization to operate a biomass-fired boiler at their facility in Laporte Borough, **Sullivan County** on a temporary basis to July 21, 2014. The plan approval has been extended.

**49-00047B: Furmano Foods** (770 Cannery Road, Northumberland, PA 17857) on January 21, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from February 15, 2014 to August 14, 2014, at their facility located in Point Township, **Northumberland County**. The plan approval has been extended.

**08-00016B: Dalrymple Gravel & Contracting Co., Inc.** (2105 South Broadway, Pine City, NY 14871) on January 28, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from February 27, 2014 to August 26, 2014 in Athens Township, **Bradford County**. The plan approval has been extended.

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

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

**56-00257B: PA Department of Corrections** (P.O. Box 631, 5706 Glades Pike, Somerset, PA 15501) on February 3, 2014, to extend the period of temporary operation of the cogeneration facility including two natural gas-fired boilers, one dual fuel boiler, one landfill gas-fired turbine, and two landfill gas-fired engines authorized under plan approval PA-56-00257B, until August 8, 2014, at SCI Laurel Highlands located in Somerset Township, **Somerset County**.

**32-00059B: GenOn Northeast Management Company** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on February 3, 2014, to extend the period of temporary operation of the coal processing plant authorized under plan approval PA-32-00059B, until August 15, 2014, at the Conemaugh Power Plant located in West Wheatfield Township, **Indiana County**.

**26-00588A: Laurel Mountain Midstream, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) On February 3, 2014, as a result of startup of the dehydrator and emergency generator at Shamrock Compressor Station located in German Township, **Fayette County**. Temporary operation is authorized to facilitate shakedown of the sources and the plan approval expiration date has been changed to May 3, 2014.

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

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

**25-996C: Advanced Finishing USA** (7401 Klier Drive, Fairview Business Park, Fairview PA 16506) on January 31, 2014, to issue a plan approval extension for authorization to construct and operate a third surface coating booth at their existing facility in Fairview Township, **Erie County**. The facility currently operates under state only operating permit 25-00996 which expires August 31, 2014.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

**36-05025: Texas Eastern Transmission LP** (PO Box 1642, Houston, Texas 77251-1642) on January 27, 2014, for their Marietta Compressor Station in East Donegal Township, **Lancaster County**. The Title V permit was renewed.

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

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

**65-00853: ArcelorMittal Monessen LLC** (345 Donner Avenue, Monessen, PA 15062) initial Title V Operating Permit (TV-65-00853) effective January 30, 2014, for operation of the Monessen Coke Plant in the City of Monessen, **Westmoreland County**.

The principle sources of air emissions at this facility include two (2) by-product coke oven batteries (1B and 2), where operation thereof consists of raw material charging, product pushing and quenching, and battery soaking; stockpiling and material handling operations; a coke oven gas (COG) desulfurization plant; two (2) COG-fired boilers each rated at 143 MMBtu/hr; a coke oven byproducts recovery plant; and COG flares.

The Monessen Coke Plant is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air Act and PA Code Title 25 Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permit requirements). In 2008, ArcelorMittal-Monessen reported the following air contaminants (on an annual basis) from the Monessen Coke Plant: 269.9 tons of carbon monoxide (CO), 424.4 tons of nitrogen oxides (NO<sub>x</sub>), 41.3 tons of particulate matter, 10-micron (PM<sub>10</sub>), 30.6 tons of particulate matter, 2.5-micron (PM<sub>2.5</sub>), 395.6 tons of sulfur oxides (SO<sub>x</sub>), 39.3 tons of volatile organic compounds (VOC), 6.4 tons of benzene (a hazardous air pollutant), 17.75 tons of hazardous air pollutants (combined). The Monessen Coke Plant has the potential to emit approximately 282,000 tons of greenhouse gases (GHGs) and has been on hot idle status since 2009.

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

Contact: Thomas Huynh, Chief—Telephone: 215-685-9476

**V06-002: Northeast Water Pollution Control Plant** (3899 Richmond Street, Philadelphia, PA 19137) on February 4, 2014, for the operation of a water treatment plant in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include liquid treatment processes, solids treatment processes, four (4) boilers less than 24 MMBTU/hr each burning natural gas or digester gas, two (2) boilers <15 MMBTU/hr burning No. 2 fuel oil or digester gas, five (5) boilers less than 16 MMBTU/hr burning natural gas or digester gas, four (4) digester gas flares, one (1) siloxane removal system and flare, a cold degreaser, and co-generation plant with five (5) generators and five (5) SCRs.

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

Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

**40-00084: Lacey Memorial, Inc.** (1000 South Church Street Rear, Hazleton, PA 18201-7667) on January 28, 2014, to operate an animal crematory facility in City of Hazleton, **Luzerne County**. The primary source consists of an animal crematory incinerator. The source is considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), 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.

**45-00021: Pocono Medical Center** (206 East Brown Street, East Stroudsburg, PA 18301-3094) on November 25, 2013, to renew a State-only Operating Permit for operation of boilers and emergency generators at their facility in East Stroudsburg Borough, **Monroe County**. 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.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

**36-03034: Purina Mills LLC**, (3029 Hempland Road, Lancaster, PA 17601-1309) on January 24, 2014, for their animal feed manufacturing facility in East Hempfield Township, **Lancaster County**. The State-only permit was renewed.

**316-05155: Colonial Metals Co.** (217 Linden Street, Columbia, PA 17512-1179) on January 24, 2014, for their secondary non-ferrous metal processing facility in Columbia Borough, **Lancaster County**. The State-only permit was renewed.

**06-03063: East Penn Manufacturing Co., Inc.** (PO Box 147, Lyons Station, PA 19536) on January 24, 2014, for their automotive wiring and battery accessory manufacturing facility in Kutztown Borough, **Berks County**. The State-only permit was renewed.

**38-03028: Brentwood Industries, Inc.**, (2101 Lehman Street, Lebanon, PA 17046-2757) on January 27, 2014, for their extruded plastic products manufacturing facility in West Lebanon Township, **Lebanon County**. The State-only permit was renewed.

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

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

**56-00160: Keystone Lime Company / Eichorn Quarry** (1136 Christner Hollow Rd., Fort Hill, Pa 15540) on January 28, 2014, the Department issued a State Only Operating Permit renewal for the operation of a hot mix asphalt plant and limestone crushing plant located in Elk Lick and Addison Township, Somerset County. The subject facility consists of one hot mix batch asphalt plants rated at 300 tons per hour and a 200 ton per hour limestone crushing plant. The batch plant is limited to 480,000 tons production in any consecutive 12-month period. The site is equipped with five asphalt cement

storage tanks, three crushers, three screens, stockpiles, truck loading, and haul roads. The facility has the potential to emit: 57.60 tpy CO; 6.00 tpy NO<sub>x</sub>; 12.67 tpy SO<sub>x</sub>; 1.18 tpy VOC; and 15.85 tpy PM. The facility is required to conduct annual burner tune up tests and stack testing for all criteria pollutants every five years. The facility must perform daily survey of the facility to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

**11-00003: Westmont Hilltop School District** (827 Diamond Blvd., Johnstown, PA, 15905) On January 30, 2014 the Department issued a Natural Minor State Only Operating Permit for the operation of two 3.1 mmbtu/hr tri-fuel boilers and a diesel-fired 60 kilowatt emergency generator at the Goucher St. Elementary School in Upper Yoder Township, **Cambria County**.

The permittee has committed to burning only natural gas in those boilers in the future to avoid applicability of 40 CFR 63 Subpart JJJJJJ. The facility is subject to the applicable requirements of Pa Code Title 25 Chapters 121 through 145. The final Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

**65-00704: Greater Latrobe School District** (410 Main St., Latrobe, PA, 15650) On January 30, 2014 the Department issued a renewal Natural Minor State Only Operating Permit for the operation of three natural gas-fired 15.0 mmbtu/hr boilers, a diesel-fired 330 bhp emergency generator, a natural gas-fired 105 bhp emergency generator, and several small space heaters, water heaters, and food preparation ovens and cookers at the Greater Latrobe Senior High School in Unity Township, **Westmoreland County**. The facility is subject to the applicable requirements of Pa Code Title 25 Chapters 121 through 145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**62-00162: Elkhorn Gas Processing—Keystone Plant** (4613 East 91st Street Tulsa, OK 74137) on January 28, 2014, to issue a renewal of the Natural Minor Operating Permit to operate the natural gas processing plant in Pleasant Township, **Warren County**. The facility's primary emission sources include a dehydration unit, combustion emissions for the dehydration unit, a hot oil heater, an 800 HP refrigerant compressor, an emergency generator, potential equipment leaks, product storage tanks and loading. The refrigerant compressor engine is subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Units. The dehydration unit is subject to 40 CFR 63 Subpart HH—NESHAPs from Oil and Natural Gas Production Facilities. Actual emissions from the facility are less than the Title V emission thresholds. The conditions of the previous plan approval and operating permit were incorporated into the renewal permit.

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

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

**49-00007: Cherokee Pharmaceuticals, LLC** (PO Box 367, Riverside, PA 17868) revised Title V Operating Permit 49-00007 on January 29, 2014, for their pharmaceutical manufacturing facility located in Riverside, **Northumberland County**. Title V Operating Permit 49-00007 contains monitoring, recordkeeping and reporting conditions to demonstrate compliance with all applicable Federal and State air regulatory requirements for stationary air contaminant sources. This revision to Title V Operating Permit 49-00007 fixes an error from the renewal Title V operating permit process by including the sources authorized via GP24-49-00007-1 dated October 21, 2008, into the Title V operating permit conditions.

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

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

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

**62-00136: Berenfield Containers—Clarendon Plant** (304 Main Avenue, PO Box 1457, Warren, PA 16365) on January 30, 2014, to operate their metal drum coating facility in Clarendon Borough, **Warren County**. This Title V operating permit was revoked due to the permanent shutdown of operations at the facility.

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

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

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*Coal Permits Issued*

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

**30921601 and NPDES No. PA0214060. River Processing Corporation**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To renew and revise the permit

for the Freeport Surface Facilities in Jefferson Township, **Greene County** and related NPDES permit to add surface coal preparation and support activity area site acres. The operation name is changed from Monongahela Resources Tipple. Surface Acres Proposed 202.0. No discharges. The application renewal was considered administratively complete on October 22, 2008. The application revision was considered administratively complete on June 13, 2013. Application renewal received May 30, 2008. Application revision received March 28, 2013. Permit renewal/revision issued January 23, 2014.

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

**Permit No. 11120202 and NPDES No. PA0269085. Maple Coal Company**, 254 Interpower Drive, Colver, PA 15927, commencement, operation and restoration of a bituminous refuse reprocessing mine in Blacklick and Barr Townships, **Cambria County**, affecting 48 acres. Receiving streams: Elk Creek to north branch of Blacklick Creek to Blacklick Creek to Conemaugh River classified for the following uses: cold water fishery, trout stocked fishery and warm water fishery. There are no potable water supply intakes within 10 miles downstream. The permit includes a request to mine existing coal refuse, install erosion and sedimentation controls and the placement of CFG ash within 100' barrier of Elk Creek and within the 100' barrier of unnamed tributary #2 to Elk Creek. The stream variance request to affect within the 100' barrier area of Elk Creek is located approximately 3,700' from the above-referenced private road intersection with Snake Road (SR 4002) at an existing 48" CMP culvert that conveys Elk Creek under the private road and the variance area is approximately 550' downstream and 1,650' upstream from this culvert crossing. The 100' variance area on the unnamed tributary #2 to Elk Creek begins at the confluence of the unnamed tributary and Elk Creek and continues upstream for approximately 650'. The permit includes Chapter 105 authorizations and Section 401 water quality certifications for the activities within 50 feet of Elk Creek and the unnamed tributary to Elk Creek. Application received: May 31, 2012. Permit Issued January 23, 2014.

**Permit No. 56930112 and NPDES No. PA0212636. Rosebud Mining Company**, P.O. Box 187, Meyersdale, PA 15552, permit renewal for reclamation only of a bituminous surface mine in Black Township, **Somerset County**, affecting 316.0 acres. Receiving streams: unnamed tributaries to/and Rhoads creek classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 4, 2013. Permit Issued: January 28, 2014.

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

**17020110 and NPDES No. PA0243311. RAMM Coal, Inc.** (1092 Spruce Hill Road, Rockton, PA 15856). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Sandy and Brady Townships, **Clearfield County** affecting 145.3 acres. Receiving streams: Unnamed Tributaries to LaBorde Branch and LaBorde Branch, classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 29, 2013. Permit issued: January 17, 2014.

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

**Permit No. 54803203R4 and NPDES Permit No. PA0123862. Rausch Creek Land, LP**, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Hegins Township, **Schuylkill County** affecting 76.0 acres, receiving stream: East Branch Rausch Creek. Application received: October 21, 2010. Renewal issued: January 29, 2014.

**Permit No. 54120201. Michael Coal Company**, (PO Box 8, Williamstown, PA 17098), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Reilly Township, **Schuylkill County** affecting 173.0 acres, receiving stream: Muddy Branch. Application received: November 2, 2012. Permit issued: January 29, 2014.

**Permit No. 54120201GP104. Michael Coal Company**, (PO Box 8, Williamstown, PA 17098), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54120201 in Reilly Township, **Schuylkill County**, receiving stream: Muddy Branch. Application received: November 2, 2012. Permit issued: January 29, 2014.

**Permit No. 54930102C7 and NPDES Permit No. PA0223492. Rausch Creek Land, LP**, (978 Gap Street, Valley View, PA 17983), correction of an existing anthracite surface mine operation to increase the permitted acreage from 462.0 acres to 594.0 acres in Porter Township, **Schuylkill County**, receiving stream: East Branch Rausch Creek. Application received: October 11, 2013. Correction issued: January 29, 2014.

**Permit No. 19950102R3. N & L Coal Company**, (212 West Cherry Street, Mt. Carmel, PA 17851), renewal for reclamation activities of an anthracite surface mine operation in Conyngham and Mt. Carmel Townships, **Columbia and Northumberland Counties** affecting 961.3 acres, receiving stream: Shamokin Creek. Application received: January 13, 2014. Renewal issued: January 30, 2014.

#### *Noncoal Permits Issued*

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

**Permit No. 7575SM1 and NPDES No. PA0594296. Hempt Brothers, Inc.**, 205 Creek Road, P.O. Box 278, Camp Hill, PA 17011, renewal of an NPDES permit for a limestone quarry in Silver Spring Township, **Cumberland County**, affecting 196.2 acres. Receiving stream: unnamed Tributary to Hogestown Run, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 30, 2012. Permit Issued: December 9, 2013.

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

**37930305-GP-104. Three Rivers Aggregates, LLC** (1807 Shenango Road, New Galilee, PA 16141) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37930305 in Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run. Application received: December 9, 2013. Permit Issued: January 27, 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*

**59144101. Midstream Explosives LLC** (289 Southside Drive, Newville PA 17241). Blasting for construction of a pipeline located in Union Township, **Tioga County** with expiration date of January 28, 2015. Permit issued: January 30, 2014.

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

**Permit No. 06144102. J Roy's, Inc.**, (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Willow Glen in Ontelaunee Township, **Berks County** with an expiration date of January 29, 2015. Permit issued: January 29, 2014.

**Permit No. 67144101. Abel Construction Co., Inc.**, (PO Box 476, Mountville, PA 17554), construction blasting for Panorama Hills Sewer Interceptor in Windsor and York Townships, **York County** with an expiration date of December 31, 2014. Permit issued: January 30, 2014.

**Permit No. 58144104. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Church to Central Pipeline in Dimock Township, **Susquehanna County** with an expiration date of January 20, 2015. Permit issued: January 31, 2014.

**Permit No. 58144105. John H. Brainard**, (3978 SR 2073, Kingsley, PA 18826), construction blasting for Anderson Well Pad and Tank Pad in Auburn Township, **Susquehanna County** with an expiration date of July 31, 2014. Permit issued: January 31, 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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E54-357. James W. Miller Jr.**, 295 Marshall Drive, Orwigsburg, PA 17961. Orwigsburg Borough, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

To maintain a driveway crossing of Mahannon Creek (CWF, MF) and a deminimus area of wetlands (EV) equal to 0.03 acre, consisting of a 12-foot wide steel beam, wood deck bridge having a 29.5-foot span and a 5.6-foot underclearance; and to maintain approximately 130 linear feet of riprap bank stabilization along Mahannon Creek. The project is located at 295 Marshall Drive (Orwigsburg, PA Quadrangle Latitude: 40° 39' 13"; Longitude: -76° 6' 26") in Orwigsburg Borough, Schuylkill County.

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

**E25-768, PennDOT Engineering District 1-0**, 255 Elm Street, Oil City, PA 16301 in Franklin Township, **Erie County**, ACOE Pittsburgh District to remove the existing single span concrete slab bridge and to construct and maintain a 15.0 ft x 6.0 ft x 80.0 ft long reinforced precast concrete box culvert across Cussewago Creek (WWF) on SR 0098 Segment 0070 Offset 2941 at its intersection with Crane Road approximately 1.6 miles north of Lavery, PA. A total of 146 ft of Cussewago Creek will be permanently impacted, 0.07 acre of wetland will be filled and 0.19 acre of wetland will be temporarily

impacted as a result of the project. Project includes deduction of 0.07 acre from the Pennsylvania Department of Transportation's Polk WHISL Wetland Mitigation Bank. (Edinboro North, PA Quadrangle N: 41°, 54', 12"; W: -80°, 13', 32")

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

**E5829-055. Williams Field Services Company, LLC;** Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Lenox Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary timber mat crossing impacting 2,053 square feet (0.05 acre) of PEM wetlands (Lenoxville, PA Quadrangle; N 41° 41' 02" Lat., W- 75° 43' 18" Long.),

2) an 8-inch natural gas pipeline and temporary timber bridge crossing impacting 78 linear feet of an unnamed tributary to Millard Creek (CWF, MF) (Lenoxville, PA Quadrangle; N 41° 41' 03" Lat., W- 75° 43' 11" Long.),

3) an 8-inch natural gas pipeline crossing impacting 1,943 square feet (0.04 acre) of PEM wetlands (Lenoxville, PA Quadrangle; N 41° 41' 04" Lat., W- 75° 43' 10" Long.),

4) an 8-inch natural gas pipeline and temporary timber mat crossing impacting 3,392 square feet (0.08 acre) of PSS/PFO wetlands (Lenoxville, PA Quadrangle; N 41° 41' 10" Lat., W- 75° 42' 59" Long.),

5) an 8-inch natural gas pipeline and temporary timber mat crossing impacting 4,056 square feet (0.09 acre) of PEM wetlands (Lenoxville, PA Quadrangle; N 41° 41' 10" Lat., W- 75° 43' 00" Long.),

6) an 8-inch natural gas pipeline and temporary timber bridge crossing impacting 54 linear feet of an unnamed tributary to Millard Creek (CWF, MF) (Lenoxville, PA Quadrangle; N 41° 41' 10" Lat., W- 75° 43' 00" Long.).

The project consists of constructing approximately 0.7 mile of 8" natural gas gathering line from the T. Stoddard Well Pad routed in a Southwesterly direction to the Hickory Ridge Pipeline located in Lenox Township, Susquehanna County. The project will result in 129 lineal feet of stream impacts and 0.18 acre of wetland impact, of which 0.08 acre are permanent wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

**E6629-018: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, North Branch Township, **Wyoming County**, ACOE Baltimore District.

To construct, operate and maintain the Poepperling Location, which consists of a Marcellus Shale natural gas well pad situated within the headwaters of a UNT to Miller Brook (CWF, MF) impacting 775.0 linear feet of streambed and 7,750 square feet (0.18 acre) of floodway via the placement of fill.

#### **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 #ESX13-019-0065—Ferree Well Pad  
Applicant Rex Energy Operating Corporation  
Contact Michael Endler  
Address 600 Cranberry Woods Drive, Suite 250  
City Cranberry Township State PA Zip Code 16066  
County Butler Township(s) Middlesex(s)  
Receiving Stream(s) and Classification(s) UNT Glade Run, Glade Run—WWF

ESCGP-1 #ESG13-047-0007—Clermont Pad D & Pipeline Project  
Applicant Seneca Resources  
Contact Mr. Mike Clinger  
Address 51 Zents Boulevard  
City Brookville State PA Zip Code 15825  
Co-Applicant NFG Midstream Corporation  
Contact Mr. Duane Wassum  
Address 6363 Main Street  
City Williamsville State NY Zip Code 14221  
County McKean, Elk, & Cameron Township(s) Sergeant, Jones, & Shippen(s)  
Receiving Stream(s) and Classification(s)  
1-Elk Fork—EV  
2-Dead Man's Lick—Driftwood Branch HQ-CWF  
3-Billy Buck Run—Driftwood Branch HQ-CWF  
4-Cherry Run—Driftwood Branch HQ-CWF

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

ESCGP-1 # ESG13-115-0134  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Lance Ridall  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Susquehanna County  
Township(s) Apolacon and Choconut Twps  
Receiving Stream(s) and Classification(s) Bow Bridge Creek (HQ, CWF/MF) and UNTs thereto and UNTs to Choconut Creek (WWF/MF)

ESCGP-1 # ESG13-115-0142  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Lance Ridall  
Address 337 Daniel Zenker Drive

City, State, Zip Horseheads, NY 14845  
 County Susquehanna County  
 Township(s) Apolacon Twp  
 Receiving Stream(s) and Classification(s) UNT to  
 Apalachin Creek (CWF/MF)

ESCGP-1 # ESG13-081-0070  
 Applicant Name Pennsylvania General Energy Co, LLC  
 Contact Person Douglas Kuntz  
 Address 120 Market Street  
 City, State, Zip Warren, PA 16365  
 County Lycoming County  
 Township(s) McHenry Twp  
 Receiving Stream(s) and Classification(s) Left Fork Otter  
 Run, Right Fork Otter Run (CWF);  
 Secondary: Little Pine Creek (EV)

ESCGP-1 # ESG13-081-0072  
 Applicant Name Anadarko E&P Onshore, LLC  
 Contact Person Rane Wilson  
 Address 33 W Third Street, Ste 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Pine Township  
 Receiving Stream(s) and Classification(s) UNT Smith  
 Run, Texas Creek (EV);  
 Secondary: Smith Run, Little Pine Creek (EV)

ESCGP-1 # ESX29-115-14-0001  
 Applicant Name Cabot Oil & Gas Corp  
 Contact Person Kenneth Marcum  
 Address 5 Penn Center West, Ste 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Forest Lake Twp  
 Receiving Stream(s) and Classification(s) Stonestreet  
 Creek (CWF/MF)

ESCGP-1 # ESX13-115-0130 (01)  
 Applicant Name Keystone Clearwater Solutions, LLC  
 Contact Person Daniel Dalton  
 Address 1129 West Governor Rd  
 City, State, Zip Hershey, PA 17033  
 County Susquehanna County  
 Township(s) Choconut and Apolacon Twps  
 Receiving Stream(s) and Classification(s) Tribs 31755 and  
 31757 to Apalachin Creek/Owego-Wappasening Water-  
 shed; Tribs 31787, 31770, 31769, 31776 and 31766 to  
 Choconut Creek/Owego-Wappasening Watershed;  
 Choconut Creek/Owego-Wappasening Watershed  
 (WWF-CWF/MF);  
 Secondary: Susquehanna River

ESCGP-1 # ESG13-115-0146  
 Applicant Name Bluestone Pipeline Company of PA, LLC  
 Contact Person Herman Van Eck, Jr.  
 Address PO Box 839, 1429 Oliver Road  
 City, State, Zip New Milford, PA 18834  
 County Susquehanna County  
 Township(s) New Milford Township  
 Receiving Stream(s) and Classification(s) Salt Lick Creek  
 (HQ, CWF/MF)

ESCGP-1 # ESG13-115-0094 (01)  
 Applicant Name Williams Field Services Co, LLC  
 Contact Person Julie Nicholas  
 Address 1212 South Abington Road  
 City, State, Zip Clark Summit PA 18411  
 County Susquehanna County  
 Township(s) Lenox Township  
 Receiving Stream(s) and Classification(s) Millard Creek  
 (CWF/MF) and UNTs thereto

*Southwest Region: Oil & Gas Program Mgr. 400 Water-  
 front Dr. Pittsburgh PA*

ESCGP-2 No: ESX13-059-0003 Major Revision  
 Applicant Name: EQT Production Company  
 Contact Person Mr Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Greene Township: Washington  
 Receiving Stream (s) And Classifications: UNTs to Craig  
 Run—WWF; Craig Run—WWF; Tenmile Creek Water-  
 shed; Other Warm Water Fishery (WWF)

ESCGP-2 No.: ESG13-005-0015  
 Applicant Name: XTO Energy Inc  
 Contact Person: 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 /  
 Pine Run (HQ-TSF); HQ

ESCGP-2 No.: ESX14-125-0003  
 Applicant Name: Rice Poseidon Midstream LLC  
 Contact Person: Ms Tonya Winkler  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): West Pike Run  
 Receiving Stream(s) and Classifications: UNT S-01 to  
 #28665 Pike Run; Other Trout Stocked Fishes (TSF)

ESCGP-2 No.: ESX12-059-0020 Major Revision  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person: Mr Branden Weimer  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Greene Township(s): Greene  
 Receiving Stream(s) and Classifications: UNT to Whiteley  
 Creek (TSF) / Monongahela River Watershed (WWF);  
 Other TSF

ESCGP-2 No.: ESX12-125-0072 Major Revision  
 Applicant Name: MarkWest Liberty Midstream &  
 Resources LLC  
 Contact Person: Mr Richard A Lowry  
 Address: 4600 J Barry Ct Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 COUNTY Washington Township(s): Robinson and Smith  
 Receiving Stream(s) and Classifications: Little Raccoon  
 Run, Robinson Run, UNT Little Raccoon Run, UNT  
 Robinson Run (WWF)/Raccoon Creek; Other Warm  
 Water Fishes

ESCGP-2 No.: ESX12-125-0094 Major Revision  
 Applicant Name: MarkWest Liberty Midstream &  
 Resources LLC  
 Contact Person: Mr Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Buffalo, Blaine  
 Receiving Stream(s) and Classifications: Buffalo Creek  
 (HQ-WWF), UNTs to Buffalo Creek (HQ-WWF), UNTs  
 to Wolf Run (HQ-WWF), Wolf Run (HQ-WWF); HQ

ESCGP-2 No.: ESX11-129-0032 Major Revision  
 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: UNT to  
 Sewickley Creek (WWF)/Youghiogheny River Watershed  
 (WWF); 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 January 2014 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. §§ 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>
Berardelli Home Inspections	1639 Newton Ransom Blvd. Clarks Summit, PA 18411	Testing
Francis Butler, Jr.	20 Thornridge Rd. Springfield, PA 19064	Testing
Michael Cantor Pest Blaster, LLC	412 Bow Hill Ave. Hamilton, NJ 08610	Testing
Ivan Cilik	9125 Marshall Rd., Ste. B-12 Cranberry Twp., PA 16066	Testing
Joseph Cline	PO Box 1145 Mechanicsburg, PA 17055	Testing
George Conklin, IV	1351 W. Winter Rd. Loganton, PA 17747	Testing
George Conklin, IV Appalachian Environmental Group	1351 W. Winter Rd. Loganton, PA 17747	Mitigation
Kevin Crane Crane Enterprises, Inc.	435 Crescent Moon Dr. Cogan Station, PA 17728	Testing
James DeBellis	1700 Cumberland Ave. Mount Penn, PA 19606	Testing
Harold Henry	1522 Poplar St. Erie, PA 16502	Testing
James Douglas Hert	210 W. Third Ave., Rm. 202 Warren, PA 16365	Testing
Michael Israel	165 Red Haven Dr. North Wales, PA 19454	Testing
Edward Johnston	1902 Concord Rd. Ambridge, PA 15003	Testing
Mark Konschak	3650 Concorde Pkwy., Ste. 100 Chantilly, VA 20151	Testing
Ryan Lingold	PO Box 651 Macungie, PA 18062	Testing
Michael Nordberg	734 W. Main St. Boalsburg, PA 16827	Testing
Stephen Notwick	27 Jasmine Rd. Levittown, PA 19056	Mitigation
Dwayne Ott	311 Bell Tip Rd. Tyrone, PA 16686	Testing
Frederick Ruziecki	PO Box 205 Wind Gap, PA 18091	Testing
David Scholtz	PO Box 118 Effort, PA 18330	Laboratory Analysis
Gar Shoemaker	104 Valley View Dr. Parkesburg, PA 19365	Testing
Bruce Thomas	17 Fosterville Rd. Greensburg, PA 15601	Testing

[Pa.B. Doc. No. 14-320. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Agricultural Advisory Board Meeting Cancellation

The Agricultural Advisory Board meeting scheduled for February 26, 2014, has been cancelled. The next meeting is scheduled to occur on April 16, 2014, at 10 a.m. in Susquehanna Room A, Department of Environmental Protection Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110.

Questions concerning the cancellation of the February 26, 2014, meeting or the April 16, 2014, meeting should be directed to Tom Juengst, Bureau of Conservation and Restoration, (717) 783-7577, [tjuengt@pa.gov](mailto:tjuengt@pa.gov). The agenda and materials for the April 16, 2014, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: Participate).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-7019 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. 14-321. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Federal Consistency under the Coastal Zone Management Act

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that Weeks Marine, Inc. is proposing to conduct maintenance dredging at 22 facilities within the Delaware and Schuylkill Rivers in this Commonwealth. The proposed activity consists of dredging to the same depth and within the same footprint that has been previously approved. The primary disposal facility is White's Basin, within New Jersey, and is permitted by both the United States Army Corps of Engineers and the New Jersey Department of Environmental Protection. Material that does not meet the standards and specifications for disposal at White's Basin will be transported to the Biles Island disposal facility in Bucks County. This project is subject to Department review for Federal consistency because it requires authorization under a Federal permit and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), Weeks Marine, Inc. has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's approved Coastal Zone Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

The Department will consider all comments received on or before Monday, March 3, 2014, prior to issuing a final Federal consistency concurrence or objection. Comments

submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail must include the originator's name and address. Written comments should be submitted to Matt Walderon, Federal Consistency Coordinator, Interstate Waters Office, 400 Market Street, P. O. 8465, Rachel Carson State Office Building, Harrisburg, PA 17101-8465, (717) 772-2196, [RA-Fed\\_Consistency@pa.gov](mailto:RA-Fed_Consistency@pa.gov).

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-322. Filed for public inspection February 14, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Real Estate for Sale Montgomery County

The Department of General Services (Department) will accept bids for the purchase of a 1,334 ± square foot single family home on 0.23 acre of land located at 1712 Sterigere Street, City of Norristown, Montgomery County. Bids are due Monday, June 2, 2014. Interested parties wishing to receive a copy of Solicitation No. 94546 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Andrew Lick at (717) 772-8842.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-323. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Real Estate for Sale Montgomery County

The Department of General Services (Department) will accept bids for the purchase of a 1,334 ± square foot single family home on 0.25 acre of land located at 1732 Sterigere Street, City of Norristown, Montgomery County. Bids are due Monday, June 2, 2014. Interested parties wishing to receive a copy of Solicitation No. 94547 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Andrew Lick at (717) 772-8842.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-324. Filed for public inspection February 14, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Albert Einstein Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Albert Einstein Medical Center 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: 2.2-3.4.2.2(1) (relating to a view window shall be provided).

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. 14-325. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Chambersburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Chambersburg Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-2.4.3.5 (relating to architectural details and building system details).

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. 14-326. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Clearfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Clearfield Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.1 and 3.1-7.2.2.3 (relating to corridor width; and doors and doors hardware).

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. 14-327. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Crichton Rehabilitation Center for Exception

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

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-328. Filed for public inspection February 14, 2014, 9:00 a.m.]

### **Application of Evangelical Community Hospital, Elysburg, PA for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Evangelical Community Hospital, Elysburg, PA 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: 3.1-6.1.1, 3.12-3.2.2.1 and 3.12-3.2.2.2 (relating to vehicular drop-off & pedestrian entrance; therapy room; and individual therapy area).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-329. Filed for public inspection February 14, 2014, 9:00 a.m.]

### **Application of Evangelical Community Hospital, Lewisburg, PA for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that Evangelical Community Hospital, Lewisburg, PA 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: 3.12-3.2.2.1 (relating to individual therapy area).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-330. Filed for public inspection February 14, 2014, 9:00 a.m.]

### **Application of Evangelical Community Hospital, Mifflinburg, PA for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Evangelical Community Hospital, Mifflinburg, PA 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: 3.1-6.1.1, 3.12-3.2.2.1 and 3.12-3.2.2.2 (relating to vehicular drop-off & pedestrian entrance; a therapy area; and an individual therapy space).

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. 14-331. Filed for public inspection February 14, 2014, 9:00 a.m.]

### **Application of Evangelical Community Hospital, Pleasant Mills, PA for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Evangelical Community Hospital, Pleasant Mills, PA 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: 3.1-6.1.1 and 3.12-3.2.2.2 (relating to vehicular drop-off and pedestrian entrance; and individual therapy area).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-332. Filed for public inspection February 14, 2014, 9:00 a.m.]

### **Application of Evangelical Community Hospital, Selinsgrove, PA for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Evangelical Community Hospital, Selinsgrove, PA 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: 3.1-6.1.1 and 3.12-3.2.2.2 (relating to vehicular drop-off and pedestrian entrance; and individual therapy area).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-333. Filed for public inspection February 14, 2014, 9:00 a.m.]

### **Application of Evangelical Community Hospital, Williamsport, PA for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Evangelical Community Hospital, Williamsport, PA 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: 3.1-6.1.1 (relating to vehicular drop-off and pedestrian entrance).

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. 14-334. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Geisinger Shamokin Area Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Shamokin Area Community 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 room).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-335. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Grand View Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Grand View 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 hand washing station).

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. 14-336. Filed for public inspection February 14, 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 (800) 654-5984.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-337. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Jeanes Hospital for Exception

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

minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-7.2.3.2 and 2.1-8.4.3.3 (relating to flush thresholds; and soap dishes in patient showers need to be recessed).

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. 14-338. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Pocono Medical Center for Exception

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

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-339. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Riddle Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Riddle Hospital has requested an exception to the requirements of 28 Pa. Code § 51.6 (relating to identification of personnel).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-340. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Sacred Heart Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Sacred Heart Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-2.4.3.3(1) (relating to seclusion treatment room).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or

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

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-341. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of Sharon Regional Health System for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Sharon Regional Health System has requested an exception to the requirements of 28 Pa. Code §§ 51.23, 107.2, 107.62(a) and (b), 123.25(2), 127.32, 137.11, 137.21, 137.33 and 138.2.

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

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

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

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

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-342. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of UPMC Altoona for Exception

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

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

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

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

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

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-343. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of UPMC Digestive Health and Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Digestive Health and Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 553.1 (relating to principle).

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

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

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

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

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-344. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of UPMC Digestive Health and Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Digestive Health and Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 555.2 (relating to medical staff membership).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-345. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of UPMC Digestive Health and Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Digestive Health and Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 555.3 (relating to requirements for membership and privileges).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-346. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of UPMC East for Exception

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

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-347. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Application of UPMC Presbyterian Shadyside for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Presbyterian Shadyside has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.1.4.3(8) (relating to shower room).

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

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

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

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

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-348. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

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

Christ's Home Retirement Center  
1 Shepherd's Way, Suite 100  
Warminster, PA 18974  
FAC ID # 550202

Evergreen Health and Rehabilitation Center  
191 Evergreen Mill Road  
Harmony, PA 16037

ManorCare Health Services—Bethlehem (2029)  
2029 Westgate Drive  
Bethlehem, PA 18017  
FAC ID # 900402

Mosser Nursing Home  
1175 Mosser Drive, P. O. Box 133  
Trexlerstown, PA 18087  
FAC ID # 133902

Phoebe Berks Health Care Center, Inc.  
1 Heidelberg Drive  
Wernersville, PA 19565  
FAC ID # 167802

Silver Oaks Health and Rehabilitation Center  
715 Harbor Street  
New Castle, PA 16101

Twin Oaks Health and Rehabilitation Center  
2880 Horseshoe Pike  
Palmyra, PA 17078  
FAC ID # 720502

The following long-term nursing facility is seeking exceptions to 28 Pa. Code § 201.17 (relating to location):

Spirit of Mercy Skilled Nursing Center  
746 Jefferson Avenue  
Scranton, PA 18501  
FAC ID # 650902

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. 14-349. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on March 6, 2014, from 10 a.m. to 3 p.m. at the Giant Community Center, 2nd Floor, Giant Food Store, 3301 Trindle Road, Camp Hill, PA 17011.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Cyndi Malinen, Public Health Program Administrator, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-6214, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-350. Filed for public inspection February 14, 2014, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Public Private Partnerships Board Meeting

The Public Private Partnerships Board will hold a meeting on February 28, 2014, from 11 a.m. to 12:30 p.m. in the Pennsylvania Public Utility Commission Hearing Room 1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact Kathryn Tartaglia at (717) 214-7222 or katartagli@pa.gov.

BARRY J. SCHOCH, PE,  
*Secretary*

[Pa.B. Doc. No. 14-351. Filed for public inspection February 14, 2014, 9:00 a.m.]

# FISH AND BOAT COMMISSION

## Boat and Marine Forfeiture; Maximum Amount

Chapter 53, Subchapter C of 30 Pa.C.S. (relating to boat and marine forfeiture) applies only to boats and related equipment with a resale value based upon established industry standards equal to or less than the maximum amount in 30 Pa.C.S. § 5331(c) (relating to scope of subchapter). This subsection provides that for the year 2006 the maximum amount will be \$5,000 and for each year thereafter the maximum amount will be fixed annually by the Fish and Boat Commission (Commission) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The subsection further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and that the Commission will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*. The Commission previously fixed the maximum amount for 2013 at \$5,825.

Under 30 Pa.C.S. § 5331(c), the Commission has fixed the maximum amount for 2014 as \$5,915.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 14-352. Filed for public inspection February 14, 2014, 9:00 a.m.]

## Temporary Changes to Fishing Regulations; Mentored Youth Fishing Day Program

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), at 43 Pa.B. 7603 (December 28, 2013)

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

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

In addition to the waters identified at 43 Pa.B. 7603, the following water is included in the Mentored Youth Fishing Day Program on March 22, 2014: Orrtanna Pond (Pond One) in Adams County. The Executive Director will cause this temporary modification to fishing regulations to be posted in the vicinity of the affected water and the modified regulation will be fully effective and enforceable. The Executive Director has found that this action is necessary and appropriate to conserve and preserve fishing opportunities.

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

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 14-353. Filed for public inspection February 14, 2014, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Tolled</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
18-420	Department of Transportation Public Transportation— Sustainable Mobility	1/15/14	1/29/14	2/27/14

GEORGE D. BEDWICK,  
*Vice Chairperson*

[Pa.B. Doc. No. 14-354. Filed for public inspection February 14, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Redomesticate to the Commonwealth of Pennsylvania by ARI Mutual Insurance Company

ARI Mutual Insurance Company, a mutual property insurance company, has submitted an application for redomestication, whereby it proposes to redomesticate from the State of New Jersey to the Commonwealth of Pennsylvania. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P.S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-355. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Provident Life and Accident Insurance Company; Proposed Rate Increase for Several LTC Forms

Provident Life and Accident Insurance Company is requesting approval to increase the premium 75% on the following individual LTC forms: RLTC03, RLTCP03, LTC03, LTCP03 and LTCT03.

Unless formal administrative action is taken prior to May 1, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-356. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Donald L. Zellner; file no. 13-188-155769; State Farm Fire and Casualty Company; Doc. No. P14-01-018; March 11, 2014, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-357. Filed for public inspection February 14, 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.

*Governor's Office*

Administrative Circular No. 14-01—Distribution of the 2014-2015 Commonwealth Budget, Dated January 14, 2014.

Administrative Circular No. 14-02—2014-15 Budget Hearing Materials, Dated January 14, 2014.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 14-358. Filed for public inspection February 14, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 3, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2013-2382775. Timothy Antonio Leach, t/a Bolt Transit** (1863 Foxwood Circle, Bowie, MD 20721) persons, on schedule, upon the following route: start Hazleton Intermodal Station (intersection of Broad and Church Streets), head west on West Broad Street toward PA-924, turn southwest on PA-924 toward Maplewood Drive, turn south on Maplewood Drive toward Oakridge Road, turn right onto Oakridge Road towards Green Mountain Road, turn left onto Green Mountain Road; and reverse.

**A-2014-2399048. Wheels Take You There Transportation Service, LLC** (73 Vance Avenue, Sicklerville, NJ 08081) persons in paratransit service, between points in the City and County of Philadelphia, and from points in the City and County of Philadelphia to State Correctional Institution—Somerset, Somerset County and State Correctional Institution—Camp Hill, Camp Hill, Cumberland County, limited to persons requiring transportation to said correctional facilities, and return.

#### Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.*

**A-2014-2399314. A Crystal Limousine Service, LLC** (199 Rochester Road, Pittsburgh, PA 15229) for the additional right to begin to transport, as a common carrier, by motor vehicle, persons in group and party

service, in vehicles seating 11 to 15 passengers, including the driver, from points in the County of Allegheny to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority.

#### Application of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

**A-2013-2366731. Cuella K. and Larry L. Strauss, Copartners, t/d/b/a Cue's Travel & Fun** (418 Blandon Meadows Parkway, Blandon, Berks County, PA 19510) for the discontinuance of service and cancellation of their certificate as a broker, to arrange for the transportation of persons and their baggage between points in the Township of Maiden Creek, Berks County, and within an airline distance of 50 statute miles of the limits thereof, and from points in said territory, to points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-359. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Telecommunications

**A-2014-2403874. Verizon Pennsylvania, LLC and Wide Voice, LLC.** Joint petition of Verizon Pennsylvania, LLC and Wide Voice, LLC for approval of amendment No. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Wide Voice, LLC, by its counsel, filed on February 3, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Wide Voice, 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. 14-360. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Telecommunications Services

**A-2014-2403434. RCLEC, Inc.** Application of RCLEC, Inc. for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territory of The United Telephone Company of Pennsylvania, d/b/a CenturyLink.



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 March 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 Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* RCLEC, Inc.

*Through and By Counsel:* Anita Taff-Rice, Esquire, iCommLaw, 1547 Palos Verdes, #298, Walnut Creek, CA 94597

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-361. Filed for public inspection February 14, 2014, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

April 2, 2014                      Clayton R. Kinsler                      1 p.m.  
(Disability)

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Book, Assistant to the Executive Director at (717) 720-4617 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 14-362. Filed for public inspection February 14, 2014, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Andrea B. Vega; Doc. No. 1868-45-2013

On December 24, 2013, Andrea B. Vega, license no. CO262572, of Lancaster, Lancaster County, was suspended under the Order of the Court of Common Pleas of Lancaster County dated December 12, 2013, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 14-363. Filed for public inspection February 14, 2014, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Commission Meeting

The Susquehanna River Basin Commission (Commission) will hold its regular business meeting on March 6, 2014, at 8:30 a.m. in the North Office Building, Hearing Room 1 (Ground Level), North Street (at Commonwealth Avenue), Harrisburg, PA 17120. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 1306, fax (717) 238-2436.

#### *Opportunity to Appear and Comment*

Interested parties are invited to attend the business meeting and encouraged to review the Commission's Public Meeting Rules of Conduct, which are posted on the Commission's web site at [www.srbc.net](http://www.srbc.net). As identified in the public hearing notice referenced as follows, written comments on the Regulatory Program projects that were the subject of the public hearing and are listed for action at the business meeting, are subject to a comment deadline of February 18, 2014. Written comments pertaining to any other matters listed for action at the business meeting may be mailed to the 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 28, 2014, to be considered.

#### *Supplementary Information*

The business meeting will include actions or presentations on the following items: (1) informational presentation on efforts to restore migratory fish passage on the lower Susquehanna River; (2) final rulemaking on revised

emergency water use provisions; (3) memorandum of understanding with New York State facilitating coordinated regulatory activities; (4) revision of Fiscal Year 2015 budget; (5) ratification/approval of contracts/grants; (6) ratification of settlement agreement pertaining to Federal Energy Regulatory Commission (FERC) licensing of York Haven Hydroelectric project and authorization to execute on behalf of the Commission additional contemplated settlement agreements under FERC licensing procedures; (7) Inflection Energy, LLC and Talisman Energy USA regulatory compliance matters; and (8) Regulatory Program projects. Projects listed for Commission action are those that were the subject of a public hearing conducted by the Commission on February 6, 2014, and identified in the notice for the hearing, which was published at 79 FR 2243 (January 13, 2014).

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* February 4, 2014.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 14-364. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects from April 1, 2013, through December 31, 2013.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 1306, fax (717) 238-2436, rcairo@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

#### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process set forth in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period specified previously:

#### *Approvals By Rule Issued Under 18 CFR 806.22(e):*

1. Albemarle Corporation, Tyrone, PA Plant, ABR-201304008, Tyrone Borough, Blair County, PA; Consumptive Use of Up to 0.095 mgd; Approval Date: April 9, 2013.

2. Marcellus GTL, LLC, Altoona Plant, ABR-201307005, Blair Township, Blair County, PA; Approval Date: July 16, 2013.

#### *Approvals By Rule Issued Under 18 CFR 806.22(f):*

1. Chesapeake Appalachia, LLC, Pad ID: McEnaney, ABR-201304001, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 2, 2013.

2. Campbell Oil and Gas, Inc., Pad ID: Mid Penn Unit A Well Pad, ABR-201304002, Bigler Township, Clearfield County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: April 2, 2013.

3. Southwestern Energy Production Company, Pad ID: McMahan (VW Pad), ABR-201304003, Stevens Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 2, 2013.

4. Chesapeake Appalachia, LLC, Pad ID: Sharpe, ABR-201304004, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 5, 2013.

5. Cabot Oil & Gas Corporation, Pad ID: PritchardD P1, ABR-201304005, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: April 5, 2013.

6. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 322 Pad C, ABR-201304006, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.500 mgd; Approval Date: April 5, 2013.

7. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 596 Pad B, ABR-201304007, Liberty Township, Tioga County, PA; Consumptive Use of Up to 3.500 mgd; Approval Date: April 5, 2013.

8. Southwestern Energy Production Company, Pad ID: Martin (Pad 11), ABR-201304009, Standing Stone Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 15, 2013.

9. Southwestern Energy Production Company, Pad ID: Ferguson-Keisling (Pad B), ABR-201304010, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 15, 2013.

10. Southwestern Energy Production Company, Pad ID: Tice (13 Pad), ABR-201304011, Orwell Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 15, 2013.

11. Southwestern Energy Production Company, Pad ID: MITCHELL NORTH 7/MITCHELL SOUTH 23, ABR-201304012, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 15, 2013.

12. Seneca Resources, Pad ID: DCNR 100 Pad R, ABR-201304013, Lewis Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 15, 2013.

13. SWEPI, LP, Pad ID: Flack 502, ABR-201304014, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 19, 2013.

14. Chesapeake Appalachia, LLC, Pad ID: Lucy, ABR-201304015, Monroe Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 19, 2013.

15. Chesapeake Appalachia, LLC, Pad ID: Wittig, ABR-201304016, Franklin Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 22, 2013.

16. Chesapeake Appalachia, LLC, Pad ID: Poepperling, ABR-201304017, North Branch Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 22, 2013.

17. SWEPI, LP, Pad ID: Edkin 499, ABR-201304018, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 24, 2013.

18. Chief Oil & Gas, LLC, Pad ID: P. Cullen A Drilling Pad, ABR-201304019, Overton Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: April 26, 2013.

19. Chief Oil & Gas, LLC, Pad ID: Inderlied Drilling Pad, ABR-201304020, Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: April 30, 2013.

20. Chesapeake Appalachia, LLC, Pad ID: Hooker, ABR-201305001, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: May 7, 2013.

21. Chesapeake Appalachia, LLC, Pad ID: Visneski, ABR-201305002, Mehoopany Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: May 7, 2013.

22. Atlas Resources, LLC, Pad ID: Stubler Pad A, ABR-201305003, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: May 13, 2013.

23. Carrizo (Marcellus), LLC, Pad ID: Plushanski Pad, ABR-201305004, Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.100 mgd; Approval Date: May 13, 2013.

24. Cabot Oil & Gas Corporation, Pad ID: Thomas R P1, ABR-201305005, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: May 13, 2013.

25. Chesapeake Appalachia, LLC, Pad ID: ODowd, ABR-201305006, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: May 13, 2013.

26. Chesapeake Appalachia, LLC, Pad ID: Walters, ABR-201305007, Mehoopany Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: May 13, 2013.

27. Chief Oil & Gas, LLC, Pad ID: Runabuck Drilling Pad, ABR-201305008, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: May 15, 2013.

28. Talisman Energy USA, Inc., Pad ID: 07-022 Repine T, ABR-201305009, Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: May 21, 2013.

29. Talisman Energy USA, Inc., Pad ID: 07-017 Kropp C, ABR-201305010, Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: May 21, 2013.

30. Talisman Energy USA, Inc., Pad ID: 07-010 Taylor Buckhorn Land Co., ABR-201305011, Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: May 21, 2013.

31. Talisman Energy USA, Inc., Pad ID: 07-043 Schmitt D, ABR-201305012, Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: May 21, 2013.

32. Cabot Oil & Gas Corporation, Pad ID: Bishop B P1, ABR-201305013, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.57 mgd; Approval Date: May 29, 2013.

33. Cabot Oil & Gas Corporation, Pad ID: Huston J P1, ABR-201305014, Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: May 29, 2013.

34. Cabot Oil & Gas Corporation, Pad ID: Housel R P1, ABR-201305015, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: May 29, 2013.

35. EXCO Resources (PA), LLC, Pad ID: Chaapel Hollow Unit, ABR-201305016, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 8.000 mgd; Approval Date: May 31, 2013.

36. Cabot Oil & Gas Corporation, Pad ID: Gillingham R P1, ABR-201305017, Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: May 31, 2013.

37. Chesapeake Appalachia, LLC, Pad ID: Porter, ABR-201306001, North Branch Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 10, 2013.

38. Chesapeake Appalachia, LLC, Pad ID: Tinna, ABR-201306002, Windham and Mehoopany Townships, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 10, 2013.

39. Chesapeake Appalachia, LLC, Pad ID: Shamrock, ABR-201306003, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 10, 2013.

40. Range Resources—Appalachia, LLC, Pad ID: Laurel Hill B Unit, ABR-201306004, Jackson Township, Lycoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 11, 2013.

41. Talisman Energy USA, Inc., Pad ID: 07-080 Thorne G, ABR-201306005, Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: June 17, 2013.

42. Talisman Energy USA, Inc., Pad ID: 07-081 Traver E, ABR-201306006, Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: June 17, 2013.

43. Chesapeake Appalachia, LLC, Pad ID: Brewer, ABR-201306007, Meshoppen and Washington Townships, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 17, 2013.

44. Cabot Oil & Gas Corporation, Pad ID: ReynoldsR P1, ABR-201306008, Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: June 19, 2013.

45. Cabot Oil & Gas Corporation, Pad ID: StarzecE P1, ABR-201306009, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: June 19, 2013.

46. Chief Oil & Gas, LLC, Pad ID: Spencer Drilling Pad, ABR-201306010, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: June 26, 2013.

47. Southwestern Energy Production Company, Pad ID: Heckman Camp (Pad F), ABR-201307001, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 9, 2013.

48. Southwestern Energy Production Company, Pad ID: TNT LTD PART WEST, ABR-201307002, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 9, 2013.

49. Southwestern Energy Production Company, Pad ID: Whipple (Pad 14), ABR-201307003, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 12, 2013.

50. Southwestern Energy Production Company, Pad ID: King N (Pad NW1), ABR-201307004, Franklin Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 15, 2013.

51. Atlas Resources, LLC, Pad ID: Stubler Pad B, ABR-201307006, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: July 17, 2013.

52. Cabot Oil & Gas Corporation, Pad ID: Biniewicz S P1, ABR-201308001, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 9, 2013.
53. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 322 Pad E, ABR-201308002, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.500 mgd; Approval Date: August 12, 2013.
54. Cabot Oil & Gas Corporation, Pad ID: Keeves J P1, ABR-201308003, Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 12, 2013.
55. Pennsylvania General Energy Company, LLC, Pad ID: SGL75 Pad B, ABR-201308004, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 3.500 mgd; Approval Date: August 13, 2013.
56. Pennsylvania General Energy Company, LLC, Pad ID: SGL75 Pad C, ABR-201308005, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 3.500 mgd; Approval Date: August 13, 2013.
57. Pennsylvania General Energy Company, LLC, Pad ID: SGL75 Pad D, ABR-201308006, Pine Township, Lycoming County, PA; Consumptive Use of Up to 3.500 mgd; Approval Date: August 13, 2013.
58. Anadarko E&P Onshore, LLC, Pad ID: Larry's Creek F&G Pad G, ABR-201308007, Mifflin Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 14, 2013.
59. Cabot Oil & Gas Corporation, Pad ID: Bennett C P1, ABR-201308008, Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 14, 2013.
60. Cabot Oil & Gas Corporation, Pad ID: Marcho W&M P1, ABR-201308009, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 16, 2013.
61. Range Resources—Appalachia, LLC, Pad ID: Laurel Hill 9H-11H, ABR-201308010, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: August 16, 2013.
62. Range Resources—Appalachia, LLC, Pad ID: Dog Run HC Unit 4H-6H, ABR-201308011, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: August 16, 2013.
63. Range Resources—Appalachia, LLC, Pad ID: Laurel Hill 1H-8H, ABR-201308012, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: August 16, 2013.
64. Cabot Oil & Gas Corporation, Pad ID: Mead B P1, ABR-201308013, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 20, 2013.
65. Cabot Oil & Gas Corporation, Pad ID: Payne D P1, ABR-201308014, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 20, 2013.
66. Inflection Energy, LLC, Pad ID: Bennett Well Pad, ABR-201308015, Eldred Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 26, 2013.
67. Southwestern Energy Production Company, Pad ID: Dropp-Range-Pad46, ABR-201308016, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: August 30, 2013.
68. Inflection Energy, LLC, Pad ID: Hillegas Well Pad, ABR-201308017, Upper Fairfield Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 30, 2013.
69. Southwestern Energy Production Company, Pad ID: Whipple (Pad 4), ABR-201309001, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 6, 2013.
70. Talisman Energy USA, Inc., Pad ID: 07 075 Murphy D, ABR-201309002, Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 6, 2013.
71. Talisman Energy USA, Inc., Pad ID: 07 086 Butler J, ABR-201309003, Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 6, 2013.
72. Talisman Energy USA, Inc., Pad ID: 07 021 Shea D, ABR-201309004, Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 6, 2013.
73. Talisman Energy USA, Inc., Pad ID: 07 083 Olympic Lake Estates, ABR-201309005, Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 6, 2013.
74. EXCO Resources (PA), LLC, Pad ID: Cadwalader Pad 2A, ABR-201309006, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 8.000 mgd; Approval Date: September 11, 2013.
75. EXCO Resources (PA), LLC, Pad ID: Poor Shot Pad 2 Unit, ABR-201309007, Anthony Township, Lycoming County, PA; Consumptive Use of Up to 8.000 mgd; Approval Date: September 11, 2013.
76. SWEPI, LP, Pad ID: Bradford 481, ABR-201309008, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 16, 2013.
77. Chief Oil & Gas, LLC, Pad ID: Lathrop Farm Trust B Drilling Pad, ABR-201309009, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: September 17, 2013.
78. EXCO Resources (PA), LLC, Pad ID: Cadwalader Pad 3, ABR-201309010, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 8.000 mgd; Approval Date: September 17, 2013.
79. Cabot Oil & Gas Corporation, Pad ID: GrosvenorP P1, ABR-201309011, Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: September 24, 2013.
80. Cabot Oil & Gas Corporation, Pad ID: StoddardT P1, ABR-201309012, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: September 24, 2013.
81. Anadarko E&P Onshore, LLC, Pad ID: Elbow F&G Pad D, ABR-201309013, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 24, 2013.
82. Anadarko E&P Onshore, LLC, Pad ID: Kenmar HC Pad A, ABR-201309014, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 27, 2013.
83. Anadarko E&P Onshore, LLC, Pad ID: Lycoming H&FC Pad F, ABR-201309015, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 27, 2013.

84. Chesapeake Appalachia, LLC, Pad ID: Kintner, ABR-201309016, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 27, 2013.

85. Chesapeake Appalachia, LLC, Pad ID: Parkhurst, ABR-201309017, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 30, 2013.

86. Seneca Resources Corporation, Pad ID: Gamble Pad K, ABR-201309018, Lewis Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 30, 2013.

87. SWEPI, LP, Pad ID: Sherman 492W, ABR-201310001, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: October 2, 2013.

88. Southwestern Energy Production Company, Pad ID: Salt Lick Hunting Club-Range-Pad59, ABR-201310002, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: October 7, 2013.

89. Southwestern Energy Production Company, Pad ID: Heckman Hiduk (Pad GS), ABR-201310003, Herrick and Stevens Townships, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: October 7, 2013.

90. Chesapeake Appalachia, LLC, Pad ID: Ferris, ABR-201310004, Braintrim Townships, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: October 21, 2013.

91. Chief Oil & Gas, LLC, Pad ID: Loch Drilling Pad, ABR-201311001, Nicholson Township, Wyoming County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: November 5, 2013.

92. Cabot Oil & Gas Corporation, Pad ID: FoltzJ P1, ABR-201311002, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: November 5, 2013.

93. Chief Oil & Gas, LLC, Pad ID: Kupscznk D Drilling Pad, ABR-201311003, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: November 5, 2013.

94. Cabot Oil & Gas Corporation, Pad ID: AckerC P1, ABR-201311004, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: November 13, 2013.

95. Range Resources—Appalachia, LLC, Pad ID: State Game Lands 075A—East Pad, ABR-201311005, Pine Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: November 13, 2013.

96. Talisman Energy USA, Inc., Pad ID: Cease, ABR-20090506.R1, Troy Borough, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 13, 2013.

97. Talisman Energy USA, Inc., Pad ID: Shedden D 26/27, ABR-20090507.R1, Troy Borough, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 13, 2013.

98. Talisman Energy USA, Inc., Pad ID: Harris M, ABR-20090508.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 13, 2013.

99. Talisman Energy USA, Inc., Pad ID: Bense, ABR-20090509.R1, Troy Borough, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 13, 2013.

100. Talisman Energy USA, Inc., Pad ID: Phinney, ABR-20090510.R1, Troy Borough, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 13, 2013.

101. Talisman Energy USA, Inc., Pad ID: Knights, ABR-20090522.R1, Troy Borough, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 13, 2013.

102. Talisman Energy USA, Inc., Pad ID: Harris A, ABR-20090523.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 13, 2013.

103. Talisman Energy USA, Inc., Pad ID: Thomas F 38, ABR-20090524.R1, Troy Borough, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 13, 2013.

104. Chesapeake Appalachia, LLC, Pad ID: BIM, ABR-201311006, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: November 14, 2013.

105. Chief Oil & Gas, LLC, Pad ID: Kupscznk B Drilling Pad, ABR-201311007, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: November 19, 2013.

106. Inflection Energy, LLC, Pad ID: Shaheen Well Site, ABR-201311008, Fairfield Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: November 19, 2013.

107. Cabot Oil & Gas Corporation, Pad ID: AndersonR P1, ABR-201311009, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: November 19, 2013.

108. Talisman Energy USA, Inc., Pad ID: Shedden D 13-43, ABR-20090603.R1, Troy Borough, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 19, 2013.

109. Talisman Energy USA, Inc., Pad ID: Williams 41-42, ABR-20090611.R1, Troy Borough, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: November 19, 2013.

110. Chief Oil & Gas, LLC, Pad ID: Garrison West Drilling Pad, ABR-201311010, Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: November 25, 2013.

111. WPX Energy Appalachia, LLC, Pad ID: Holbrook # 1, ABR-20090402.R1, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 3.001 mgd; Approval Date: November 25, 2013.

112. WPX Energy Appalachia, LLC, Pad ID: Turner - 1, ABR-20090403.R1, Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 3.990 mgd; Approval Date: November 25, 2013.

113. WPX Energy Appalachia, LLC, Pad ID: Fiondi - 1, ABR-20090404.R1, Middletown Township, Susquehanna County, PA; Consumptive Use of Up to 3.990 mgd; Approval Date: November 25, 2013.

114. Cabot Oil & Gas Corporation, Pad ID: Severcool B P1, ABR-20090536.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 4, 2013.

115. Talisman Energy USA, Inc., Pad ID: State Lands 587 Pad #1, ABR-20090609.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: December 4, 2013.

116. Chief Oil & Gas, LLC, Pad ID: Harper Unit #1H, ABR-20090515.R1, West Burlington Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: December 6, 2013.

117. Chief Oil & Gas, LLC, Pad ID: Jennings Unit #1H, ABR-20090516.R1, West Burlington Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: December 6, 2013.

118. Chief Oil & Gas, LLC, Pad ID: Black Unit #1H, ABR-20090517.R1, Burlington Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: December 6, 2013.

119. Cabot Oil & Gas Corporation, Pad ID: Greenwood P1, ABR-20090548.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 6, 2013.

120. Southwestern Energy Production Company, Pad ID: NR-14-BRANT-PAD, ABR-201312001, Great Bend Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: December 16, 2013.

121. Southwestern Energy Production Company, Pad ID: NR-11-DAYTON-PAD, ABR-201312002, Great Bend Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: December 16, 2013.

122. Southwestern Energy Production Company, Pad ID: RU-40-BREESE-PAD, ABR-201312003, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: December 16, 2013.

123. Cabot Oil & Gas Corporation, Pad ID: Ely P1, ABR-20090546.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 17, 2013.

124. Cabot Oil & Gas Corporation, Pad ID: Gesford P3, ABR-20090549.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 17, 2013.

125. Cabot Oil & Gas Corporation, Pad ID: Gesford P4, ABR-20090550.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 17, 2013.

126. Cabot Oil & Gas Corporation, Pad ID: Heitsman A P2, ABR-20090552.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 17, 2013.

127. Cabot Oil & Gas Corporation, Pad ID: Smith P3, ABR-20090554.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 17, 2013.

128. Talisman Energy USA, Inc., Pad ID: 07-087 Stickney A, ABR-201312004, Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: December 20, 2013.

129. Cabot Oil & Gas Corporation, Pad ID: Lathrop P1, ABR-20090538.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 20, 2013.

130. Cabot Oil & Gas Corporation, Pad ID: Hubbard P1, ABR-20090545.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: December 20, 2013.

131. Anadarko E&P Onshore, LLC, Pad ID: C.O.P. Tract 653—1000 ABR-20090405.R1, Beech Creek Township, Clinton County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: December 24 2013.

132. Anadarko E&P Onshore, LLC, Pad ID: C.O.P. Tract 285 (1000) ABR-20090408.R1, Grugan Township, Clinton County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: December 24, 2013.

133. Anadarko E&P Onshore, LLC, Pad ID: COP Tract 289 (1000H & 1001H) ABR-20090410.R1, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: December 24, 2013.

134. Anadarko E&P Onshore, LLC, Pad ID: COP Tract 285 (1001H, 1002H) ABR-20090413.R1, Grugan Township, Clinton County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: December 24, 2013.

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* January 29, 2014.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 14-365. Filed for public inspection February 14, 2014, 9:00 a.m.]

### Projects Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has rescinded the following list of projects from June 1, 2013, through August 31, 2013.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 1306, fax (717) 238-2436, rcairo@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

#### *Supplementary Information*

This notice lists the projects, described as follows, being rescinded for the consumptive use of water under the Commission's approval by rule process set forth in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period specified previously:

#### *Rescinded ABR Issued June 1—August 31, 2013*

1. Chesapeake Appalachia, LLC, Pad ID: Joyce Road, ABR-201101026, Rome Township, Bradford County, PA; Rescind Date: June 24, 2013.

2. Chesapeake Appalachia, LLC, Pad ID: Manella Acres, ABR-201109013, Albany Township, Bradford County, PA; Rescind Date: June 24, 2013.

3. Chesapeake Appalachia, LLC, Pad ID: Schulze, ABR-201203024, Rush Township, Susquehanna County, PA; Rescind Date: June 24, 2013.

4. Chesapeake Appalachia, LLC, Pad ID: Serengeti, ABR-20100643, Troy Township, Bradford County, PA; Rescind Date: June 24, 2013.

5. Chesapeake Appalachia, LLC, Pad ID: Lorraine, ABR-201208002, Tuscarora Township, Bradford County, PA; Rescind Date: June 24, 2013.

6. Chesapeake Appalachia, LLC, Pad ID: Ramsher, ABR-201210007, Terry Township, Bradford County, PA; Rescind Date: June 24, 2013.

7. Chesapeake Appalachia, LLC, Pad ID: Rinker, ABR-201102012, Elkland Township, Sullivan County, PA; Rescind Date: June 24, 2013.

8. Chief Oil & Gas, LLC, Pad ID: R & L Wilson Drilling Pad #1, ABR-201103048, Eaton Township, Wyoming County, PA; Rescind Date: June 24, 2013.

9. Chief Oil & Gas, LLC, Pad ID: R & A Harris Drilling Pad #1, ABR-201103016, Tunkhannock Township, Wyoming County, PA; Rescind Date: June 24, 2013.

10. Chief Oil & Gas, LLC, Pad ID: Smith Drilling Pad #1, ABR-201010067, Franklin Township, Bradford County, PA; Rescind Date: June 24, 2013.

11. Chief Oil & Gas, LLC, Pad ID: Beinlich Drilling Pad #1, ABR-201007058, Elkland Township, Sullivan County, PA; Rescind Date: June 24, 2013.

12. Chief Oil & Gas, LLC, Pad ID: Kobbe Drilling Pad #1, ABR-201007032, Elkland Township, Sullivan County, PA; Rescind Date: June 24, 2013.

13. Chief Oil & Gas, LLC, Pad ID: American Asphalt Drilling Pad #1, ABR-201102030, Eaton Township, Wyoming County, PA; Rescind Date: June 24, 2013.

14. Chief Oil & Gas, LLC, Pad ID: R & D Group Drilling Pad #1, ABR-201100548, Mehoopany Township, Wyoming County, PA; Rescind Date: June 24, 2013.

15. Chief Oil & Gas, LLC, Pad ID: Longmore Drilling Pad #1, ABR-201006109, Monroe Township, Wyoming County, PA; Rescind Date: June 24, 2013.

16. SM Energy, Inc., Pad ID: Young Pad #4, ABR-201105025, Portage Township, Potter County, PA; Rescind Date: June 28, 2013.

17. Emkey Resources, LLC, Pad ID: Mulligan #1, ABR-20100625, Lebanon Township, Madison County, NY; Rescind Date: August 29, 2013.

18. Range Resources-Appalachia, LLC, Pad ID: Ogontz Fishing Club 41H—44H, ABR-201201020, Cummings Township, Lycoming County, PA; Rescind Date: August 30, 2013.

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* January 29, 2014.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 14-366. Filed for public inspection February 14, 2014, 9:00 a.m.]





