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## January 5, 2013 (Pages 1-202)

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# PENNSYLVANIA BULLETIN

Volume 43  
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Number 1  
Pages 1—202

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for the Subject Index for  
January—December 2012

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Liquor Control Board  
Pennsylvania Public Utility Commission  
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State Board of Dentistry  
State Board of Nursing  
State Tax Equalization Board

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

**No. 458, January 2013**

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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.

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### **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)).

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

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

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

### **How to Find Documents**

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

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

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us](http://www.legis.state.pa.us).

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

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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2013.

|  |    |   |       |
|--|----|---|-------|
| <b>40 Pa. Code (Liquor)</b>            |    | <b>246 Pa. Code (Minor Court Civil Rules)</b> |       |
| <b>Adopted Rules</b>                   |    | <b>Proposed Rules</b>                         |       |
| 15 .....                               | 12 | 200 .....                                     | 8     |
| <b>58 Pa. Code (Recreation)</b>        |    | 400 .....                                     | 8     |
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# THE COURTS

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [ 246 PA. CODE CHS. 200 AND 400 ]

#### Proposed Amendments to Rules 209, 403 and 410

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt amendments to Rule 209, 403 and 410 of the Minor Court Civil Rules. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

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

The text of the proposed changes precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

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

Pamela S. Walker, Counsel  
Supreme Court of Pennsylvania  
Minor Court Rules Committee  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
Fax: 717-231-9546  
or email to: [minorrules@pacourts.us](mailto:minorrules@pacourts.us)

no later than February 22, 2013.

*By the Minor Court Rules Committee*

MARY P. MURRAY,  
*Chair*

### Annex A

#### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

Rule 209. Continuances **and Stays**.

A. Continuances may be granted for cause or by agreement.

B. Continuances shall be to a specific time and date. The magisterial district judge shall note continuances on the docket and shall promptly give or mail to the parties written notice of continuances.

C. Except for good cause shown,

(1) not more than one continuance shall be granted to each party, and

(2) the aggregate of all continuances shall not extend the date of the hearing:

(a) beyond 90 days from the date of filing the plaintiff's complaint in proceedings commenced pursuant to Rule 303, or

(b) beyond 30 days from the date of filing the plaintiff's complaint in proceedings commenced pursuant to Rule 502.

D. In all proceedings governed by these rules, the following shall constitute cause for granting a continuance:

(1) the scheduling of a party's attorney of record to appear at any proceeding under the Pennsylvania Rules of Disciplinary Enforcement, whether

(a) as counsel for a respondent-attorney before a hearing committee, special master, the Disciplinary Board or the Supreme Court;

(b) as a special master or member of a hearing committee; or

(c) as a member of the Disciplinary Board.

(2) the scheduling of a party's attorney of record to appear at any proceeding involving the discipline of a justice, judge or magisterial district judge under Section 18 of Article V of the Constitution of Pennsylvania, whether

(a) as counsel for a justice, judge or magisterial district judge before the special tribunal provided for in 42 Pa.C.S. § 727, the Court of Judicial Discipline, the Judicial Conduct Board or any hearing committee or other arm of the Judicial Conduct Board; or

(b) as a member of the Court of Judicial Discipline, the Judicial Conduct Board or any hearing committee or other arm of the Judicial Conduct Board.

E. Continuances **and stays** shall be granted in compliance with federal or state law, such as the [ **Service-members** ] **Service members** Civil Relief Act., 50 App. [ **U.S.C.A.** ] U.S.C. § 501 et seq.

**Official Note:** This rule was amended in 2005 to consolidate the provisions of former Rules 320 (relating to continuances in civil actions) and 511 (relating to continuances in possessory actions) into one general rule governing continuances. The limitations set forth in subdivision C are intended to ensure that these cases proceed expeditiously. The grounds set forth in subdivisions D and E, of course, are not intended to be the only grounds on which a continuance will be granted.

#### CHAPTER 400. ENFORCEMENT OF JUDGMENTS RENDERED BY MAGISTERIAL DISTRICT JUDGES FOR THE PAYMENT OF MONEY

#### Rule 403. Issuance and Reissuance of Order of Execution.

A. Upon the filing of the request form, the magisterial district judge shall note on the form the time and date of its filing and shall issue the order of execution thereon. The magisterial district judge shall deliver the order of execution for service and execution to the sheriff of, or any certified constable in, the county in which the office of the magisterial district judge issuing the order is situated. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth.

B. (1) Upon written request filed by the plaintiff within five years from the date of entry of the judgment, an order of execution shall be reissued at any time, and any number of times.

(2) If an order of execution is superseded by an appeal, writ of certiorari, supersedeas, or a stay pursuant to a bankruptcy proceeding **or other federal or state law**, and

(a) the appeal, writ of certiorari, or supersedeas is stricken, dismissed, or otherwise terminated; or

(b) the bankruptcy **or other** stay is lifted; and

(c) the plaintiff wishes to proceed with the order of execution, the plaintiff must file with the magisterial district judge a written request for reissuance of the order of execution in accordance with subparagraph (1).

C. A written request for reissuance of the order of execution filed pursuant to subparagraph B(2) must be accompanied by a copy of the court order or other documentation striking, dismissing, or terminating the appeal, writ of certiorari, or supersedeas, or lifting the bankruptcy **or other** stay.

**Official Note:** Under subdivision A, the order may be executed by the sheriff of the county in which the office of the issuing magisterial district judge is situated, as well as by any certified constable in that county.

If payment of the judgment was ordered to be made in installments under Rule 323, the magisterial district judge should not issue an order of execution on the judgment unless it appears that there was a default in the installment payments.

Subdivision B will permit the reissuance of an order of execution upon written request of the plaintiff timely filed. Compare Pa. R.C.P. No. 3106(b). The written request for reissuance may be in any form and may consist of a notation on the permanent copy of the request for order of execution form, "Reissuance of order of execution requested," subscribed by the plaintiff. The magisterial district judge shall mark all copies of the reissued order of execution, "Reissued. Request for reissuance filed \_\_\_\_\_ (time and date)." A new form may be used upon reissuance, those portions retained from the original being exact copies although signatures may be typed or printed with the mark "/s/." There are no filing costs for reissuing an order of execution, for the reissuance is merely a continuation of the original proceeding. However, there may be additional server costs for service of the reissued order of execution.

**The magisterial district court shall enter stays in compliance with federal or state law, such as the Servicemembers Civil Relief Act., 50 App. U.S.C. § 501 et seq.**

#### **Rule 410. Stay of Execution Generally.**

(A) Execution shall be stayed as to the property of the defendant upon the occurrence of any of the following:

(1) Upon written request of the plaintiff to the magisterial district court.

(2) Upon the entry of a bond with the magisterial district court by any person or party in interest, with security approved by the magisterial district judge, in the amount of the plaintiff's judgment, including probable interest and costs, or in such lesser amount as the magisterial district judge may direct, naming the Commonwealth of Pennsylvania as the obligee, and conditioned to pay the amount due within 90 days of the entry of the bond, unless the time for payment is extended by the magisterial district judge.

(3) **Upon request of the defendant or party in interest to the magisterial district court made in compliance with federal or state law.**

(B) When execution is stayed pursuant to this rule, the stay may not be lifted without written order of the magisterial district judge.

(C) After a stay is lifted, execution may proceed without reissuance of the order of execution.

**Official Note:** Compare Pa.R.C.P. No. 3121(a). Other rules in this chapter may also provide for a stay in specific circumstances covered by those rules. **The magisterial district court shall enter stays in compliance with federal or state law, such as the Servicemembers Civil Relief Act., 50 App. U.S.C. § 501 et seq.**

## **REPORT**

### **Proposed Amendments to Rules 209, 403, and 410 of the Minor Court Civil Rules Clarifying Permissible Grounds for Stays**

#### *I. Introduction and Background*

The Minor Court Rules Committee (the "Committee") is proposing amendments to the rules of procedure governing stays of proceedings in magisterial district courts. The goal of these rule changes is to clarify that permissible grounds for stays include compliance with federal and state laws.

The Committee first looked at this issue in 2007 when several magisterial district judges inquired why the rules of civil procedure did not specifically address continuances for military personnel. Following a review of the issue, the Committee recommended, and the Supreme Court of Pennsylvania adopted in 2008, an amendment to Rule 209 (providing for continuances) referencing the Servicemembers Civil Relief Act, 50 App. U.S.C. § 501 et seq. ("Act").

More recently, staff counsel with the Administrative Office of Pennsylvania Courts advised the Committee that she fielded an inquiry from a magisterial district court attempting to stay an order for possession against an active duty serviceperson deployed overseas. The magisterial district court was aware of the Act, and sought to comply with its provisions. In discussing this situation, the Committee agreed that the reference to the Act should also be included in rules providing for stays, not only continuances.

#### *II. Proposed Rule Changes*

To address the issues discussed above, the Committee proposes adding a reference to the granting of stays in compliance with federal or state law in Rules 209, 403, and 410 of the Minor Court Rules. The Committee also proposes amending the Official Notes to Rules 403 and 410 to cite the Act.

[Pa.B. Doc. No. 13-1. Filed for public inspection January 4, 2013, 9:00 a.m.]

# **Title 255—LOCAL COURT RULES**

## **BUCKS COUNTY**

**Clerk of Courts—Criminal Division; CP-09-AD-3-2012**

### **Administrative Order**

And *Now*, this 13th day of December 2012, the Clerk of Courts' Fee Bill, effective January 1, 2013, following and

incorporated herein is hereby approved by Susan D. Scott, President Judge, in accordance with Act 36 of 2000- Clerk of Courts' Fee Law effective August 21, 2000.

By the Court

SUSAN D. SCOTT,  
President Judge

**Fee Bill 2013**

**Adopted pursuant to Act No. 36 of 2000  
Effective January 1, 2013**

**MISDEMEANORS AND FELONIES DISPOSED OF BEFORE TRIAL\***

For each case\*\*..... \$206.00

**MISDEMEANORS AND FELONIES DISPOSED OF DURING OR AFTER TRIAL\***

For each case\*\*..... \$254.00

**SUMMARY MATTERS**

For each Summary case..... \$ 29.10

**Notes:**

\* For purposes of this Fee Bill, a trial begins in a non-jury trial when the prosecution begins its opening statement and in a jury trial when the jury is sworn.

\*\* A "case" is each separate complaint, transcript, or Bill of Information unless consolidated for trial by Order of Court.

Fees set by: Mary K. Smithson, Clerk of Courts

**Additional Charges on Each Information or Transcript Whether Disposed of Before, During, or After Trial**

(Not totally inclusive of all state-mandated ACTS)

Charges Mandated by Act 113 of 2001: (portion to County; and portion to State)

|   |         |
|---|---------|
| FELONY INFORMATION  | \$61.50 |
| MISDEMEANOR INFORMATION                                     | \$53.50 |
| SUMMARY CONVICTION except Motor Vehicle                     | \$47.00 |
| SUMMARY CONVICTION—Motor Vehicle Case                       | \$37.00 |
| SUMMARY CONVICTION—Motor Vehicle Case with Hearing Demanded | \$45.00 |

Note: If multiple convictions are involved, only one set of costs will be assessed (highest amount) for each case.

|   |   |
|---|---|
| Defendants sentenced to County Probation supervision or placed on County Parole | \$25.00 per month                                   |
| Defendants subject to A.R.D. agreement or Probation pursuant to Section 17      | \$300 TOTAL   |
| ADMINISTRATIVE MANAGEMENT FEE cost of handling money paid into court            | \$30.00   |
| BENCH WARRANT (Certifications)  | \$19.50   |
| WITNESS FEE (For Commonwealth Witnesses)  | 7 cents per mileage plus \$5.00 per witness per day |

|  |              |
|--|--------------|
| CONSTABLE COSTS (from D.J. level)                                    | ACTUAL COST  |
| SHERIFF FEE  | \$5.00       |
| TRANSPORTATION Costs   | ACTUAL COSTS |
| Cost of CRIME LAB fees for Commonwealth                              | ACTUAL COSTS |
| PAROLE VIOLATION Additional Hearings                                 | \$47.75      |
| ARD VIOLATION Additional Hearings                                    | \$47.75      |
| AUTOMATION FEE (for each initial action or initial legal proceeding) | \$5.00       |
| LAW LIBRARY  | \$20.00      |
| BOOKING CENTER FEE   | \$150.00     |
| FORENSIC LAB FEE (DUI)   | \$150.00     |

**Additional Fees**

|  |                  |
|--|------------------|
| All Certifications (includes Drivers License notifications to PA Dept of Transportation and Bail Forfeitures)  | \$9.75           |
| APPEALS to Superior, Supreme, or Commonwealth Courts (PLUS \$73.50 check made payable to Appellate Court)  | \$54.00          |
| FILING OF ALL OTHER MATTERS IN THE CLERK OF COURTS' OFFICE (includes Bail Assignments)<br>*Plus \$5 Automation Fee if Misc Case created*   | \$18.25*         |
| RECORD SEARCHES (includes name search, one docket print, and/or up to 5 copies from file)  | \$18.00          |
| SERVICE CHARGE FOR BAD CHECKS or cancelled Money Orders Received OR Bank Card Charges reversed by issuing Bank due to non-payment of bill  | \$33.00          |
| Request to STOP PAYMENT on a check   | \$29.00          |
| COPY CHARGE (per page)   | \$0.30           |
| MICROFILM COPIES (per page)  | \$1.50           |
| DOCKET PRINT OUT (up to 20 pages, each additional \$0.30 per page)   | \$5.00           |
| FAX charge   | \$1.00           |
| Electronic media copy fee  | \$10.00 per CD   |
| SUBPOENA   | \$3.50           |
| BAIL PIECE   | \$9.75           |
| EXEMPLIFICATIONS (Certifications) Each Additional page   | \$9.75<br>\$1.30 |
| FILING APPEAL FROM SUMMARY CONVICTION* Plus \$5 Automation Fee*  | \$53.50*         |
| EXPUNGEMENT PETITION/ORDER Service (includes 5 certified copies of Order)* Plus \$5 Automation Fee if Misc Case created (1 case per petition or if multiple cases on the same petition, additional certification fees may apply) | \$100.00*        |
| EXPUNGEMENT FOR CASES PLACED ON Section 17/ARD (Automatic)   | \$100.00         |

**Bail Processing Fees**

|  |         |
|--|---------|
| BAIL ADMINISTRATIVE FEE (entering and servicing bail (includes Bond)—See Rule 4007(e)(2). If less than \$75, no refund; except for ROR | \$75.00 |
| R.O.R/Unsecured BAIL BOND  | \$9.75  |
| REAL ESTATE BAIL   | \$19.50 |

**Juvenile Matters**

|                                   |         |
|-----------------------------------|---------|
| Initial Hearing (Each Case)       | \$47.75 |
| ADDITIONAL HEARING (per juvenile) | \$36.00 |

**Petitions for Private Detective License**

|  |          |
|--|----------|
| FILING FEE   | \$45.00  |
| INITIAL LICENSE—INDIVIDUAL (2 YEARS)   | \$200.00 |
| INITIAL LICENSE—CORPORATION (2 YEARS)  | \$300.00 |
| RENEWAL OF LICENSE PROCESSING FEE  | \$18.25  |
| RENEWED LICENSE—INDIVIDUAL (3 YEARS)   | \$300.00 |
| RENEWED LICENSE—CORPORATION (3 YEARS)  | \$450.00 |
| FEE for PROCESSING FINGERPRINT CARDS<br>(Note: Check payable to Commonwealth of Pennsylvania (per fingerprint card)—\$17.50<br>Check payable to Clerk of Courts—\$9.75 | \$27.25  |

[Pa.B. Doc. No. 13-2. Filed for public inspection January 4, 2013, 9:00 a.m.]

**BUCKS COUNTY**

**Mortgage Foreclosure Diversion Program; Administrative Order No. 55**

*And Now*, this 12th day of December, 2012, Paragraph 7 of Bucks County Civil Division Administrative Order No. 55, promulgated on June 5, 2009, is hereby amended to read as follows:

7. This Order shall remain in effect until December 31, 2013, unless further extended by the Court.

This Amendment shall take effect thirty days from the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

SUSAN DEVLIN SCOTT,  
*President Judge*

[Pa.B. Doc. No. 13-3. Filed for public inspection January 4, 2013, 9:00 a.m.]

**MONTGOMERY COUNTY**

**Adoption of Local Rule of Civil Procedure 230.2—Termination of Inactive Cases**

**Order**

*And Now*, this 19th day of November, 2012, the Court hereby Adopts Montgomery County Local Rules of Civil Procedure 230.2—Termination of Inactive Cases. This Local Rule shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.C.P. 230, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and one (1) certified copy shall be filed with the Civil Procedural Rules Committee. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court.

*By the Court*

WILLIAM J. FURBER, Jr.,  
*President Judge*

**Rule 230.2\*. Termination of Inactive Cases.**

Following the filing of a statement of intention to proceed pursuant to Pa.R.C.P. 230.2, the Court may schedule a Discovery Management Conference in the subject case as set forth in Montgomery County Local Rule of Civil Procedure 4019\*(5). This Local Rule shall not apply to family, assessment appeal or zoning cases. This Local Rule shall be applicable to all remaining civil cases regardless of the nature or extent of the relief sought.

[Pa.B. Doc. No. 13-4. Filed for public inspection January 4, 2013, 9:00 a.m.]



# RULES AND REGULATIONS

## Title 40—LIQUOR

### LIQUOR CONTROL BOARD

[ 40 PA. CODE CH. 15 ]

#### Office of Administrative Law Judge; Payment of Fees and Fines

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P. S. § 2-207(i)), amends §§ 15.24 and 15.61 (relating to fees; and fines) to read as set forth in Annex A.

##### *Purpose*

The Board has reviewed its regulations and determined that this final-form rulemaking is necessary to provide the public and licensees of the Board with additional payment methods when they pay administrative fees and fines that are assessed by the Office of Administrative Law Judge (OALJ).

The OALJ is established under the authority of section 212 of the Liquor Code (47 P. S. § 2-212) as an autonomous office within the Board for the adjudication of citations issued to licensees. The State Police, Bureau of Liquor Control Enforcement (BLCE) issues citations to licensees for alleged violations of the Liquor Code and the Board's regulations. If it sustains the citation, the OALJ may impose a fine which the licensee shall pay. The OALJ may also suspend or revoke licenses issued by the Board.

Formerly under § 15.61, licensees were required to pay fines by treasurer's check, cashier's check or certified check. Formerly under § 15.24, filing fees for pleadings or motions related to citation proceedings and requests for copies of OALJ documents were only to be paid by money order or check.

It is a common experience now that the OALJ makes repeated attempts to contact a licensee when fines are not paid. The OALJ may suspend a license when a fine remains unpaid. Imposing a suspension requires additional resources of the OALJ, which crafts and mails the suspension order, and of the BLCE, which investigates whether the licensee has suspended its licensed operations. In those instances in which the licensee pays the fine as a result of the suspension, additional action by the OALJ is required to lift the suspension so that the licensee is again authorized to operate. Ultimately, the OALJ may revoke the license for continued nonpayment, necessitating the issuance of another order and the use of further resources.

The Board believes that if there are more convenient methods for licensees to pay fines, payments will be made more quickly, eliminating the need for additional administrative actions. Thus, the Board amends § 15.61 to implement changes that will allow licensees to pay fines not only by treasurer's check, cashier's check or certified check, but also by a check drawn on the business or trust account of an attorney licensed in this Commonwealth, money order, credit card, debit card, electronic funds transfer or other method approved by order of the OALJ. Parallel amendments are adopted for § 15.24 regarding the payment of fees for filing documents and obtaining copies of OALJ documents.

This final-form rulemaking will make it more convenient for licensees of the Board to pay required fees or

fines as they proceed through the enforcement process. On average, about 2,500 citations are adjudicated annually. This will roughly approximate the number of licensees each year which may benefit from having a wider selection of options for the payment of fees or fines.

Moreover, affording licensees greater convenience to pay fines may result in more timely payments, reducing the instances of license suspensions and revocations for failure to pay fines, resulting in OALJ administrative cost savings associated with handling these matters.

##### *Summary of Amendments*

This final-form rulemaking amends §§ 15.24 and 15.61 to expand the options for payment of fees and fines. Formerly, fines were paid by treasurer's check, cashier's check or certified check. Formerly, fees were paid by money order or check. Under this final-form rulemaking, fees and fines are payable by credit card, debit card, money order, cashier's check, certified check, attorney check, treasurer's check and electronic funds transfer. Further, a provision is being added to each section allowing the OALJ to issue an order which would permit other means of payment in a particular matter. This additional flexibility will permit other payment methods to be used in the future.

##### *Response to Comments*

The Independent Regulatory Review Commission (IRRC) commented that § 15.61 lists the acceptable forms of payment of fines by licensees to the OALJ within the Board. This section permits a licensee to pay a fine with a "treasurer's check." IRRC requested that the Board explain why a treasurer's check was not also included in § 15.24(b), which establishes the appropriate payment methods for filing fees.

In response to IRRC, the Board added "treasurer's check" to § 15.24(b) to permit a licensee to pay filing fees with a treasurer's check just as a licensee may pay a fine with a treasurer's check. The Board is not aware of justification for a treasurer's check distinction.

##### *Affected Parties*

The final-form rulemaking will benefit an individual who wants to file a document with, or obtain copies of documents from, the OALJ by expanding the number of payment options. Members of the regulated community will enjoy the convenience of expanded options for payment of fines, which may result in cost savings. The final-form rulemaking is also expected to improve the administrative efficiency of the OALJ since more timely payments of fines by licensees will reduce the labor and resources necessary to follow-up on delinquencies, issue suspension orders and take additional administrative actions. The final-form rulemaking will, therefore, cost nothing, result in greater convenience for the public and members of the regulated community and should improve the administrative efficiency of the OALJ.

##### *Paperwork Requirements*

The final-form rulemaking will not significantly increase paperwork for the Board or the regulated community.

##### *Fiscal Impact*

The regulated community is not expected to incur new costs as a result of the final-form rulemaking. It is possible that members of the regulated community might

realize savings as a result of utilizing more convenient methods of payment of administrative fees and fines. However, it is difficult to quantify the exact amount of savings as licensees retain the ability to choose from various methods of no-cost or low cost payment options.

The costs or revenues of local governments will not be affected by this final-form rulemaking.

The Commonwealth is not expected to incur new costs as a result of this final-form rulemaking. The Board already possesses the technology to accommodate these new methods of payment due to its acceptance of payments for many of its online licensing transactions. It is also expected that the Commonwealth will benefit from an increase in revenues due to the payment of fines on a more timely basis.

In 2010, for example, the OALJ released about 2,535 adjudications and 409 supplemental orders after adjudication. Thus, in 2010, the OALJ issued around 2,944 adjudicative actions. Of the 409 supplemental orders after adjudication (supplementals), about 75% were issued as a result of nonpayment of fines by licensees. Therefore, 307 actions by Administrative Law Judges, over 10% of all adjudicative actions, were the direct result of fines not being paid. It is difficult to quantify how the final-form rulemaking will reduce the number of supplementals issued as a result of the nonpayment of fines.

It should be noted, however, that postage costs alone for the issuance of supplementals exceeded \$1,800. Additional costs of supplementals include the labor costs of OALJ staff charged with processing supplementals, the cost of paper and the BLCE's labor costs associated with inspecting licensees' premises to ensure compliance with an OALJ suspension order.

*Effective Date*

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

*Contact Person*

Questions regarding this final-form rulemaking should be addressed to Alan Kennedy-Shaffer, Assistant Counsel, or Rodrigo Diaz, Executive Deputy Chief Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001, (717) 783-9454, ra-lblegal@pa.gov.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 9, 2012, the Board submitted a copy of the notice of proposed rulemaking, published at 42 Pa.B. 1504 (March 24, 2012), to IRRC and the Chairpersons of the House Liquor Control Committee and the Senate Law and Justice Committee for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on November 30, 2012, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on December 13, 2012, and approved the final-form rulemaking.

*Findings*

The Board finds that:

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

(2) The amendments to the Board's regulations in the manner provided in this order are necessary and appropriate for the administration of the Liquor Code.

*Order*

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapter 15, are amended by amending §§ 15.24 and 15.61 to read as set forth in Annex A.

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

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

JOSEPH E. BRION,  
*Chairperson*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 42 Pa.B. 7877 (December 29, 2012).)*

**Fiscal Note:** Fiscal Note 54-70 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 40. LIQUOR**

**PART I. LIQUOR CONTROL BOARD**

**CHAPTER 15. SPECIAL RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE REGARDING MATTERS BEFORE THE OFFICE OF ADMINISTRATIVE LAW JUDGE**

**Subchapter B. PROCEEDINGS BEFORE THE OALJ**

**§ 15.24. Fees.**

(a) *Filing fees.* Except for citations, prehearing memoranda or motions for continuance, a pleading or motion requires a filing fee by the moving party and will be received but not deemed to be filed until the filing fee has been paid.

(b) *Mode of payment of fees.* Fees shall be paid by a check drawn on the business or trust account of an attorney licensed in this Commonwealth, treasurer's check, cashier's check, certified check, money order, credit card, debit card, electronic funds transfer or other method approved by order of the OALJ. Payments must be made payable to "Commonwealth of Pennsylvania."

(c) *Schedule of fees.* The fees for services rendered by the ALJ are as follows:

| <i>Description</i>  | <i>Fee (in dollars)</i> |
|---|-------------------------|
| Filing fees for pleadings other than citations, prehearing memoranda or motions for continuance, requesting special relief, action or consideration | \$25                    |
| Providing copies of papers and records (specially requested) per page   | \$ 1                    |
| Providing certification of papers, testimony or records   | \$ 5                    |

(d) *Supersession.* Subsection (a) supersedes 1 Pa. Code § 33.22 (relating to mode of payment of fees).

**Subchapter E. PENALTIES****§ 15.61. Fines.**

Fines shall be paid by a check drawn on the business or trust account of an attorney licensed in this Commonwealth, treasurer's check, cashier's check, certified check, money order, credit card, debit card, electronic funds transfer or other method approved by order of the OALJ. Payments must be made payable to the "Commonwealth of Pennsylvania" with a notation of the citation number. If mailed, remittances shall be addressed to: Office of Administrative Law Judge, Pennsylvania Liquor Control Board, Brandywine Plaza, 2221 Paxton Church Road, Harrisburg, Pennsylvania 17110-9661.

[Pa.B. Doc. No. 13-5. Filed for public inspection January 4, 2013, 9:00 a.m.]

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# PROPOSED RULEMAKING

## FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 75 ]

### Fishing; Endangered Species

The Fish and Boat Commission (Commission) proposes to amend Chapter 75 (relating to endangered species). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

#### A. *Effective Date*

The proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2014.

#### B. *Contact Person*

For further information on the proposed rulemaking, contact Wayne Melnick, 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 addition of § 75.5 (relating to qualified surveyors for endangered and threatened species and their habitat) is published under the statutory authority of sections 2102 and 2305 of the code (relating to rules and regulations; and threatened and endangered species).

#### D. *Purpose and Background*

The proposed rulemaking is designed to enhance the Commission's protection of endangered and threatened species and their habitat. The specific purpose of the proposed rulemaking is described in more detail under the summary of proposal.

#### E. *Summary of Proposal*

The Natural Diversity Section (NDS) within the Commission's Bureau of Fisheries, Division of Environmental Services, routinely comments on development projects that may adversely impact endangered and threatened species during the permit review process. The NDS provides technical assistance to project proponents by reviewing projects in or near waterways or other areas that may be occupied by these rare species. Site-specific surveys are a component of the project review phase when a project activity potentially conflicts with an endangered or threatened species and its habitat.

It is essential that individuals who conduct surveys for endangered and threatened species in connection with these projects be qualified to search for and successfully find and correctly identify these species and their habitats. To ensure that individuals conducting these surveys are qualified, the Commission proposes that surveyors demonstrate to its satisfaction that they meet general and, when applicable, taxonomic-specific surveyor requirements. Under the proposed requirements, to be deemed qualified by the Commission, surveyors will have to document and demonstrate their education and experience surveying an endangered or threatened species and its habitat and their knowledge and experience in species survey protocol implementation. The NDS staff will review applications and may accompany applicants in the field to evaluate their knowledge of the target species,

species identification skills and familiarity with target species habitat. If an applicant meets the requirements, the Commission will deem him to be qualified and will place his name on the Commission's qualified surveyor list for the species described in the application.

Requirements will be general as to endangered and threatened species and specific as to the taxa to be surveyed. These requirements will be approved by the Executive Director and published in the *Pennsylvania Bulletin*. Commission staff have developed draft qualified surveyor requirements for endangered and threatened species. The Commission will seek public comment regarding them prior to finalization. To implement the new qualified surveyor requirements, the Commission proposes to add § 75.5 to read as set forth in Annex A.

#### F. *Paperwork*

The proposed rulemaking will increase paperwork and create new paperwork requirements in that persons who wish to conduct surveys for endangered and threatened species in connection with development projects as of January 1, 2014, will be required to complete an application to document and demonstrate their education and experience surveying endangered or threatened species and their habitat. In the application, persons also will have to document and demonstrate their knowledge and experience in survey protocol implementation. If approved, the Commission will place the individual's name on the Commission's qualified surveyor list for the species described in the application. Presently, persons who wish to conduct surveys for endangered and threatened species in connection with development projects may voluntarily apply for placement on the list but are not required to do so.

#### G. *Fiscal Impact*

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The Commission's costs to develop, review and process applications will be nominal. The Commission estimates that it will receive and review approximately 100 applications during 2014, the first year that the proposed section will be in effect. After the first year, the Commission expects that applications will level off to 25 per year for the next 8 years. Since the Commission's qualification of a surveyor will be valid for 10 calendar years and will expire on December 31 of the 10th year for which it was granted, the Commission expects an increase in applications in year 10 as the 2014 applicants reapply. The Commission estimates the cost of the initial development and printing of the application to be approximately \$2,500. The Commission estimates that it will incur approximately \$200 in staff time for each application it reviews. The Commission estimates its total cost at about \$20,000 to review 100 applications in 2014 and about \$5,000 per year to review 25 applications in each of the following 8 years.

The proposed rulemaking will not impose new costs on the private sector or the general public. There is not an application fee to become a qualified surveyor.

#### 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*

(*Editor's Note:* See 43 Pa.B. 107 (January 5, 2013) for a notice related to this proposed rulemaking.)

**Fiscal Note:** 48A-238. (1) Fund; (2) Implementing Year 2013-14 is \$22,500; (3) 1st Succeeding Year 2014-15 is \$5,000; 2nd Succeeding Year 2015-16 is \$5,000; 3rd Succeeding Year 2016-17 is \$5,000; 4th Succeeding Year 2017-18 is \$5,000; 5th Succeeding Year 2018-19 is \$5,000; (4) New program; no program history; (7) General Government Operations—Fish Fund; (8) recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART II. FISH AND BOAT COMMISSION

#### Subpart B. FISHING

#### CHAPTER 75. ENDANGERED SPECIES

#### § 75.5. Qualified surveyors for endangered and threatened species and their habitat.

(a) *Requirement.* To conduct surveys for endangered or threatened species or their habitat in connection with an application for a proposed or planned development activity, a surveyor shall be deemed qualified by the Commission.

(b) *Qualification.* An individual who wishes to be qualified by the Commission to conduct surveys for endangered or threatened species shall demonstrate to the Commission's satisfaction that he meets the qualified surveyor requirements as approved by the Executive Director and published in the *Pennsylvania Bulletin*. The individual shall demonstrate his qualifications by submitting the completed application provided by the Commission.

(c) *List.* Upon qualification, the Commission will place the names of the individuals meeting these requirements on its qualified surveyor list for the species described in the application.

(d) *Duration.* The Commission's qualification of a surveyor is valid for 10 calendar years and expires on December 31 of the 10th year for which it was granted.

(e) *Renewal.* A qualified surveyor shall apply for renewal of the Commission's qualification every 10 years by submitting the completed renewal application provided by the Commission within 90 days prior to the qualification's expiration.

(f) *Denial and revocation.* The Commission may deny qualification of a surveyor who does not meet the requirements of this section. The Commission may revoke the qualification of a surveyor when the surveyor no longer meets the requirements of this section. A person aggrieved under this subsection may appeal to the Executive Director in accordance with 1 Pa. Code § 35.20 (relating to appeals from actions of the staff). Part II of 1 Pa. Code (relating to General Rules of Administrative Practice and Procedure) applies.

(g) *Other requirements.* When applicable, a qualified surveyor shall meet the requirements of §§ 51.71 and 75.4 (relating to scientific collectors' permits; and special permits).

[Pa.B. Doc. No. 13-6. Filed for public inspection January 4, 2013, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 101—GENERAL ASSEMBLY

### LEGISLATIVE REFERENCE BUREAU

#### [ 101 PA. CODE CH. 31 ]

#### Right-to-Know Law; Amendments

The Legislative Reference Bureau (Bureau) amends § 31.17(c) (relating to fee schedule) to read as set forth at 42 Pa.B. 7282 (December 1, 2012). The purpose of this statement of policy is to clarify the fee procedures applicable to a large or complex “legislative record” as defined in section 102 of the Right-to-Know Law (65 P. S. § 67.102).

#### *Effective Date*

This statement of policy is effective January 5, 2013.

ROBERT W. ZECH, Jr.,  
*Director*

*(Editor’s Note: Title 101 of the Pennsylvania Code is amended by amending the statement of policy in § 31.17 to read as set forth at 42 Pa.B. 7282.)*

[Pa.B. Doc. No. 13-7. Filed for public inspection January 4, 2013, 9:00 a.m.]

# NOTICES

## BOARD OF COAL MINE SAFETY

### Meeting Schedule for 2013

The 2013 meetings of the Board of Coal Mine Safety will meet at 10 a.m. in the Department of Environmental Protection Bureau of Mine Safety Mine Rescue Training Facility, 286 Industrial Park Road, Ebensburg, PA.

The meeting dates are as follows:

March 26, 2013  
June 26, 2013  
September 17, 2013  
December 10, 2013

The contact person is Allison D. Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7289. agaida@pa.gov.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 13-8. Filed for public inspection January 4, 2013, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Interstate/International Quarantine Order; Avian Influenza

#### *Recitals.*

A. Avian influenza is an infectious disease of poultry.

B. Avian influenza is designated a “dangerous transmissible disease” of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(d).

C. The Pennsylvania Department of Agriculture (PDA) has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals in order to exclude, contain or eliminate dangerous transmissible diseases.

D. Avian influenza has caused significant loss in the past to the Pennsylvania poultry industry.

E. Avian influenza is of particular concern to the entire Pennsylvania poultry industry and may severely limit the market for Pennsylvania product.

F. Avian influenza sub-types H5 and H7 are of particular concern due to their potential for developing into a virulent (highly pathogenic) form of disease.

G. Avian influenza exists, or is suspected to exist, outside this Commonwealth.

H. The Domestic Animal Law allows (at 3 Pa.C.S.A. § 2329(c)) for the establishment of an Interstate/International Quarantine under the circumstances described above.

I. Pursuant to that authority, PDA issued its initial Interstate/International Quarantine Order addressing

avian influenza on January 24, 2006. In the course of implementing and administering this initial Order, PDA determined the need to refine the conditions of quarantine; and issued a February 7, 2008, March 16, 2009, and a revised July 1, 2012 Interstate/International Quarantine Order to supplant and rescind its initial Order.

J. PDA has again determined the need to refine the conditions of quarantine. Specifically, PDA seeks to further clarify the testing requirements applicable to poultry flocks.

#### *Order.*

PDA enters an Interstate/International Quarantine Order, incorporating the foregoing recitals. This order is entered under authority of the Domestic Animal Law (at 3 Pa.C.S.A. § 2329) and § 1702 of the Administrative Code of 1929 (71 P. S. § 442), and establishes the following quarantine restrictions with respect to the shipment of live poultry into the Commonwealth of Pennsylvania:

1. For purposes of this Order, the term “poultry” includes all domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds, except doves and pigeons, or as otherwise defined under subpart A of the current version of the National Poultry Improvement Plan (NPIP) and Auxiliary Provisions, and shall be 3 weeks of age or older.

2. Poultry shall only be allowed into the Commonwealth under any of the following circumstances:

a. The poultry originate from a flock that participates in the current version of the National Poultry Improvement Plan and Auxiliary Provisions “U.S. Avian Influenza Clean” or “U.S. H5/H7 Avian Influenza Clean” program and the shipment is accompanied by a USDA form 9-3 or other approved NPIP form; or

b. The poultry originate from a flock in which a minimum of thirty (30) birds, three (3) weeks of age or older, were tested negative for avian influenza (serology, virus isolation, or real-time reverse-transcriptase polymerase chain reaction (RRT-PCR)). The date of sample collection must be within the thirty (30) days prior to the date of entry into Pennsylvania and the shipment must be accompanied by the test report. If there are fewer than 30 birds in the flock, all birds must be tested (RRT-PCR, virus isolation, or serology). For waterfowl, virus detection testing (cloacal swabs) is required for entry. RRT-PCR testing is accepted for domestic ducks-virus isolation testing must be used for other waterfowl. No untested birds shall have been added to the flock after sample collection and before entry into Pennsylvania.

c. If a flock is serologically positive, poultry from that flock may be imported only if the flock is determined to be free of virus by virtue of a negative virus detection test (virus isolation or RRT-PCR) of oropharyngeal, tracheal and/or cloacal specimens from a minimum of one hundred and fifty (150) birds. If there are fewer than 150 birds in the flock, all birds must be tested. For waterfowl, virus detection testing on cloacal swabs is required for entry. RRT-PCR testing is accepted for domestic ducks-virus isolation testing must be used for other waterfowl. The date of sample collection must be within the 30 days prior to the date of entry into Pennsylvania and the shipment must be accompanied by the test report. No untested birds shall have been added to the flock after sample collection and before entry into Pennsylvania.



133. Poultry three (3) weeks of age and older, imported into the Commonwealth, shall meet all other import requirements required under PDA's regulations at Title 7 of the *Pennsylvania Code* (accessible through the following web site address: [www.pacode.com](http://www.pacode.com)).

4. Gallinaceous birds, water birds, and ratites three (3) weeks of age and older which are destined to be pet birds or destined to be part of a zoological or menagerie collection; and wild birds three (3) weeks of age and older (gallinaceous birds, water birds, and ratites) destined for domestication, confinement, or as pets must be test negative for avian influenza (swabs tested using virus isolation or real-time reverse-transcriptase polymerase chain reaction (RRT-PCR) techniques). These birds may be individually tested for import. The date of sample collection must be within the thirty (30) days prior to the date of entry into Pennsylvania and the shipment must be accompanied by the test report. RRT-PCR testing is accepted for domestic ducks. For wild water birds, virus isolation (cloacal swabs) is required for entry.

5. All other imported gallinaceous birds, water birds, and ratites three (3) weeks of age and older must meet all AI testing requirements stated for poultry (includes birds intended for release). For water birds, virus detection testing on cloacal swabs is required for entry (refer to #2 and #4 above). RRT-PCR testing is accepted for domestic ducks. For wild water birds, virus isolation (cloacal swabs) is required for entry.

6. This Order shall not be construed as limiting PDA's authority to establish additional quarantine or testing requirements on imported poultry and/or poultry products.

7. This Order is effective January 1, 2013, and supplants the referenced Interstate/International Quarantine Order of July 1, 2012.

GEORGE D. GREIG,  
Secretary

[Pa.B. Doc. No. 13-9. Filed for public inspection January 4, 2013, 9:00 a.m.]

### Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) issues a temporary order designating Chronic Wasting Disease (CWD), Spring Viremia of Carp (SVC), Viral Hemorrhagic Septicemia (VHS) and the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1) as "dangerous transmissible diseases." These designations are made under the authority of 3 Pa.C.S. §§ 2301—2389 (relating to Domestic Animal Law).

This temporary order is the successor to a previous temporary order with respect to these same diseases, as published at 42 Pa.B. 567 (January 28, 2012), that made the same dangerous transmissible disease designations, with the exception of Lymphocytic Choriomeningitis Virus (LCMV) and West Nile Encephalitis (WNE) which have been removed from the Department's list of dangerous transmissible diseases. This previous temporary order will expire as of January 1, 2013.

Under 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and loca-

tion of transmissible diseases of animals. Under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases), the Department has authority to declare a disease that has not been specifically identified in that statute as a "dangerous transmissible disease" to be a dangerous transmissible disease through issuance of a temporary order making that designation.

#### 1. CWD

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

A number of states have, in recent years, instituted import regulations requiring that cervids entering those states: (1) originate from herds that are participating in a surveillance program; and (2) originate from states that have authority to take action in the event that CWD is diagnosed. The designation of CWD as a "dangerous transmissible disease" will facilitate the development and oversight of a surveillance program and will help the Department react and take action in the event CWD is detected.

#### 2. SVC

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

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

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

#### 3. VHS

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

#### 4. *Neurologic Form of EHV-1*

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

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

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound manage-

ment practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

#### *Order*

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

This order shall take effect as of January 1, 2013, and shall remain in effect until no later than January 1, 2014. This Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2014; (2) allow this temporary order to expire on January 1, 2014; (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

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

GEORGE D. GREIG,  
*Secretary*

[Pa.B. Doc. No. 13-10. Filed for public inspection January 4, 2013, 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 December 18, 2012.

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

#### Section 112 Acquisitions

| <i>Date</i> | <i>Name and Location of Applicant</i>  | <i>Action</i> |
|-------------|--|---------------|
| 12-6-2012   | John M. Ortenzio<br>Application for approval to acquire up to 10% of the common stock of Select Asset Management and Trust Company, Mechanicsburg. | Withdrawn     |

#### Holding Company Acquisitions

| <i>Date</i> | <i>Name and Location of Applicant</i>  | <i>Action</i> |
|-------------|--|---------------|
| 11-30-2012  | Wesbanco, Inc.<br>Wheeling<br>Ohio County, WV<br>Application for approval to acquire 100% of Fidelity Bancorp, Inc., Pittsburgh, and thereby indirectly acquire 100% of Fidelity Savings Bank, Pittsburgh. | Effective     |

**Branch Applications****De Novo Branches**

| <i>Date</i> | <i>Name and Location of Applicant</i>                                    | <i>Location of Branch</i>                             | <i>Action</i> |
|-------------|--|---|---------------|
| 12-6-2012   | Peoples State Bank of Wyalusing<br>Wyalusing<br>Bradford County          | 802 Hunter Highway<br>Tunkhannock<br>Wyoming County   | Opened        |
| 12-12-2012  | Penn Security Bank and Trust<br>Company<br>Scranton<br>Lackawanna County | 435 Wyoming Avenue<br>Kingston<br>Luzerne County      | Filed         |
| 12-17-2012  | F&M Trust Co. of Chambersburg<br>Chambersburg<br>Franklin County         | 711 Centerville Road<br>Newville<br>Cumberland County | Filed         |
| 12-17-2012  | Penn Liberty Bank<br>Wayne<br>Chester County                             | 1206 Egypt Road<br>Oaks<br>Montgomery County          | Filed         |

**Articles of Amendment**

| <i>Date</i> | <i>Name and Location of Institution</i>                                     | <i>Action</i> |
|-------------|---|---------------|
| 12-17-2012  | Delaware Management Trust<br>Company<br>Philadelphia<br>Philadelphia County | Filed         |

Amendment to Article II of the institution's Articles of Incorporation provides for the institution to change their principal place of business from 1818 Market Street, 16th Floor, Philadelphia, PA 19103 to 2005 Market Street, 39th Floor, Philadelphia, PA 19103.

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-11. Filed for public inspection January 4, 2013, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

**Request for Bids**

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

**FDC-009-7207.1—Fuel Tank Removal and Replacement, Quehanna Maintenance Building, Moshannon State Forest, Benzette Township, Elk County.** Work included under this contract consists of removing two 1,000-gallon underground tanks (one gasoline and one diesel) and installing two aboveground tanks (1,000-gallon gasoline tank and 1,000-gallon diesel tank). Bid documents will be available on or after January 2, 2013. The bid opening will be held on January 31, 2013.

**FDC-202-7263.1—Sewage Line I and I Repairs, Ph. 2, Cook Forest State Park, Farmington and Barnett Townships, Clarion and Forest Counties.** Work included under this contract of the construction work for rehabilitation of parts of a sewage collection and conveyance system at

Cook Forest State Park. Major items of work include cleaning and inspection of sewage gravity lines, gravity sewer pipe rehabilitation, sanitary manhole rehabilitation, testing and final cleaning and inspection. Pipe rehabilitation shall be accomplished by the trenchless cured in place pipe method as specified herein. Two spot repairs will be made by pipe replacement by the open trench method. Manhole rehabilitation shall primarily be accomplished by the grout injection method. Bid documents will be available on or after January 2, 2013. The bid opening will be held on January 31, 2013.

**FDC-300-7350.1—Building Demolition/Asbestos Removal Wenturine Camp, Building #58, and Skeet Building, Forest District #6 and Prince Gallitzin State Park, White and East Wheatfield Townships, Cambria and Indiana Counties.** Work included under this contract consists of the removal and disposal of asbestos containing material and the demolition, disposal and backfill of the existing structures. Work also includes grading, topsoil and seeding. Bid documents will be available on or after January 2, 2013. The bid opening will be held on January 31, 2013.

RICHARD J. ALLAN,  
*Secretary*

[Pa.B. Doc. No. 13-12. Filed for public inspection January 4, 2013, 9:00 a.m.]



# DEPARTMENT OF EDUCATION

## Application of The Johns Hopkins University to Offer a Course in this Commonwealth

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

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of The Johns Hopkins University, based in Baltimore, MD, to offer a course entitled Engineering Innovation at Montgomery County Community College in Blue Bell, PA.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon this application without a hearing, unless, within 30 days after the publication of this notice in the *Pennsylvania Bulletin*, a written request for public hearing is filed with the Department, along with a notice

of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Dr. Rod Niner, Higher Education Associate, 333 Market Street, Harrisburg, PA 17126-0333 by 4 p.m. on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previously address to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, contact Dr. Rod Niner at (717) 783-8228 to discuss accommodations.

RONALD J. TOMALIS,  
*Secretary*

[Pa.B. Doc. No. 13-13. Filed for public inspection January 4, 2013, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

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

## I. NPDES Renewal Applications

*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? |
|--------------------|---|--|---------------------------|-----------------|
| PA0247950<br>(Sew) | James Speed<br>3461 Lower Glades Road<br>York, PA 17406                 | York County /<br>Springettsbury Township | Unt Codorus Creek<br>/ 7H | Y               |
| PA0083879<br>(IW)  | WSI—Sandy Run Landfill, Inc.<br>995 Landfill Road<br>Hopewell, PA 16650 | Bedford County<br>Broad Top Township     | Sandy Run / 11-D          | Y               |

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

| NPDES No. (Type)      | Facility Name & Address   | County & Municipality                  | Stream Name (Watershed#) | EPA Waived Y/N? |
|-----------------------|---|--|--------------------------|-----------------|
| PA0024970<br>(Sewage) | Shenango River Lake<br>2442 Kelly Road<br>Hermitage, PA 16150   | Mercer County<br>Pymatuning Township   | Shenango River<br>(20-A) | Y               |
| PA0006238<br>(IW)     | Wismarq Valencia Plant<br>125 McFann Road<br>Valencia, PA 16059 | Butler County<br>Middlesex Township    | Glade Run (20-C)         | Y               |
| PA0103381<br>(IW)     | Merisol Antioxidants<br>292 State Route 8<br>Oil City, PA 16301 | Venango County<br>Cornplanter Township | Oil Creek (16-E)         | Y               |

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

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

**PA0026638 A-1**, Sewage, SIC Code 4952, 701 Old Wyomissing Road, Reading, PA 19611-1513. Facility Name: **Wyomissing Valley Joint Municipal Utility Authority**. This existing facility is located in Reading City, **Berks County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated Sewage. The facility has requested an extension of their Compliance Schedule to meet final effluent limits for Total Residual Chlorine.

The receiving stream, Wyomissing Creek, is located in State Water Plan watershed 3-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4 MGD.

Interim limits, February 1, 2010—July 31, 2013:

| Parameters              | Mass (lb/day)   |                |         | Concentration (mg/l) |                |                  |
|-------------------------|-----------------|----------------|---------|----------------------|----------------|------------------|
|                         | Average Monthly | Weekly Average | Minimum | Average Monthly      | Weekly Average | Instant. Maximum |
| Flow (MGD)              | Report          | Report         | XXX     | XXX                  | XXX            | XXX              |
| pH (S.U.)               | XXX             | XXX            | 6.0     | XXX                  | XXX            | 9.0              |
| Dissolved Oxygen        | XXX             | XXX            | 5.0     | XXX                  | XXX            | XXX              |
| Total Residual Chlorine | XXX             | XXX            | XXX     | 0.25                 | XXX            | 0.84             |
| CBOD <sub>5</sub>       | 667             | 1,000          | XXX     | 20                   | 30             | 40               |

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |                       |                | <i>Concentration (mg/l)</i>   |                       |                         |
|-----------------------------|------------------------|-----------------------|----------------|-------------------------------|-----------------------|-------------------------|
|                             | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Minimum</i> | <i>Average Monthly</i>        | <i>Weekly Average</i> | <i>Instant. Maximum</i> |
| BOD <sub>5</sub>            |                        |                       |                |                               |                       |                         |
| Raw Sewage Influent         | Report                 | XXX                   | XXX            | Report                        | XXX                   | XXX                     |
| Total Suspended Solids      |                        |                       |                |                               |                       |                         |
| Raw Sewage Influent         | Report                 | XXX                   | XXX            | Report                        | XXX                   | XXX                     |
| Total Suspended Solids      | 1,000                  | 1,334                 | XXX            | 30                            | 40                    | 60                      |
| Fecal Coliform (CFU/100 ml) |                        |                       |                |                               |                       |                         |
| May 1 - Sep 30              | XXX                    | XXX                   | XXX            | 200                           | XXX                   | XXX                     |
| Oct 1 - Apr 30              | XXX                    | XXX                   | XXX            | Geo Mean<br>2,000<br>Geo Mean | XXX                   | XXX                     |
| Ammonia-Nitrogen            |                        |                       |                |                               |                       |                         |
| May 1 - Oct 31              | 100                    | XXX                   | XXX            | 3.0                           | XXX                   | 6.0                     |
| Nov 1 - Apr 30              | 300                    | XXX                   | XXX            | 9.0                           | XXX                   | 18.0                    |

Final limits, August 1, 2013—January 31, 2015:

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |                       |                | <i>Concentration (mg/l)</i>   |                       |                         |
|-----------------------------|------------------------|-----------------------|----------------|-------------------------------|-----------------------|-------------------------|
|                             | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Minimum</i> | <i>Average Monthly</i>        | <i>Weekly Average</i> | <i>Instant. Maximum</i> |
| Flow (MGD)                  | Report                 | Report<br>Daily Max   | XXX            | XXX                           | XXX                   | XXX                     |
| pH (S.U.)                   | XXX                    | XXX                   | 6.0            | XXX                           | XXX                   | 9.0                     |
| Dissolved Oxygen            | XXX                    | XXX                   | 5.0            | XXX                           | XXX                   | XXX                     |
| Total Residual Chlorine     | XXX                    | XXX                   | XXX            | 0.1                           | XXX                   | 0.31                    |
| CBOD <sub>5</sub>           | 667                    | 1,000                 | XXX            | 20                            | 30                    | 40                      |
| BOD <sub>5</sub>            |                        |                       |                |                               |                       |                         |
| Raw Sewage Influent         | Report                 | XXX                   | XXX            | Report                        | XXX                   | XXX                     |
| Total Suspended Solids      |                        |                       |                |                               |                       |                         |
| Raw Sewage Influent         | Report                 | XXX                   | XXX            | Report                        | XXX                   | XXX                     |
| Total Suspended Solids      | 1,000                  | 1,334                 | XXX            | 30                            | 40                    | 60                      |
| Fecal Coliform (CFU/100 ml) |                        |                       |                |                               |                       |                         |
| May 1 - Sep 30              | XXX                    | XXX                   | XXX            | 200                           | XXX                   | XXX                     |
| Oct 1 - Apr 30              | XXX                    | XXX                   | XXX            | Geo Mean<br>2,000<br>Geo Mean | XXX                   | XXX                     |
| Ammonia-Nitrogen            |                        |                       |                |                               |                       |                         |
| May 1 - Oct 31              | 100                    | XXX                   | XXX            | 3.0                           | XXX                   | 6.0                     |
| Nov 1 - Apr 30              | 300                    | XXX                   | XXX            | 9.0                           | XXX                   | 18.0                    |

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

The EPA Waiver is not in effect.

**PA0261891**, SIC Code 4941, **Bear Valley Franklin County PA Joint Authority**, 218 School House Road, St Thomas, PA 17252-0308. Facility Name: Bear Valley WTP. This proposed facility is located in Peters Township, **Franklin County**.

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

The receiving stream(s), Unnamed Tributary of West Branch Conococheague Creek, is located in State Water Plan watershed 13-C and is classified for 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 0.0364 MGD.

| <i>Parameters</i>       | <i>Mass</i>                    |                           |                | <i>Concentration (mg/l)</i> |                      |                         |
|-------------------------|--------------------------------|---------------------------|----------------|-----------------------------|----------------------|-------------------------|
|                         | <i>Annual Average (lb/day)</i> | <i>Total Annual (lbs)</i> | <i>Minimum</i> | <i>Average Monthly</i>      | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
| Flow (MGD)              | Report<br>Avg Mo               | Report<br>Daily Max       | XXX            | XXX                         | XXX                  | XXX                     |
| pH (S.U.)               | XXX                            | XXX                       | 6.0            | XXX                         | XXX                  | 9.0                     |
| Total Suspended Solids  | XXX                            | XXX                       | XXX            | 30                          | 60                   | 75                      |
| Nitrate-Nitrite as N    | Report                         | XXX                       | XXX            | Report                      | XXX                  | XXX                     |
| Total Nitrogen          | Report                         | Report                    | XXX            | Report                      | XXX                  | XXX                     |
| Total Kjeldahl Nitrogen | Report                         | XXX                       | XXX            | Report                      | XXX                  | XXX                     |
| Total Phosphorus        | Report                         | Report                    | XXX            | Report                      | XXX                  | XXX                     |
| Total Aluminum          | XXX                            | XXX                       | XXX            | 0.70                        | 1.40                 | 1.75                    |

| <i>Parameters</i> | <i>Mass</i>                    |                           |                | <i>Concentration (mg/l)</i> |                      |                         |
|-------------------|--------------------------------|---------------------------|----------------|-----------------------------|----------------------|-------------------------|
|                   | <i>Annual Average (lb/day)</i> | <i>Total Annual (lbs)</i> | <i>Minimum</i> | <i>Average Monthly</i>      | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
| Total Iron        | XXX                            | XXX                       | XXX            | 2.0                         | 4.0                  | 5.0                     |
| Total Manganese   | XXX                            | XXX                       | XXX            | 1.0                         | 2.0                  | 2.5                     |
| Total Zinc        | XXX                            | XXX                       | XXX            | 0.20                        | 0.40                 | 0.50                    |

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

The EPA Waiver is in effect.

**PA0248185**, Sewage, SIC Code 4952, **Jackson Township Authority Lebanon County**, 60 N Ramona Road, Myerstown, PA 17067-2149. Facility Name: Jackson Township STP. This existing facility is located in Jackson Township, **Lebanon County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>          |  |                | <i>Concentration (mg/l)</i> |                       |                         |
|-----------------------------|-------------------------------|--|----------------|-----------------------------|-----------------------|-------------------------|
|                             | <i>Average Monthly Report</i> | <i>Weekly Average Report</i><br><i>Daily Max</i> | <i>Minimum</i> | <i>Average Monthly</i>      | <i>Weekly Average</i> | <i>Instant. Maximum</i> |
| Flow (MGD)                  | Report                        | Report   | XXX            | XXX                         | XXX                   | XXX                     |
| pH (S.U.)                   | XXX                           | XXX  | 6.0            | XXX                         | XXX                   | 9.0                     |
| Dissolved Oxygen            | XXX                           | XXX  | 5.0            | XXX                         | XXX                   | XXX                     |
| CBOD <sub>5</sub>           |                               |  |                |                             |                       |                         |
| May 1 - Oct 31              | 67                            | 104  | XXX            | 16                          | 25                    | 32                      |
| Nov 1 - Apr 30              | 104                           | 167  | XXX            | 25                          | 40                    | 50                      |
| BOD <sub>5</sub>            |                               |  |                |                             |                       |                         |
| Raw Sewage Influent         | Report                        | XXX  | XXX            | Report                      | XXX                   | XXX                     |
| Total Suspended Solids      |                               |  |                |                             |                       |                         |
| Raw Sewage Influent         | Report                        | XXX  | XXX            | Report                      | XXX                   | XXX                     |
| Total Suspended Solids      | 125                           | 187  | XXX            | 30                          | 45                    | 60                      |
| Fecal Coliform (CFU/100 ml) |                               |  |                |                             |                       |                         |
| May 1 - Sep 30              | XXX                           | XXX  | XXX            | 200<br>Geo Mean             | XXX                   | 1,000                   |
| Oct 1 - Apr 30              | XXX                           | XXX  | XXX            | 2,000<br>Geo Mean           | XXX                   | 10,000                  |
| Ammonia-Nitrogen            |                               |  |                |                             |                       |                         |
| May 1 - Oct 31              | 7.1                           | XXX  | XXX            | 1.7                         | XXX                   | 3.4                     |
| Nov 1 - Apr 30              | 21                            | XXX  | XXX            | 5.1                         | XXX                   | 10.2                    |
| Total Phosphorus            | 4.1                           | XXX  | XXX            | 1.0                         | XXX                   | 2.0                     |

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

The EPA Waiver is in effect.

**PA0261939**, SIC Code 6514, **Geoff Weaver**, 790 Oliver Street, Newport, PA 17074. Facility Name: Geoff Weaver Residence. This proposed facility is located in Oliver Township, **Perry County**.

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

The receiving stream(s), Unnamed Tributary to Juniata River, is located in State Water Plan watershed 12-B 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 0.0004 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i>   |                |                | <i>Concentration (mg/l)</i> |                         |                         |
|-------------------|------------------------|----------------|----------------|-----------------------------|-------------------------|-------------------------|
|                   | <i>Average Monthly</i> | <i>Minimum</i> | <i>Minimum</i> | <i>Average Monthly</i>      | <i>Instant. Maximum</i> | <i>Instant. Maximum</i> |
| Flow (MGD)        | Report                 | XXX            | XXX            | XXX                         | XXX                     | XXX                     |
| CBOD <sub>5</sub> | XXX                    | XXX            | XXX            | 10                          | XXX                     | 20                      |

| Parameters                  | Mass (lb/day)   |         |         | Concentration (mg/l) |                  |          |
|-----------------------------|-----------------|---------|---------|----------------------|------------------|----------|
|                             | Average Monthly | Minimum | Maximum | Average Monthly      | Instant. Maximum | Geo Mean |
| Total Suspended Solids      | XXX             | XXX     | XXX     | 10                   | 20               | XXX      |
| Fecal Coliform (CFU/100 ml) | XXX             | XXX     | XXX     | 200                  | 1,000            | XXX      |

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

The EPA Waiver is in effect.

**PA0032000**, Sewage, SIC Code 8412, **PA DCNR—Bureau of State Parks**, Gifford Pinchot State Park, 2200 Rosstown Road, Lewisberry, PA 17339-9787. Facility Name: Gifford Pinchot State Park. This existing facility is located in Warrington Township, **York County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.216 MGD.

| Parameters                  | Mass (lb/day)   |               |         | Concentration (mg/l) |                |                  |
|-----------------------------|-----------------|---------------|---------|----------------------|----------------|------------------|
|                             | Average Monthly | Daily Maximum | Minimum | Average Monthly      | Weekly Average | Instant. Maximum |
| Flow (MGD)                  | Report          | Report        | XXX     | XXX                  | XXX            | XXX              |
| pH (S.U.)                   | XXX             | XXX           | 6.0     | XXX                  | XXX            | 9.0              |
| Dissolved Oxygen            | XXX             | XXX           | 5.0     | XXX                  | XXX            | XXX              |
| Total Residual Chlorine     | XXX             | XXX           | XXX     | 0.50                 | XXX            | 1.6              |
| CBOD <sub>5</sub>           | 45              | 72            | XXX     | 25                   | 40             | 50               |
| BOD <sub>5</sub>            |                 | Wkly Avg      |         |                      |                |                  |
| Raw Sewage Influent         | Report          | Report        | XXX     | Report               | XXX            | XXX              |
| Total Suspended Solids      |                 |               |         |                      |                |                  |
| Raw Sewage Influent         | Report          | Report        | XXX     | Report               | XXX            | XXX              |
| Total Suspended Solids      | 54              | 81            | XXX     | 30                   | 45             | 60               |
| Fecal Coliform (CFU/100 ml) |                 | Wkly Avg      |         |                      |                |                  |
| May 1 - Sep 30              | XXX             | XXX           | XXX     | 200                  | XXX            | 1000             |
|                             |                 |               |         | Geo Mean             |                |                  |
| Oct 1 - Apr 30              | XXX             | XXX           | XXX     | 2000                 | XXX            | 10000            |
|                             |                 |               |         | Geo Mean             |                |                  |
| Ammonia-Nitrogen            |                 |               |         |                      |                |                  |
| May 1 - Oct 31              | 41              | XXX           | XXX     | 23                   | XXX            | Report           |
| Nov 1 - Apr 30              | Report          | XXX           | XXX     | Report               | XXX            | Report           |
| Total Phosphorus            | 3.6             | XXX           | XXX     | 2.0                  | XXX            | 4.0              |

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 | XXX     | Report               | XXX     |
| Kjeldahl—N           | Report     | XXX    | XXX     | Report               | XXX     |
| Nitrate-Nitrite as N | Report     | XXX    | XXX     | Report               | XXX     |
| Total Nitrogen       | Report     | Report | XXX     | Report               | XXX     |
| Total Phosphorus     | Report     | Report | XXX     | Report               | XXX     |

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

The EPA Waiver is in effect.

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

**PA314804**, Storm Water, SIC Code 1389, **Gas Field Specialists Inc.**, 2107 SR 44 South, Lock Haven, PA 16748. Facility Name: Lock Haven Facility. This proposed facility is located in Dunnstable Township, **Clinton County**.

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



The receiving stream(s), Big Plum Run, is located in State Water Plan watershed 9-B 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.

| Parameters              | Mass (lb/day)   |               |         | Concentration (mg/l) |               |                  |
|-------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
|                         | Average Monthly | Daily Maximum | Minimum | Average Monthly      | Daily Maximum | Instant. Maximum |
| pH (S.U.)               | XXX             | XXX           | Report  | XXX                  | XXX           | Report           |
| 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 Iron              | XXX             | XXX           | XXX     | XXX                  | Report        | XXX              |

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

The EPA Waiver is in effect.

**PA0111741 A-1**, Sewage, SIC Code 4952, **Lewis Township**, 1428 Rovendale Drive, Watsonstown, PA 17777. Facility Name: Warrior Run School District WWTP. This existing facility is located in Lewis Township, **Northumberland County**.

Description of Existing Activity: The application is for a transfer / amendment of an NPDES permit for an existing discharge of treated Sewage. The permit has also been amended to change the permit type from non-municipal to publicly owned treatment works (POTW).

The receiving stream(s), Warrior Run, is located in State Water Plan watershed 10-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 0.026 MGD.

| Parameters                  | Mass (lb/day)   |               |         | Concentration (mg/l) |                |                  |
|-----------------------------|-----------------|---------------|---------|----------------------|----------------|------------------|
|                             | Average Monthly | Daily Maximum | Minimum | Average Monthly      | Weekly Average | 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     | 1.0                  | XXX            | 2.3              |
| CBOD <sub>5</sub>           | XXX             | XXX           | XXX     | 25                   | 40             | 50               |
| Total Suspended Solids      | XXX             | XXX           | XXX     | 30                   | 45             | 60               |
| Fecal Coliform (CFU/100 ml) |                 |               |         |                      |                |                  |
| May 1 - Sep 30              | XXX             | XXX           | XXX     | 200<br>Geo Mean      | XXX            | 1,000            |
| Oct 1 - Apr 30              | XXX             | XXX           | XXX     | 2,000<br>Geo Mean    | XXX            | 10,000           |

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

The EPA Waiver is in effect.

*Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000*

**PA0026522**, Sewage, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902. Facility Name: New England STP. This existing facility is located in West Mifflin Borough, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary of Monongahela River is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 101 are based on a design flow of 1.2 MGD.

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

| Parameters                                 | Mass (lb/day)   |                  |         | Concentration (mg/l) |                |                  |
|--|-----------------|------------------|---------|----------------------|----------------|------------------|
|  | Average Monthly | Weekly Average   | Minimum | Average Monthly      | Weekly Average | Instant. Maximum |
| Total Residual Chlorine (Interim)          | XXX             | XXX              | XXX     | 1.0                  | XXX            | 3.3              |
| (Final)                                    | XXX             | XXX              | XXX     | 0.02                 | XXX            | 0.06             |
| CBOD <sub>5</sub>                          | 250             | 376              | XXX     | 25                   | 37.5           | 50               |
| BOD <sub>5</sub> Raw Sewage Influent       | Report          | Report Daily Max | XXX     | Report               | XXX            | XXX              |
| Total Suspended Solids Raw Sewage Influent | Report          | Report Daily Max | XXX     | Report               | XXX            | XXX              |
| Total Suspended Solids                     | 300             | 450              | XXX     | 30                   | 45             | 60               |
| Fecal Coliform (CFU/100 ml) May 1 - Sep 30 | XXX             | XXX              | XXX     | 200 Geo Mean         | XXX            | 1,000            |
| Oct 1 - Apr 30                             | XXX             | XXX              | XXX     | 2,000 Geo Mean       | XXX            | 10,000           |
| Ammonia-Nitrogen May 1 - Oct 31            | 20              | 30               | XXX     | 2.0                  | 3.0            | 4.0              |
| Nov 1 - Apr 30                             | 30              | 45               | XXX     | 3.0                  | 4.5            | 6.0              |
| Total Phosphorus                           | Report          | XXX              | XXX     | Report               | XXX            | XXX              |
| Total Nitrogen                             | Report          | XXX              | XXX     | Report               | XXX            | XXX              |

The EPA Waiver is not in effect.

**PA0026883**, Sewage, **City of Beaver Falls**, 715 15th Street, Beaver Falls, PA 15010-4124. Facility Name: Beaver Falls STP. This existing facility is located in Beaver Falls City, **Beaver 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, Beaver River is located in State Water Plan watershed 20-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 Internal Outfall 101 and Relief Outfall 002 are based on a design flow of 4.8 MGD.

| Parameters                                 | Mass (lb/day)   |                  |         | Concentration (mg/l) |                |                  |
|--|-----------------|------------------|---------|----------------------|----------------|------------------|
|  | Average Monthly | Daily Maximum    | Minimum | Average Monthly      | Weekly Average | Instant. Maximum |
| Flow (MGD)                                 | Report          | Report           | XXX     | XXX                  | XXX            | XXX              |
| pH (S.U.)                                  | XXX             | XXX              | 6.0     | XXX                  | XXX            | 9.0              |
| Total Residual Chlorine                    | XXX             | XXX              | XXX     | 0.5                  | XXX            | 1.6              |
| CBOD <sub>5</sub>                          | 1,001.4         | 1,502.1 Wkly Avg | XXX     | 25                   | 37.5           | 50               |
| BOD <sub>5</sub> Raw Sewage Influent       | Report          | Report           | XXX     | Report               | XXX            | XXX              |
| Total Suspended Solids Raw Sewage Influent | Report          | Report           | XXX     | Report               | XXX            | XXX              |
| Total Suspended Solids                     | 1,201.7         | 1,802.5 Wkly Avg | XXX     | 30                   | 45             | 60               |
| Fecal Coliform (CFU/100 ml) May 1 - Sep 30 | XXX             | XXX              | XXX     | 200 Geo Mean         | XXX            | 1,000            |
| Oct 1 - Apr 30                             | XXX             | XXX              | XXX     | 2,000 Geo Mean       | XXX            | 10,000           |

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 1512416**, Sewage, **Westtown Township**, 1039 Wilmington Pike, West Chester, PA 19382.

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

Description of Action/Activity: Construction and operation of a wastewater treatment plant to reduce phosphorus in the plant effluent water that is discharged to the east branch of Chester Creek.

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



**WQM Permit No. 0672403 12-1**, Sewerage, **Oley Township Municipal Authority**, One Rose Virginia Road, PO Box 19, Oley, PA 19547.

This proposed facility is located in Oley Township, **Berks County**.

Description of Proposed Action/Activity: Seeking authority to install a Volute Dewatering Press to assist in sludge dewatering at the WTP.

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

**WQM Permit No. 4397401**, Sewerage, **Harold P. Newton, Jr.**, 113 North Diamond Street, Mercer, PA 16137.

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

Description of Proposed Action/Activity: Transfer of permit from Keystone Research Inc. to Harold P. Newton, Jr.

**WQM Permit No. WQG018857**, Sewerage, **Land ACQ LLC**, P. O. Box 1530, Youngstown, OH 44501.

This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: Small Flow Treatment Facility for the Gateway Grill & Tavern.

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

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

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

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

| <i>NPDES Permit No.</i>  | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>    | <i>Receiving Water/Use</i> |
|--------------------------|--|---------------|------------------------|----------------------------|
| PAI01<br>0907019—Phase 4 | Pennsylvania Turnpike Commission<br>700 S. Eisenhower Blvd.<br>Middletown, PA 17057-5529 | Bucks         | Bristol Township       | Mill Creek—<br>WWF-MF      |
| PAI01<br>231209          | Sunoco Logistics Partners, L.P.<br>4041 Market Street<br>Aston, PA 19041                 | Delaware      | Marcus Hook<br>Borough | Delaware River—<br>WWF-MF  |

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

*Pike County Conservation District: 556 Route 402, Ste. 1, Hawley, PA 18428, 570-226-8220.*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>                                       |
|-------------------------|---|---------------|---------------------|--|
| PAI025207005R           | Pine Hill Partners, LP<br>1491 Hemlock Farms<br>Lords Valley, PA 18428                        | Pike          | Westfall Twp.       | Crawford Branch,<br>HQ-CWF, MF;<br>Cummins Branch,<br>HQ-CWF, MF |
| PAI025208008R           | Raymondskill Properties, LLC<br>1875 Century Park East<br>Suite 1890<br>Los Angeles, CA 90067 | Pike          | Dingman Twp.        | Raymondskill Creek,<br>HQ-CWF, MF                                |

*Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, 610-391-9583.*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i>    | <i>Receiving Water/Use</i>         |
|-------------------------|---|---------------|------------------------|------------------------------------|
| PAI023912026            | John Howard<br>Howard Construction, Inc.<br>203 E. Emmaus Ave.<br>Allentown, PA 18103 | Lehigh        | Lower Macungie<br>Twp. | Little Lehigh Creek,<br>HQ-CWF, MF |
| PAI023907013R           | John Howard<br>Howard Land Company<br>203 E. Emmaus Ave.<br>Allentown, PA 18103       | Lehigh        | Weisenberg Twp.        | Schaefer Run,<br>HQ-CWF, MF        |

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

| Permit #      | Applicant Name & Address  | County    | Municipality | Receiving Water/Use        |
|---------------|---|-----------|--------------|----------------------------|
| PAI032807001R | Divinity Investments, LLC<br>PO Box 1180<br>Chambersburg, PA 17201        | Franklin  | Guilford Twp |                            |
| PAI033612012  | Barry and Laurie Risk<br>230 Haines Station Rd.<br>Peach Bottom, PA 17563 | Lancaster | Fulton Twp   | Haines Run<br>(HQ-WWF, MF) |

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

PAG-12      CAFOs

#### CAFO Notices of Intent Received

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

**PAG124832**, CAFO (SIC 0259), **Curvin Martin**, 322 Hatchery Lane, Dalmatia, PA 17017.

This existing facility is located in Lower Mahanoy Township, **Northumberland County**.

Description of Size and Scope of Proposed Operation/Activity: The applicant proposes a renewal of a CAFO General Permit for his duck farm. The facility is comprised of two barns with an external manure storage impoundment. Total manure storage is 911,135 gallons. Animals onsite include 37,224 ducks, for a total of 62 animal equivalent units.

The receiving stream, an unnamed tributary to Mahantango Creek, is in Watershed 6C (Mahantango Creek) and is classified for WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

### 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.

#### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

| Agricultural Operation Name and Address                   | County    | Total Acres | Animal Equivalent Units | Animal Type  | Special Protection Waters (HQ or EV or NA) | Renewal/ New |
|---|-----------|-------------|-------------------------|--------------|--|--------------|
| Robert Hess<br>386 Rock Point Road<br>Mount Joy, PA 17552 | Lancaster | 238.1       | 633.93                  | Swine / Beef | NA   | Renewal      |

| <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>         |
|---|---------------|--|--------------------------------|---------------------|---|------------------------------|
| L & W Farms, LLC<br>4251 Fletcher Drive<br>Greencastle, PA 17225  | Franklin      | 379, 308<br>acres<br>available for<br>manure | 402.07                         | Poultry,<br>Heifers | NA  | Renewal                      |
| <i>Agricultural Operation Name and Address</i>  | <i>County</i> | <i>Total Acres</i>                           | <i>Animal Equivalent Units</i> | <i>Animal Type</i>  | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Application or Action</i> |
| Country View Family Farm, LLC<br>Beaverton Sow Farm<br>429 Beaverton Lane<br>Beavertown, PA 17813   | Snyder        | 100.00<br><br>But 60.88 for<br>Manure App.   | 802.73                         | Swine               | NA  | Application                  |
| Meily Farm<br>Adam Meily<br>Farm Address:<br>Back Mt. Road<br>McClure, PA 17841<br>Mailing Address:<br>1220 Parthemer Road<br>McClure, PA 17841 | Snyder        | 11<br><br>But 0 for<br>Manure App.           | 1101.21                        | Swine               | NA  | Application                  |

**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**

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

**Application No. 0812503—Construction** Public Water Supply.

|                       |  |
|-----------------------|--|
| Applicant             | <b>Wyalusing Municipal Authority</b>   |
| [Township or Borough] | Wyalusing Borough  |
| County                | <b>Bradford</b>  |
| Responsible Official  | Earl C. Lewis, Jr., Chairman<br>Wyalusing Municipal Authority<br>50 Senate Street<br>Wyalusing, PA 18853   |
| Type of Facility      | Public Water Supply  |
| Consulting Engineer   | Michael P. Goodwin, P.E.<br>Milnes Engineering, Inc.<br>12 Frear Hill Road<br>Tunkhannock, PA 18657  |
| Application Received  | December 18, 2012  |
| Description of Action | Interconnection of former Welles Water Co. facilities with the system serving Wyalusing Borough; upgrade former Welles Water Co. facilities to meet community system design standards, including 4-log removal of viruses. |

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

**Permit No. 0312507**, Public Water Supply.

Applicant **Parks Township Municipal Authority**  
1106 Highland Avenue  
Vandergrift, PA 15690

[Township or Borough] Parks Township

Responsible Official David E. Geltz, Chairman  
Parks Township Municipal Authority  
1106 Highland Avenue  
Vandergrift, PA 15690

Type of Facility Water system

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

Application Received Date November 27, 2012

Description of Action Construction of the Slate Point Road pump station and installation of approximately 7,960 feet of waterline.

#### MINOR AMENDMENT

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

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

#### Application No. 5600506T1, Minor Amendment.

Applicant **Somerset Township Municipal Authority**  
PO Box 247  
Somerset, PA 15501

[Township or Borough] Stoystown Borough

Responsible Official Nancy Aultz, Manager  
Somerset Township Municipal Authority  
PO Box 247  
Somerset, PA 15501

Type of Facility Water system

Consulting Engineer Somerset Planning & Engineering Services, LLC  
222 West Main Street  
Suite 100  
Somerset, PA 15501

Application Received Date October 31, 2012

Description of Action Transfer of the Stoystown water system to the Somerset Township Municipal Authority Reading water system.

#### Application No. 4560299T1, Minor Amendment.

Applicant **Cairnbrook Improvement Association**  
PO Box 264  
Cairnbrook, PA 15924

[Township or Borough] Shade Township

Responsible Official Cairnbrook Improvement Association  
PO Box 264  
Cairnbrook, PA 15924

Type of Facility Water system

Consulting Engineer

Application Received Date October 31, 2012

Description of Action Transfer of the Small Water Association water system to the Cairnbrook Improvement Association water system.

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

#### Application No. 6191502-MA2, Minor Amendment.

Applicant **General Authority of the City of Franklin**

Township or Borough City of Franklin

Responsible Official Fred C. Leyda

Type of Facility Public Water Supply

Consulting Engineer Olgierd K. Wodzianski, P.E.  
Wodzianski Engineering, Inc.  
1322 Elk Street  
Franklin, PA 16323

Application Received Date November 30, 2012

Description of Action Sale of approximately 300,000 gpd water to Halcon Resources through a bulk water hauler take point.

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

#### Application No. 3130011

Applicant **Blue Mountain View Estates, LLC**

[Township or Borough] Lower Towamensing Township  
**Carbon County**

Responsible Official Jonathan Ammay  
1716 West Lizard Creek Road  
Lehighton, PA 18235

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date December 12, 2012

Description of Action Application for transfer of PWS operation permit No. 3130011, currently known as Chestnut Ridge Mobile Home Park, from Richard F. Beers to Blue Mountain View Estates, LLC.



## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401*

**Spring Mill Corporation**, Whitemarsh Township, **Montgomery County**. Michael S. Welsh, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Robert Haley, Spring Hill Corporation, 194 Greenfield Road, Lancaster, PA 17601 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of methanol. The future use of the site will remain the same.

**Galbraith Don Motoring**, Easttown Township, **Chester County**. Michael S. Welsh, Welsh Environmental, Inc. 131 Clearview Drive, Downingtown, PA 19355, Staci Cottone, J&J Spill Service and Supplies, P. O. Box 370, Blue Bell, PA 19422 on behalf of Don Galbraith, Don Galbraith Motoring, Inc., 149 Old Lancaster Road, Devon, PA 19333 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. Intended future use is commercial with potential for residential development.

**Grandview Elementary School**, Morrisville Borough, **Bucks County**. Christopher J. Horna, Synergy Environmental, Inc., 15 Railroad Plaza, 1st Floor, Royersford, PA 19468 on behalf of Paul DeAngelo, School District of Borough of Morrisville, 550 West Palmer Street, Morrisville, PA 19468 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The future use of the site will remain the same.

**Titan International, Inc.**, Borough of Pottstown, **Montgomery County**. Walter H. Hungarter, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of William Glycenfer, Titan International, Inc., 301 Lilac Lane, Cinnaminson, NJ 08077 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of lead. The site has been an industrial facility since the early 1920's and will continue to be an industrial property in the future.

**Gibat Residence**, Upper Dublin Borough, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Robert Steck, The Standard Fire Insurance Company, P. O. Box 13485, Wyomissing, PA 19612 on behalf of Albert Gibat, 101 Drury Lane, Schwenksville, PA 19473-2815 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the site is residential. A Notice of Intent to Remediate was to have been published in the *Ambler Gazette* on November 7, 2012.

**Glenn Brook Apartment**, Glenolden Borough, **Delaware County**. Amanda Lofink, Cardno ATC, 920 Germantown Pike, Suite 200, Plymouth Meeting, PA 19462 on behalf of Robin L. Stein, Home Properties, L.P., 850 Clinton Square, Rochester NY 14604 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the property is a continuation of the current use (multi-family residential). A Notice of Intent to Remediate was to have been published in the *Delaware County Daily Times* on November 5, 2012.

**Limpkins Furniture Store Warehouse**, City of Coatesville, **Chester County**. Michel A. Christie, P.G., Penn Environmental & Remediation, 2755 Bergey Road, Hatfield, PA 19440, Michael Bernstein, Lipkins's Furniture, Inc. 119 East Lincoln Highway, Coatesville, PA 19320 on behalf of Christopher Zeliznak, P.G., Penn Environmental & Remediation, 2755 Bergey Road, Hatfield, PA 19440 has submitted a Notice of Intent to

Remediate. Soil at the site has been impacted with the release of ethyl benzene, toluene, total xylenes. The proposed future use of the site is currently anticipated to be for continued non-residential use may be considered the future. A Notice of Intent to Remediate was to have been published in the *Daily Local News* on November 9, 2012.

**West Whiteland Township Building**, West Whiteland Township, **Chester County**. Daniel B. Lewis, SSM Group Inc., 1047 North Park Road, Reading, PA 10610 on behalf of Michael A. Cotter, Township of West Whiteland, 101 Commerce Drive Exton, PA 19341 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The former Township Building will be demolished; however, the future site usage is currently undetermined. A Notice of Intent to Remediate was to have been published in the *Daily Local News* on November 8, 2012.

**Wawa Food Market 194**, Clan Township, **Chester County**. J. Matthew Brainard, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, Matthew S. Winters, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063 on behalf of Kulraj Singh, Baba, LLC, 1947 East Lincoln Highway, Coatesville, PA 19320 has submitted a Notice of Intent to Remediate. Soil and groundwater as the site has been impacted with the release of benzene, ethylbenzene, naphthalene, 1, 2, 4-trimethylbenzene, 1,3, 5-trimethylbenzene. The intended future use of the property is commercial in nature as a convenience store.

**Firestone Service Center #01F1**, Langhorne Borough, **Bucks County**. Jessica Morrison, Bradburne Briller & Johnson, 5 Market Square, Suite 205, Amesbury, MA 01913, Debra Hamlin, Bridgestone Retail Operations, 333 East Lake Street, Bloomingdale IL 60108 on behalf of Jim Boyle, Lincoln Plaza Center, LP, c/o Oxford Valley Mall, Management Office 2300 East Lincoln Highway, Langhorne, PA 19047 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of gasoline. The intended future use of the subject property is continued use as a commercial automotive tire and service facility.

**Texaco 100247**, City of Philadelphia, **Philadelphia County**. Jeffery T. Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914, Robert Holland, Bottom Dollar Food Northeast, LLC. P. O. Box 1330, Salisbury, NC 28145 on behalf of Albert Huoch, Penn GMT Corporation, 1900 East Sedgley Avenue, Philadelphia, PA 19124 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of used motor oil. This site proposed of commercial redevelopment with a Bottom Dollar Food store. A Notice of Intent to Remediate was to have been published in *The Philadelphia Daily News* on September 19, 2012.

**Toppi Resident**, West Bradford Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc. 1635 Old Plains Road, Pennsburg, PA 18073, Frank Lynch, Envriolink, Inc. 165 Daleville Road, Cochranville, PA 19330 on behalf of Pamela Toppi, 561 Northbrook Road, West Chester, PA 19382 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the site is residential. A Notice of Intent to Remediate was to have been published in *The Local Daily News* on October 8, 2012.

**Rosemore Shopping Center**, Warminster Township, **Bucks County**. James Manuel, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142,

Charlene Drake, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142, Andrew Levine, Davisville Center Inc., Liquidating Trust, 564 Walter Road, Warminster PA 18974 on behalf of Matt Kelly, AMC Delancey Rosemore Partners, 718 Arch Street, Philadelphia, PA 19106 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of tetrachloroethene, trichloroethene, cis-1, 2 dichloroethene, and vinyl chloride. The future use of the site is not planned to change. A Notice of Intent to Remediate was to have been published in *The Bucks County Courier Times* on October 30, 2012.

**Carr Residence**, Borough of Hatboro, **Montgomery County**. Phil Gray, Jr. Compliance Management International 1350 Welsh Road, Suite 200, Norristown, PA 19454 on behalf of Judy Carr, 4009 Nicole Drive Hatboro, PA 19040 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with release of no. 2 fuel oil. The future use of the site will remain the same.

**Westnor LP Facility**, West Norriton Township, **Montgomery County**. Craig Herr, RT Environmental Service Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Martin Macgregor, Westnor, L.P. 10059 Sandmeyer Lane, Philadelphia, PA 19116 has submitted a Notice of Intent to Remediate. Soil and ground at the site has been impacted with the release of pce and breakdown compounds. The proposed future use of the site is to remain non-residential. A Notice of Intent to Remediate was to have been published in *The Times Herald* on April 12, 2011.

**Castel Club Apartment**, Falls Township, **Bucks County**. Amanda Lofink, Cardno ATC, Germantown Pike, Suite 200, Plymouth Meeting, PA 19462 on behalf of Robin L. Stein, Home Properties, L.P. 850 Clinton Square, Rochester, NY 14604 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site is a continuation of the current use (multi-family residential). A Notice of Intent to Remediate was to have been published in *The Bucks County Courier Times* on November 5, 2012.

**421 Memphis Street**, City of Philadelphia, **Philadelphia County**. James Mulry, Mulry and Environmental, Inc., 1679 Horseshoe Pike, Germantown, PA 19343 on behalf of George Felici, Zion Land LP, 101 DeKalb Pike, Suite 202, Blue Bell PA 19422 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same. A Notice of Intent to Remediate was to have been published in *The Philadelphia Daily Times* on October 29, 2012.

**Rohm and Haas Company**, Bristol Township, **Bucks County**. Christopher Beetham, URS Corporation, 335 Commerce Drive, Suite 30, Fort Washington, PA 19034, Howard Klei, URS Corporation, 335 Commerce Drive, Suite 30, Fort Washington, PA 19034 on behalf of Robert Casselberry, Dow Chemical Company, 3100 State Road, Croydon, PA 19021 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by the release of organic and compounds. The intended future use of this site has not yet been defined. A Notice of Intent to Remediate was to have been published in *The Bristol Pilot* on August 4, 2011.

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



**GenOn REMA / Titus Station Combustion Turbine Site**, 296 Poplar Neck Road, Birdsboro, PA 19508, Cumru Township, **Berks County**. Groundwater and Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of GenON REMA LLC, 296 Poplar Neck Road, Birdsboro, PA 19508, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil and lubricating oil. The site will be remediated to a combination of Site-Specific and Nonresidential Statewide Health standards. Operation of combustion turbine engines will continue at this site.

**Lutheran Theological Seminary**, 61 Seminary Ridge, Gettysburg, PA 17325, Gettysburg Borough, **Adams County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Lutheran Theological Seminary, 61 Seminary Ridge, Gettysburg, PA 17325, submitted a Notice of Intent to Remediate site soils contaminated with #6 fuel oil. The site will be remediated to the Residential Statewide Health standard. Future use of the site will remain as an educational institution.

**Lester R. Summers—Fleet Fueling Facility**, 566 North Reading Road, Ephrata, PA 17522, Ephrata Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Lester R. Summers, Inc., 40 Garden Spot Road, Ephrata, PA 17522, submitted a Notice of Intent to Remediate site soils contaminated with diesel fuel. The site will be remediated to the Nonresidential Statewide Health standard. Future use of the site is commercial.

## 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 Operat-

ing 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.

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

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

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

**23-0119: Sunoco Partners Marketing & Terminals, L.P.** (2nd and Green Streets, Marcus Hook, PA 19061-0426) for the installation of a cryogenic propane and ethane storage and offloading facility, in Marcus Hook Borough, **Delaware County**. The plan approval is for a state-only (non-Title V) facility. This project does not trigger PSD or Non-Attainment NSR applicability. This installation of these sources are subject to the NSPS requirements of 40 CFR 60, Subparts VVa and Kb (Leak Detection and Repair (LDAR) and storage Tanks, respectively). Potential emissions from the facility are projected to be less than 9.0 tons of VOCs per year. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-0010D: TEVA Pharmaceuticals USA, Inc.** (650 Cathill Road, Sellersville, PA 18960) for addition of a proposed Glatt 120 Fluid Bed Processor to their facility in West Rockhill Township, **Bucks County**. The potential volatile organic compound emissions from this source will be shared with an existing Glatt 120 Fluid Bed Processor that was previously permitted under plan approval 09-0010B and were estimated to be 11.7 tons per year on a 12-month rolling sum basis. The facility limit for volatile organic compound emissions is 24 tons per year on a 12-month rolling sum basis.

*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*

**32-00387B: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) to authorize the construction and temporary operation of a wet coal processing and loading facility at their Crooked Creek Plant, located off Creekside Road (SR 4022) in Washington Township, **Indiana County**.

Notice is hereby given that the Department of Environmental Protection intends to issue a Plan Approval (PA-32-00387B) to Rosebud Mining Company (301 Market



Street, Kittanning, PA 16201) to authorize the construction and temporary operation of a wet coal processing and loading facility at Crooked Creek Plant, located off Creekside Road (SR 4022) in Washington Township, Indiana County.

The facility's main sources include Crushers, Screens, Conveyors, Radial Stackers, Front-end Loaders, Roadways, Coal Stockpiles, Rail load-out facilities, and Emergency Diesel Engine. Emission controls include water sprays, enclosures, and work practice standards. This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 30.0 tons of VOC, 20.1 tons of PM, 6.2 tons of PM<sub>10</sub>, 0.50 tons of PM<sub>2.5</sub>, 0.9 tons of NO<sub>x</sub>, and 0.10 tons of Carbon Monoxide. HAP emissions will be negligible. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the Plan Approval have been derived from the applicable requirements of Standards of Performance for Coal Preparation and Processing Plants, 40 CFR Part 60 Subpart Y, BAT, and 25 Pa. Code Chapters 123 and 127.

Any person wishing to provide DEP with additional information that they believe should be considered prior to the issuance of this permit may submit the information to DEP, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. 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 PA-32-00387B) and concise statement regarding the relevancy of the information or objections to issuance of the Plan Approval.

All the 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 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 Jesse Parihar at 412-442-4030.

**03-00246A:** Per 25 Pa. Code §§ 127.44—127.49, Notice is hereby given that the Department of Environmental Protection intends to modify a Plan Approval (PA-03-00246A) to **Bedrock Mines LP** (111 Freeport Road, Pittsburgh, PA 15215) to authorize the construction and temporary operation of additional equipment at the Keystone East Mine, located off Copper Valley and Prugh Roads in Plumcreek Township, **Armstrong County**.

The facility's main sources include two (2) coal crushers rated at 150 tpy and 300 tpy. Two (2) diesel engines each rated at 128 bhp, conveyors, front-end loader, radial stackers, roadways, coal stockpiles, and truck load-out. Emissions from the engines will be controlled by proper operation & maintenance per manufacturer specification and recommendations. Roadways will be controlled by paving and water sprays whereas the fugitive emissions from the process will be controlled by water sprays, partial enclosures, and work practice standards.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 10.9 tons of PM, 4.4 tons of PM<sub>10</sub>, 0.3 tons of CO, 1.4 tons of NO<sub>x</sub>, and 0.6 tons of VOC. SO<sub>x</sub> emissions will be

negligible. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the Plan Approval have been derived from the applicable requirements of Standards of Performance for coal processing and conveying equipment (including breakers and crushers), 40 CFR Part 60 Subpart Y, Subpart ZZZZ, BAT, and 25 Pa. Code Chapters 121, 123 & 127.

Any person wishing to provide DEP with additional information that they believe should be considered prior to the issuance of this permit may submit the information to DEP, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. 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 PA-03-00246A) and concise statement regarding the relevancy of the information or objections to issuance of the Plan Approval.

All the 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 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 Jesse Parihar at 412-442-4030.

#### OPERATING PERMITS

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

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

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

**40-00004: Silgan White Gap—Hazleton Plant** (W395N5701 Frontier Road, Oconomowoc, WI 53066-2174) for manufacturing of crowns and closures in Hazle Township, **Luzerne County**. This is a renewal of the Title V Operating Permit. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G. The main sources at this facility are two (2) printing/coating lines and three (3) coating lines. These sources are controlled by regenerative thermal oxidizers. The proposed Title V permit includes Compliance Assurance Monitoring (CAM) plans for the thermal oxidizers. The proposed Title V Operating Permit shall include emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

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

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

**46-00253: Valley Forge, Inc.** (450 E. Valley Forge Road, King of Prussia, PA 19406) for a renewal of State Only Operating Permit (“SOOP”) No. 46-00253 Upper Merion Township, **Montgomery County**. The following major changes have occurred at the facility since the SOOP was issued in 2006, and will be addressed in the renewal SOOP:

- The installation of a soil screener and associated engine at the facility, as approved under Request for Determination of Changes of Minor Significance and Exemption from Plan Approval/Operating Permit (“RFD”) No. 2112.

- The replacement of the engine associated with the portable concrete crushing/screening operation at the facility, as approved under General Plan Approval and General Operating Permit (BAQ-GPA/GP9) No. GP9-46-0050.

- The replacement of the engine associated with the tub grinder at the facility.

In addition to the aforementioned sources, Valley Forge, Inc., also operates a trommel screen with associated engine at the facility. While the potential to emit nitrogen oxides (“NO<sub>x</sub>”) from the engines/facility exceeds 25 tons per year, Valley Forge, Inc., has elected to restrict the hours of operation for the engines to ensure that the NO<sub>x</sub> emissions from the facility will not exceed this level. The average NO<sub>x</sub> emissions from the facility for 2010-2011 were less than 3 tons per year.

In addition to the aforementioned NO<sub>x</sub> emission rate restriction for the facility, the renewal SOOP will also include the following emission rate restrictions:

- Brake-specific, hourly, and annual carbon monoxide (“CO”), hydrocarbon (“HC”), NO<sub>x</sub>, and particulate matter (“PM”) emission rate restrictions for the engine associated with the portable concrete crushing/screening operation.

- Brake-specific, hourly, and annual CO, NO<sub>x</sub> + non-methane HC (“NMHC”), and PM emission rate restrictions for the engine associated with the soil screener.

- Brake-specific, hourly, and annual NO<sub>x</sub> emission rate restrictions for the engine associated with the trommel screen.

- Hourly, daily, ozone season, and annual NO<sub>x</sub> emission rate restrictions for the group of engines associated with the tub grinder, trommel screen, and soil screener.

Lastly, 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.

**15-00053: The Chester County Hospital**, (701 E. Marshall Street, West Chester, PA 19320) for renewal of a Non-Title V Facility, State-Only, Synthetic Minor Permit in West Chester Borough, **Chester County**. The Chester County Hospital operates and maintains two boilers three emergency generators, and a fire pump. There is a facility-wide limit on the emissions of nitrogen oxides of 24.9 tons per year. The facility has stopped using No. 6 Fuel Oil in their boilers, and they have removed storage tanks for No. 6 Fuel Oil. The facility now uses No. 2 Fuel Oil as a backup fuel for their boilers. The language of the State Only Operating Permit reflects this change in fuel. The facility has the potential to emit 32.7 tons of sulfur dioxide per year and 6.25 tons of particulate matter per year when burning No. 2 Fuel Oil in their boilers. The

facility has the potential to emit 21.76 tons carbon monoxide per year and 2.44 tons of volatile organic compounds per year when burning natural gas. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00085: Tate & Lyle Ingredients Americas, Inc.** (East Post Road, Morrisville, PA) to operate two (2) 10.5 MMBtu/hr boilers which use natural gas as a primary fuel source in **Bucks County**. No. 2 fuel oil is used when there is gas curtailment and is limited to a maximum of 90 days of use per year. No new sources have been installed or modifications have taken place since the permit was last renewed in 2008. Emissions from these sources do not exceed any major thresholds. The permit includes monitoring, record keeping and reporting requirements to address all applicable air quality requirements.

**23-00027: 3M—Dyneon LLC** (50 Milton Drive, Aston, PA 19014) for a renewal Non-Title V Facility, State-Only, Synthetic Minor Permit in Chester Township, **Delaware County**. 3M/Dyneon LLC is a manufacturing custom compound purchased resins facility. The facility has taken a site level restriction of 10 tons per year of VOC’s on a 12-month rolling period. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**46-00243: Upper Montgomery Joint Authority** (1100 Mensch Dam Rd, Pennsburg, PA 18073) for renewal of a State Only Operation Permit for a biosolids dryer in Upper Hanover Township, **Montgomery County**. This Natural Minor Operating Permit (NMOP) renewal includes restrictions, monitoring, and recordkeeping requirements designed to ensure this facility complies with all applicable air quality regulations. There have been no new sources constructed and no modifications of existing sources since the last issuance of this NMOP.

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

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

**48-00002: Orograin Bakeries Manufacturing, Inc.** (2400 Northampton Street, Easton, PA 18045-3823) a renewal State Only (synthetic minor) operating permit for a commercial bakery facility in Palmer Township, **Northampton County**. The sources at the facility include two (2) natural gas fired boilers and two (2) natural gas fired bread product ovens. Emissions as reported by the facility for year 2011 were 1.8 tons (NO<sub>x</sub>) and 3.3 tons (VOC). The facility is taking an emission limitation to keep total site emission of Volatile Organic Compounds to less than 50 tons per year. The proposed State Only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

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

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

**06-03097: Kore Mart, Limited** (7 Hill Drive, Hamburg, PA 19526) for their foundry mold and core manufacturing facility in Tilden Township, **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 above-mentioned facility.

The subject facility employs two fabric filters to control particulate matter (PM) emissions from its foundry mold and core making activities. The facility's potential emissions are estimated at 9.4 TPY of PM-10, 0.8 TPY of SO<sub>x</sub>, 6.6 TPY of NO<sub>x</sub>, 3.9 TPY of VOC and 40.3 TPY of CO.

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

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

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. William R. Weaver, Program Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**44-05012: Donsco, Inc.** (North Front, Wrightsville, PA 17368) for their Belleville grey iron foundry in Union Township, **Mifflin 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.

Annual potential emissions from the facility are limited to 100 tons of sulfur oxides, 100 tons of nitrogen oxides, 50 tons of volatile organic compounds (VOC) and 100 tons of particulate matter (PM). Actual emissions are well below those 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. The foundry is subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP South-central Regional Office, at 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, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments; identification of the proposed permit by the permit number listed above; and a concise

statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

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

**04-00693; Littell Steel Co.** (100 Fallston Street, New Brighton, PA 15066-3109) for fabricated structural metal manufacturing at their New Brighton Plant in Bridgewater Borough, **Beaver County**. This is a State Only Operating Permit renewal submittal.

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

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

**24-00079: OSRAM Sylvania Inc.** (835 Washington Street, Saint Marys, PA 15857-3605) for issuance of a renewal of the State Only Operating Permit for the electric lamp bulb and tube facility in Saint Marys City, **Elk County**. The facility sources include base cement mixers, reclaim bagging, amorphous silica coating, SO<sub>2</sub> injection, miscellaneous VOC emissions, cold degreasers (parts washers), miscellaneous natural gas usage, space heaters, boiler, an emergency generator, and an emergency diesel fueled fire pump. The facility is subject to the NESHAPs for Area Sources for Reciprocating Internal Combustion Engines (RICE) in 40 CFR 63 Subpart ZZZZ. The potential VOC emissions from the facility are less than 50 TPY. Hazardous Air Pollutants (HAPs) are less than 10 TPY for individual HAPs and less than 25 TPY combined HAPs. NO<sub>x</sub> and CO emissions are less than 15 TPY. SO<sub>2</sub> emissions are less than 42 TPY. Particulate emissions are less than 52 TPY. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00964: FMC Technologies/Measuring Solutions, Inc.** (16022 Wagner Avenue, Erie, PA 16514) to re-issue the Natural Minor Operating Permit in the City of Erie, **Erie County**. The facility's primary sources of emissions are facility heaters, (2) surface coating operations, and associated equipment. Emissions of criteria pollutants continue to be below major source levels.

## 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*

**24991301. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Little Toby Mine in Horton Township, **Elk County** for a post mining land use change to 1.1 acres of surface permit area from forestland and unmanaged natural habitat to industrial/commercial. No additional discharges. The application was considered administratively complete on December 17, 2012. Application received: December 10, 2012.

**32061301 and NPDES No. PA0235679. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew and revise the permit for the Starford Mine in Green and Cherryhill Townships, **Indiana County** and related NPDES Permit. The revision includes expanding the subsidence control plan area and deleting 827.4 acres from the underground permit area. Subsidence Control Plan Acres Proposed 2400.9. No additional discharges. The application was considered administratively complete on December 18, 2012. Application received: May 18, 2012.

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

**32980101 and NPDES No. PA234656. M. B. Energy, Inc.**, 175 McKnight Road, Blairsville, PA 15717, permit

renewal for reclamation only of a bituminous surface mine in Brushvalley Township, **Indiana County**, affecting 140.0 acres. Receiving stream(s): unnamed tributaries to Brush Creek and unnamed tributary to Yellow Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 12, 2012.

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

**54020201R2. Stoudt's Ferry Preparation Co., Inc.**, (P. O. Box 279, St. Clair, PA 17970), renewal of an existing anthracite coal refuse reprocessing, refuse disposal and preparation plant operation in Mahanoy Township, **Schuylkill County** affecting 66.0 acres, receiving stream: Mill Creek, classified for the following uses: cold water and migratory fishes. Application received: November 26, 2012.

**54-305-007GP12R. Stoudt's Ferry Preparation Co., Inc.**, (P. O. Box 280, St. Clair, PA 17970), application to renew a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54020201 in Mahanoy Township, **Schuylkill County**. Application received: November 26, 2012.

**54070201R. Whitey Wash Enterprises**, (P. O. Box 47, Ashland, PA 17921), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Reilly Township, **Schuylkill County** affecting 56.2 acres, receiving stream: Muddy Branch, classified for the following use: cold water fishes. Application received: November 27, 2012.

#### *Coal Applications Returned*

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

**56961303 and NPDES No. PA0214957, Wilson Creek Energy, LLC**, (140 West Union Street, Somerset, PA 15501), To transfer the permit and related NPDES Permit for the Milford Mine in Milford Township, **Somerset County** to Wilson Creek Energy, LLC from Svonavec, Inc. No additional discharges: The application was considered administratively complete on April 20, 2011. Application received: November 29, 2010. Application withdrawn: December 14, 2012.

#### **MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

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

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

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

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

\*The parameter is applicable at all times.

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

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

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

#### *Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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



*Coal NPDES Draft Permits*

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

**NPDES No. PA0236021 (Mining Permit No. 56101301), PBS Coals, Inc.**, (PO Box 260, Friedens, PA 15541). A new NPDES and mining activity permit for the A Seam Deep Mine in Brothersvalley and Black Townships, **Somerset County** a new underground mine with NPDES Outfalls 001, 002, 003, and 004. Surface Acres Affected 162.9, Underground Acres Affected 3174.4. Receiving stream: Wilson Creek, classified for the following use: WWF. Coxes Creek Watershed TMDL and receiving stream: Unnamed Tributary to Buffalo Creek, classified for the following use: CWF. Buffalo Creek Somerset County TMDL. The application was considered administratively complete on March 14, 2011. Application received: July 6, 2010.

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

*Outfall 001* discharges to: Wilson Creek

The proposed effluent limits for *Outfall 001* (Lat: 39° 55' 52" Long: 79° 03' 03") are:

| <i>Parameter</i>              | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd)                    |                | -                         | 4.95                     | -                           |
| Iron (mg/l)                   |                | 0.9                       | 1.7                      | 2.2                         |
| Manganese (mg/l)              |                | 0.8                       | 1.6                      | 2.0                         |
| Aluminum (mg/l)               |                | 0.9                       | 1.7                      | 2.1                         |
| Suspended Solids (mg/l)       |                | -                         | -                        | REPORT                      |
| Sulfates (mg/l)               |                | -                         | -                        | REPORT                      |
| Osmotic Pressure (mOs/kg)     |                | -                         | -                        | REPORT                      |
| Total Dissolved Solids (mg/l) |                | -                         | -                        | REPORT                      |
| Specific Conductance (umho)   |                | -                         | -                        | REPORT                      |

*Outfall 002* discharges to: Unnamed Tributary to Buffalo Creek

The proposed effluent limits for *Outfall 002* (Lat: 39° 55' 32" Long: 79° 02' 48") are:

| <i>Parameter</i>              | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd)                    |                | -                         | 1.01                     | -                           |
| Iron (mg/l)                   |                | 0.9                       | 1.8                      | 2.2                         |
| Manganese (mg/l)              |                | 0.8                       | 1.6                      | 2.0                         |
| Aluminum (mg/l)               |                | 1.1                       | 2.2                      | 2.8                         |
| Suspended Solids (mg/l)       |                | -                         | -                        | REPORT                      |
| Sulfates (mg/l)               |                | -                         | -                        | REPORT                      |
| Osmotic Pressure (mOs/kg)     |                | -                         | -                        | REPORT                      |
| Total Dissolved Solids (mg/l) |                | -                         | -                        | REPORT                      |
| Specific Conductance (umho)   |                | -                         | -                        | REPORT                      |

*Outfall 003* discharges to: Wilson Creek

The proposed effluent limits for *Outfall 003* (Lat: 39° 55' 55" Long: 79° 02' 57") are:

| <i>Parameter</i>              | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd)                    |                | -                         | 1.84                     | -                           |
| Iron (mg/l)                   |                | 0.9                       | 1.7                      | 2.2                         |
| Manganese (mg/l)              |                | 0.8                       | 1.6                      | 2.0                         |
| Aluminum (mg/l)               |                | 0.9                       | 1.7                      | 2.1                         |
| Suspended Solids (mg/l)       |                | -                         | -                        | REPORT                      |
| Sulfates (mg/l)               |                | -                         | -                        | REPORT                      |
| Osmotic Pressure (mOs/kg)     |                | -                         | -                        | REPORT                      |
| Total Dissolved Solids (mg/l) |                | -                         | -                        | REPORT                      |
| Specific Conductance (umho)   |                | -                         | -                        | REPORT                      |

*Outfall 004* discharges to: Unnamed Tributary to Buffalo Creek

The proposed effluent limits for *Outfall 004* (Lat: 39° 55' 22" Long: 79° 02' 49") are:

| <i>Parameter</i>          | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|---------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd)                |                | -                         | 1.07                     | -                           |
| Iron (mg/l)               |                | 0.9                       | 1.7                      | 2.1                         |
| Manganese (mg/l)          |                | 0.8                       | 1.6                      | 2.0                         |
| Aluminum (mg/l)           |                | 0.9                       | 1.7                      | 2.2                         |
| Suspended Solids (mg/l)   |                | -                         | -                        | REPORT                      |
| Sulfates (mg/l)           |                | -                         | -                        | REPORT                      |
| Osmotic Pressure (mOs/kg) |                | -                         | -                        | REPORT                      |

| <i>Parameter</i>              | <i>Minimum</i> | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Total Dissolved Solids (mg/l) |                | -                         | -                        | REPORT                      |
| Specific Conductance (umho)   |                | -                         | -                        | REPORT                      |

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

**NPDES No. PA0262498 (Mining permit no. 56070110), PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 223.1 acres. Receiving stream(s): Schrock Run and unnamed tributary to Glades Creek, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: November 30, 2012.

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

The treated wastewater outfall(s) listed below discharge to Schrock Run.

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 001                 | N                        |
| 004                 | N                        |

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

| <i>Outfalls: 001 and 004<br/>Parameter</i>                         | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 1.5                       | 3.0                      | 3.5                         |
| Manganese (mg/l)   | 1.0                       | 2.0                      | 2.5                         |
| Aluminum (mg/l)  | 0.75                      | 1.5                      | 1.9                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 70.0                     | 90.0                        |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                           |                          |                             |
| Alkalinity must exceed acidity at all times                        |                           |                          |                             |

The stormwater outfall(s) listed below discharge to Schrock Run and unnamed tributary to Glades Creek

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 002                 | N                        |
| 003                 | N                        |
| 005                 | N                        |
| 006                 | N                        |
| 007                 | N                        |

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

| <i>Outfalls: 002, 003, 005, 006, 007<br/>Parameter</i>             | <i>30-Day<br/>Average</i> | <i>Daily<br/>Maximum</i> | <i>Instant.<br/>Maximum</i> |
|--|---------------------------|--------------------------|-----------------------------|
| Iron (mg/l)  | 1.5                       | 3.0                      | 3.5                         |
| Manganese (mg/l)   | 1.0                       | 2.0                      | 2.5                         |
| Aluminum (mg/l)  | 0.75                      | 1.5                      | 1.9                         |
| Total Suspended Solids (mg/l)                                      | 35.0                      | 70.0                     | 90.0                        |
| pH (S.U.): Must be between 6.0 and 9.0 standard units at all times |                           |                          |                             |
| Alkalinity must exceed acidity at all times                        |                           |                          |                             |

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0234583 (Mining permit no. 31970301), U. S. Silica Company**, 12942 Oriskany Road, Mapleton Depot, PA 17052, renewal of an NPDES permit for a sandstone quarry in Brady Township, **Huntingdon County**, affecting 307 acres. Receiving stream(s): Mill Creek and Saddler Run, classified for the following use(s): trout stocked fishery. Application received: December 5, 2012

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

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

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|---------------------|--------------------------|
| 002                 | N                        |
| 003                 | N                        |
| 004                 | N                        |

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

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

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E40-737. Dr. John W. Siegal**, 313 Perry Street, North PH, New York, NY 10014, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a 2,050 square-foot boathouse and dock within the basin of Harveys Lake (HQ-CWF). The project is located along Lake Side Drive at Pole No. 177 (Harveys Lake, PA Quadrangle, Latitude: 41°22'2"; Longitude: -76°3'18").

**E40-738. Ms. Melania Serfass**, 101 Lakeside Drive, Harveys Lake, PA 18618, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing dock and shed and to construct and maintain a 2,210 square-foot boathouse and dock within the basin of Harveys Lake (HQ-CWF). The project

is located approximately along Lakeside Drive at Pole No. 10 (Harveys Lake, PA Quadrangle, Latitude: 41°21'20"; Longitude: -76°2'57").

**E40-739. Mr. Michael Rieker**, 105 Pickering Lane, Nottingham, PA 19362, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing floating dock and to construct and maintain a permanent 200 sq. ft. pile supported dock in Harveys Lake (HQ-CWF). The project is located along Lakeside Drive at Pole 129 (Harveys Lake, PA Quadrangle, Latitude: 41°22'36"; Longitude: -76°2'8").

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

**E12-186. David J. Gleixner**, 121 Timberline Road, Saint Marys, PA 15857-3345. Gleixner Access Road Project, Elk Fork Creek, Shippen Township, **Cameron County**, ACOE Baltimore District (Wildwood Fire Tower, PA Quadrangle Latitude: 41° 34' 12.47"; Longitude: 78° 22' 47.61").

The applicant is seeking authorization to construct, operate and maintain a private access bridge across Elk Fork Creek (High Quality—Cold Water Fishery). The private bridge shall be constructed with a single span having a minimum width of 5-feet, underclearance of 4-feet and clear span of 37-feet. Construction of the in-stream bridge footing scour and stream bank stream protection shall be performed in dry work conditions by dam and pumping, diverting or fluming stream flow around the work areas. As proposed, construction poses 20-feet of permanent stream impact. The project is located along the northern right-of-way of SR 4004 approximately 1.2-miles north of the confluence of Elk Fork Creek and Driftwood Branch, Sinnemahoning Creek. This application was subject for review under Section 105.13(e) "Small Projects."

**E41-643. Lewis Township Supervisors**, 69 Main Street, Trout Run, PA 17771. Trout Run Park Improvements in Lewis Township, **Lycoming County**, ACOE Baltimore District (Trout Run, PA Quadrangle Lat: 41° 22' 41"; Long: -77° 03' 51").

To construct and maintain a playground, accessible trails and accessible parking spaces at the existing Trout Run Park in Lewis Township—Lycoming County, which is located within the floodway/floodplain of Lycoming Creek. The project proposes to construct a 30 ft. x 40 ft. playground with 7,620 sf of accessible trails connecting to existing parking and a fishing dock/deck. The accessible trails and cartway include: 112 lf x 5 ft. wide accessible trail, 120 lf x 5 ft. wide accessible trail, 136 lf x 5 ft. wide accessible trail and approximately 440 lf of compacted 2A stone with screenings for a cartway on the existing woods road. The proposed improvements will not have any effect on the floodway, which is located on Lycoming Creek and is classified as Exceptional Value (EV) waterway. The proposed improvements will be constructed at existing grades except where grade changes are necessary to comply with ADA requirements and standards.

**E49-324. Northumberland Borough**, 175 Orange Street, Northumberland, PA 17857. Northumberland Borough Bank Stabilization, in Northumberland Borough, **Northumberland County**, ACOE Baltimore District (Northumberland, PA Quadrangle Latitude: 40°53'12.3"; Longitude: 76°47'33.9").

The Northumberland Borough has applied for a Water Obstruction and Encroachment, Small Projects Permit, to

stabilize 2,400.0 linear feet of the Susquehanna River. The stabilization effort is intended to stabilize the right bank of the Susquehanna River from Shikellamy Ave. Bridge crossing downstream to the Route 11 Bridge crossing in Northumberland, PA. The riprap is intended to be placed above the low pool elevation and will create a bench along the existing slope that equipment shall work from to place the material. The intention is to preserve as much existing bank vegetation at possible; thus, only extending a maximum of 2-feet above the full pool elevation with the dam inflated. This project is not proposing to impact any wetlands. The Susquehanna River carries a water quality designation as Warm Water Fishery.

**E59-513. Equipment Transport, LLC**, 417 Village Drive, Suite 1, Carlisle, PA 17015-6945. Gaines Water Withdrawal in Gaines Township, **Tioga County**, ACOE Baltimore District (Marshlands, PA Quadrangle N: 41° 44' 37.14"; W: -77° 36' 2.63").

To: 1) fill 518 square feet of a wetland while creating a vehicle loading pad, 2) temporarily impact 280 square feet of wetland with the installation of 10-inch clean-water

pipe, 3) construct and maintain a single fresh water intake covered with R-6 riprap in the left streambed of Pine Creek. This project proposes to permanently impact 518 square feet (loading pad) of a wetland and 45 linear feet (measured upstream to downstream at intake) of the streambed of Pine Creek plus the temporary impacts of 280 square feet of wetland (installation of 10-inch clean-water pipe).

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105*

**E4714-001. Borough of Danville**, 239 Mill Street, Danville, PA 17821, Closure Structures at the Existing Flood Protection Project, Borough of Danville, **Montour County**, US ACOE Baltimore District.

The applicant proposes to construct and maintain closure structures along the existing flood protection project on both the east and west banks of Mahoning Creek (WWF) at Northumberland Street and the railroad track just south of Northumberland Street for a total length of approximately 218 linear feet (Danville, PA Quadrangle Longitude: 40° 57' 53"; Latitude: 76° 37' 04").

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## ACTIONS

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

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

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

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

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

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

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

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



**I. NPDES Renewal Permit Actions**

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i>      | <i>Stream Name<br/>(Watershed No.)</i>     | <i>EPA Waived<br/>Y/N?</i> |
|-----------------------------|---|---|--|----------------------------|
| PA0060372<br>(Sewage)       | Factoryville Borough and<br>Clinton Township Joint<br>Municipal Sewer Authority<br>161 College Avenue<br>P. O. Box 277<br>Factoryville, PA 18419-0277 | Wyoming County<br>Clinton Township        | South Branch<br>Tunkhannock Creek<br>(04F) | Y                          |
| PA0034029<br>(Sewage)       | Lehigh County Authority<br>Sand Spring Wastewater<br>Treatment Plant<br>4150 Sand Spring Road<br>Schnecksville, PA 18078                              | Lehigh County North<br>Whitehall Township | Unnamed Tributary to<br>Coplay Creek (2-C) | Y                          |

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>   | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i>    | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|--|--------------------------------------|---|-----------------------------|
| PA0083852<br>(Sew)          | Ferryboat Campsite, Inc.<br>32 Ferry Lane<br>Liverpool, PA 17045-9254  | Perry County /<br>Buffalo Township   | Susquehanna River /<br>6-C              | Y                           |
| PA0247944<br>(Sew)          | Spring Grove Area<br>School District—<br>Paradise Elementary School<br>100 East College Avenue<br>Spring Grove, PA 17362 | York County /<br>Paradise Township   | UNT Beaver Creek /<br>7-F               | Y                           |
| PA0039551<br>(Sew)          | Lebanon Valley Mobile<br>Home Community<br>Mr. Michael Sienkiewicz<br>320 Parker Street<br>Carlisle, PA 17013-3621       | Lebanon County /<br>Bethel Township  | UNT Little Swatara<br>Creek / 7-D       | Y                           |
| PA0084077<br>(Sew)          | Snake Spring Township<br>Munic Authority<br>624 Pennknoll Road<br>Everett, PA 15537-6945                                 | Bedford / Snake<br>Spring Township   | Raystown Branch<br>Juniata River / 11-C | Y                           |

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>   | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed No.)</i> | <i>EPA Waived<br/>Y/N?</i> |
|-----------------------------|--|--------------------------------------|--|----------------------------|
| PA0023582<br>(Sewage)       | Freeburg Borough<br>WWTP<br>Front Street & Center<br>Square Street<br>Freeburg, PA 17827 | Snyder County<br>Freeburg Borough    | Susquehecka Creek<br>(6-A)             | Y                          |

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>   | <i>County &amp;<br/>Municipality</i>   | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N</i> |
|-----------------------------|--|--|--------------------------------------|---------------------------|
| PA0217565<br>Sewage         | Maple Valley Personal<br>Care Home<br>2212 Anthony Run Road<br>Indiana, PA 15701 | Indiana County<br>Armstrong Township   | Anthony Run                          | Y                         |
| PA0218847<br>Sewage         | Pyramid Healthcare<br>PO Box 967<br>Duncansville, PA 16635-0967                  | Cambria County<br>Reade Township       | Drainage Swale to<br>Powell Run      | Y                         |
| PA0217727<br>Sewage         | Rices Landing Borough<br>137 Main Street<br>Rices Landing, PA 15357              | Greene County<br>Rices Landing Borough | Monongahela River                    | Y                         |



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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp; Address</i>                             | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i>   | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|--|--------------------------------------|--|-----------------------------|
| PA0239984<br>(Sewage)       | Laurie J. Mandel<br>SRSTP<br>268 Shades Beach Road             | Erie County<br>Harborcreek Township  | Unnamed Tributary to<br>Lake Erie (15) | Y                           |
| PA0100129<br>(Sewage)       | Seneca Hills Campground<br>276 Damascus Road<br>Polk, PA 16342 | Venango County<br>Victory Township   | Sandy Creek (16-G)                     | Y                           |

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

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

| <i>Facility Location<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>   | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>   |
|--|-------------------|---|----------------------------------|---|
| New Garden<br>Township<br>Chester County                   | PA0056898         | To Jo Mushrooms Inc.<br>947 Penn Green Road<br>Avondale, PA 19311   | Trout Run - 3-I                  | DEP Southeast<br>Regional Office<br>Clean Water Program<br>2 E Main Street,<br>Norristown, PA 19401<br>484.250.5970 |
| North Coventry<br>Township<br>Chester County               | PA0025437         | North Coventry<br>Township Municipal<br>Authority Chester<br>County<br>1485 East Schuylkill<br>Road<br>P O Box 833<br>Pottstown, PA 19464 | Schuylkill River—3-D             | DEP Southeast<br>Regional Office<br>Clean Water Program<br>2 E Main Street,<br>Norristown, PA 19401<br>484.250.5970 |

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

**NPDES Permit No. PA0234010**, SIC Code 4953, **PA Department of Transportation (District 2-0)**, 1924 Daisy Street, Clearfield, PA 16830.

This proposed facility will be located in Worth Township, **Centre County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated leachate.

**NPDES Permit No. PA0234117**, Sewage, SIC Code 4952, **West Branch Region Authority**, 35 S Main Street, Montgomery, PA 17752-1120.

This proposed facility is located in Clinton Township, **Lycoming County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

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

**NPDES Permit No. PA0254606**, Sewage, **Saltsburg Borough**, 320 Point Street, Saltsburg, PA 15681

This proposed facility is located in Saltsburg Borough, **Indiana County**

Description of Proposed Action/Activity: Permit issuance for discharge of treated sewage.

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

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

**WQM Permit No. 2312201**, Sewage, **Evonik Degussa Corporation**, 1200 West Front Street, Chester, PA 19013.

This proposed facility is located in the City of Chester, **Delaware County**.

Description of Action/Activity: To increase the average monthly flow from 1.5 mgd, to 1.8 mgd and adding a sump, heat exchanger, polymer injection, cyclator and neutralization tank.

**WQM Permit 1583421**, Sewage, **Transfer, Marc Messenger**, 51 Grays Lane, Elverson, PA 19520-9715.

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

Description of Action/Activity: Permit Transfer

**WQM Permit No. 1598409**, Sewage, **Renewal, Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

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

Description of Action/Activity: Permit Renewal of existing wastewater system known as Twill Hills Wastewater Treatment Plant.

**WQM Permit No. 1508413**, Sewage, **West Vincent Township**, 729 St. Matthews Road, Chester Springs, PA 19425-3301.

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

Description of Action/Activity: Construction and operation of a gravity sewer system, a pump station and associated force main and a wastewater treatment plant with a drip irrigation system.

**WQM Permit No. 1512414**, Sewage, **Atglen Borough**, P. O. Box 250, Atglen, PA 19130.

This proposed facility is located in Atglen Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage treatment plant.

**WQM Permit No. WQG02151210**, Sewage, **Pennsylvania American Water Company**, 4 Wellington Boulevard, Wyomissing, PA 19610.

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

Description of Action/Activity: Construction and operation of a 700 LF extension of a 2" PVC low pressure force main.

**WQM Permit No. 4612407**, Sewage, **Whitemarsh Township Authority**, 616 Germantown Pike, Lafayette Hill, PA 19444.

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

Description of Action/Activity: Construction and operation of a sewage treatment plant.

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

**WQM Permit No. 0598404, Amendment 12-1**, Sewerage, **Borough of Everett Area Municipal Authority**, 100 Mechanic Street, Everett, PA 15537-1177.

This proposed facility is located in Everett Borough, **Bedford County**.

Description of Proposed Action/Activity: Permit approval for construction/operation of: replacement one existing grinder with a new vertical screen. Also remove the existing manually operated bar screen.

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

**WQM Permit No. WQG018505**, Sewage, **Amendment No. 1, Bronson D. Yanc**, 22208 Hobbs Road, Meadville, PA 16335.

This existing facility is located in West Mead Township, **Crawford County**.

Description of Proposed Action/Activity: Transfer of permit.

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

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

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i>  | <i>Receiving Water/Use</i>                                       |
|-------------------------|---|---------------|----------------------|--|
| PAI01<br>1506012-R      | Charlestown Township<br>4030 Whitehorse Road<br>PO Box 507<br>Devault, PA 19432 | Chester       | Charlestown Township | Pigeon Run (HQ-TSF)  |
| PAI01<br>151227         | Mark Stoltzfus<br>370 Swamp Road<br>Morgantown, PA 19543                        | Chester       | Honey Brook Township | Unnamed Tributary<br>East Branch<br>Brandywine Creek<br>(HQ-TSF) |
| PAI01<br>151233         | Argus Property Group, LP<br>606 Gordon Drive<br>Exton, PA 19341                 | Chester       | Uwchlan Township     | Pine Creek (HQ-TSF)  |
| PAI01<br>151234         | Harlan Corporation<br>214 Ponds View Drive<br>Chadds Ford, PA 19317             | Chester       | East Goshen Township | Unnamed Tributary<br>Ridley Creek (HQ-TSF)                       |
| PAI01<br>511204         | ExStra-South-49th-,LLC<br>1600 Washington Avenue<br>Philadelphia, PA 19146      | Philadelphia  | City of Philadelphia | Schuylkill River<br>(CWF-MF)                                     |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i>             | <i>Municipality</i>   | <i>Receiving Water/Use</i>   |
|-------------------------|--|---------------------------|---|--|
| PAI023910016            | Maplewood Acquisition, LP<br>1030 W. Germantown Pike<br>Fairview Village, PA 19409   | Lehigh                    | Lower Milford Twp.  | Saucon Creek,<br>HQ-CWF, MF,<br>EV Wetlands                                      |
| PAI023912006            | Krause Automotive<br>Enterprise, LLC<br>P. O. Box 608<br>Fogelsville, PA 18051   | Lehigh                    | Upper Macungie Twp.   | Iron Run, HQ-CWF, MF   |
| PAI024010009            | Pennsylvania Department<br>of Transportation<br>Engineering District 4-0<br>55 Keystone Industrial Park<br>Dunmore, PA 18512 | Luzerne and<br>Lackawanna | Avoca, Dupont and<br>Duryea Boroughs &<br>Pittston Township | Lidy Creek,<br>CWF, MF<br>Spring Brook,<br>HQ-CWF, MF;<br>Mill Creek,<br>CWF, MF |
| PAI023911016            | Dale R. Koller<br>1870 Waldheim Rd.<br>Bethlehem, PA 18015   | Lehigh                    | Weisenberg Twp.   | Lyon Creek,<br>HQ-CWF, MF  |
| PAI023904003(2)         | Lehigh Northampton<br>Airport Authority<br>3311 Airport Rd.<br>Allentown, PA 18109   | Lehigh                    | City of Allentown   | Little Lehigh Creek,<br>HQ-CWF, MF   |
| PAI024810003(1)         | F & M Farms, LLC<br>41 Crane Rd.<br>Mountain Lakes, NJ 07046   | Northampton               | Bushkill Twp.   | Unnamed Tributary to<br>Bushkill Creek,<br>HQ-CWF, MF                            |

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

*Warren County Conservation District, 300 Hospital Drive, Suite D, Warren PA 16365*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>                                |
|-------------------------|--|---------------|---------------------|---|
| PAI066210001(1)         | Mr. Roger Dunham<br>Sheffield Township<br>Municipal Authority<br>20 Leather Street,<br>PO Box 821<br>Warren PA 16365 | Warren        | Sheffield Township  | Tionesta Creek<br>HQ-CWF                                  |
| PAI066211002            | Oz Gas Ltd<br>225 A Swede Road<br>Tidioute PA 16351  | Warren        | Triumph Township    | Lamb Run /<br>West Hickory;<br>Allegheny River<br>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**Facility Location:*

| <i>Municipality &amp; County</i>                       | <i>Permit No.</i>    | <i>Applicant Name &amp; Address</i>  | <i>Receiving Water/Use</i>  | <i>Contact Office &amp; Phone No.</i>  |
|--|----------------------|--|---|--|
| Hilltown Township<br>Bucks County                      | PAG0200<br>0904050-R | Toll Pa XV, L.P.<br>250 Gibraltar Road<br>Horsham, PA 19044  | Mill Creek/<br>Pleasant Spring Creek<br>WWF-(MF/TSF)                  | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Hilltown Township<br>Bucks County                      | PAG0200<br>0911003-R | Toll Pa XV, L.P.<br>250 Gibraltar Road<br>Horsham, PA 19044  | Mill Creek/Tributary<br>to East Branch<br>Perkiomen Creek<br>(TSF-MF) | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Lower Makefield<br>Township<br>Bucks County            | PAG0200<br>0912076   | Lower Makefield<br>Township<br>1100 Edgewood Road<br>Yardley, PA 19067                                       | Brock Creek (WWF-MF)  | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Newtown Township<br>Bucks County                       | PAG0200<br>0912059   | McGrath Homes<br>3 Friends Lane,<br>Suite 202<br>Newtown, PA 18940   | Newtown Creek<br>(WWF-MF)   | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| East Marlborough<br>Township<br>Chester County         | PAG0200<br>1512024   | George J. Krautzel, III<br>Christi C. Krautzel<br>675 Paine Drive<br>West Chester, PA 19382                  | West Branch<br>Red Clay Creek<br>(TSF, MF)                            | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Avondale Borough<br>Chester County                     | PAG0200<br>1507001-R | Wilkinson Advantage,<br>LP<br>1020 Broad Run Road<br>Landenberg, PA 19350                                    | White Clay Creek<br>(CWF-MF)  | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Franklin and New<br>London Townships<br>Chester County | PAG0200<br>1510042-R | RC Management Corp,<br>General Partners of<br>Rouse/Chamberlin, Ltd.<br>500 Exton Commons<br>Exton, PA 19341 | West Branch<br>White Clay Creek<br>(CWF)                              | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| London Grove<br>Township<br>Chester County             | PAG0200<br>1510008-R | London Grove West, LP<br>234 North James Street<br>Newport, DE 19804   | Unnamed Tributary<br>East Branch<br>White Clay Creek<br>(CWF)         | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| New London<br>Township<br>Chester County               | PAG0200<br>1505068-R | OHB Homes, Inc.<br>333 Street Road,<br>Suite 101<br>Bensalem, PA 19020                                       | East Branch<br>Chester Creek (TSF)                                    | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i>    | <i>Applicant Name &amp;<br/>Address</i>   | <i>Receiving<br/>Water / Use</i>                            | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|----------------------|---|---|--|
| Upper Chichester<br>Township<br>Delaware County             | PAG0200<br>2312026   | Maple Zone BAT<br>Works, LLC<br>1451 Conchester<br>Highway<br>Garnet Valley, PA 19061   | Marcus Hook Creek<br>(WWF-MF)                               | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Springfield<br>Township<br>Montgomery County                | PAG0200<br>4604150-R | David Joss<br>50 East Wynnewood<br>Road<br>Wynnewood, PA 19096  | Wissahickon Creek<br>(TSF-MF)                               | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Plymouth Township<br>Montgomery County                      | PAG0200<br>4607100-4 | Gary Graham<br>700 South Eisenhower<br>Blvd<br>Middletown, PA 17057   | Plymouth Creek,<br>Sawmill Run,<br>Stony Creek<br>(TSF-WWF) | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Abington Township<br>Montgomery County                      | PAG0200<br>4612057   | Joseph Casey<br>1234 Market Street<br>Philadelphia, PA 19107  | Tookany Creek (WWF)   | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Lower Frederick<br>Township<br>Montgomery County            | PAG0200<br>4612067   | Barry Aiken<br>846 Hunsicker Road<br>Telford, PA 18969  | Perkiomen Creek<br>(TSF-MF)                                 | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Abington Township<br>Montgomery County                      | PAG0200<br>4612054   | Ihor Jaryi<br>1013 Fox Chase Road<br>Jenkintown, PA 19046   | Jenkintown Creek<br>(WWF-MF)                                | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| City of Philadelphia<br>Philadelphia<br>County              | PAG0201<br>511228    | Westrum Byberry, LP<br>370 Commerce Drive<br>Fort Washington, PA<br>19034   | Poquessing Creek<br>(WWF)                                   | Southeast Regional<br>Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| West Brunswick<br>Twp.,<br>Schuylkill County                | PAG02005412007       | Mr. Faron Breiner<br>278 Fort Lebanon Rd.<br>Auburn, PA 17922<br><br>Ms. Jill Fritz<br>87 River St.<br>Cressona, PA 17929<br><br>Ms. Jean Miller<br>P. O. Box 234<br>Auburn, PA 17922 | Pine Creek, CWF, MF   | Schuylkill Co.<br>Cons. Dist.<br>570-622-3742  |
| City of Scranton,<br>Lackawanna<br>County                   | PAG02003512010       | HRI, Inc.<br>Attn. Ms. Mary Jo<br>Miller<br>1750 West College Ave.<br>State College, PA 16801<br><br>Lackawanna College<br>Gail Scaramuzzo<br>501 Vine St.<br>Scranton, PA 18509      | Lackawanna River,<br>CWF, MF                                | Lackawanna Co.<br>Cons. Dist.<br>570-281-9495  |



*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802*

*Facility Location:*

| <i>Municipality &amp; County</i>   | <i>Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>Receiving Water/Use</i>     | <i>Contact Office &amp; Phone No.</i>  |
|--|-------------------|--|--------------------------------|--|
| Silver Spring Township<br>Cumberland County  | PAG02002106036R   | Norman Hoffer<br>114 Associates, Inc.<br>4479 Chambers Hill Road<br>Harrisburg, PA 17111                 | Hogestown Run/CWF              | Cumberland Co<br>Conservation Dist.<br>310 Allen Road,<br>Suite 301<br>Carlisle, PA 17013<br>717.240.7812            |
| Mifflin and Mifflintown Boroughs, and Fermanagh Milford, Walker, Townships<br>Juniata County | PAG02033410002R   | Kevin Kline<br>PennDOT Engineering Dist. 2-0<br>1924 Daisy Street,<br>PO Box 342<br>Clearfield, PA 16830 | Juniata River/WWF              | Juniata Co.<br>Conservations District<br>146 Stoney Creek Drive,<br>Suite 4<br>Mifflintown, PA 17059<br>717.436.8953 |
| York Township<br>York County   | PAG02006712049    | David Hogg<br>Queen Pauline, L.P.<br>146 Pine Grove Circle<br>York, PA 17403                             | Mill Creek/WWF                 | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430                    |
| Dover Township<br>York County  | PAG02006707067R   | Michael Groft<br>MGM Enterprises, Inc.<br>1 Waterford Professional Center<br>York, PA 17402              | Little Conewago Creek/TSF      | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430                    |
| Conewago Township<br>York County   | PAG02006707072R   | James Craft<br>J.J. One, LP<br>2780 York Haven Rd.,<br>PO Box 8<br>York Haven, PA 17370                  | UNT to Oak Run/TSF             | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430                    |
| East Manchester and Manchester Townships<br>York County                                      | PAG02006707081R   | Jerry Watson<br>Barnhart Drive Associates, LP<br>30 Marianne Drive<br>York, PA 17406                     | UNT to Codorus Creek/WWF       | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430                    |
| New Freedom Borough<br>York County   | PAG02006712054    | William Briegel<br>Fox Clearing, LLC<br>227 Granite Run Drive,<br>Suite 100<br>Lancaster, PA 17601       | South Branch Codorus Creek/WWF | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430                    |
| East Manchester Township<br>York County  | PAG02006703015R   | Jeffrey Rutt<br>Fox Clearing, LLC<br>227 Granite Run Drive,<br>Suite 100<br>Lancaster, PA 17601          | UNT to Codorus Creek/WWF       | York Co.<br>Conservation District<br>118 Pleasant Acres Rd<br>York, PA 17402-8984<br>717.840.7430                    |

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

*Facility Location:*

| <i>Municipality &amp; County</i> | <i>Permit No.</i>  | <i>Applicant Name &amp; Address</i>                               | <i>Receiving Water/Use</i> | <i>Contact Office &amp; Phone No.</i>  |
|----------------------------------|--------------------|---|----------------------------|--|
| Benner Township<br>Centre County | PAG02001403006R(1) | East End Partnership<br>1076 E Bishop St<br>Bellefonte PA 16823   | UNT to Spring Creek CWF    | Centre County<br>Conservation District<br>414 Holmes Ave<br>Ste 4<br>Bellefonte PA 16823<br>(814) 355-6817 |
| Mahoning Twp<br>Montour Cnty     | PAG02004712005     | Geisinger Health System<br>100 N Academy Ave<br>Danville PA 17822 | UNT to Sechler Run CWF     | Montour County<br>Conservation District<br>112 Woodbine Ln<br>Ste 2<br>Danville PA 17821<br>(570) 271-1140 |

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

*Facility Location:*

| <i>Municipality &amp; County</i>                       | <i>Permit No.</i> | <i>Applicant Name and Address</i>  | <i>Receiving Water/Use</i>                                 | <i>Contact Office and Phone No.</i>   |
|--|-------------------|--|--|---|
| Franklin Township<br>Greene County                     | PAG02003012008    | RG Johnson Company<br>25 South College St<br>Washington, PA 15301  | South Fork Ten Mile<br>Creek (WWF)                         | Greene County CD<br>19 South Washington<br>Street<br>Waynesburg, PA 15456<br>(724) 852-5278 |
| East Huntingdon<br>Township<br>Westmoreland<br>County  | PAG02006507032R   | Wendell H. Stone, Inc.<br>Gregory D. Stone<br>1718 Roseytown Road<br>Greensburg, PA 15601                                  | Belson Run (WWF)   | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| New Stanton<br>Borough<br>Westmoreland<br>County       | PAG02006510023R   | Richard Erenberg, RSP<br>701 Technology Drive<br>Suite 210<br>Canonsburg, PA 15317   | Sewickley Creek (WWF)                                      | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| Penn Township<br>Westmoreland<br>County                | PAG02006512007    | Penn Trafford Area<br>Recreation Commission<br>Cheryl Kemerer<br>2001 Municipal Court<br>Harrison City, PA 15636           | UNT to Brush Run<br>Creek (WWF)                            | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| Unity Township<br>Westmoreland<br>County               | PAG02006512021    | Elizabeth Carbide Die<br>Company, Inc.<br>Db a Elizabeth Carbide<br>Components<br>200 Monastery Drive<br>Latrobe, PA 15650 | UNT to Fourmile<br>Run/Loyalhanna Creek<br>Watershed (WWF) | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| City of Lower<br>Burrell<br>Westmoreland<br>County     | PAG02006512023    | Peoples Natural Gas<br>Company, LLC<br>Nicholas A. Barone<br>1201 Pitt Street<br>Pittsburgh, PA 15221                      | Allegheny River (WWF)                                      | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| New Florence<br>Borough<br>Westmoreland<br>County      | PAG02006512026    | New Florence<br>DPP VII, LLC<br>Austin Rogers<br>9010 Overlook<br>Boulevard<br>Brentwood, TN 37027                         | Conemaugh River<br>(WWF)                                   | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| Unity Township<br>Westmoreland<br>County               | PAG02006512027    | Greater Latrobe<br>School District<br>1816 Lincoln Avenue<br>Latrobe, PA 15650   | Nine Mile Run (WWF)  | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| Unity Township<br>Westmoreland<br>County               | PAG02006512028    | Latrobe Christian<br>Timothy Young<br>130 Kingston Street<br>Latrobe, PA 15650   | Ninemile Run (WWF)   | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| North Huntingdon<br>Township<br>Westmoreland<br>County | PAG02006512029    | Penn Tex Ventures, LLC<br>Time Weinman<br>333 Harvey Avenue<br>Greensburg, PA 15601  | Brush Creek (TSF)  | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |
| Washington<br>Township<br>Westmoreland<br>County       | PAG02006512031    | Swank Construction<br>Company, LLC.<br>Andrew Swank<br>632 Hunt Valley Circle<br>Greensburg, PA 15601                      | Pine Run (WWF)   | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271     |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name and<br/>Address</i>   | <i>Receiving<br/>Water / Use</i>                | <i>Contact Office and<br/>Phone No.</i>   |
|---|-------------------|---|---|---|
| Bell Township<br>Westmoreland<br>County                     | PAG02006512032    | Penn Tex Ventures, LLC<br>Tim Weinman<br>333 Harvey Avenue<br>Greensburg, PA 15601  | Wolford Run (WWF)                               | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271 |
| Hempfield<br>Township<br>Westmoreland<br>County             | PAG02006512033    | West Penn Power<br>Stacy McBeth<br>800 Cabin Hill Drive<br>Greensburg, PA 15601<br><br>Brown Timber &<br>Land Company<br>Neil Brown<br>PO Box 127<br>Acme, PA 15610 | Brush Creek (TSF)<br>Turtle Creek (TSF)         | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271 |
| Ligonier Township<br>Westmoreland<br>County                 | PAG02006512034    | Festival Fun<br>Parks, LLC<br>Db a Idlewild Park &<br>SoakZone Brandon<br>Leonatti<br>Rt. 30 E, Idlewild Lane<br>PO Box C<br>Ligonier, PA 15658                     | Clark Hollow (CWF)<br>Loyalhanna Creek<br>(CWF) | Westmoreland<br>County CD<br>218 Donohoe Road<br>Greensburg, PA 15370<br>(724) 834-5271 |

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

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>  | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>              |
|---|-------------------|--|----------------------------------|--|
| Adams Township<br>Butler County                             | PAG02001012032    | Frank Zokaites<br>Leslie Road Associates<br>375 Golfside Drive<br>Wexford PA 15090               | UNT Breakneck Creek<br>WWF       | Butler County<br>Conservation District<br>724-284-5270 |
| Adams Township<br>Butler County                             | PAG02001012049    | Christopher Kaclik<br>1272 Mars Evans<br>City Road<br>Evans City PA 16033                        | UNT Breakneck Creek<br>WWF       | Butler County<br>Conservation District<br>724-284-5270 |
| Slippery Rock<br>Township<br>Butler County                  | PAG02001012052    | Paul Dickey Slippery<br>Rock Municipal<br>Authority<br>633 Kelly Blvd.<br>Slippery Rock PA 16057 | Unt Slippery Rock<br>Creek CWF   | Butler County<br>Conservation District<br>724-284-5270 |
| Fox Township<br>Elk County                                  | PAG02002412004    | Fox Township<br>Supervisors<br>116 Irishtown Road<br>PO Box 184<br>Kersey PA 15846               | Beaver Run CWF                   | Elk County<br>Conservation District<br>814-776-5373    |

*General Permit Type—PAG-3*

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>                           | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|-------------------|---|----------------------------------|---|
| Hazle Township,<br>Luzerne County                           | PAR602202         | Hazle Auto Parts, Inc.<br>864 S. Church St.<br>Hazleton, PA 18201 | Black Creek Basin,<br>CWF        | PA DEP<br>Northeast Regional<br>Office<br>2 Public Square<br>Wilkes-Barre, PA<br>18701-1915<br>570-826-2511 |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>  | <i>Receiving<br/>Water / Use</i>   | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|--|--|--|
| Lehigh Township,<br>Northampton<br>County                   | PAR122209         | Conagra Foods<br>321 Breadfruit Drive<br>Treichlers, PA 18086  | Lehigh River, TSF  | PA DEP<br>Northeast Regional<br>Office<br>2 Public Square<br>Wilkes-Barre, PA<br>18701-1915<br>570-826-2511                                      |
| Ashley Borough<br>Luzerne County                            | PAR202227         | Bridon American Corp<br>280 New Commerce<br>Boulevard<br>Ashley, PA 18706-1448                           | Warrior Creek and<br>Solomon Creek—<br>Watershed 5B Cold<br>Water Fishes                       | DEP Northeast<br>Regional Office<br>Clean Water Program<br>2 Public Square,<br>Wilkes-Barre, PA<br>18701-1915<br>570.826.2511                    |
| Hanover Township<br>Lehigh County                           | PAR802268         | A Duie Pyle Inc.<br>2900 Hoover Avenue<br>Allentown, PA 18109  | Unnamed Tributary<br>to Lehigh River<br>Watershed—2-C<br>Cold Water Fishes<br>Migratory Fishes | DEP Northeast<br>Regional Office<br>Clean Water Program<br>2 Public Square,<br>Wilkes-Barre, PA<br>18701-1915<br>570.826.2511                    |
| Lower Swatara<br>Twp.<br>Dauphin County                     | PAR803705         | UPS Cartage<br>Service Inc.<br>296 Airport Drive<br>Middletown PA 17057                                  | Susquehanna River /<br>WWF, MF   | DEP-SCRO<br>909 Elmerton Avenue<br>Harrisburg, PA<br>17110-8200<br>717-705-4707  |
| Muncy Creek<br>Township<br>Lycoming County                  | PAR314842         | Weatherford Artificial<br>Lift Systems Inc.<br>179 Weatherford Drive<br>Schriever, LA 70395              | Unnamed Tributary of<br>Brush Creek—18-D   | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.3664 |
| Boggs Township<br>Centre County                             | PAR314838         | Helmerich & Payne<br>International<br>Drilling Co.<br>912 North Eagle Valley<br>Road<br>Howard, PA 16841 | Unnamed Tributary to<br>Bald Eagle Creek—9-C   | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.3664 |
| Boggs Township<br>Centre County                             | PAR314837         | Helmerich & Payne<br>International<br>Drilling Co.<br>912 North Eagle Valley<br>Road<br>Howard, PA 16841 | Unnamed Tributary to<br>Bald Eagle Creek—9-C   | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.3664 |
| Montgomery<br>Borough<br>Lycoming County                    | PAR604837         | M-B Companies Inc.<br>79 Montgomery Street<br>Montgomery, PA<br>17752-1138                               | Black Hole Creek—10-D  | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.3664 |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>  | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|--|----------------------------------|--|
| Athens Township<br>Bradford County                          | PAR314833         | Nomac Drilling LLC<br>40 Lamoka Road<br>Sayre, PA 18840                            | Tutelow Creek—4-B                | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.3664 |
| Woodward<br>Township<br>Lycoming County                     | PAR314830         | Rockwater Energy<br>Solutions Inc.<br>214 Pine Run Road<br>Linden, PA 17837-8365   | Pine Run—10-A                    | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.3664 |
| Williamsport City<br>Lycoming County                        | PAR314843         | Weatherford US LP<br>2911 Reach Road<br>Williamsport, PA 17701                     | Daugherty Run—10-A               | DEP Northcentral<br>Regional Office<br>lean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.3664  |
| Mount Pleasant<br>Borough<br>Westmoreland<br>County         | PAR216149         | Klocek Burial<br>Vault Company<br>153 Quarry Street<br>Mount Pleasant, PA<br>15666 | UNT to Shupe Run                 | Southwest<br>Regional Office:<br>Water Management<br>Program Manager<br>400 Waterfront Drive<br>Pittsburgh, PA<br>15222-4745<br>412-442-4000     |
| Frazer Township<br>Allegheny County                         | PAR606161         | Bastin Truck Parts<br>1716 Butler Logan Road<br>Tarentum, PA 15084                 | Bull Creek                       | Southwest<br>Regional Office:<br>Water Management<br>Program Manager<br>400 Waterfront Drive<br>Pittsburgh, PA<br>15222-4745<br>412-442-4000     |
| North Huntingdon<br>Township<br>Westmoreland<br>County      | PAR116131         | Extrude Hone<br>Corporation<br>235 Industry Boulevard<br>Irwin, PA 15642-1000      | UNT of Tinkers Run               | Southwest<br>Regional Office:<br>Water Management<br>Program Manager<br>400 Waterfront Drive<br>Pittsburgh, PA<br>15222-4745<br>412-442-4000     |
| Harmony Township<br>Beaver County                           | PAR206165         | O'Neal Steel, Inc.<br>2975 Duss Avenue<br>Building 3-9<br>Ambridge, PA 15003       | Legionville Run                  | Southwest<br>Regional Office:<br>Water Management<br>Program Manager<br>400 Waterfront Drive<br>Pittsburgh, PA<br>15222-4745<br>412-442-4000     |



| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>  | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|--|----------------------------------|--|
| Derry Township<br>Westmoreland<br>County                    | PAR206105         | TechSpec, Inc.<br>PO Box 69<br>718 Y Street<br>Derry, PA 15627-0069                  | McGee Run                        | Southwest<br>Regional Office:<br>Water Management<br>Program Manager<br>400 Waterfront Drive<br>Pittsburgh, PA<br>15222-4745<br>412-442-4000 |
| Stowe Township<br>Allegheny County                          | PAR806263         | Axiom Automotive<br>Technologies<br>1400 Fleming Avenue<br>McKees Rocks, PA<br>15136 | Ohio River                       | Southwest<br>Regional Office:<br>Water Management<br>Program Manager<br>400 Waterfront Drive<br>Pittsburgh, PA<br>15222-4745<br>412-442-4000 |
| Somerset Borough<br>Somerset County                         | PAR606224         | Joseph Smith & Sons<br>2001 Kenilworth Avenue<br>Capital Heights, MD<br>20743        | Millers Run                      | Southwest<br>Regional Office:<br>Water Management<br>Program Manager<br>400 Waterfront Drive<br>Pittsburgh, PA<br>15222-4745<br>412-442-4000 |

*General Permit Type—PAG-4*

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>                            | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|-------------------|--|----------------------------------|---|
| East Rockhill<br>Township<br>Bucks County                   | PAG040186         | Lapp Jason<br>1885 Old Bethlehem<br>Pike<br>Sellersville, PA 18960 | Threemile Run—2D                 | DEP Southeast<br>Regional Office<br>Clean Water Program<br>2 E Main Street,<br>Norristown, PA 19401<br>484.250.5970 |

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

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>                              | <i>Receiving<br/>Water / Use</i>                        | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|--|---|--|
| West Mead<br>Township<br>Crawford County                    | PAG041089         | Jeffrey P. Leri<br>21160 Phelps Road,<br>Meadville, PA<br>16335-5550 | Unnamed Tributary<br>to Tamarack Lake<br>(Mud Run) 16-D | DEP NWRO<br>Water Management<br>230 Chestnut Street<br>Meadville, PA<br>16335-3481<br>814/332-6942 |

*General Permit Type—PAG-5*

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>                     | <i>Receiving<br/>Water / Use</i> | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|---|----------------------------------|--|
| Spring Township<br>Snyder County                            | PAG054839         | Shipley Energy Group<br>415 Norway Street<br>York, PA 17403 | Mitchell Run CWF                 | Northcentral<br>Regional Office<br>208 West Third Street,<br>Ste 101<br>Williamsport, PA 17701<br>570-321-6550 |

*General Permit Type—PAG-7**Facility Location:  
Municipality &  
County*

Middletown  
Borough  
Dauphin County

*Permit No.*  
PAG073504

*Applicant Name &  
Address*  
Middletown Boro Auth  
60 West Emaus Street  
Middletown, PA 17057

*Site Name &  
Location*  
Middletown  
Borough STP  
60 West Emaus Street  
Middletown, PA 17057

*Contact Office &  
Phone No.*  
DEP-SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

*General Permit Type—PAG-8 (SSN)**Facility Location:  
Municipality &  
County*

Clay Township  
Lancaster County

*Permit No.*  
PAG083565  
PAG083566

*Applicant Name &  
Address*  
Ephrata Borough  
Authority  
124 South State Street  
Ephrata, PA 17522

*Site Name &  
Location*  
Earl Ray  
Zimmerman Farm  
730 Flintstone Road  
Ephrata, PA 17522

*Contact Office &  
Phone No.*  
DEP-SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

Southampton  
Township  
Cumberland County

PAG080016  
PAG083556  
PAG083605

Merrell Bros., Inc.  
8811 West 500 North  
Kokomo, IN 46901

Rodney Monn Farm  
1246 Baltimore Road  
Shippensburg, PA 17257

DEP-SCRO 0  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County*

Piatt Township  
Lycoming County

*Permit No.*  
PAG104835

*Applicant Name &  
Address*  
Aqua Infrastructure,  
LLC  
762 West Lancaster  
Avenue  
Bryn Mawr, PA 19010

*Receiving  
Water / Use*  
Unnamed Stream—10-A

*Contact Office &  
Phone No.*  
DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3664

Ulster Township  
Bradford County

PAG104838

Appalachia Midstream  
Services, LLC  
100 IST Center  
Horseheads, NY 14845

Hemlock Run—4-B

DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3664

Albany Township  
Bradford County /  
Cherry Township  
Sullivan County

PAG104836

Appalachia Midstream  
Services, LLC  
100 IST Center  
Horseheads, NY 14845

Unnamed Tributary to  
South Branch Towanda  
Creek—4-C

DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3664

Monroe Township  
Bradford County

PAG104837

Appalachia Midstream  
Services, LLC  
100 IST Center  
Horseheads, NY 14845

Unnamed Tributary of  
South Branch Towanda  
Creek—4-C

DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3664

*General Permit Type—PAG-12*

*Facility Location:*

|                                    |                   |   |                              |  |
|------------------------------------|-------------------|---|------------------------------|--|
| <i>Municipality &amp; County</i>   | <i>Permit No.</i> | <i>Applicant Name &amp; Address</i>                                   | <i>Receiving Water / Use</i> | <i>Contact Office &amp; Phone No.</i>  |
| Franklin Township<br>Snyder County | PAG124814         | Michael S. Snook<br>1510 White Church<br>Road<br>Middleburg, PA 17842 | Middle Creek—6-A             | DEP Northcentral<br>Regional Office<br>Clean Water Program<br>208 W Third Street<br>Suite 101,<br>Williamsport, PA<br>17701-6448<br>570.327.3664 |

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

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

| <i>Agricultural Operation<br/>Name and Address</i>                 | <i>County</i> | <i>Total<br/>Acres</i> | <i>Animal<br/>Equivalent<br/>Units</i> | <i>Animal<br/>Type</i> | <i>Special Protection<br/>Waters (HQ or<br/>EV or NA)</i> | <i>Approved or<br/>Disapproved</i> |
|--|---------------|------------------------|--|------------------------|---|------------------------------------|
| Green Valley Farm<br>2266 Junction Road<br>Seven Valleys, PA 17360 | York          | 16.21                  | 1892.79                                | Swine                  | 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 appropri-

ate 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 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**

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

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

Applicant **Clearfield Municipal Authority**

[Township or Borough] Lawrence and Pike Townships  
County **Clearfield**

Responsible Official Jeffrey S. Williams, Manager  
Clearfield Municipal Authority  
107 East Market Street  
Clearfield, PA 16830

Type of Facility Public Water Supply

Consulting Engineer Thomas Boland, P.E.  
Gwin, Dobson & Foreman, Inc.  
3121 Fairway Drive  
Altoona, PA 16602

Permit Issued December 17, 2012

Description of Action Three new on-grade water storage tanks (1.5 MG Montgomery tank, 1.5 MG Hillsdale replacement of existing 1.2 MG Hillsdale tank and 0.5 MG Wolf Run addition to existing 0.5 MG Wolf Run tank), approximately 12,289 LF of 12" - 20" dia. water transmission main, new, above-grade Wolf Run booster pump station and all required appurtenances.

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant **Hampton Hills—Opequon Water System**

[Township or Borough] Benner Township  
County **Centre**

Responsible Official Mr. N. Warren Miller  
Benner Township  
Water Authority  
170 Irish Hollow Road  
Bellefonte, PA 16823

Type of Facility Public Water Supply

Consulting Engineer Brian Book, P.E.  
Hazen and Sawyer  
330 Innovation Blvd. - Suite 104  
State College, PA 16803

Permit Issued December 19, 2012

Description of Action 4-log inactivation of viruses at Hampton Hills Wellhouse Alternate Entry Point 101 (Opequon Well No. 1 and Hampton Hills Well No. 1).

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant **Grove Park Water System**

[Township or Borough] Benner Township  
County **Centre**

Responsible Official Mr. N. Warren Miller  
Benner Township  
Water Authority  
170 Irish Hollow Road  
Bellefonte, PA 16823

Type of Facility Public Water Supply

Consulting Engineer Brian Book, P.E.  
Hazen and Sawyer  
330 Innovation Blvd. - Suite 104  
State College, PA 16803

Permit Issued December 19, 2012

Description of Action 4-log inactivation of viruses at Grove Park Entry Point 101 (Well No. 1).

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

**Permit No. 1112506**, Public Water Supply.

Applicant **Cresson Township Municipal Authority**  
717 Portage Road  
Cresson, PA 16630

[Borough or Township] Cresson Township  
County **Cambria**

Type of Facility Water system

Consulting Engineer Hegemann and Wray  
Consulting Engineers  
429 Park Avenue  
Cresson, PA 16630

Permit to Construct Issued November 14, 2012

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) Union Township, **Washington County** on December 3, 2012 for the operation of facilities approved under Construction Permit # 0208518MA.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) Robinson Township, **Washington County** on December 18, 2012 for the operation of facilities approved under Construction Permit # 0212508.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) Cecil Township, **Washington County** on December 12, 2012 for the operation of facilities approved under Construction Permit # 0212510MA.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) Jefferson Township, **Washington County** on December 12, 2012 for the operation of facilities approved under Construction Permit # 0212514MA.

**Operations Permit** issued to: **Clearwater Homes, LLC**, 1498 Evans City Road, Suite 100, Evans City, PA 16033, (PWSID #5266592) **Fayette** and **Greene Counties** on December 12, 2012 for the operation of facilities approved under Construction Permit # 5266592.



**Operations Permit** issued to: **Municipal Water Authority of Aliquippa**, 160 Hopewell Avenue, Aliquippa, PA 15001, (PWSID #5040006) Hopewell and Raccoon Townships, **Beaver County** on December 13, 2012 for the operation of facilities approved under Construction Permit # 0409505.

**Operations Permit** issued to: **Glen Campbell Borough**, PO Box 43, Glen Campbell, PA 15742, (PWSID #5320016) Glen Campbell Borough, **Indiana County** on December 13, 2012 for the operation of facilities approved under Construction Permit # 3210502.

**Operations Permit** issued to: **PRIMO Refill, LLC**, 104 Cambridge Plaza Drive, Winston-Salem, NC 27104, (PWSID #5026383) on December 13, 2012 for the transfer and operation of facilities approved under Permit # 5026383T2.

**Permit No. 0212523MA, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of the Borough of Edgeworth**  
313 Beaver Road  
Edgeworth, PA 15143

[Borough or Township] Franklin Park Borough

County **Allegheny**

Type of Facility Water system

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

Permit to Construct Issued December 6, 2012

**Permit No. 5611514GWR, Minor Amendment.** Public Water Supply.

Applicant **Wilbur Water Company**  
180 A Street Suite 100  
Stoystown, PA 15563

[Borough or Township] Shade Township

County **Somerset**

Type of Facility Water system

Consulting Engineer

Permit to Operate Issued December 3, 2012

**Permit No. 5610514GWR, Minor Amendment.** Public Water Supply.

Applicant **Cairnbrook Improvement Association**  
PO Box 264  
Cairnbrook, PA 15924

[Borough or Township] Shade Township

County **Somerset**

Type of Facility Water system

Consulting Engineer

Permit to Operate Issued December 3, 2012

**Permit No. 1111503GWR, Minor Amendment.** Public Water Supply.

Applicant **Dean Township Supervisors**  
1012 Clearfield Valley Boulevard  
Dysart, PA 16636

[Borough or Township] Dean Township

County **Cambria**

Type of Facility Water system

Consulting Engineer

Permit to Operate Issued December 12, 2012

**Permit No. 6511502MA, Minor Amendment.** Public Water Supply.

Applicant **Highridge Water Authority**  
17 Maple Avenue  
Blairsville, PA 15717

[Borough or Township] Rachelwood, New Florence,  
Blairsville and Bolivar Boroughs

County **Indiana and Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas  
Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Operate Issued December 3, 2012

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

**Operation Permit** issued to **Buhl Community Water Company**, PWSID #6430049, Springfield Township, **Mercer County**. Permit Number 4393505-MA1 issued December 17, 2012 for the operation of the 500,000-gallon elevated storage tank at the Public Water Supply system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on December 7, 2012 with supporting information received on December 11, 2012.

**Operation Permit** issued to **Cornplanter Township**, PWSID #6610035, Cornplanter Township, **Venango County**. Permit Number 6106501-MA1 issued December 17, 2012 for the operation of the new transmission line in the Route 8 corridor of the Public Water Supply system.

**Operation Permit** issued to **Reynolds Water Company**, PWSID #6430057, Pymatuning Township, **Mercer County**. Permit Number 4311501 issued December 17, 2012 for modifications made at the Reynolds Water Treatment Plant. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on September 25, 2012 and November 26, 2012.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at

a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401*

**Bonamico Residence**, West Norriton Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc. 1635 Old Plains, PA 18073, Paul Coppadge, All State Insurance 1200 Atwater Drive, Suite 110, Malvern, PA 19355 on behalf of Olga Bonamico, 2445 Chestnut Avenue, Norristown, PA 19403 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Gibat Residence**, Upper Dublin Township, **Montgomery County**. Richard D. Trimpi Trimpi Associates, Inc. 1635 Old Plains Road, Pennsburg, PA 18703, Robert Steck, The Standard Fire Insurance Company, P. O. Box 13485, Wyomissing, PA 19612 on behalf of Albert Gibat, 101 Drury lane, Schwenksville, PA 19473-2815 has submitted a Final Report concerning remediation of site soil fuel contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**4413-4421 Germantown Avenue & 4428-4428-4430 North Uber Street**, City of Philadelphia, **Philadelphia County**. Ileen Gladstone, GEI Consultants Inc., 400 Union Park Drive, Woburn, MA 01801, Ronald Wong, Nicetown Court II Housing Partners LP, 256 George Street, New Brunswick, NJ 08901, on behalf of David Thomas, Philadelphia Redevelopment Authority, 1234 Market Street, 16th Floor, Philadelphia, PA 19107 has submitted a Final Report concerning remediation of site soil contaminated with pah's. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Knight Residence**, Kennett Square Borough, **Chester County**. Barbara Lippman, Environmental Control Systems, Inc., 950 Sussex Boulevard, Broomall PA 19008 on behalf of Thomas & Jackie Knight, 809 Merrimac Lane, Kennett Square, PA 19348 has submitted a 90-day Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**PECO Submersible Transformer Oil Spill**, North Wales Borough, **Montgomery County**. Bruce Middleman, P.G., Stantec Consulting Service, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of George Horvat, PCO Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19103 has submitted a Final Report concerning remediation of site soil contaminated with pcb. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Rohm & Haas Company**, Bristol Township, **Bucks County**. Howard Klei, URS Corporation, Iron Hill Corporate Center Sabre Building, Suite 300, 4051 Ogletown Road, Newark, NJ 19713 on behalf of Robert Casselberry, Rohm and Haas Company, 3100 State Road, Croydon, PA 19021 has submitted a Final Report concerning remediation of site soil contaminated with inorganics and other organics. The report is intended to document remediation of the site to meet the Site Specific Standard and Statewide Health Standard.

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

**421 Memphis Street**, City of Philadelphia, **Philadelphia County**. James Mulry, Mulry and Cresswell Environmental Inc., 1679 Horseshoe Pike, Germantown, PA 19343 on behalf of George Felici, Zion Land, L.P. 1061 DeKalb Pike, Suite 202, Blue Bell, PA 19422 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Castel Club Apartment**, Falls Township, **Bucks County**. Amanda Lofink, Cardno ATC, Germantown Pike, Suite 200, Plymouth Meeting, PA 19462 on behalf of Robin L. Stein, Home Properties Castle Club, LLC 850 Clinton Square, Rochester, NY 14604 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard

**Brien's, RV Center & Trailer Sales, Inc.** Falls Township, **Bucks County**. Jan Peter Ilves, P.G., JPI Associates, Inc., 725 Market Street, Gloucester City, NJH 08030 on behalf of Shayne Gall, Fulton Bank, NA 1 Penn Square, Lancaster, PA 17602 has submitted a Final Report concerning remediation of site soil contaminated with heating oil fractions. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**311 East Lancaster Avenue, LLC**, Lower Merion Township, **Montgomery County**. Joseph Diamadi, Jr., Marshall Geoscience, Inc. 170 East First Avenue, Collegeville, PA 19426 on behalf of William J. Higginson, 311 East Lancaster Avenue LLC., 790 Township Line Road, Suite 300, Yardley, PA 19067 has submitted a Final Report concerning remediation of site soil contaminated with arsenic. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Waterford Walk**, Lower Merion Township, County. Lawrence W. Bily, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of D. Charles Houder, Wyoming Avenue Associates, L.P., 134 North Narberth Avenue, Narberth, PA 19072 has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Toppi Residence**, West Bradford Township, **Chester County**. Richard D. Trimpi, Trimpi Associate, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Frank Lynch, Envirolink, Inc. 165 Daleville Road, Cochranville, PA 19330 on behalf of Pamela Toppi, 561 Northbrook Road, West Chester, PA 19382 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Frank Tire Center**, Douglass Township, **Montgomery County**. Andrew R. Fetterman, P.G., Synergy Environmental, Inc. 155 Railroad Plaza, 1st Floor, Royersford PA 19468 on behalf of James M. Brunner, Franks Tire Center, 1493 East Philadelphia Avenue, Gilbertsville, PA 19525 has submitted a Final Report concerning remediation of site soil and gasoline contaminated with gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Wanamaker Redevelopment**, City of Philadelphia, **Philadelphia County**. Andrew Collings, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Carlo Cifarelli, Westmont North Associates, LP, 350 Sentry Parkway, Bldg. 630, Suite 300, Blue Bell, PA 19422 has submitted a 90 day Final Report concerning remediation of site soil contaminated with no. 4 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**C&D Tech Industrial Facility**, Borough of Conshohocken and Whitmarsh Township, **Montgomery County**. Michael Gonshor, P.G., Roux Associates, Inc. 122 Forest Parkway, Suite 1909, West Deptford, NJ 08066 has submitted a Cleanup Plan/Remedial Investigation Report and Risk Assessment Report concerning remediation of site groundwater contaminated with arsenic, pahs and lead. The report is intended to document remediation of the site to meet the Site Specific Standard.

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

**Norfolk Southern Juniata Locomotive Repair Shop**, 200 North Fourth Avenue, Altoona, PA 16601, Logan Township and Altoona City, **Blair County**. AECOM, 707 Grant Street, 5th Floor, Pittsburgh, PA 15219, on behalf of Norfolk Southern Railway Company, 425 Holiday Drive, Pittsburgh, PA 15220, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released from a ruptured locomo-

tive saddle tank. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**REC Oil**, 280 North East Street, York, PA 17403, City of York, **York County**. Enviro Trac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of REC-Oil, 280 North East Street, York, PA 17403 and Environmental Compliance Management, 345 King Street, Myerstown, PA 17067, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with PAHs, VOCs and lead. The report is intended to document remediation of the site to meet a combination of the Nonresidential Statewide Health and Site-Specific standards.

**General Dynamics—OTS (Pennsylvania) Inc.**, 200 East High Street, Red Lion, PA 17356, Red Lion Borough and Windsor Township, **York County**. Buchart Horn, Inc., 445 West Philadelphia Street, York, PA 17401, on behalf of General Dynamics—OTS, 11399 16th Court North, Suite 200, St. Petersburg, FL 33716, submitted a combined Remedial Investigation and Final Report concerning remediation of soils and groundwater contaminated with VOCs, chlorinated solvents and PAHs. The report is intended to document remediation of the site to meet the a combination of the Residential Statewide Health and Site-specific Standards.

**Harrisburg Toyota aka Hartman Motorcars Company**, 6060 Allentown Boulevard, Harrisburg, PA 17112, Lower Paxton Township, **Dauphin County**. Earth Engineering, Inc., 5010 Ritter Road, Suite 116, Mechanicsburg, PA 17055, on behalf of Calvert Hartman, 2376 Forest Hills Drive, Harrisburg, PA 17112, submitted a Final Report concerning remediation of site soils contaminated with gasoline released from an unregulated underground storage tank. The report is intended to document remediation of the site to meet the Residential Statewide Health standard

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Titusville Wax Plant**, City of Titusville, **Crawford County**. AMEC Environment & Infrastructure, Inc., 800 North Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of Honeywell International, Inc., 101 Columbia Road, Morristown, NJ 07962 has submitted Risk Assessment/Remedial Investigation Report concerning remediation of site soil contaminated with volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), semi-volatile organic compounds (SVOCs), metals and groundwater contaminated with VOCs, SVOCs, and metals. The report is intended to document interim remedial response actions, in addition to risk assessment to meet the Site-Specific Standard.

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

**E.E. Shenk Sons, Inc., Accident**, Sunbury, **Northumberland County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of E.E. Shenk Sons, Inc., 151 Creek Road, Elizabethtown, PA 17022 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbnzene, Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.



## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

**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.*

**Safety Kleen Systems New Kingstown Service Center**, 10 Eleanor Drive, New Kingstown, PA 17072, Silver Spring Township, **Cumberland County**. Shaw Environmental, Inc., 13 British American Boulevard,

Latham, NY 12110, on behalf of Safety-Kleen Systems, Inc., 11923 Tramway Drive, Sharonville, OH 45241, submitted a Final Report concerning soils contaminated with VOCs, SVOCs, chlorinated solvents and inorganics. The Final Report demonstrated attainment of the Nonresidential Statewide Health standard, and was approved by the Department on December 14, 2012.

**Saylor's IGA Market and Walter's Excavating, Inc.**, 37 Carlisle Road and 1 Mill Street, Newville, PA 17241, West Pennsboro Township, **Cumberland County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Apple Hill Business Advisors, Inc., 33 North Second Street, Harrisburg, PA 17101, submitted a combined Remedial Investigation Report and Final Report concerning site soils and groundwater contaminated with leaded and unleaded gasoline, diesel fuel, No. 2 fuel oil and used motor oil. The combined report demonstrated attainment of the Site-Specific standard, and was approved by the Department on December 17, 2012.

**Ryan Hershberger Residence**, 2074 Enfield Street, Camp Hill, PA, Camp Hill Borough, **Cumberland County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Ryan Hershberger, 2074 Enfield Street, Camp Hill, PA 17011 and Allstate Insurance, 6945 Flank Drive, Suite 1000, Harrisburg, PA 17112, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on December 18, 2012.

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

**E.E. Shenk Sons Inc. Accident**, Sunbury City, **Northumberland County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of E.E. Shenk Sons, Inc., 151 Creek Road, Elizabethtown, PA 17022 has submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-trimethylbenzene, Methyl tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 6, 2012.

### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

**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 Municipal Waste Regulations for a General Permit to Operate Infectious and Chemotherapeutic Waste Processing Facilities.**

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

**General Permit No. WMGI005-SC01. Corixa Corporation d/b/a GlaxoSmithKline Vaccines**, 325 North Bridge Street, Marietta, PA 17547. A minor permit modification for several changes in treatment options and to change the trade name was issued by the Southcentral Regional Office, Waste Management Program on December 7, 2012.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Southcentral Regional Office, Waste Management Program, 909 Elmerton



Avenue, Harrisburg, PA 17110, 717-705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### REGISTRATION FOR MUNICIPAL WASTE GENERAL PERMITS

**Registration for General Permit issued under the Solid Waste Management Act; and Municipal Waste Regulations for a General Permit To Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 relating to authorization for general permit).**

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGM042-SC003. Cliff Sensenig**, 245 Spring Hill Road, Kirkwood, PA 17536. The Department of Environmental Protection has issued a registration under General Permit WMGM042 to Cliff Sensenig. This registration is for their location at 245 Spring Hill Road, Kirkwood, PA 17536 in Little Britain Township, **Lancaster County**. The registration was issued on December 20, 2012.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 301220. Clean Earth of Philadelphia, LLC**, 3201 South 61st Street, Philadelphia, PA 19153-3502. This permit modification is for approving the reissuance of the residual waste processing facility due to a name change from Clean Earth of Philadelphia, Inc., to Clean Earth of Philadelphia, LLC. The Clean Earth of Philadelphia, LLC Facility is a residual waste processing facility located at 3201 South 61st Street, Philadelphia, PA. The permit was issued by the Southeast Regional Office on December 18, 2012.

### AIR QUALITY

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

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

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

**GP4-67-03119: Sipe's Electric Motor Repairs, Inc.** (4848 Walter's Hatchery Road, Spring Grove, PA 17362) on December 13, 2012, for a burn-off oven, under GP4, at their motor repair facility in North Codorus Township, **York County**.

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

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

**GP5-20-300B: Kastle Resources Enterprises, Inc.—Fouk Compressor Station** (Townline Road, Springboro, PA 16435) on December 13, 2012, to operate a 276 bhp compressor engine (Caterpillar G3406TA, a Natco Model TEG 125/200 Dehydrator) and three (3) BBL storage tanks (BAQ-GPA/GP-5) in Beaver Township, **Crawford County**.

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

*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*

**30-00170A: Laurel Mountain Midstream, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) on December 13, 2012, to allow the installation and initial temporary operation of two (2) Caterpillar G3612 lean burn natural gas-fired compressor engines rated at 3,550 bhp each at the existing Brown Compressor Station located in Greene Township, **Greene County**.

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

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

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

**36-05154A: Mount Joy Wire Corp.** (1000 East Main Street, Mount Joy, Pennsylvania 17552) on December 13, 2012, for the installation of a spark ignition Reciprocating Internal Combustion Engine (RICE) for a combined heat and power project located at the wire manufacturing facility in Mount Joy Borough, **Lancaster County**. The plan approval was 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*

**32-00055F: NRG Homer City Services LLC.** (1750 Power Plant Road, Homer City PA 15748) on December 13, 2012, an administrative to transfer the ownership and operation of the Homer City Generating Station at Black Lick and Center Townships, **Indiana County**. The new owner is Homer City Generating, LP, and the operator is NRG Homer City Services LLC.

**32-00055G: NRG Homer City Services LLC.** (1750 Power Plant Road, Homer City PA 15748) on December 13, 2012, an administrative amendment to transfer the

ownership and operation of the Homer City Generating Station at Black Lick and Center Townships, **Indiana County**. The new owner is Homer City Generating, LP, and the operator is NRG Homer City Services LLC.

**32-00055H: NRG Homer City Services LLC.** (1750 Power Plant Road, Homer City PA 15748) on December 13, 2012, an administrative amendment to transfer the ownership and operation of the Homer City Generating Station at Black Lick and Center Townships, **Indiana County**. The new owner is Homer City Generating, LP, and the operator is NRG Homer City Services LLC.

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

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

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

**15-00091: McAvoy Vitrified Brick Co.** (75 McAvoy Lane, Phoenixville, PA 19460) on December 19, 2012, for renewal of Title V Operating Permit, No. 15-0091, in Schuylkill Township, **Chester County**. The original Title V Operating Permit was issued on June 4, 2002, and became effective on July 1, 2002. The facility's major air emission sources include a crusher, brick dryers and kilns fired by natural gas. Annual average NO<sub>x</sub> emissions from all emitting sources were 5.2 tons in 2010 and 2011. The renewed permit contains monitoring, recordkeeping and reporting 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: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2507.*

**54-00022: SAPA Extrusions, Inc.** (53 Pottsville Street, Cressona, PA 17929-1217) on December 19, 2012, for an aluminum extrusions manufacturing facility in Cressona Borough, **Schuylkill County**.

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

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

**24-00009: Domtar Paper Co.—Johnsonburg Mill** (100 Center Street, Johnsonburg, PA 15845) on December 12, 2012, issued an administrative amendment to the Title V Operating Permit to incorporate the change of Responsible Official for their facility in Johnsonburg Borough, **Elk County**.

**25-00025: GE Transportation—Erie Plant** (2901 East Lake Road, Building 9, RM 201, Erie, PA 16531) on December 14, 2012, issued an administrative amendment to the Title V Operating Permit to incorporate the conditions of plan approval 25-025S for the facility in Lawrence Park Township, **Erie County**.

**62-00017: United Refining Co.** (15 Bradley Street, Box 780 Warren, PA 16365-0780) on December 14, 2012, issued a Title V Operating Permit (renewal) for their refinery in Warren City, **Warren County**. The facility's major emission sources include five (5) natural gas/oil fired boilers, FCC heater, D.H.T heater #1 and #2, east and west reformer heaters, crude heaters (North & South), pretreater heater, saturated gas plant (debut) reboiler, vacuum process heater, prefractionator reboiler #2, volcanic heater, miscellaneous tank heaters, blow

down system, Claus sulfur plant #2, east and middle FCC KVG compressors, NSPS and State fugitive emissions, storage tanks, FCC unit, Sat Gas KVG compressor, Loading Rack Bottom Loading, waste water separators, Sulfur Plant Hot Oil Heater, emergency engines, and parts washers.

The refinery sources are subject to the New Source Performance Standards (NSPS) in 40 CFR 60, Subpart J, Subpart Kb, Subpart VV, Subpart GGG, Subpart GGGa. The Benzene operations from the facility are subject to Part 61, Subpart FF. The facility is subject to the National Emission Standards for Hazardous Air Pollutant (NESHAP) in 40 CFR Part 63 Subpart ZZZZ (for Sources 113 and 114) for the Reciprocating Internal Combustion Engines. The FCC unit, reformers, and sulfur recovery are subject to Subpart UUU. Several of the refinery sources are subject to Subpart CC and the facility is subject to Subpart GGGGG (for Source 111) for the Remediation Material Management Units. The facility is subject to the new boiler NESHAP finalized in 2011, Subpart DDDDD.

The facility is major for Nitrogen Oxide (NO<sub>x</sub>) and therefore subject to Reasonably Available Control Technology (RACT) requirements of 25 Pa. Code §§ 129.91—129.95. The facility is also major for sulfur oxides (SO<sub>x</sub>). There are no sources in the facility that are subject to Compliance Assurance Monitoring (CAM) requirements in 40 CFR Part 64 because the sources are already subject to NESHAP requirements developed after November 15, 1990 (See 40 CFR Section 64.2(b)).

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

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

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

**15-00055: Highway Materials, Inc.** (850 Quarry Road, Downingtown, PA 19335-3449) on December 18, 2012, for renewal of a State Only, Synthetic Minor Operating Permit in East Caln Township, **Chester County**. The facility operates a Hot Mix Asphalt Batch Plant at this site. The proposed renewal of the Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO<sub>x</sub> emissions to less than 12 tons per year. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00021: MRI Flexible Packaging Co.** (122 Penns Trail, Newtown, PA 18940) on December 18, 2012, for renewal of a State Only Operating Permit for a packaging printing plant in Newtown Township, **Bucks County**. The facility has taken restriction to remain a synthetic minor for VOC emissions. This Operating Permit renewal includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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



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

**36-03040: Wenger's Feed Mill, Inc.** (101 W. Harrisburg Avenue, Rheems, PA 17570) on December 14, 2012 for the Rheems feed mill in Mount Joy Township, **Lancaster County**. The state-only permit was renewed.

**36-05125: PA Department of Corrections** (1451 N. Market Street, Elizabethtown, PA 17022-1223) on December 17, 2012 for the boilers and generators at the Elizabethtown Training Academy in Mount Joy Township, **Lancaster County**. The State-only permit was renewed.

**28-03027: APX Industrial Coatings, Inc.** (9473 Lincoln Way West, Saint Thomas, PA 17252-9710) on December 18, 2012, for the metal surface coating facility in Saint Thomas Township, **Franklin County**. The State-only permit was renewed.

**21-03098: HP Enterprise Services LLC** (225 Grandview Avenue, Camp Hill, PA 17011-1712) on December 14, 2012, for the emergency generators and fire pump at the facility in East Pennsboro Township, **Cumberland County**.

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

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

**AMS 12093: Philadelphia Ship Repair, LLC** (5195 South 19th Street, Philadelphia, PA 19112) on December 17, 2012, for reactivation and operation of a ship repair and painting facility in the City of Philadelphia, **Philadelphia County**. The operation will include the installation of a painting equipment. Emissions from the facility are limited to the following:

- Volatile Organic Compounds shall be less than 37.91 tons per rolling 12-month period;
- Hazardous Air Pollutants (HAP) shall be less than 28.61 tons per rolling 12-month period of any individual HAP emissions and less than 34.94 tons per rolling 12 month period for any combination of HAP emissions;

The plan approval will contain operating, monitoring, testing, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

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

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

**32-00055: NRG Homer City Services LLC.** (1750 Power Plant Road, Homer City PA 15748) On December 13, 2012 an administrative amendment to transfer the ownership and operation of the Homer City Generating Station located at Black Lick and Center Townships, **Indiana County**. The new owner is Homer City Generating, LP, and the operator is NRG Homer City Services LLC.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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### Coal Permits Actions

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

**33110103 and NPDES Permit No. PA0259110. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous surface mine in Perry Township, **Jefferson County** affecting 99.0 acres. Receiving streams: Unnamed tributaries to Mahoning Creek and Mahoning Creek. Application received: May 25, 2011. Permit Issued: December 17, 2012.

**24990101 and NPDES Permit No. PA0241491. AMFIRE Mining Company, LLC** (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of a bituminous surface and auger mine in Horton Township, **Elk County** affecting 568.9 acres. Receiving streams: Unnamed tributary to Mead Run and Mead Run; Unnamed tributary to Little Toby Creek. Application received: May 25, 2012. Permit Issued: December 19, 2012.

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

**17040104 and NPDES PA 0243787. Forcey Coal, Inc.** (P. O. Box 225, 475 Banian Road, Madera, PA 16661) Renewal permit issued for reclamation only to an existing bituminous surface mine located in Jordan Township, **Clearfield County**, affecting 121 acres. Receiving streams: Unnamed Tributaries to Potts Run classified for Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 3, 2012. Permit issued: December 13, 2012.

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

**54070202C3. Coaldale Energy, LLC**, (P. O. Box 502, Tamaqua, PA 18252), correction to an existing anthracite coal refuse reprocessing and coal preparation plant operation to update water handling in Coaldale and Tamaqua Boroughs, **Schuylkill County** affecting 195.0 acres, receiving stream: Panther Creek Watershed. Application received: June 13, 2011. Correction issued: December 20, 2012.

**54070202GP104. Coaldale Energy, LLC**, (P. O. Box 502, Tamaqua, PA 18252), NPDES General Permit for

stormwater discharges associated with mining activities on Surface Mining Permit No. 54070202 in Coaldale and Tamaqua Boroughs, **Schuylkill County**, receiving stream: Panther Creek Watershed. Application received: June 13, 2011. Permit issued: December 20, 2012.

**54-305-010GP12C. Coaldale Energy, LLC**, (P. O. Box 502, Tamaqua, PA 18252), correction to general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54070202 in Coaldale and Tamaqua Boroughs, **Schuylkill County**. Application received: June 14, 2012. Permit issued: December 20, 2012.

#### *Noncoal Permits Actions*

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

**10060306. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Revision to an existing bituminous surface mine to change the post-mining land use from forestland to unmanaged natural habitat on the Quality Aggregates, Inc. property in Marion Township, **Butler County**. Receiving streams: Five unnamed tributaries to Blacks Creek and Blacks Creek, one unnamed tributary to North Branch Slippery Rock Creek. Application received: October 25, 2012. Permit Issued: December 14, 2012.

### **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 Actions*

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

**10124005. Dynamic Drilling, LLC** (10373 Taylor Hawks Road, Herron, MI 49744) Blasting Activity Permit for seismic exploration in Jefferson, Clinton, Middlesex, Clearfield and Winfield Townships, **Butler County**. This blasting activity permit expires on August 1, 2013. Permit Issued: December 17, 2012.

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

**40124124. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Center Point in Pittston and Jenkins Townships, **Luzerne County** with an expiration date of December 31, 2013. Permit issued: December 17, 2012.

**58124199. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Bear Swamp Pipeline Project in Gibson Township, **Susquehanna County** with an expiration date of December 14, 2013. Permit issued: December 17, 2012.

**581241100. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Columbia Pipeline in Gibson and Harford Township, **Susquehanna County** with an expiration date of December 14, 2013. Permit issued: December 17, 2012.

**581241101. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for an Davis Pipeline in Gibson Township,

**Susquehanna County** with an expiration date of December 14, 2013. Permit issued: December 17, 2012.

### **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 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.*

**E48-418. Monocacy Heights**, 4383 Hecktown Road, Bethlehem, PA 18020. Plainfield Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stormwater outfall in the floodway of Little Bushkill Creek (HQ-CWF, MF) consisting of 36-inch diameter HDPE pipe, concrete inlet box



outlet structure, and a concrete cable lined outfall channel. The outfall is associated with the Mintbrook Farms Residential Development. The project is located on the south side of Jones Hill Road approximately 0.15 mile west of its intersection with Bookshill Road (Wind Gap, PA Quadrangle Latitude: 40° 48' 0.3"; Longitude: -75° 15' 58.6") in Plainfield Township, Northampton County. Sub-basin: 2C

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

**E21-431: Todd Robinson, Giant Food Stores, LLC**, 1149 Harrisburg Pike, Carlisle, Pennsylvania 17013-0249, in Hampden Township, **Cumberland County**, ACOE Baltimore District

To: 1) remove the existing 33.0-foot long 15.0-inch corrugated metal pipe (CMP) culvert, 2) install and maintain a 97.0-foot long, 12.0-foot wide by 13.8-foot high concrete box culvert, an 8.0-inch diameter ductile iron waterline, a 24.0-inch HDPE stormwater pipe, a 4.0-inch plastic gas line, and two 6.0-inch electric line conduits and two 6.0-inch communication line conduits within a 30.0-inch by 21.0-inch concrete conduit bank in an unnamed tributary to Pine Creek (WWF), and 3) fill 0.20 acre of Palustrine Emergent (PEM) wetland in the Pine Creek (WWF) watershed. The project is located on the northwest quadrant of the intersection of Wertzville Road and Valley Road in Hampden Township, Cumberland County (Harrisburg West, PA Quadrangle; N: 7.62 inches, W: 14.28 inches; Latitude: 40°17'31.1", Longitude: -76°58'38.7"). The purpose of the project is to construct a new Giant Foods grocery store and related development. The applicant is required to provide a minimum of 0.20 acre of replacement wetland.

**E34-133: Pennsylvania Department of Transportation, Engineering 2-0**, 1924 Daisy Street Ext., PO Box 342, Clearfield, Pennsylvania 16830, in Monroe Township, **Juniata County**, ACOE Baltimore District

To: 1) remove the existing structure, 2) construct and maintain a 28.42-foot long, 1.0-foot depressed with baffles, 11.00- x 5.00-foot reinforced concrete box culvert in Stony Run (TSF, MF) with a depressed concrete apron extending 8.95 feet upstream and 6.91 feet downstream and a depressed rock apron extending an additional 5.00 feet upstream and downstream, 3) relocate and maintain approximately 40.0 feet of an unnamed tributary to Stony Run (TSF, MF), all for the purpose of improving transportation safety and roadway standards. The project is located along SR 2017 in Monroe Township, Juniata County (Beaver Spring, PA Quadrangle; Latitude: 40°39'06", Longitude: -77°09'13").

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

**E33-248, Troutville Borough Council**, 130 Grant Road, Troutville, PA 15866 in Henderson Township, **Jefferson County**, ACOE Pittsburgh District

to install a sanitary sewer line by directional drilling across a total of approximately 1043 linear feet of four wetland areas and across Poose Run and three tributaries to Poose Run all at a depth greater than 3 feet and to construct a temporary construction roadway crossing of approximately 303 feet long by 6 feet wide wetland utilizing temporary mats to provide access to a bore launch pit adjacent to a large wetland area. This work is associated with the installation of a total of approximately 31000 linear feet of sewer lines to service the Borough of Troutville and surrounding areas within Jef-

erson and Clearfield Counties. (DuBois, PA Quadrangle N: 41°, 02', 06.30"; W: 78°, 49', 16.15")

**E62-426, Oz Gas, Ltd.**, 225 A. Swede Road, Tidioute, PA 16351, in Triumph Township, **Warren County**, ACOE Pittsburgh District.

To maintain the following previously constructed stream crossings on property identified as being for private use only:

1. One 35 feet long by 13 feet wide bridge crossing of Lamb Run at N: 41°, 38', 38"; W: 79°, 27', 11" 2.
2. One 50 feet long by 13 feet wide bridge crossing of Lamb Run at N: 41°, 38', 26"; W: 79°, 27', 5".
3. One 40 feet long by 13 feet wide bridge crossing of West Hickory Creek at N: 41°, 38', 19"; W: 79°, 26', 31".
4. One 35 feet long by 13 feet wide bridge crossing of West Hickory Creek at N: 41°, 38', 29"; W: 79°, 26', 26".
5. One 20 feet long by 3 feet diameter culvert crossing of an unnamed tributary to West Hickory Creek at N: 41°, 38', 19"; W: 79°, 26', 26".
6. Two wood post and wire fence crossings of Lamb Run at N: 41°, 38', 39"; W: 79°, 27', 11"; and N: 41°, 38', 39"; W: 79°, 26', 54".
7. Two wood post and wire fence crossings of West Hickory Creek at N: 41°, 38', 30"; W: 79°, 26', 25"; and N: 41°, 38', 15"; W: 79°, 26', 37".

#### DAM SAFETY

*Southwest Regional Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

[Permit # 95-7-37312-16]. CNX Gas Company LLC, 200 Evergreene Drive, Waynesburg, PA 15370.

Project proposes to construct, operate and maintain the NV North #2 Centralized Pit, a centralized impoundment with a capacity of 5.9 million gallons, to collect, store and reuse fracturing fluids from NV-36A-HS: Permit No. 37-125-24563-00-01 and existing and future permitted wells in the area (PA Quadrangle; Prosperity, (Latitude N 40° 05' 44.15", Longitude W -80° 18' 02.25"), South Franklin Township, Washington County, Pittsburgh ACOE District, State Water Plan Basins 20F, Chartiers Creek and 19B, Tennile Creek.

#### 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 pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

ESCGP-1 # ESX12-115-0077 (01)  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Scott Gregory  
 Address 51 Warren Street  
 City, State, Zip Tunkhannock, PA 18657-1507  
 County Susquehanna County  
 Township(s) Bridgewater and Dimock Townships  
 Receiving Stream(s) and Classification(s) UNT to Meshoppen Creek (CWF/MF)

ESCGP-1 # ESX12-081-0160  
 Applicant Name EXCO Resources (PA), LLC  
 Contact Person Gregg Stewart  
 Address 3000 Ericsson Drive, Suite 200  
 City, State, Zip Warrendale, PA 15086  
 County Lycoming County  
 Township(s) Cogan House  
 Receiving Stream(s) and Classification(s) Roaring Run (EV);  
 Secondary: Larry's Creek (EV)

ESCGP-1 # ESX11-131-0013 (02)  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Tom Page  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Moon Township, PA 15108  
 County Luzerne, Susquehanna & Wyoming Counties  
 Township(s) Dallas, Eaton, Franklin, Lemon, Nicholson, Northmoreland, Springville & Tunkhannock  
 Receiving Stream(s) and Classification(s) Meshoppen Creek, Pond Brook, Stevens Creek, Thomas Creek, UNT to Stevens Creek, Jackson Creek, Martin Creek,

Mill Creek, Money Penny Creek, Sutton Creek, Whitelock Creek, UNT to Martin Creek, UNT to Mill Creek, UNT to Money Penny Creek, UNT to Susquehanna River, UNT to Sutton Creek, UNT to Whitelock Creek, Trout Brook, UNT to Trout Brook, Billings Mill Brook, Horton Creek, Monroe Creek, Ox-bow Creek, UNT to Monroe Creek, UNT to Tunkhannock Creek (all CWF, MF); Susquehanna River (WWF, MF), Tunkhannock Creek (TSF, MF)

ESCGP-1 # ESX12-015-0216  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Greg Floerke  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Tuscarora Township  
 Receiving Stream(s) and Classification(s) Transue Creek, Tuscarora Creek (Both CWF/MF)

ESCGP-1 # ESX12-081-0163  
 Applicant Name Anadarko E&P Company, LP  
 Contact Person Nathan S. Bennett  
 Address 33 W. Third Street, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Pine Township  
 Receiving Stream(s) and Classification(s) Fourmile Run (EV/MF);  
 Secondary: Texas Creek (EV/MF)

ESCGP-1 # ESX12-115-0208  
 Applicant Name Cabot Oil & Gas Corporation  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Bridgewater Township  
 Receiving Stream(s) and Classification(s) Meshoppen Creek, UNT to Meshoppen Creek, Hop Bottom Creek, UNT to Hope Bottom Creek (All CWF)

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

| <i>ESCGP-1 No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i>             | <i>Receiving Water / Use</i>                                  |
|--------------------|---|---------------|---------------------------------|---|
| 6512801            | Dominion Transmission, Inc.<br>445 West Main Street<br>Clarksburg, WV 26301 | Westmoreland  | Penn Township<br>Salem Township | UNT Beaver Run (CWF) UNT Brush Creek (CWF) Bushy Run (HQ-TSF) |

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

ESCGP-1 #ESX12-019-0169—Dreher Well Pad  
 Applicant XTO Energy  
 Contact Melissa Breitenbach  
 Address 502 Keystone Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Summit(s)  
 Receiving Stream(s) and Classification(s) UNT to Bonnie Brook

ESCGP-1 #ESX11-019-0068A—Bricker A Well Pad  
 Applicant Rex Energy Operating Corporation  
 Contact Michael Endler  
 Address 310 Seven Fields Boulevard  
 City Seven Fields State PA Zip Code 16046  
 County Butler Township(s) Connoquenessing(s)  
 Receiving Stream(s) and Classification(s) UNT to Little

Connoquenessing Creek (CWF) and Semiconon Run (CWF) Slippery Rock Creek Watershed

ESCGP-1 #ESX12-019-0164—Patton Pipeline  
 Applicant Mountain Gathering, LLC  
 Contact Dewey Chalos  
 Address 395 Airport Road  
 City Indiana State PA Zip Code 15701  
 County Butler Township(s) Connoquenessing & Forward(s)  
 Receiving Stream(s) and Classification(s) UNT to Semiconon Run, Semiconon Run, UNT to Little Connoquenessing Creek, Little Connoquenessing Creek—Other, Connoquenessing Creek

ESCGP-1 #ESX12-065-0055—Cook Pipeline  
 Applicant EXCO Resources (PA), LLC  
 Contact Gregg Stewart  
 Address 3000 Ericsson Drive, Suite 200

City Warrendale State PA Zip Code 15086  
 County Jefferson Township(s) Polk(s)  
 Receiving Stream(s) and Classification(s) South Branch  
 North Fork Redbank Creek—EV, North Fork Redbank  
 Creek—HQ/CWF

*Southwest Region: Oil & Gas Program Mgr. 400 Water-  
 front Dr. Pittsburgh PA*

10/24/12

ESCGP-1 No: ESX10-125-0064 MAJOR REVISION  
 Applicant Name: CHEVRON APPALACHIA LLC  
 Contact Person MR JEREMY HIRTZ  
 Address: 800 MOUNTAIN VIEW DRIVE  
 City: SMITHFIELD State: PA Zip Code: 15478  
 County: WASHINGTON Township: ROBINSON  
 Receiving Stream (s) And Classifications: UNTs TO BIG-  
 GER RUN (WWF)/RACCOON CREEK WATERSHED;  
 OTHER

6/25/12

ESCGP-1 No.: ESX12-125-0076  
 Applicant Name: M3 APPALACHIA GATHERING LLC  
 Contact Person: MR JAMES C ROBERTS  
 Address: 1099 MAIN AVENUE SUITE 210  
 City: DURANGO State: CO Zip Code: 81301  
 County: WASHINGTON Township(s): WEST PIKE RUN  
 Receiving Stream(s) and Classifications: UNT TO  
 LITTLE PIKE RUN, LITTLE PIKE RUN, UNT TO  
 PIKE RUN, AND PIKE RUN. SEE ATTACHMENT E  
 FOR STREAM TABLE; OTHER; TSF

11/1/12

ESCGP-1 No.: ESX11-125-0079 MAJOR REVISION  
 Applicant Name: CNX GAS COMPANY LLC  
 Contact Person: MR DANIEL BITZ  
 Address: 200 EVERGREENE DRIVE  
 City: WAYNESBURG State: PA Zip Code: 15370  
 County: WASHINGTON Township(s): SOUTH  
 FRANKLIN

Receiving Stream(s) and Classifications: UNT TO  
 TENMILE CREEK / TENMILE CREEK; OTHER

7/24/12

ESCGP-1 No.: ESX11-125-0070 MAJOR REVISION  
 Applicant Name: CNX GAS COMPANY LLC  
 Contact Person: MR DANIEL BITZ  
 Address: 200 EVERGREENE DRIVE  
 City: WAYNESBURG State: PA Zip Code: 15370  
 County: WASHINGTON Township(s): SOUTH  
 FRANKLIN

Receiving Stream(s) and Classifications: UNT TO  
 TENMILE CREEK / TENMILE CREEK; OTHER

11/8/12

ESCGP-1 No.: ESX12-059-0015  
 Applicant Name: EQT PRODUCTION COMPANY  
 Contact Person: MR TODD KLANER  
 Address: 455 RACETRACK ROAD  
 City: WASHINGTON State: PA Zip Code: 15301  
 COUNTY GREENE Township(s): WASHINGTON  
 Receiving Stream(s) and Classifications: UNT 1 TO  
 RUFF CREEK WWF; UNT 2 TO RUFF CREEK WWF;  
 UNT 3 TO TRIBUTARY 40403 TO RUFF CREEK—  
 WWF TRIBUTARY 40403 TO RUFF CREEK—WWF,  
 RUFF CREEK—WWF TENMILE CREEK WATER-  
 SHED; OTHER

9/4/12

ESCGP-1 No.: ESX12-059-0042  
 Applicant Name: VANTAGE ENERGY APPALACHIA  
 LLC  
 Contact Person: MR NICK MONGELLUZZO  
 Address: 226 ELM DRIVE SUITE 102

City: WAYNESBURG State: PA Zip Code: 15370  
 County: GREENE Township(s): FRANKLIN &  
 JEFFERSON

Receiving Stream(s) and Classifications: SOUTH FORK  
 TENMILE CREEK (WWF), COAL LICK RUN (WWF),  
 AND A UNT TO SOUTH FORK TENMILE CREEK  
 (WWF); OTHER

10/15/12

ESCGP-1 No.: ESX12-059-0047  
 Applicant Name: VANTAGE ENERGY APPALACHIA II  
 LLC

Contact Person: MR NICK MONGELLUZZO  
 Address: 226 ELM DRIVE SUITE 102  
 City: WAYNESBURG State: PA Zip Code 15370  
 County: GREENE Township(s): FRANKLIN  
 Receiving Stream(s) and Classifications: THROCK-  
 MORTON RUN AND UNT TO THROCKMORTON  
 RUN (HQ-WWF); HQ

10/22/12

ESCGP-1 No.: ESX12-125-0122  
 Applicant Name: CNX GAS COMPANY LLC  
 Contact Person: MS TARA MEEK  
 Address: 200 EVERGREENE DRIVE  
 City: WAYNESBURG State: PA Zip Code: 15370  
 County: WASHINGTON Township(s): MORRIS  
 Receiving Stream(s) and Classifications: TRIB 40533 TO  
 BATES FORK (HQ-WWF)/BATES FORK; TRIB 40535  
 TO BATES FORK (HQ-WWF)/BATES FORK; TRIB  
 40536 TO BATES FORK (HQ-WWF)/BATES FORK;  
 TRIB 40906 TO TENMILE CREEK (TSF)/TENMILE  
 CREEK; TRIB 40908 TO TENMILE CREEK (TSF)/  
 TENMILE CREEK; UNT 1 TO TRIB 40906 TO  
 TENMILE CREEK (TSF)/TENMILE CREEK; HQ;  
 OTHER

#### OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a  
 waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well  
 location restrictions).

Persons aggrieved by an action may appeal that action  
 to the Environmental Hearing Board (Board) under sec-  
 tion 4 of the Environmental Hearing Board Act (35 P. S.  
 § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relat-  
 ing 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 Pennsylvan-  
 ia Relay Service, (800) 654-5984. Appeals must be filed  
 which the Board within 30 days of publication of this  
 notice in the *Pennsylvania Bulletin* unless the appropri-  
 ate statute provides a different time period. Copies of the  
 appeal form and the Board's rules of practice and proce-  
 dure 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 permit-  
 ted 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 indi-  
 viduals should show this notice to a lawyer at once.  
 Persons who cannot afford a lawyer may qualify for pro  
 bono representation. Call the Secretary to the Board at  
 (717) 787-3483.



*Northwest Region District Oil and Gas Operations,  
Program Manager, 230 Chestnut St., Meadville, PA 16335*

Well Permit #: 015-22390-00-00  
Well Farm Name Kent Bra 6H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Bradford

Municipality Towanda Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Ulster, Tributary of the UNT to Bailey Run.

Well Permit #: 015-22256-00-00  
Well Farm Name Rainbow S Bra 1H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Bradford

Municipality Terry Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Cooley, Unnamed tributary to Bowman Creek (CWF) and Bowman Creek (CWF).

Well Permit #: 015-22368-00-00  
Well Farm Name Scrivener S Bra 5H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810

County: Bradford  
Municipality Rome Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Litchfield, UNT to Bullard Creek.

Well Permit #: 115-21029-00-00  
Well Farm Name Hare Ridge Sus 6H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Susquehanna

Municipality Rush Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Lawton, Unnamed Tributary of Wyalusing Creek.

Well Permit #: 015-22406-00-00  
Well Farm Name Duane 3H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Bradford

Municipality Leroy Township:  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Canton, Tributary to an unnamed branch of the Towanda Creek

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## STORAGE TANKS

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### SITE-SPECIFIC INSTALLATION PERMITS

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**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.**

#### SSIP

| <i>Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>     | <i>Tank Type</i>                          | <i>Tank Capacity</i>       |
|-------------------|--|---------------|-------------------------|---|----------------------------|
| 12-67-008         | Church & Dwight Co., Inc.<br>469 North Harrison Street<br>Princeton, NJ 08542-5297<br>Attn: Peter Marshall | York          | Jackson<br>Township     | 2 ASTs storing<br>hazardous<br>substances | 40,000 gallons<br>total    |
| 12-43-003         | Russell Standard Corporation<br>285 Kappa Drive, Suite 300<br>Pittsburgh, PA 15238<br>Attn: Mike Rowe      | Mercer        | Springfield<br>Township | 9 ASTs storing<br>asphalt<br>emulsion     | 1,021,200<br>gallons total |
| 12-10-006         | Russell Standard Corporation<br>285 Kappa Drive, Suite 300<br>Pittsburgh, PA 15238<br>Attn: Mike Rowe      | Butler        | Valencia<br>Borough     | 3 ASTs storing<br>asphalt<br>emulsion     | 89,700 gallons<br>total    |
| 12-25-004         | Russell Standard Corporation<br>285 Kappa Drive, Suite 300<br>Pittsburgh, PA 15238<br>Attn: Mike Rowe      | Erie          | LeBoeuf<br>Township     | 4 ASTs storing<br>asphalt<br>emulsion     | 99,600 gallons<br>total    |

[Pa.B. Doc. No. 13-14. Filed for public inspection January 4, 2013, 9:00 a.m.]



## DEPARTMENT OF HEALTH

### Approved Prearrest and Evidential Breath Testing Devices

The Department of Health (Department) has statutory authority to approve both prearrest and evidential breath testing devices for use by law enforcement officials to determine the alcohol content of blood by analysis of a person's breath. This notice contains the combined lists of prearrest breath testing devices and evidential breath testing devices.

#### *Prearrest breath testing devices*

The Department approves prearrest breath testing devices as required by 28 Pa. Code §§ 5.101—5.104 (relating to equipment to determine blood alcohol content under the Vehicle Code and the Fish and Boat Code). Authority to promulgate these regulations is contained in the Vehicle Code, 75 Pa.C.S. § 1547(k) (relating to chemical testing to determine amount of alcohol or controlled substance), the Fish and Boat Code, 30 Pa.C.S. § 5125(k) (relating to chemical testing to determine amount of alcohol or controlled substance), the Game and Wildlife Code, 34 Pa.C.S. § 2502(j) (relating to chemical test to determine amount of alcohol) and section 2102(g) of The Administrative Code of 1929 (71 P. S. § 532(g)).

Prearrest breath testing devices approved under this authority may be used by police officers, waterways patrolmen and officers enforcing the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code in conducting preliminary determinations of the alcohol content of blood of persons suspected of driving, boating, hunting or furtaking, while under the influence of alcohol. Officers and patrolmen use these devices to assist them in determining whether or not a person should be placed under arrest for violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance), for violation of 30 Pa.C.S. § 5502 (relating to operating watercraft under influence of alcohol or controlled substance), for violation of 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance), or for any other criminal offense under the Vehicle Code, the Fish and Boat Code or the Game and Wildlife Code which involves operating a vehicle or boat, hunting or furtaking while under the influence of alcohol.

The National Highway Traffic Safety Administration (NHTSA) of the United States Department of Transportation published model specifications for Screening Devices to Measure Alcohol in Bodily Fluids at 59 FR 39382 (August 2, 1994). These specifications established performance criteria and methods for testing alcohol screening devices to measure alcohol content. The NHTSA established these specifications to support state laws and the United States Department of Transportation's workplace alcohol testing program. The Department has elected to use the NHTSA criteria for approving devices for the prearrest testing of a person's breath to determine the alcohol content of the person's blood.

The NHTSA published its first conforming products list (CPL) for screening devices at 59 FR 61923 (December 2, 1994), with corrections at 59 FR 65128 (December 16, 1994), identifying the devices that meet NHTSA's Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids. Thereafter, NHTSA updated the CPL at 60 FR 42214 (August 15, 1995), 66 FR 22639 (May 4, 2001),

70 FR 54972 (September 19, 2005), with corrections at 70 FR 72502 (December 5, 2005) and 72 FR 4559 (January 31, 2007).

The NHTSA published revised Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids at 73 FR 16956 (March 31, 2008). These specifications removed testing of interpretive screening devices (ISDs) because ISDs did not provide an unambiguous test result. These specifications also removed from use the Breath Alcohol Sample Simulator as it is not necessary for testing breath alcohol screening devices. All other performance criteria and test methods were maintained. The NHTSA published an additional update to the CPL at 74 FR 66398 (December 15, 2009). The current CPL list was published at 77 FR 35745 (June 14, 2012).

The following list adds nine alcohol screening devices that have been evaluated and found to conform to the Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids. One device is distributed by two different companies, so it has been listed twice, for a total of ten new entries.

(1) AK Solutions USA, LLC, submitted the AlcoMate SafeGuard (Model AL-2500, aka: AlcoScan AL-2500) alcohol screening device. This is a handheld, battery powered device with a semiconductor sensor.

(2) Alcohol Countermeasure Systems Corp. submitted the DRIVESAFE alcohol screening device. This is a handheld, battery powered device with a fuel cell sensor.

(3) KHN Solutions, LLC submitted two screening devices for testing. Their trade names are: BACTRACK Element and the BACTRACK S75 Pro. Both devices are handheld, battery powered with fuel cell sensors.

(4) PAS Systems International, Inc. submitted the Alcovisor MARS screening device. This is a handheld, battery powered device with a fuel cell sensor.

(5) Q3 Innovations, Inc. submitted the CA2010 screening device. This is a handheld, battery powered device with a semiconductor sensor.

(6) Skyfine, Inc. Ltd. Submitted three devices (AT577, AT578 and AT579). All three devices are hand-held, battery powered and use fuel cell sensors. The AT578 is also distributed by Express Diagnostics, Int'l, Blue Earth, Minnesota under the trade name of AlcoCheck FC90, so it has been listed twice on the CPL, once under each of its distributors/manufacturers.

All of the previously devices meet the NHTSA Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

#### *Evidential breath testing devices*

The Department approves evidential breath testing devices under the authority of the Motor Vehicle Code (75 Pa.C.S. § 1547(c)(1)), the Fish and Boat Code (30 Pa.C.S. § 5125(c)(1)) and the Game and Wildlife Code (34 Pa.C.S. § 2502(c)).

Evidential breath testing devices approved under this notice may be used by law enforcement officials to obtain test results which will be admissible in evidence in any summary or criminal proceeding in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 or any other violation of the Vehicle Code arising out of the same action or 30 Pa.C.S. § 5502 or any other violation of the Fish and Boat Code arising out of the same action or 34 Pa.C.S. § 2501 or any other violation of the Game and Wildlife Code arising out of the same action. Law enforcement agencies should determine that an approved train-

ing program in the use of the equipment is available in accordance with the previously referenced statutes before purchasing any of the devices contained on this list.

The approval of evidential equipment listed in this notice updates the CPL published at 75 FR 11624 (March 11, 2010) for instruments that conform to the Model Specifications for Evidential Breath Alcohol Measurement Devices at 58 FR 48705 (September 17, 1993). The current list was published at 77 FR 35747 (June 14, 2012).

The NHTSA published the Standards for Devices to Measure Breath Alcohol at 38 FR 30459 (November 5, 1973). A Qualified Products List of Evidential Breath Measurement Devices comprised of instruments that met this standard was first issued at 39 FR 41399 (November 21, 1974).

The NHTSA converted this standard to Model Specifications for Evidential Breath Testing Devices (Model Specifications) at 49 FR 48854 (December 14, 1984), and published a CPL of instruments that were found to conform to the Model Specifications as Appendix D to that notice. Those instruments are identified in this notice with an asterisk.

The NHTSA published a notice to amend the Model Specifications at 58 FR 48705 (September 17, 1993) and to update the CPL. That notice changed the alcohol concentration levels at which instruments are evaluated, from 0.000, 0.050, 0.101 and 0.151 BAC, to 0.000, 0.020, 0.040, 0.080 and 0.160 BAC, respectively. It also included a test for the presence of acetone and an expanded definition of alcohol to include other low molecular weight alcohols, for example methyl or isopropyl. Since that time, the CPL has been annotated to indicate which instruments have been determined to meet the Model Specifications published in 1984 and which have been determined to meet the Model Specifications, as revised and published in 1993. Thereafter, the NHTSA has periodically updated the CPL with those breath instruments found to conform to the Model Specifications. The most recent update to the CPL was published at 75 FR 11624 (March 11, 2010).

This list adds nine new instruments that have been evaluated and found to conform to the Model Specifications, as amended on September 17, 1993, for mobile and nonmobile use. One instrument is distributed by two different companies, so it has been listed twice, for a total of ten new entries on this CPL. In alphabetical order by company, they are:

1) The "SAF"IR Evolution" manufactured by Alcohol Countermeasure Systems, Corp. Toronto, Ontario, Canada. This is a hand-held instrument intended for use in stationary or mobile operations. It uses an infrared sensor and powered by internal batteries.

2) The "Intoxilyzer 600" manufactured by CMI, Inc., Owensboro, KY. This is a hand-held instrument intended for use in stationary or mobile operations. It uses a fuel cell sensor and powered by an internal battery. The Intoxilyzer 600 is also distributed as the Alcolmeter 600 by Lion Laboratories outside the United States, so it has been listed twice on the CPL, once under each of its distributors/manufacturers.

3) The "Guth 38" manufactured by Guth Laboratories, Inc., Harrisburg, PA. This is a hand-held instrument intended for use in stationary or mobile operations. It uses a fuel cell sensor and is powered by internal batteries.

4) The "Alco-Sensor V XL" manufactured by Intoximeters, Inc., St. Louis, MO. This is a hand-held instrument intended for use in stationary or mobile operations. It uses a fuel cell sensor and is powered by internal batteries.

5) The "LifeGuard Pro" manufactured by Lifeloc Technologies, Inc., Wheat Ridge, CO. This is a hand-held instrument intended for use in stationary or mobile operations. It uses a fuel cell sensor and is powered by internal batteries.

6) The "DataMaster DMT with fuel cell option series number (SN) 555555" and the "DataMaster DMT with fuel cell option series number (SN) 100630" manufactured by National Patent Analytical Systems, Inc., Mansfield, OH. These instruments can be used in stationary and mobile operations. These instruments use both infrared and fuel cell sensors. These instruments can be powered by either 110 volts alternate current or 12 volts direct current.

7) The "Alcovisor Jupiter" and the "Alcovisor Mercury" manufactured by PAS International, Fredericksburg, VA. These are hand-held instruments intended for use in stationary or mobile operations. Both instruments use a fuel cell sensor and are powered by internal batteries.

This update also removes four instruments no longer supported by the manufacturer and makes one minor change. The following instruments, manufactured by Lifeloc Technologies, Inc., Wheat Ridge, CO, are being removed from the CPL because these instruments were determined to be obsolete:

- 1) PBA 3000B.
- 2) PBA 3000-P.
- 3) PBA 3000 C.
- 4) Alcohol Data Sensor.

These instruments are no longer manufactured, in use or being maintained by the manufacturer.

The NHTSA update also includes a change of address for Alcohol Countermeasure Systems Corp., from Mississauga, Ontario, Canada to Toronto, Ontario, Canada.

The NHTSA also evaluates equipment to determine if it must be operated at fixed locations (that is nonmobile equipment) or can be transported to nonfixed operational sites in the field (mobile equipment). Most equipment on the list is approved for mobile and nonmobile operation.

The instruments not marked with an asterisk meet the specifications for use as prearrest or evidentiary breath testing devices. The instruments marked with an asterisk may be used as evidentiary devices for law enforcement purposes that are concerned with blood alcohol concentrations at or above 0.050%. These instruments may also be used as prearrest breath testing devices if they are approved for mobile operations. However, these instruments may not be used for making arrests under the Vehicle Code, the Fish and Boat Code or the Game and Wildlife Code when blood alcohol concentrations below 0.050% must be determined. Nonmobile devices can only be used as evidentiary testing instruments since they are not portable. Before purchasing breath testing devices, law enforcement officials should consult with the manufacturer of the equipment they intend to purchase to verify that the devices can be used for their intended purposes.

Law enforcement agencies that plan to utilize a device which does not appear on the following list should contact the manufacturer of the equipment to verify that it has

been evaluated by the NHTSA and found to meet the NHTSA’s performance requirements. If a device is approved by the NHTSA after the date of this publication, the manufacturer of the device will need to forward documentation of the NHTSA acceptability to Dr. M. Jeffery Shoemaker at the following address so that the Department has information sufficient to enable it to include the device in the next revision of this notice in the *Pennsylvania Bulletin*.

Some of the devices included in this notice are listed under the name of more than one manufacturer. This is due to the fact that the name of the manufacturer has changed or the right to produce a device has been transferred to a different company. In these instances, the device is listed under the name of every company that was ever associated with the device to allow law enforcement agencies to continue using devices bearing the name of a previous manufacturer.

To facilitate accessibility to information concerning

breath alcohol testing devices which are approved for law enforcement purposes in this Commonwealth, the Department will publish revisions of this list of equipment semiannually as notices in the *Pennsylvania Bulletin*. This practice was implemented in 2009 and will proceed even if an updated conforming products list has not appeared in the *Federal Register* since the Department’s last annual publication of approved breath testing devices.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) may contact Dr. Shoemaker at V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

**CONFORMING PRODUCTS LIST OF ALCOHOL SCREENING DEVICES**

| Distributors/Manufacturers   | Devices  |
|--|--|
| AK Solutions, USA, LLC., Palisades Park, New Jersey <sup>1</sup> . . . . . | <ul style="list-style-type: none"> <li>•lcoScan AL—2500.</li> <li>•SafeMate.<sup>2</sup></li> <li>•SafeDrive.</li> <li>•AlcoMate.<sup>3</sup> (aka: AlcoHAWK Pro by Q3 Innovations).</li> <li>•AlcoMate Accu Cell AL-9000.</li> <li>•AlcoMate Pro.<sup>3</sup></li> <li>•AlcoMate Core.<sup>4</sup></li> <li>•AlcoMate Premium AL-7000, with replaceable Premium Sensor Modules (SM-7000).<sup>4 5</sup></li> <li>•AlcoMate Prestige AL-6000, with replaceable Prestige Sensor Modules (SM-6000).<sup>4 6</sup></li> <li>•lcoMate SafeGuard (Model AL-2500, aka: AlcoScan AL-2500).</li> </ul> |
| Alco Check International, Hudsonville, Michigan . . . . .                  | Alco Check 3000 D.O.T. <sup>7</sup><br>Alco Check 9000. <sup>7</sup>   |
| Akers Biosciences, Inc., Thorofare, New Jersey . . . . .                   | Breath Alcohol ✓ .02 Detection System. <sup>8</sup><br>DRIVESAFE.  |
| Alcohol Countermeasure Systems Corp., Toronto, Ontario, Canada . . . . .   | BACmaster.   |
| BAC Solutions, Inc., Birmingham, Michigan . . . . .                        | PB 9000e.  |
| B.E.S.T. Labs., Boardman, Ohio . . . . .                                   | ALCO—SCREEN 02 <sup>TM9</sup> .  |
| Chematics, Inc., North Webster, Indiana . . . . .                          | Intoxilyzer 500 (aka: Alcometer 500-Lion Laboratories).  |
| CMI, Inc., Owensboro, Kentucky . . . . .                                   | AlcoCheck FC90 (aka: AT578 by Skyfine).  |
| Express Diagnostics Int’l, Inc., Blue Earth, Minnesota . . . . .           | AAT198—Pro.  |
| First Innovative Technology Group, Ltd., Hong Kong . . . . .               | <ul style="list-style-type: none"> <li>•Alco Tector Mark X.</li> <li>•Mark X Alcohol Checker.</li> <li>•Alcotector WAT89EC-1.</li> <li>•Alcotector WAT90.</li> </ul>   |
| Guth Laboratories, Inc., Harrisburg, Pennsylvania . . . . .                | A.B.I. (Alcohol Breath Indicator) (aka: AlcoHAWK ABI by Q3 Innovations).   |
| Han International Co., Ltd., <sup>2</sup> Seoul, Korea . . . . .           | <ul style="list-style-type: none"> <li>•BACTRACK Select S50.<sup>10</sup></li> <li>•BACTRACK Select S80.<sup>10</sup></li> <li>•BACTRACK Element.</li> <li>•BACTRACK S 75 Pro.</li> </ul>  |
| KHN Solutions, LLC, San Francisco, California . . . . .                    | Alcometer 500 (aka: Intoxilyzer 500-CMI, Inc.).  |
| Lion Laboratories, Ltd., Wales, United Kingdom. . . . .                    | Q.E.D. A150 Saliva Alcohol Test.   |
| OraSure Technologies, Inc., Bethlehem, Pennsylvania. . . . .               |  |

| Distributors/Manufacturers  | Devices   |
|---|---|
| PAS Systems International, Inc., Fredericksburg, Virginia . . . . . | <ul style="list-style-type: none"> <li>•PAS Vr.</li> <li>•Alcovisor MARS.</li> </ul>  |
| Q3 Innovations, Inc., Independence, Iowa . . . . .                  | <ul style="list-style-type: none"> <li>•AlcoHAWK Precision.</li> <li>•AlcoHAWK Slim.</li> <li>•AlcoHAWK Slim 2.</li> <li>•AlcoHAWK Elite.</li> <li>•AlcoHAWK ABI (aka: A.B.I. (Alcohol Breath Indicator) by Han Intl.).</li> <li>•AlcoHAWK Micro.</li> <li>•AlcoHAWK PRO (aka: AlcoMate by AK Solutions).</li> <li>•AlcoHAWK PT 500.</li> <li>•CA2010.</li> </ul> |
| RepcO Marketing, Inc., Raleigh, North Carolina . . . . .            | Alco Tec III.   |
| Seju Engineering Co., Taejeon, Korea . . . . .                      | Safe-Slim.  |
| Skyfine Inc., Ltd., Kwai Chung, NT, Hong Kong . . . . .             | <ul style="list-style-type: none"> <li>•T577.</li> <li>•AT578 (aka: AlcoCheck FC90).</li> <li>•AT579.</li> </ul>  |
| Sound Off, Inc., Hudsonville, Michigan . . . . .                    | Digitox D.O.T. <sup>7</sup>   |
| Varian, Inc., Lake Forest, California . . . . .                     | On-Site Alcohol. <sup>10</sup>  |

<sup>1</sup> The AlcoMate was manufactured by Han International of Seoul, Korea, but marketed and sold in the United States by AK Solutions.

<sup>2</sup> Manufactured by Seju Engineering, Korea.

<sup>3</sup> Han International does not market or sell devices directly in the United States market. Other devices manufactured by Han International are listed under AK Solutions, Inc. and Q3 Innovations, Inc.

<sup>4</sup> Manufactured by Sentech Korea Corp.

<sup>5</sup> These devices utilize replaceable semiconductor detectors. Instead of recalibrating the device, a new calibrated detector can be installed. The device comes with 4 detectors including the one that was already installed.

<sup>6</sup> These devices utilize replaceable semiconductor detectors. Instead of recalibrating the device, a new calibrated detector can be installed. This device comes with 5 detectors including the one that was already installed.

<sup>7</sup> While these devices are still being sold, they are no longer manufactured or supported.

<sup>8</sup> The Breath Alcohol  $\surd$  .02 Detection System consists of a single-use disposable breath tube used in conjunction with an electronic analyzer that determines the test result. The electronic analyzer and the disposable breath tubes are lot specific and manufactured to remain calibrated throughout the shelf-life of the device. This screening device cannot be used after the expiration date.

<sup>9</sup> While the ALCO-SCREEN 02™ saliva-alcohol screening device manufactured by Chematics, Inc. passed the requirements of the Model Specifications when tested at 40°C (104°F), the manufacturer has indicated that the device cannot exceed storage temperatures of 27°C (80°F). Instructions to this effect are stated on all packaging accompanying the device. Accordingly, the device should not be stored at temperatures above 27°C (80°F). If the device is stored at or below 27°C (80°F) and used at higher temperatures (that is, within a minute), the device meets the Model Specifications and the results persist for 10-15 minutes. If the device is stored at or below 27°C (80°F) and equilibrated at 40°C (104°F) for an hour prior to sample application, the device fails to meet the Model Specifications. Storage at temperatures above 27°C (80°F), for even brief periods of time, may result in false negative readings.

<sup>10</sup> While this device passed all of the requirements of the Model Specifications, readings should be taken only after the time specified by the manufacturer. For valid readings, the user should follow the manufacturer's instructions. Readings should be taken 1 minute after a sample is introduced at or above 30°C (86°F); readings should be taken after 2 minutes at 18°C—29°C (64.4°F—84.2°F); and readings should be taken after 5 minutes when testing at temperatures at or below 17°C (62.6°F). If the reading is taken before 5 minutes has elapsed under the cold conditions, the user is likely to obtain a reading that underestimates the actual saliva-alcohol level.

**CONFORMING PRODUCTS LIST OF EVIDENTIAL BREATH MEASUREMENT DEVICES**

| Manufacturer/Distributor and Model                              | Mobile | Nonmobile |
|---|--------|-----------|
| Alcohol Countermeasure Systems Corp., Toronto, Ontario, Canada: |        |           |
| Alert J3AD * . . . . .  | X      | X         |
| Alert J4X.ec . . . . .  | X      | X         |



| Manufacturer/Distributor and Model                          | Mobile | Nonmobile |
|---|--------|-----------|
| PBA3000C .....  | X      | X         |
| SAF <sup>r</sup> IR Evolution .....                         | X      | X         |
| BAC Systems, Inc., Ontario, Canada:                         |        |           |
| Breath Analysis Computer * .....                            | X      | X         |
| CAMEC Ltd., North Shields, Tyne and Ware, England:          |        |           |
| IR Breath Analyzer * .....                                  | X      | X         |
| CMI, Inc., Owensboro, Kentucky:                             |        |           |
| Intoxilyzer Model:  |        |           |
| 200 .....   | X      | X         |
| 200D .....  | X      | X         |
| 240 (aka: Lion Alcolmeter 400+ outside the U.S.) .....      | X      | X         |
| 300 .....   | X      | X         |
| 400 .....   | X      | X         |
| 400PA .....   | X      | X         |
| 600 (aka: Lion Alcolmeter 600 outside the U.S.) .....       | X      | X         |
| 1400 .....  | X      | X         |
| 4011 * .....  | X      | X         |
| 4011A * .....   | X      | X         |
| 4011AS * .....  | X      | X         |
| 4011AS-A * .....  | X      | X         |
| 4011AS-AQ * .....   | X      | X         |
| 4011 AW * .....   | X      | X         |
| 4011A27-10100 * .....                                       | X      | X         |
| 4011A27-10100 with filter * .....                           | X      | X         |
| 5000 .....  | X      | X         |
| 5000 (w/Cal. Vapor Re-Circ.) .....                          | X      | X         |
| 5000 (w/ 3/8" ID Hose option) .....                         | X      | X         |
| 5000CD .....  | X      | X         |
| 5000CD/FG5 .....  | X      | X         |
| 5000EN .....  | X      | X         |
| 5000 (CAL DOJ) .....  | X      | X         |
| 5000VA .....  | X      | X         |
| 8000 .....  | X      | X         |
| PAC 1200 * .....  | X      | X         |
| S-D2 .....  | X      | X         |
| S-D5 (aka: Lion Alcolmeter SD-5 outside the U.S.) .....     | X      | X         |
| Draeger Safety, Inc. (aka: National Draeger) Irving, Texas: |        |           |
| Alcotest Model:   |        |           |
| 6510 .....  | X      | X         |
| 6810 .....  | X      | X         |
| 7010 * .....  | X      | X         |
| 7110 * .....  | X      | X         |
| 7110 MKIII .....  | X      | X         |
| 7110 MKIII-C .....  | X      | X         |
| 7410 .....  | X      | X         |
| 7410 Plus .....   | X      | X         |

| Manufacturer/Distributor and Model                                 | Mobile | Nonmobile |
|--|--------|-----------|
| 7510 .....   | X      | X         |
| 9510 .....   | X      | X         |
| Breathalyzer Model:  |        |           |
| 900 .....  | X      | X         |
| 900A * .....   | X      | X         |
| 900BG * .....  | X      | X         |
| 7410 .....   | X      | X         |
| 7410-II .....  | X      | X         |
| EnviteC by Honeywell GmbH, Fond du Lac, Wisconsin:                 |        |           |
| AlcoQuant 6020 .....   | X      | X         |
| Gall's Inc., Lexington, Kentucky:                                  |        |           |
| Alcohol Detection System-A.D.S. 500 .....                          | X      | X         |
| Guth Laboratories, Inc., Harrisburg, Pennsylvania:                 |        |           |
| Alcotector BAC-100 .....   | X      | X         |
| Alcotector C2H5OH .....  | X      | X         |
| Guth 38 .....  | X      | X         |
| Intoximeters, Inc., St. Louis, Missouri:                           |        |           |
| Photo Electric Intoximeter * .....                                 | —      | X         |
| GC Intoximeter MK II * .....                                       | X      | X         |
| GC Intoximeter MK IV * .....                                       | X      | X         |
| Auto Intoximeter * .....   | X      | X         |
| Intoximeter Model:   |        |           |
| 3000 .....   | X      | X         |
| 3000 (rev B1) * .....  | X      | X         |
| 3000 (rev B2) * .....  | X      | X         |
| 3000 (rev B2A) * .....   | X      | X         |
| 3000 (rev B2A) w/FM option * .....                                 | X      | X         |
| 3000 (Fuel Cell) * .....   | X      | X         |
| 3000 D * .....   | X      | X         |
| 3000 DFC * .....   | X      | X         |
| Alcomonitor .....  | —      | X         |
| Alcomonitor CC .....   | X      | X         |
| Alco-Sensor III .....  | X      | X         |
| Alco-Sensor III (Enhanced with Serial Numbers above 1,200,000) ... | X      | X         |
| Alco-Sensor IV .....   | X      | X         |
| Alco-Sensor IV XL .....  | X      | X         |
| Alco-Sensor V .....  | X      | X         |
| Alco-Sensor V XL .....   | X      | X         |
| Alco-Sensor AZ .....   | X      | X         |
| Alco-Sensor FST .....  | X      | X         |
| Intox EC/IR .....  | X      | X         |
| Intox EC/IR II .....   | X      | X         |
| Intox EC/IR II (Enhanced with serial number 10,000 or higher) .... | X      | X         |
| Portable Intox EC/IR .....   | —      | X         |
| RBT-AZ .....   | X      | X         |
| RBT-III .....  | X      | X         |

| Manufacturer/Distributor and Model   | Mobile | Nonmobile |
|--|--------|-----------|
| RBT III-A .....  | X      | X         |
| RBT IV .....   | X      | X         |
| RBT IV with CEM (cell enhancement module) .....                              | X      | X         |
| Komyo Kitagawa, Kogyo, K.K., Japan:  |        |           |
| Alcolyzer DPA—2 * .....  | X      | X         |
| Breath Alcohol Meter PAM 101B * .....  | X      | X         |
| Lifeloc Technologies, Inc., (formerly Lifeloc, Inc.), Wheat Ridge, Colorado: |        |           |
| LifeGuard Pro .....  | X      | X         |
| Phoenix .....  | X      | X         |
| Phoenix 6.0 .....  | X      | X         |
| EV 30 .....  | X      | X         |
| FC 10 .....  | X      | X         |
| FC 20 .....  | X      | X         |
| Lion Laboratories, Ltd., Cardiff, Wales, United Kingdom:                     |        |           |
| Alcolmeter Model:  |        |           |
| 300 .....  | X      | X         |
| 400 .....  | X      | X         |
| 400+ (aka: Intoxilyzer 240 in the U.S.) .....                                | X      | X         |
| 600 (aka: Intoxilyzer 600 in the U.S.) .....                                 | X      | X         |
| SD-2 * .....   | X      | X         |
| SD-5 (aka: S-D5 in the U.S.) .....   | X      | X         |
| EBA * .....  | X      | X         |
| Intoxilyzer Model:   |        |           |
| 200 .....  | X      | X         |
| 200D .....   | X      | X         |
| 1400 .....   | X      | X         |
| 5000 CD/FG5 .....  | X      | X         |
| 5000 EN .....  | X      | X         |
| Luckey Laboratories, San Bernardino, California:                             |        |           |
| Alco-Analyzer Model:   |        |           |
| 1000 * .....   | —      | X         |
| 2000 * .....   | —      | X         |
| Nanopuls AB, Uppsala, Sweden:  |        |           |
| Evidenzer .....  | X      | X         |
| National Patent Analytical Systems, Inc., Mansfield, Ohio:                   |        |           |
| BAC DataMaster (with or without the Delta-1 accessory) .....                 | X      | X         |
| BAC Verifier DataMaster (w/ or without the Delta-1 accessory) .....          | X      | X         |
| DataMaster cdm (w/ or without the Delta-1 accessory) .....                   | X      | X         |
| DataMaster DMT .....   | X      | X         |
| DataMaster DMT w/ Fuel Cell option SN: 555555 .....                          | X      | X         |
| DataMaster DMT w/ Fuel Cell option SN: 100630 .....                          | X      | X         |
| Omicron Systems, Palo Alto, California:                                      |        |           |
| Intoxilyzer Model:   |        |           |
| 4011 * .....   | X      | X         |
| 4011AW * .....   | X      | X         |

| Manufacturer/Distributor and Model   | Mobile | Nonmobile |
|--|--------|-----------|
| PAS International, Fredericksburg, Virginia:                                       |        |           |
| Mark V Alcovisor .....   | X      | X         |
| Alcovisor Jupiter .....  | X      | X         |
| Alcovisor Mercury .....  | X      | X         |
| Plus 4 Engineering, Minturn, Colorado:   |        |           |
| 5000 Plus 4 * .....  | X      | X         |
| Seres, Paris, France:  |        |           |
| Alco Master .....  | X      | X         |
| Alcopro .....  | X      | X         |
| Siemens-Allis, Cherry Hill, New Jersey:  |        |           |
| Alcomat * .....  | X      | X         |
| Alcomat F * .....  | X      | X         |
| Smith and Wesson Electronics, Springfield, Massachusetts:                          |        |           |
| Breathalyzer Model:  |        |           |
| 900 * .....  | X      | X         |
| 900A * .....   | X      | X         |
| 1000 * .....   | X      | X         |
| 2000 * .....   | X      | X         |
| 2000 (non-Humidity Sensor) * .....   | X      | X         |
| Sound-Off, Inc., Hudsonville, Michigan:  |        |           |
| AlcoData .....   | X      | X         |
| Seres Alco Master .....  | X      | X         |
| Seres Alcopro .....  | X      | X         |
| Stephenson Corp.:  |        |           |
| Breathalyzer 900 * .....   | X      | X         |
| Tokai-Denshi Inc., Tokyo, Japan:   |        |           |
| ALC-PRO II (U.S.) .....  | X      | X         |
| U.S. Alcohol Testing, Inc./Protection Devices, Inc., Rancho Cucamonga, California: |        |           |
| Alco-Analyzer 1000 .....   | —      | X         |
| Alco-Analyzer 2000 .....   | —      | X         |
| Alco-Analyzer 2100 .....   | X      | X         |
| Verax Systems, Inc., Fairport, New York:   |        |           |
| BAC Verifier * .....   | X      | X         |
| BAC Verifier Datamaster .....  | X      | X         |
| BAC Verifier Datamaster II * .....   | X      | X         |

\* Instruments marked with an asterisk (\*) meet the Model Specifications detailed at 49 FR 48854 (December 14, 1984) (that is, instruments tested at 0.000, 0.050, 0.101 and 0.151 BAC). Instruments not marked with an asterisk meet the Model Specifications detailed at 58 FR 48705 (September 17, 1993), and were tested at BACs = 0.000, 0.020, 0.040, 0.080 and 0.160. All instruments that meet the Model Specifications currently in effect (dated September 17, 1993) also meet the Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-15. Filed for public inspection January 4, 2013, 9:00 a.m.]



**Laboratories Approved to Determine Analyses of Blood or Serum or Both for Controlled Substances under The Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code**

The following laboratories are licensed by the Department of Health (Department) under The Clinical Laboratory Act (35 P.S. §§ 2151—2165) or the Federal Clinical Laboratories Improvement Amendments of 1988 (42 U.S.C.A. § 263a) or both and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood and/or serum for the determination of controlled substances. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to chemical test to determine amount of alcohol), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in blood and/or serum.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory analyses on blood and/or serum. Laboratories approved to perform screening analyses are designated on the approval list by an "S" followed by the letters "B" for blood or "Se" for serum, or both. Laboratories approved to screen both blood and serum would therefore have "SBSe" listed after their laboratory name. Laboratories approved to offer confirmatory analyses are designated on the approval list by a "C" followed by the letters "B" for blood or "Se" for serum, or both. Laboratories approved to perform confirmatory analyses on both serum and blood would therefore have "CBSe" listed after their laboratory name.

Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic blood and/or serum analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for medicolegal purposes. They should also determine that the director of the facility is agreeable to performing analyses for forensic purposes. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought.

The Vehicle Code contains a provision in 75 Pa.C.S. § 1547(c)(3)(ii) that permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence at legal proceedings in this Commonwealth if the laboratory is located in another state and is not licensed and approved by the Department to provide these services. This section states that the test results may be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) if the laboratory that performed the test is licensed by the state in

which the facility is located and licensed under the Federal Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-578, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code at 30 Pa.C.S. § 5125(c)(3)(ii).

The name or location of a laboratory is sometimes changed but the personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name or location of the facility changed, the Clinical Laboratory Permit number of the facility at the time the list was prepared is included in the list of approved laboratories above the name of the laboratory.

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

30483  
AIT LABORATORIES—SBSe, CBSe  
2265 EXECUTIVE DRIVE  
INDIANAPOLIS, IN 46241  
(317) 243-3894

00671  
ALLEGHENY COUNTY MED EX DIV OF LAB—SBSe,  
CBSe  
1520 PENN AVENUE, 2ND FLOOR  
PITTSBURGH, PA 15222  
(412) 350-4425

24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—SBSe,  
CBSe  
3520 PROGRESS DRIVE UNIT C  
BENSALEM, PA 19020  
(267) 525-2470

31684  
BUCKS COUNTY CRIME LABORATORY—SBSe, CBSe  
850 EAGLE BOULEVARD  
WARMINSTER, PA 18974  
(609) 802-7399

00266  
DEPT OF PATHOLOGY & LAB MED-HUP—SSe, CSe  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423

00977  
DRUGSCAN INC—SBSe, CBSe  
200 PRECISION ROAD, SUITE 200  
HORSHAM, PA 19044  
(267) 960-3407

24655  
HEALTH NETWORK LABORATORIES—SBS<sub>e</sub>, CBS<sub>e</sub>  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

20512  
LABCORP OCCUPATIONAL TESTING SER—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
1904 ALEXANDER DRIVE PO BOX 12652  
RESEARCH TRIANGLE PARK, NC 27709  
(919) 572-6900

09003  
MAYO CLINIC LABS-ROCHESTER MAIN CAMPUS—  
S<sub>e</sub>, CS<sub>e</sub>  
200 FIRST STREET SW HILTON 530  
ROCHESTER, MN 55905  
(507) 538-6449

05574  
MEDTOX LABORATORIES INC—SBS<sub>e</sub>, CBS<sub>e</sub>  
402 COUNTY ROAD D WEST  
ST PAUL, MN 55112  
(651) 286-6217

00504  
NATIONAL MED SVCS INC/DBA NMS LABS—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

29741  
NORTHERN TIER RESEARCH—SBS<sub>e</sub>, CBS<sub>e</sub>  
1302 MADISON AVE  
DUNMORE, PA 18509  
(570) 209-7913

30984  
OFFICE OF THE DISTRICT ATTORNEY—S<sub>e</sub>  
37 E HIGH STREET, FORENSIC LAB  
CARLISLE, PA 17103  
(717) 240-6526

00250  
PARKWAY CLINICAL LABORATORIES—SS<sub>e</sub>  
3494 PROGRESS DRIVE, SUITE D  
BENSALEM, PA 19020  
(215) 245-5112

00520  
PC LAB INC—SBS<sub>e</sub>, CBS<sub>e</sub>  
1320 FIFTH AVENUE  
PITTSBURGH, PA 15219  
(412) 391-6118

31399  
QUEST DIAGNOSTICS—SB, CB  
1777 MONTREAL CIRCLE ES/F1 2  
TUCKER, GA 30084  
(770) 936-5007

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
14225 NEWBROOK DRIVE PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

00482  
QUEST DIAGNOSTICS OF PA INC—SBS<sub>e</sub>, CBS<sub>e</sub>  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—SBS<sub>e</sub>, CBS<sub>e</sub>  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

00151  
ST JOSEPH QUALITY MEDICAL LAB—SBS<sub>e</sub>, CBS<sub>e</sub>  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200

00018  
WBGH COMMONWEALTH HEALTH LAB SVS—S<sub>e</sub>  
575 NORTH RIVER STREET  
WILKES-BARRE, PA 18764  
(570) 829-8111

00141  
YORK HOSPITAL—SS<sub>e</sub>  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 851-2345

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-16. Filed for public inspection January 4, 2013, 9:00 a.m.]

**Laboratories Approved to Determine Blood Alcohol Content under The Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code**

The following laboratories are licensed by the Department of Health (Department) under The Clinical Laboratory Act (Act) (35 P. S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code §§ 5.50 and 5.103 (relating to approval to provide special analytical services; and blood tests for blood alcohol content) to perform alcohol analyses of blood or serum and plasma, or both. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories.

Since procedures for determining the alcohol content of serum and plasma are identical and results obtained from serum or plasma derived from a blood sample are the same, laboratories that demonstrate reliability in the determination of alcohol in serum are approved to analyze both serum and plasma for alcohol content. These laboratories are also approved and designated under the provisions of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine the amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance) as qualified to perform the types of specialized services which will reflect the presence of alcohol in blood or serum and plasma, or both. Laboratories located outside this Commonwealth may not provide blood or serum and plasma alcohol testing services, or both in this Commonwealth unless they are licensed by the Department and approved for that purpose.

Persons seeking forensic blood or serum and plasma analysis services, or both, from the following designated

laboratories should determine that the laboratory employs techniques and procedures acceptable for forensic purposes and that the director of the facility is agreeable to performing determinations for this purpose. The list of approved laboratories will be revised approximately semi-annually and published in the *Pennsylvania Bulletin*.

The name or location of a laboratory is sometimes changed but the personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name or location of the facility changed, the Clinical Laboratory Permit number of the facility at the time the list was prepared is included in the list of approved laboratories above the name of the laboratory.

The Department's blood alcohol and serum/plasma alcohol proficiency testing programs are approved by the United States Department of Health and Human Services in accordance with the requirements in the Clinical Laboratory Improvement Amendments of 1988 (42 U.S.C.A. § 263a), and implementing regulations 42 CFR 493.901 and 493.937 (relating to approval of proficiency testing programs; and toxicology), which are administered by the Centers for Medicare and Medicaid Services (CMS). Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Ph.D., Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

The Commonwealth's Vehicle Code at 75 Pa.C.S. § 1547(c)(3)(ii) also permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence in certain legal proceedings in this Commonwealth if the laboratory is located in another state and is not licensed and approved by the Department to provide forensic blood or serum and plasma analysis services, or both. This section states that the test results will be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or any other violation of the Vehicle Code arising out of the same action if the laboratory that performed the test is licensed to conduct the test by the state in which the facility is located and licensed under the Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-578, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code in 30 Pa.C.S. § 5125(c)(3)(ii).

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The symbols S and B indicate the following:

S = approved for serum and plasma analyses

B = approved for blood analyses

SB = approved for serum, plasma and blood analyses

00212  
ABINGTON MEMORIAL HOSPITAL—S  
1200 OLD YORK ROAD  
ABINGTON, PA 19001  
(215) 481-2324

27180  
ADVANCED TOXICOLOGY NETWORK—B  
3560 AIR CENTER COVE, SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770

00233  
ALBERT EINSTEIN MEDICAL CENTER—S  
5501 OLD YORK RD-LABS-TOWER BLDG  
GROUND FL  
PHILADELPHIA, PA 19141-3001  
(215) 456-6157

00671  
ALLEGHENY COUNTY MED EX DIV OF LAB—SB  
1520 PENN AVENUE, 2ND FLOOR  
PITTSBURGH, PA 15222  
(412) 350-4425

28233  
ALLEGHENY GENERAL HOSP DEPT OF LAB MED—S  
320 E NORTH AVENUE  
PITTSBURGH, PA 15212  
(412) 359-6886

00077  
ALLEGHENY GENERAL HOSPITAL LAB—S  
1307 FEDERAL STREET  
PITTSBURGH, PA 15212  
(412) 359-6886

00100  
ALLEGHENY VALLEY HOSPITAL LAB—S  
1301 CARLISLE STREET  
NATRONA HEIGHTS, PA 15065  
(724) 224-5100

00119  
ALTOONA REGIONAL HEALTH SYSTEM LAB—SB  
620 HOWARD AVENUE  
ALTOONA, PA 16601-4899  
(814) 889-2340

00192  
ARIA HEALTH—S  
380 NORTH OXFORD VALLEY ROAD  
LANGHORNE, PA 19047-8304  
(215) 934-5227

00236  
ARIA HEALTH—S  
FRANKFORD AVE & WAKELING STREET  
PHILADELPHIA, PA 19124  
(215) 831-2068

00341  
ARIA HEALTH—S  
10800 KNIGHTS ROAD  
PHILADELPHIA, PA 19114  
(215) 612-4000

00041  
ARMSTRONG COUNTY MEMORIAL HOSP—S  
1 NOLTE DRIVE  
KITTINGING, PA 16201  
(724) 543-8500

00047  
ASSOCIATED CLINICAL LABORATORIES—SB  
1526 PEACH STREET  
ERIE, PA 16501  
(814) 461-2400

- 24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—SB  
3520 PROGRESS DRIVE UNIT C  
BENSALEM, PA 19020  
(267) 525-2470
- 00251  
AYER CLINICAL LAB PENNSYLVANIA HOSPITAL—S  
800 SPRUCE STREET  
PHILADELPHIA, PA 19107  
(215) 829-3541
- 00320  
BARNES KASSON HOSPITAL LAB—S  
400 TURNPIKE STREET  
SUSQUEHANNA, PA 18847  
(570) 853-5059
- 00001  
BERWICK HOSPITAL LABORATORY—S  
701 EAST 16TH STREET  
BERWICK, PA 18603  
(570) 759-5110
- 00301  
BHS LABORATORY—S  
ONE HOSPITAL WAY (911 E BRADY STREET)  
BUTLER, PA 16001  
(724) 284-4513
- 00033  
BRADFORD REGIONAL MEDICAL CENTER—B  
116-156 INTERSTATE PKWY  
BRADFORD, PA 16701-0218  
(814) 362-8247
- 00296  
BRANDYWINE HOSPITAL—S  
201 REECEVILLE ROAD  
COATESVILLE, PA 19320  
(610) 383-8000
- 00053  
BROOKVILLE HOSPITAL LAB—S  
100 HOSPITAL ROAD  
BROOKVILLE, PA 15825  
(814) 849-2312
- 31684  
BUCKS COUNTY CRIME LABORATORY—B  
850 EAGLE BOULEVARD  
WARMINSTER, PA 18974  
(609) 802-7399
- 00107  
CANONSBURG GENERAL HOSPITAL—S  
100 MEDICAL BOULEVARD  
CANONSBURG, PA 15317  
(724) 745-3916
- 00131  
CARLISLE REGIONAL MEDICAL CENTER—S  
361 ALEXANDER SPRING ROAD  
CARLISLE, PA 17015-9129  
(717) 249-1212
- 00132  
CHAMBERSBURG HOSPITAL DEPT OF PATHOL-  
OGY—S  
112 NORTH SEVENTH STREET  
CHAMBERSBURG, PA 17201  
(717) 267-7153
- 00310  
CHARLES COLE MEMORIAL HOSPITAL—S  
1001 EAST SECOND STREET  
COUDERSPORT, PA 16915  
(814) 274-5510
- 00198  
CHESTER COUNTY HOSPITAL—S  
701 E MARSHALL ST  
WEST CHESTER, PA 19380  
(610) 431-5182
- 00227  
CHESTNUT HILL HOSPITAL—S  
DEPARTMENT OF PATHOLOGY  
8835 GERMANTOWN AVENUE  
PHILADELPHIA, PA 19118  
(215) 248-8113
- 00228  
CHILDRENS HOSP OF PHILADELPHIA—S  
3400 CIVIC CENTER BLVD.  
MAIN BLDG.-5TH FLOOR-ROOM 5135  
PHILADELPHIA, PA 19104  
(215) 590-4446
- 00329  
CLARION HOSPITAL—S  
1 HOSPITAL DRIVE  
CLARION, PA 16214  
(814) 221-8969
- 00026  
CLEARFIELD HOSPITAL LABORATORY—S  
809 TURNPIKE AVENUE PO BOX 992  
CLEARFIELD, PA 16830  
(814) 768-2280
- 00005  
COMMUNITY MEDICAL CENTER—S  
1800 MULBERRY STREET  
SCRANTON, PA 18510  
(570) 969-8000
- 00125  
CONEMAUGH VALLEY MEMORIAL HOSP—SB  
LABORATORY DEPT 1086 FRANKLIN STREET  
JOHNSTOWN, PA 15905  
(814) 534-9000
- 00326  
CORY MEMORIAL HOSPITAL—S  
965 SHAMROCK LANE  
CORY, PA 16407  
(814) 664-4641
- 00201  
CROZER CHESTER MED CENTER—S  
1 MEDICAL CENTER BOULEVARD  
UPLAND, PA 19013  
(610) 447-2000
- 00209  
CROZER-CHESTER MED CTR—SPRINGFLD—S  
190 WEST SPROUL ROAD  
SPRINGFIELD, PA 19064  
(610) 447-2000
- 00204  
DELAWARE COUNTY MEMORIAL HOSP—S  
501 NORTH LANSDOWNE AVENUE  
DREXEL HILL, PA 19026-1186  
(610) 284-8100
- 00266  
DEPT OF PATHOLOGY & LAB MED-HUP—SB  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423



00194  
DOYLESTOWN HOSPITAL—S  
595 W STATE STREET  
DOYLESTOWN, PA 18901  
(215) 345-2250

00977  
DRUGSCAN INC—SB  
200 PRECISION ROAD, SUITE 200  
HORSHAM, PA 19044  
(267) 960-3407

00027  
DUBOIS REG MED CTR-WEST UNIT—S  
100 HOSPITAL AVE  
DUBOIS, PA 15801  
(814) 371-2200

00175  
EASTON HOSPITAL—S  
250 SOUTH 21ST ST  
EASTON, PA 18042-3892  
(610) 250-4819

00217  
EINSTEIN MEDICAL CTR MONTGOMERY—S  
559 W GERMANTOWN PIKE  
EAST NORRITON, PA 19401  
(484) 662-1000

00332  
ELLWOOD CITY HOSPITAL—S  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081

00612  
ENDLESS MOUNTAINS HEALTH SYSTEMS—S  
25 GROW AVENUE  
MONTROSE, PA 18801-1103  
(570) 278-3801

00164  
EPHRATA COMMUNITY HOSPITAL—S  
169 MARTIN AVE PO BOX 1002  
EPHRATA, PA 17522  
(717) 733-0311

00032  
ERHC ST MARYS LABORATORY—B  
763 JOHNSONBURG RD  
SAINT MARYS, PA 15857  
(814) 788-8525

00181  
EVANGELICAL COMMUNITY HOSPITAL—S  
1 HOSPITAL DRIVE  
LEWISBURG, PA 17837  
(570) 522-2510

00114  
EXCELA HEALTH LATROBE HOSPITAL—S  
ONE MELLON WAY  
LATROBE, PA 15650  
(724) 537-1550

00085  
FORBES REGIONAL HOSPITAL—S  
2570 HAYMAKER ROAD  
MONROEVILLE, PA 15146  
(412) 858-2566

32455  
FORENSIC LABORATORIES—B  
ROCKY MOUNTAIN TOX, LLC  
4895 JOLIET STREET, 7-G  
DENVER, CO 80239  
(720) 287-8111

00115  
FRICK HOSPITAL—S  
508 SOUTH CHURCH STREET  
MOUNT PLEASANT, PA 15666  
(724) 547-1500

00330  
FULTON COUNTY MEDICAL CENTER—S  
214 PEACH ORCHARD ROAD  
MCCONNELLSBURG, PA 17233  
(717) 485-6169

00002  
GEISINGER BLOOMSBURG—S  
549 E FAIR STREET  
BLOOMSBURG, PA 17815  
(570) 387-2124

00173  
GEISINGER MEDICAL LABORATORIES—SB  
100 N ACADEMY AVENUE  
DANVILLE, PA 17822--0131  
(570) 271-6338

00019  
GEISINGER WYOMING VALLEY MED CTR—S  
1000 E MOUNTAIN DRIVE  
WILKES-BARRE, PA 18711  
(570) 808-7845

00122  
GETTYSBURG HOSPITAL LABORATORY—S  
147 GETTYS STREET  
GETTYSBURG, PA 17325  
(717) 337-4120

00152  
GNADEN HUETTEN MEMORIAL HOSP—S  
211 NORTH 12TH STREET  
LEHIGHTON, PA 18235  
(610) 377-7083

00299  
GOOD SAMARITAN HOSPITAL—B  
4TH & WALNUT STS PO BOX 1281  
LEBANON, PA 17042-1218  
(717) 270-7986

00196  
GRAND VIEW HOSPITAL—S  
700 LAWN AVE  
SELLERSVILLE, PA 18960  
(215) 453-4528

00061  
GROVE CITY MEDICAL CENTER—S  
631 NORTH BROAD STREET EXT  
GROVE CITY, PA 16127  
(724) 450-7125

00024  
GUTHRIE CLINIC LAB AT TROY COMM—S  
101 ELMIRA STREET  
TROY, PA 16947  
(570) 297-2121

00654  
GUTHRIE CLINIC LABORATORIES—S  
ONE GUTHRIE SQUARE  
SAYRE, PA 18840  
(570) 887-5797

00239  
HAHNEMANN UNIVERSITY HOSPITAL—S  
BROAD & VINE STS MS 113  
PHILADELPHIA, PA 19102  
(215) 762-1783

00139  
HANOVER HOSPITAL LABORATORY—S  
300 HIGHLAND AVE  
HANOVER, PA 17331  
(717) 637-3711

00010  
HAZLETON GENERAL HOSPITAL—S  
700 EAST BROAD STREET  
HAZLETON, PA 18201  
(570) 501-4152

00169  
HEALTH NETWORK LABORATORIES—S  
1627 WEST CHEW STREET  
ALLENTOWN, PA 18102  
(610) 402-8150

00549  
HEALTH NETWORK LABORATORIES—S  
1200 SOUTH CEDAR CREST BLVD  
ALLENTOWN, PA 18103  
(610) 402-8150

00600  
HEALTH NETWORK LABORATORIES—S  
2545 SCHOENERSVILLE ROAD  
BETHLEHEM, PA 18017-7384  
(610) 402-8150

24655  
HEALTH NETWORK LABORATORIES—SB  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

00166  
HEART OF LANCASTER REGIONAL MEDICAL  
CENTER—S  
1500 HIGHLANDS DRIVE  
LITITZ, PA 17543  
(717) 625-5605

00205  
HERITAGE VALLEY BEAVER—S  
1000 DUTCH RIDGE ROAD  
BEAVER, PA 15009  
(724) 728-7000

00101  
HERITAGE VALLEY SEWICKLEY LAB—S  
720 BLACKBURN RD  
SEWICKLEY, PA 15143  
(412) 741-6600

00103  
HIGHLANDS HOSPITAL—S  
401 EAST MURPHY AVENUE  
CONNELLSVILLE, PA 15425  
(724) 628-1500

00130  
HOLY SPIRIT HOSPITAL—S  
503 N 21ST STREET  
CAMP HILL, PA 17011-2288  
(717) 763-2206

00052  
INDIANA REGIONAL MEDICAL CENTER—S  
835 HOSPITAL ROAD  
PO BOX 788  
INDIANA, PA 15701-0788  
(724) 357-7167

00135  
J C BLAIR MEMORIAL HOSPITAL—S  
1225 WARM SPRINGS AVENUE  
HUNTINGDON, PA 16652  
(814) 643-8645

00054  
JAMESON MEMORIAL HOSPITAL—S  
1211 WILMINGTON AVENUE  
NEW CASTLE, PA 16105  
(724) 656-4080

00240  
JEANES HOSPITAL—S  
7600 CENTRAL AVE  
PHILADELPHIA, PA 19111  
(215) 728-2347

00038  
JEFFERSON REGIONAL MED CTR—S  
PO BOX 18119, 565 COAL VALLEY ROAD  
PITTSBURGH, PA 15236  
(412) 469-5723

00200  
JENNERSVILLE REGIONAL HOSPITAL—S  
1015 WEST BALTIMORE PIKE  
WEST GROVE, PA 19390  
(610) 869-1080

00034  
KANE COMMUNITY HOSPITAL—S  
4372 ROUTE 6  
KANE, PA 16735  
(814) 837-4570

01088  
LABCORP OF AMERICA HOLDINGS—SB  
69 FIRST AVENUE PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400

00165  
LANCASTER GENERAL HOSPITAL—S  
555 N DUKE STREET, PO BOX 3555  
LANCASTER, PA 17604  
(717) 544-4331

00167  
LANCASTER REGIONAL MED CENTER—S  
250 COLLEGE AVENUE, PO BOX 3434  
LANCASTER, PA 17604  
(717) 291-8022

00215  
LANSDALE HOSPITAL—S  
100 MEDICAL CAMPUS DRIVE  
LANSDALE, PA 19446  
(215) 361-4625

00138  
LEWISTOWN HOSPITAL—S  
400 HIGHLAND AVENUE  
LEWISTOWN, PA 17044  
(717) 242-7474

00030  
LOCK HAVEN HOSPITAL—S  
24 CREE DRIVE  
LOCK HAVEN, PA 17745  
(570) 893-5000

00193  
LOWER BUCKS HOSPITAL LABORATORY—S  
501 BATH ROAD  
BRISTOL, PA 19007  
(215) 785-9300

00213  
MAIN LINE HEALTH LAB—BRYN MAWR—S  
130 S BRYN MAWR AVENUE  
BRYN MAWR, PA 19010  
(610) 526-3554

00242  
MAIN LINE HOSPITALS LAB-LANKENAU—S  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615

00199  
MAIN LINE HOSPITALS LAB-PAOLI—S  
255 WEST LANCASTER AVENUE  
PAOLI, PA 19301  
(610) 648-1000

00206  
MAIN LINE HOSPITALS LAB-RIDDLE—S  
1068 W BALTIMORE PIKE  
MEDIA, PA 19063  
(610) 891-3339

09003  
MAYO CLINIC LABS-ROCHESTER MAIN CAM-  
PUS—SB  
200 FIRST STREET SW HILTON 530  
ROCHESTER, MN 55905  
(507) 538-6449

00049  
MEADVILLE MED CTR-LIBERTY ST—S  
751 LIBERTY STREET  
MEADVILLE, PA 16335  
(814) 336-5000

05574  
MEDTOX LABORATORIES INC—SB  
402 COUNTY ROAD D WEST  
ST PAUL, MN 55112  
(651) 286-6217

00140  
MEMORIAL HOSPITAL CLINICAL LAB—S  
325 S BELMONT STREET  
YORK, PA 17403  
(717) 843-8623

00023  
MEMORIAL HOSPITAL LAB—SB  
91 HOSPITAL DRIVE  
TOWANDA, PA 18848  
(570) 265-2191

00203  
MERCY FITZGERALD HOSPITAL—S  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262

00247  
MERCY HEALTH LAB/MHOP—S  
501 S 54TH STREET  
PHILADELPHIA, PA 19143  
(215) 748-9181

00219  
MERCY HEALTH LAB/MSH—S  
2701 DEKALB PIKE  
NORRISTOWN, PA 19401  
(610) 278-2078

28436  
METHODIST DIV TJUH CLINICAL LAB—S  
2301 SOUTH BROAD STREET  
PHILADELPHIA, PA 19148  
(215) 952-9057

00231  
MEYERSDALE COMMUNITY HOSPITAL—S  
200 HOSPITAL DR  
MEYERSDALE, PA 15552  
(814) 634-5911

00269  
MID-VALLEY HOSPITAL—S  
1400 MAIN STREET  
PECKVILLE, PA 18452  
(570) 383-5520

00128  
MINERS MEDICAL CENTER—S  
290 HAIDA AVENUE PO BOX 689  
HASTINGS, PA 16646  
(814) 247-3100

00108  
MONONGAHELA VALLEY HOSPITAL INC—S  
1163 COUNTRY CLUB ROAD  
MONONGAHELA, PA 15063  
(724) 258-1021

00007  
MOSES TAYLOR HOSPITAL—S  
700 QUINCY AVENUE  
SCRANTON, PA 18510  
(570) 340-2100

00214  
MOSS REHAB EINSTEIN AT ELKINS PARK—S  
60 EAST TOWNSHIP LINE ROAD ATTN: LAB  
ELKINS PARK, PA 19027  
(215) 456-6150

00025  
MOUNT NITTANY MEDICAL CENTER—S  
1800 EAST PARK AVENUE  
STATE COLLEGE, PA 16803  
(814) 234-6117

00035  
MUNCY VALLEY HOSPITAL—S  
215 EAST WATER ST  
MUNCY, PA 17756  
(570) 546-8282

00304  
NASON HOSPITAL—S  
105 NASON DRIVE  
ROARING SPRING, PA 16673  
(814) 224-2141

00504  
NATIONAL MED SVCS INC/DBA NMS LABS—SB  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

00248  
NAZARETH HOSPITAL—S  
2601 HOLME AVE  
PHILADELPHIA, PA 19152  
(215) 335-6245

29741  
NORTHERN TIER RESEARCH—SB  
1302 MADISON AVE  
DUNMORE, PA 18509  
(570) 209-7913

30984  
OFFICE OF THE DISTRICT ATTORNEY—SB  
37 E HIGH STREET, FORENSIC LAB  
CARLISLE, PA 17103  
(717) 240-6526

00099  
OHIO VALLEY GENERAL HOSPITAL—S  
25 HECKEL RD  
MCKEES ROCKS, PA 15136  
(412) 777-6161

00334  
PALMERTON HOSPITAL—SB  
135 LAFAYETTE AVENUE  
PALMERTON, PA 18071  
(610) 826-1100

31516  
PAML LLC—SB  
611 N PERRY, BLDG II SUITE 100  
SPOKANE, WA 99202  
(509) 755-8645

00520  
PC LAB INC—SB  
1320 FIFTH AVENUE  
PITTSBURGH, PA 15219  
(412) 391-6118

00258  
PENN PRESBYTERIAN MEDICAL CENTER—S  
51 NORTH 39TH ST DEPT OF PATH & LAB  
PHILADELPHIA, PA 19104-2640  
(215) 662-3435

00316  
PENN STATE MILTON S HERSHEY MED CTR—S  
500 UNIVERSITY DRIVE  
DEPT OF PATHOLOGY & LAB MEDICINE  
HERSHEY, PA 17033  
(717) 531-8353

22533  
PENNSYLVANIA DEPT OF HEALTH—SB  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464

31869  
PERLL DIAGNOSTICS INC—S  
5010 RITTER ROAD  
SUITE 104  
MECHANICSBURG, PA 17055  
(570) 394-2776

00197  
PHOENIXVILLE HOSPITAL LABORATORY—S  
140 NUTT ROAD DEPT OF PATHOLOGY  
PHOENIXVILLE, PA 19460-0809  
(610) 983-1612

00157  
PINNACLE HEALTH AT COMMUNITY GENERAL  
HOSPITAL—S  
4300 LONDONDERRY ROAD  
PO BOX 3000  
HARRISBURG, PA 17109  
(717) 782-3340

00155  
PINNACLE HEALTH AT HARRISBURG HOSPITAL  
LAB—SB  
100 SOUTH 2ND STREET  
HARRISBURG, PA 17101  
(717) 782-3340

00022  
POCONO MEDICAL CENTER LAB—SB  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544

00221  
POTTSTOWN HOSPITAL COMPANY, LLC—S  
1600 EAST HIGH STREET  
POTTSTOWN, PA 19464  
(610) 327-7130

00300  
PUNXSUTAWNEY AREA HOSPITAL—S  
81 HILLCREST DRIVE  
PUNXSUTAWNEY, PA 15767  
(814) 938-1820

22715  
QUEST DIAGNOSTICS—SB  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

31399  
QUEST DIAGNOSTICS—SB  
1777 MONTREAL CIRCLE ES/F1 2  
TUCKER, GA 30084  
(770) 936-5007

27461  
QUEST DIAGNOSTICS INC—SB  
400 EGYPT ROAD  
NORRISTOWN, PA 19403  
(610) 631-4219

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SB  
14225 NEWBROOK DRIVE PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

22376  
QUEST DIAGNOSTICS NICHOLS INSTITUTE OF  
VALENCIA—S  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543

00482  
QUEST DIAGNOSTICS OF PA INC—SB  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—SB  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

00150  
READING HOSPITAL & MEDICAL CTR—S  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(484) 628-8615

00336  
REGIONAL HOSPITAL OF SCRANTON—S  
746 JEFFERSON AVENUE  
SCRANTON, PA 18510  
(570) 348-7100

32557  
ROBERT WOOD JOHNSON UNIV HOSPITAL AT  
HAMILTON—S  
ONE HAMILTON HEALTHPLACE  
HAMILTON, NJ 08690  
(609) 584-6568



00243  
ROXBOROUGH MEMORIAL HOSPITAL—S  
5800 RIDGE AVE  
PHILADELPHIA, PA 19128  
(215) 487-4394

00171  
SACRED HEART HOSPITAL—S  
4TH & CHEW STS ATTN LAB DEPT  
ALLENTOWN, PA 18102  
(610) 776-4727

00087  
SAINT CLAIR MEMORIAL HOSPITAL—S  
1000 BOWER HILL RD  
PITTSBURGH, PA 15243  
(412) 561-4900

00174  
SAINT LUKES HOSPITAL—S  
801 OSTRUM STREET  
BETHLEHEM, PA 18015  
(610) 954-4558

00328  
SAINT MARY MEDICAL CENTER—S  
LANGHORNE-NEWTOWN RD  
LANGHORNE, PA 19047  
(215) 710-2162

00048  
SAINT VINCENT HEALTH CENTER—S  
232 WEST 25TH STREET  
ERIE, PA 16544  
(814) 452-5383

00182  
SCHUYLKILL MC E NORWEGIAN ST—S  
700 EAST NORWEGIAN STREET  
POTTSVILLE, PA 17901  
(570) 621-4032

00183  
SCHUYLKILL MC S JACKSON ST—SB  
420 SOUTH JACKSON STREET  
POTTSVILLE, PA 17901  
(570) 621-5262

00064  
SHARON REGIONAL HEALTH SYSTEM—S  
740 EAST STATE STREET  
SHARON, PA 16146  
(724) 983-3911

00039  
SOLDIERS & SAILORS MEM HOSP—S  
CENTRAL AVENUE  
WELLSBORO, PA 16901  
(570) 723-0133

00297  
SOMERSET HOSPITAL CENTER FOR HEALTH—S  
225 S CENTER AVENUE  
SOMERSET, PA 15501  
(814) 443-5000

00105  
SOUTHWEST REGIONAL MEDICAL CENTER—S  
350 BONAR AVENUE  
WAYNESBURG, PA 15370  
(724) 627-2608

00260  
ST CHRISTOPHERS HOSP FOR CHILDREN—S  
ERIE AVENUE AT FRONT STREET  
DEPT OF PATHOLOGY & LAB MEDICINE  
PHILADELPHIA, PA 19134  
(215) 427-4207

00151  
ST JOSEPH QUALITY MEDICAL LAB—SB  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200

00261  
ST JOSEPH'S HOSPITAL-DIV NPHS—S  
16TH ST & GIRARD AVENUE  
PHILADELPHIA, PA 19130  
(215) 787-9000

00318  
ST LUKES HOSP ALLENTOWN CAMPUS—S  
1736 HAMILTON STREET  
ALLENTOWN, PA 18104  
(610) 628-8724

00180  
ST LUKES MINERS MEMORIAL HOSPITAL—S  
360 WEST RUDDLE STREET PO BOX 67  
COALDALE, PA 18218  
(570) 645-8271

00195  
ST LUKES QUAKERTOWN HOSPITAL—S  
1021 PARK AVENUE  
QUAKERTOWN, PA 18951  
(215) 538-4681

32021  
ST. LUKES HOSPITAL-ANDERSON LAB—S  
1872 RIVERSIDE CIRCLE  
EASTON, PA 18045  
(484) 503-1075

00094  
SUBURBAN CLINICAL LABORATORY—S  
100 SOUTH JACKSON AVENUE  
BELLEVUE, PA 15202  
(412) 734-6020

00207  
TAYLOR HOSPITAL DIV OF CCMC—S  
175 EAST CHESTER PIKE  
RIDLEY PARK, PA 19078  
(610) 595-6450

00235  
TEMPLE UNIV HOSPITAL EPISCOPAL CAMPUS—S  
100 EAST LEHIGH AVENUE  
PHILADELPHIA, PA 19125-1098  
(215) 707-4353

00265  
TEMPLE UNIVERSITY HOSPITAL—S  
3401 N BROAD ST  
DEPT OF PATH & LAB MED-2ND FL. OPB RM 249  
PHILADELPHIA, PA 19140  
(215) 707-4353

00104  
THE UNIONTOWN HOSPITAL LABORATORY—S  
500 WEST BERKELEY STREET  
UNIONTOWN, PA 15401  
(724) 430-5143

00241  
THOMAS JEFFERSON UNIVERSITY HOSP—S  
125 SOUTH 11TH STREET 204 PAVILLION  
PHILADELPHIA, PA 19107  
(215) 955-1644

00051  
TITUSVILLE AREA HOSPITAL—S  
406 WEST OAK STREET  
TITUSVILLE, PA 16354  
(814) 827-1851

00313  
TYLER MEMORIAL HOSPITAL—S  
880 SR 6 W  
TUNKHANNOCK, PA 18657-6149  
(570) 836-4705

00124  
TYRONE HOSPITAL—S  
187 HOSPITAL DRIVE  
TYRONE, PA 16686  
(814) 684-6384

00121  
UPMC BEDFORD MEMORIAL—S  
10455 LINCOLN HIGHWAY  
EVERETT, PA 15537  
(814) 623-3506

32389  
UPMC EAST PATHOLOGY LABORATORY—S  
2775 MOSSIDE BLVD.  
GROUND FLOOR, ROOM 0304  
MONROEVILLE, PA 15146  
(412) 357-3682

00046  
UPMC HAMOT—S  
201 STATE STREET  
ERIE, PA 16550  
(814) 877-2463

00059  
UPMC HORIZON GREENVILLE—S  
110 NORTH MAIN STREET  
GREENVILLE, PA 16125  
(724) 588-2100

00057  
UPMC HORIZON SHENANGO—S  
2200 MEMORIAL DRIVE  
FARRELL, PA 16121  
(724) 981-3500

00098  
UPMC MCKEESPORT LABORATORY—S  
1500 FIFTH AVENUE  
MCKEESPORT, PA 15132  
(412) 664-2233

00082  
UPMC MERCY DEPT OF LAB MEDICINE—S  
1400 LOCUST STREET  
PITTSBURGH, PA 15219  
(412) 232-7831

00084  
UPMC PASSAVANT—S  
9100 BABCOCK BLVD  
PITTSBURGH, PA 15237  
(412) 367-6700

05784  
UPMC PASSAVANT LABORATORY CRANBERRY—S  
ONE ST FRANCIS WAY  
CRANBERRY TOWNSHIP, PA 16066  
(724) 772-5370

00083  
UPMC PRESBYTERIAN SHADYSIDE CP PUH—S  
ROOM 5929 MAIN TOWER CHP  
200 LOTHROP STREET  
PITTSBURGH, PA 15213-2582  
(412) 648-6000

00091  
UPMC SAINT MARGARET HOSPITAL—S  
815 FREEPORT ROAD  
LABORATORY  
PITTSBURGH, PA 15215  
(412) 784-4000

00092  
UPMC SHADYSIDE—S  
5230 CENTRE AVENUE GROUND FLOOR WEST WING  
PITTSBURGH, PA 15232  
(412) 623-5950

00066  
WARREN GENERAL HOSPITAL—S  
2 CRESCENT PARK  
WARREN, PA 16365  
(814) 726-3860

00111  
WASHINGTON HOSPITAL—S  
155 WILSON AVE  
WASHINGTON, PA 15301  
(724) 223-3136

00298  
WAYNE MEMORIAL HOSPITAL—S  
601 PARK STREET  
HONESDALE, PA 18431  
(570) 253-1300

00133  
WAYNESBORO HOSPITAL—S  
501 E MAIN STREET  
WAYNESBORO, PA 17268  
(717) 765-3403

00018  
WBGH COMMONWEALTH HEALTH LAB SVS—SB  
575 NORTH RIVER STREET  
WILKES-BARRE, PA 18764  
(570) 829-8111

00095  
WESTERN PENNSYLVANIA HOSPITAL—S  
4800 FRIENDSHIP AVE  
PITTSBURGH, PA 15224  
(412) 578-5779

30245  
WESTFIELD HOSPITAL MEDICAL CENTER  
LABORATORY—S  
4815 W TILGHMAN STREET  
ALLENTOWN, PA 18104  
(610) 973-8425

00112  
WESTMORELAND REGIONAL HOSPITAL—S  
532 W PITTSBURGH STREET  
GREENSBURG, PA 15601  
(724) 832-4365

00037  
WILLIAMSPORT REGIONAL MEDICAL CENTER—S  
700 HIGH STREET  
WILLIAMSPORT, PA 17701-3198  
(570) 321-2300

00106  
WINDBER HOSPITAL—S  
600 SOMERSET AVE  
WINDBER, PA 15963  
(814) 467-6611

25064  
WVU HOSPITAL CLINICAL LABS—S  
1 MEDICAL CENTER DR PO BOX 8009  
MORGANTOWN, WV 26506-8009  
(304) 598-4241

00141  
YORK HOSPITAL—S  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 851-2345

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-17. Filed for public inspection January 4, 2013, 9:00 a.m.]

**Laboratories Approved to Determine Urine Controlled Substance Content under The Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code**

The following laboratories are licensed by the Department of Health (Department) under The Clinical Laboratory Act (35 P.S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of urine for the determination of controlled substances or their biotransformation products.

This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to chemical test to determine amount of alcohol), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in urine.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening or confirmatory urine drug analyses, or both. Laboratories approved to perform screening tests only are designated on the approval list by an "S" after the laboratory's name. Laboratories approved to perform confirmatory testing only are designated by a "C" following the laboratory's name. Those approved to perform both screening and confirmatory analyses are designated by the letters "SC." Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic urine drug analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for the purpose. They should also determine that the director of the facility is agreeable to performing analyses for that purpose. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought. The list of approved laboratories

will be revised approximately semiannually and published in the *Pennsylvania Bulletin*.

The Commonwealth's Vehicle Code contains a provision in 75 Pa.C.S. § 1547(c)(3)(ii) that permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence at legal proceedings in this Commonwealth if the laboratory is located in another state and is not licensed and approved by the Department to provide these services. This section states that the test results may be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or any other violation of the Vehicle Code arising out of the same action if the laboratory that performed the test is licensed by the state in which the facility is located and licensed under the Federal Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-5768, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code at 30 Pa.C.S. § 5125(c)(3)(ii).

The name or location of a laboratory is sometimes changed but the personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name or location of the facility changed, the Clinical Laboratory Permit number of the facility at the time the list was prepared is included in the list of approved laboratories above the name of the laboratory.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

00212  
ABINGTON MEMORIAL HOSPITAL—S  
1200 OLD YORK ROAD  
ABINGTON, PA 19001  
(215) 481-2324

27908  
ACM MEDICAL LABORATORY—SC  
160 ELMGROVE PARK  
ROCHESTER, NY 14624  
(716) 429-2264

27180  
ADVANCED TOXICOLOGY NETWORK—SC  
3560 AIR CENTER COVE, SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770

31695  
AEGIS SCIENCES CORPORATION—SC  
515 GREAT CIRCLE ROAD  
NASHVILLE, TN 37228  
(615) 255-2400

- 30483  
AIT LABORATORIES—SC  
2265 EXECUTIVE DRIVE  
INDIANAPOLIS, IN 46241  
(317) 243-3894
- 00233  
ALBERT EINSTEIN MEDICAL CENTER—S  
5501 OLD YORK RD-LABS-TOWER BLDG GROUND FL  
PHILADELPHIA, PA 19141—3001  
(215) 456-6157
- 24496  
ALERE TOXICOLOGY SERVICES—SC  
450 SOUTHLAKE BOULEVARD  
RICHMOND, VA 23236  
(804) 378-9130
- 26008  
ALERE TOXICOLOGY SERVICES INC—SC  
1111 NEWTON STREET  
GRETNA, LA 70053  
(504) 361-8989
- 00116  
ALLE KISKI MED CNTR NEW KENSINGTON—S  
651 FOURTH AVENUE  
NEW KENSINGTON, PA 15068  
(724) 226-7089
- 25019  
ALLEGHENY CNTY HEALTH DEPT STD—S  
3333 FORBES AVENUE  
PITTSBURGH, PA 15213  
(412) 578-8070
- 00671  
ALLEGHENY COUNTY MED EX DIV OF LAB—SC  
1520 PENN AVENUE, 2ND FLOOR  
PITTSBURGH, PA 15222  
(412) 350-4425
- 28233  
ALLEGHENY GENERAL HOSP DEPT OF LAB MED—S  
320 E NORTH AVENUE  
PITTSBURGH, PA 15212  
(412) 359-6886
- 00077  
ALLEGHENY GENERAL HOSPITAL LAB—S  
1307 FEDERAL STREET  
PITTSBURGH, PA 15212  
(412) 359-6886
- 00100  
ALLEGHENY VALLEY HOSPITAL LAB—S  
1301 CARLISLE STREET  
NATRONA HEIGHTS, PA 15065  
(724) 224-5100
- 00119  
ALTOONA REGIONAL HEALTH SYSTEM LAB—S  
620 HOWARD AVENUE  
ALTOONA, PA 16601-4899  
(814) 889-2340
- 31871  
AMERICAN FORENSIC TOXICOLOGY SERVICES—SC  
728 LARKFIELD ROAD  
EAST NORTHPORT, NY 11731  
(631) 923-0166
- 30223  
AMERITOX LTD—SC  
9930 WEST HWY 80  
MIDLAND, TX 79706  
(432) 561-5091
- 31814  
AMERITOX, LTD.—SC  
486 GALLIMORE DAIRY ROAD  
GREENSBORO, NC 27409  
(336) 387-7600
- 26620  
AMMON ANALYTICAL LABORATORY—SC  
1622 SOUTH WOOD AVENUE  
LINDEN, NJ 07036  
(908) 862-4404
- 31148  
ANALYTICAL DIAGNOSTIC LAB—S  
2115 AVENUE X  
BROOKLYN, NY 11235  
(718) 646-6000
- 00192  
ARIA HEALTH—S  
380 NORTH OXFORD VALLEY ROAD  
LANGHORNE, PA 19047-8304  
(215) 934-5227
- 00236  
ARIA HEALTH—S  
FRANKFORD AVE & WAKELING STREET  
PHILADELPHIA, PA 19124  
(215) 831-2068
- 00341  
ARIA HEALTH—S  
10800 KNIGHTS ROAD  
PHILADELPHIA, PA 19114  
(215) 612-4000
- 00047  
ASSOCIATED CLINICAL LABORATORIES—S  
1526 PEACH STREET  
ERIE, PA 16501  
(814) 461-2400
- 24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—SC  
3520 PROGRESS DRIVE UNIT C  
BENSALEM, PA 19020  
(267) 525-2470
- 31171  
AVEE LABORATORIES INC—SC  
14440 MYERLAKE CIRCLE  
CLEARWATER, FL 33760  
(727) 424-4151
- 31111  
AXIS DIAGNOSTICS INC.—S  
900 TOWN CENTER DRIVE SUITE H-50  
LANGHORNE, PA 19047  
(267) 212-2000
- 00251  
AYER CLINICAL LAB PENNSYLVANIA HOSPITAL—S  
800 SPRUCE STREET  
PHILADELPHIA, PA 19107  
(215) 829-3541
- 00320  
BARNES KASSON HOSPITAL LAB—S  
400 TURNPIKE STREET  
SUSQUEHANNA, PA 18847  
(570) 853-5059
- 21553  
BENDINER & SCHLESINGER INC—SC  
140 58TH STREET SUITE 8D  
BROOKLYN, NY 11220  
(212) 254-2300



00001  
BERWICK HOSPITAL LABORATORY—S  
701 EAST 16TH STREET  
BERWICK, PA 18603  
(570) 759-5110

00301  
BHS LABORATORY—S  
ONE HOSPITAL WAY (911 E BRADY STREET)  
BUTLER, PA 16001  
(724) 284-4513

27615  
BIOLOGICAL SPECIALTY CORPORATION—S  
2165 NORTH LINE STREET  
COLMAR, PA 18915  
(215) 997-8771

27616  
BIOLOGICAL SPECIALTY CORPORATION—S  
1236 NEW RODGERS RD #851  
BRISTOL, PA 19007  
(215) 826-9282

27617  
BIOLOGICAL SPECIALTY CORPORATION—S  
22 SOUTH 4TH STREET  
READING, PA 19602  
(610) 375-9862

22757  
BIOREFERENCE LABORATORIES INC—SC  
481B EDWARD H ROSS DRIVE  
ELMWOOD PARK, NJ 07407  
(201) 791-3600

00033  
BRADFORD REGIONAL MEDICAL CENTER—S  
116-156 INTERSTATE PKWY  
BRADFORD, PA 16701-0218  
(814) 362-8247

00296  
BRANDYWINE HOSPITAL—S  
201 REECEVILLE ROAD  
COATESVILLE, PA 19320  
(610) 383-8000

00472  
BROOKSIDE CLINICAL LAB INC—S  
4000 EDGMONT AVENUE  
BROOKHAVEN, PA 19015  
(610) 872-6466

31684  
BUCKS COUNTY CRIME LABORATORY—S  
850 EAGLE BOULEVARD  
WARMINSTER, PA 18974  
(609) 802-7399

32486  
BURLINGTON LABORATORIES, INC.—SC  
163 PEARL STREET  
BURLINGTON, VT 05401  
(802) 863-4105

29116  
CALLOWAY LABORATORIES—SC  
34 COMMERCE WAY  
WOBURN, MA 01801  
(781) 224-9899

00107  
CANONSBURG GENERAL HOSPITAL—S  
100 MEDICAL BOULEVARD  
CANONSBURG, PA 15317  
(724) 745-3916

00131  
CARLISLE REGIONAL MEDICAL CENTER—S  
361 ALEXANDER SPRING ROAD  
CARLISLE, PA 17015—9129  
(717) 249-1212

0751  
CEDAR CREST EMERGICENTER—S  
1101 SOUTH CEDAR CREST BOULEVARD  
ALLEN TOWN, PA 18103  
(610) 435-3111

00132  
CHAMBERSBURG HOSPITAL DEPT OF PATHOL-  
OGY—S  
112 NORTH SEVENTH STREET  
CHAMBERSBURG, PA 17201  
(717) 267-7153

00310  
CHARLES COLE MEMORIAL HOSPITAL—S  
1001 EAST SECOND STREET  
COUDERSPORT, PA 16915  
(814) 274-5510

00198  
CHESTER COUNTY HOSPITAL—S  
701 E MARSHALL ST  
WEST CHESTER, PA 19380  
(610) 431-5182

00227  
CHESTNUT HILL HOSPITAL—S  
DEPARTMENT OF PATHOLOGY  
8835 GERMANTOWN AVENUE  
PHILADELPHIA, PA 19118  
(215) 248-8113

00228  
CHILDRENS HOSP OF PHILADELPHIA—S  
3400 CIVIC CENTER BLVD.  
MAIN BLDG.—5TH FLOOR—ROOM 5135  
PHILADELPHIA, PA 19104  
(215) 590-4446

00329  
CLARION HOSPITAL—S  
1 HOSPITAL DRIVE  
CLARION, PA 16214  
(814) 221-8969

00026  
CLEARFIELD HOSPITAL LABORATORY—S  
809 TURNPIKE AVENUE PO BOX 992  
CLEARFIELD, PA 16830  
(814) 768-2280

27845  
CLINICAL REFERENCE LABORATORY—SC  
8433 QUIVIRA ROAD  
LENEXA, KS 66215  
(913) 492-3652

24916  
CLINICAL SCIENCE LABORATORY INC—SC  
51 FRANCIS AVENUE  
MANSFIELD, MA 02048  
(508) 339-6106

00005  
COMMUNITY MEDICAL CENTER—S  
1800 MULBERRY STREET  
SCRANTON, PA 18510  
(570) 969-8000

- 00125  
CONEMAUGH VALLEY MEMORIAL HOSP—S  
LABORATORY DEPT  
1086 FRANKLIN STREET  
JOHNSTOWN, PA 15905  
(814) 534-9000
- 00326  
CORRY MEMORIAL HOSPITAL—S  
965 SHAMROCK LANE  
CORRY, PA 16407  
(814) 664-4641
- 00201  
CROZER CHESTER MED CENTER—S  
1 MEDICAL CENTER BOULEVARD  
UPLAND, PA 19013  
(610) 447-2000
- 00209  
CROZER-CHESTER MED CTR-SPRINGFLD—S  
190 WEST SPROUL ROAD  
SPRINGFIELD, PA 19064  
(610) 447-2000
- 00204  
DELAWARE COUNTY MEMORIAL HOSP—S  
501 NORTH LANSDOWNE AVENUE  
DREXEL HILL, PA 19026—1186  
(610) 284-8100
- 00266  
DEPT OF PATHOLOGY & LAB MED-HUP—SC  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423
- 32240  
DOMINION DIAGNOSTICS, LLC—SC  
211 CIRCUIT DRIVE  
NORTH KINGSTOWN, RI 02852  
(401) 667-0891
- 00194  
DOYLESTOWN HOSPITAL—S  
595 W STATE STREET  
DOYLESTOWN, PA 18901  
(215) 345-2250
- 00977  
DRUGSCAN INC—SC  
200 PRECISION ROAD, SUITE 200  
HORSHAM, PA 19044  
(267) 960-3407
- 00175  
EASTON HOSPITAL—S  
250 SOUTH 21ST ST  
EASTON, PA 18042-3892  
(610) 250-4819
- 00217  
EINSTEIN MEDICAL CTR MONTGOMERY—S  
559 W GERMANTOWN PIKE  
EAST NORRITON, PA 19401  
(484) 662-1000
- 00332  
ELLWOOD CITY HOSPITAL—S  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081
- 31625  
EMPIRE CITY LABORATORIES—S  
4306 3RD AVENUE, 2ND FLOOR  
BROOKLYN, NY 11232  
(516) 941-7244
- 00612  
ENDLESS MOUNTAINS HEALTH SYSTEMS—S  
25 GROW AVENUE  
MONTROSE, PA 18801-1103  
(570) 278-3801
- 00164  
EPHRATA COMMUNITY HOSPITAL—S  
169 MARTIN AVE PO BOX 1002  
EPHRATA, PA 17522  
(717) 733-0311
- 00032  
ERHC ST MARYS LABORATORY—S  
763 JOHNSONBURG RD  
SAINT MARYS, PA 15857  
(814) 788-8525
- 00181  
EVANGELICAL COMMUNITY HOSPITAL—S  
1 HOSPITAL DRIVE  
LEWISBURG, PA 17837  
(570) 522-2510
- 00114  
EXCELA HEALTH LATROBE HOSPITAL—S  
ONE MELLON WAY  
LATROBE, PA 15650  
(724) 537-1550
- 00085  
FORBES REGIONAL HOSPITAL—S  
2570 HAYMAKER ROAD  
MONROEVILLE, PA 15146  
(412) 858-2566
- 32455  
FORENSIC LABORATORIES—S  
ROCKY MOUNTAIN TOX, LLC  
4895 JOLIET STREET, 7-G  
DENVER, CO 80239  
(720) 287-8111
- 00115  
FRICK HOSPITAL—S  
508 SOUTH CHURCH STREET  
MOUNT PLEASANT, PA 15666  
(724) 547-1500
- 20644  
FRIENDS HOSPITAL—S  
4641 ROOSEVELT BOULEVARD  
LABORATORY  
PHILADELPHIA, PA 19124-2399  
(215) 831-6934
- 09163  
FRIENDS MEDICAL LAB INC—SC  
5820 SOUTHWESTERN BLVD  
BALTIMORE, MD 21227  
(412) 247-4417
- 00330  
FULTON COUNTY MEDICAL CENTER—S  
214 PEACH ORCHARD ROAD  
MCCONNELLSBURG, PA 17233  
(717) 485-6169
- 30188  
GARCIA CLINICAL LABORATORY INC—S  
2195 SPRING ARBOR ROAD  
JACKSON, MI 49201  
(517) 787-9200

00002  
 GEISINGER BLOOMSBURG—S  
 549 E FAIR STREET  
 BLOOMSBURG, PA 17815  
 (570) 387-2124

00173  
 GEISINGER MEDICAL LABORATORIES—SC  
 100 N ACADEMY AVENUE  
 DANVILLE, PA 17822—0131  
 (570) 271-6338

00019  
 GEISINGER WYOMING VALLEY MED CTR—S  
 1000 E MOUNTAIN DRIVE  
 WILKES-BARRE, PA 18711  
 (570) 808-7845

00185  
 GEISINGER-SHAMOKIN AREA COMMUNITY  
 HOSPITAL—S  
 4200 HOSPITAL ROAD  
 COAL RUN, PA 17866—9697  
 (570) 644-4200

26799  
 GHHA/HHWC OCC HEALTH LAB—S  
 50 MOISEY DRIVE  
 HAZLETON, PA 18202  
 (570) 459-1028

00152  
 GNADEN HUETTEN MEMORIAL HOSP—S  
 211 NORTH 12TH STREET  
 LEHIGHTON, PA 18235  
 (610) 377-7083

00299  
 GOOD SAMARITAN HOSPITAL—S  
 4TH & WALNUT STS PO BOX 1281  
 LEBANON, PA 17042-1218  
 (717) 270-7986

00654  
 GUTHRIE CLINIC LABORATORIES—S  
 ONE GUTHRIE SQUARE  
 SAYRE, PA 18840  
 (570) 887-5797

00239  
 HAHNEMANN UNIVERSITY HOSPITAL—S  
 BROAD & VINE STS MS 113  
 PHILADELPHIA, PA 19102  
 (215) 762-1783

00139  
 HANOVER HOSPITAL LABORATORY—S  
 300 HIGHLAND AVE  
 HANOVER, PA 17331  
 (717) 637-3711

00010  
 HAZLETON GENERAL HOSPITAL—S  
 700 EAST BROAD STREET  
 HAZLETON, PA 18201  
 (570) 501-4152

00169  
 HEALTH NETWORK LABORATORIES—S  
 1627 WEST CHEW STREET  
 ALLENTOWN, PA 18102  
 (610) 402-8150

00549  
 HEALTH NETWORK LABORATORIES—S  
 1200 SOUTH CEDAR CREST BLVD  
 ALLENTOWN, PA 18103  
 (610) 402-8150

00600  
 HEALTH NETWORK LABORATORIES—S  
 2545 SCHOENERSVILLE ROAD  
 BETHLEHEM, PA 18017-7384  
 (610) 402-8150

24655  
 HEALTH NETWORK LABORATORIES—SC  
 2024 LEHIGH STREET  
 ALLENTOWN, PA 18103-4798  
 (610) 402-8150

00166  
 HEART OF LANCASTER REGIONAL MEDICAL  
 CENTER—S  
 1500 HIGHLANDS DRIVE  
 LITITZ, PA 17543  
 (717) 625-5605

00205  
 HERITAGE VALLEY BEAVER—S  
 1000 DUTCH RIDGE ROAD  
 BEAVER, PA 15009  
 (724) 728-7000

00101  
 HERITAGE VALLEY SEWICKLEY LAB—S  
 720 BLACKBURN RD  
 SEWICKLEY, PA 15143  
 (412) 741-6600

00103  
 HIGHLANDS HOSPITAL—S  
 401 EAST MURPHY AVENUE  
 CONNELLSVILLE, PA 15425  
 (724) 628-1500

00216  
 HOLY REDEEMER HOSPITAL—S  
 1648 HUNTINGDON PIKE  
 MEADOWBROOK, PA 19046  
 (215) 947-3000

00130  
 HOLY SPIRIT HOSPITAL—S  
 503 N 21ST STREET  
 CAMP HILL, PA 17011-2288  
 (717) 763-2206

00052  
 INDIANA REGIONAL MEDICAL CENTER—S  
 835 HOSPITAL ROAD  
 PO BOX 788  
 INDIANA, PA 15701-0788  
 (724) 357-7167

00135  
 J C BLAIR MEMORIAL HOSPITAL—S  
 1225 WARM SPRINGS AVENUE  
 HUNTINGDON, PA 16652  
 (814) 643-8645

00054  
 JAMESON MEMORIAL HOSPITAL—S  
 1211 WILMINGTON AVENUE  
 NEW CASTLE, PA 16105  
 (724) 656-4080

00240  
 JEANES HOSPITAL—S  
 7600 CENTRAL AVE  
 PHILADELPHIA, PA 19111  
 (215) 728-2347

- 00038  
JEFFERSON REGIONAL MED CTR—S  
PO BOX 18119, 565 COAL VALLEY ROAD  
PITTSBURGH, PA 15236  
(412) 469-5723
- 00200  
JENNERSVILLE REGIONAL HOSPITAL—S  
1015 WEST BALTIMORE PIKE  
WEST GROVE, PA 19390  
(610) 869-1080
- 00312  
JERSEY SHORE HOSPITAL—S  
1020 THOMPSON STREET  
JERSEY SHORE, PA 17740  
(570) 398-0100
- 21306  
LAB CORP OCCUPATIONAL TEST SRVCS—SC  
1120 STATELINE ROAD WEST  
SOUTHAVEN, MS 38671  
(886) 827-8042
- 20512  
LABCORP OCCUPATIONAL TESTING SER—SC  
1904 ALEXANDER DRIVE PO BOX 12652  
RESEARCH TRIANGLE PARK, NC 27709  
(919) 572-6900
- 01088  
LABCORP OF AMERICA HOLDINGS—SC  
69 FIRST AVENUE PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400
- 00165  
LANCASTER GENERAL HOSPITAL—S  
555 N DUKE STREET, PO BOX 3555  
LANCASTER, PA 17604  
(717) 544-4331
- 00167  
LANCASTER REGIONAL MED CENTER—S  
250 COLLEGE AVENUE, PO BOX 3434  
LANCASTER, PA 17604  
(717) 291-8022
- 00215  
LANSDALE HOSPITAL—S  
100 MEDICAL CAMPUS DRIVE  
LANSDALE, PA 19446  
(215) 361-4625
- 00138  
LEWISTOWN HOSPITAL—S  
400 HIGHLAND AVENUE  
LEWISTOWN, PA 17044  
(717) 242-7474
- 24802  
LGH DIAB/HBP/DUKE-LIME ST CAMPUS—S  
620 N DUKE STREET  
DUKE & LIME STREET  
CAMPUS LABS  
LANCASTER, PA 17604  
(717) 544-4331
- 00030  
LOCK HAVEN HOSPITAL—S  
24 CREE DRIVE  
LOCK HAVEN, PA 17745  
(570) 893-5000
- 00193  
LOWER BUCKS HOSPITAL LABORATORY—S  
501 BATH ROAD  
BRISTOL, PA 19007  
(215) 785-9300
- 00639  
MAGEE-WOMENS HOSPITAL OF UPMC HEALTH  
SYSTEM—S  
300 HALKET STREET  
PITTSBURGH, PA 15213  
(412) 647-4651
- 00213  
MAIN LINE HEALTH LAB-BRYN MAWR—S  
130 S BRYN MAWR AVENUE  
BRYN MAWR, PA 19010  
(610) 526-3554
- 00242  
MAIN LINE HOSPITALS LAB-LANKENAU—S  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615
- 00199  
MAIN LINE HOSPITALS LAB-PAOLI—S  
255 WEST LANCASTER AVENUE  
PAOLI, PA 19301  
(610) 648-1000
- 00206  
MAIN LINE HOSPITALS LAB-RIDDLE—S  
1068 W BALTIMORE PIKE  
MEDIA, PA 19063  
(610) 891-3339
- 27684  
MARWORTH—S  
BOX 36 LILLY LAKE ROAD  
WAVERLY, PA 18471  
(570) 563-1112
- 09003  
MAYO CLINIC LABS-ROCHESTER MAIN  
CAMPUS—SC  
200 FIRST STREET SW HILTON 530  
ROCHESTER, MN 55905  
(507) 538-6449
- 00049  
MEADVILLE MED CTR-LIBERTY ST—S  
751 LIBERTY STREET  
MEADVILLE, PA 16335  
(814) 336-5000
- 05574  
MEDTOX LABORATORIES INC—SC  
402 COUNTY ROAD D WEST  
ST PAUL, MN 55112  
(651) 286-6217
- 00140  
MEMORIAL HOSPITAL CLINICAL LAB—S  
325 S BELMONT STREET  
YORK, PA 17403  
(717) 843-8623
- 00023  
MEMORIAL HOSPITAL LAB—S  
91 HOSPITAL DRIVE  
TOWANDA, PA 18848  
(570) 265-2191



00203  
MERCY FITZGERALD HOSPITAL—S  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262

00247  
MERCY HEALTH LAB/MHOP—S  
501 S 54TH STREET  
PHILADELPHIA, PA 19143  
(215) 748-9181

00219  
MERCY HEALTH LAB/MSH—S  
2701 DEKALB PIKE  
NORRISTOWN, PA 19401  
(610) 278-2078

28436  
METHODIST DIV TJUH CLINICAL LAB—S  
2301 SOUTH BROAD STREET  
PHILADELPHIA, PA 19148  
(215) 952-9057

31050  
MILLENIUM LABORATORIES—SC  
16981 VIA TAZON, SUITE F  
SAN DIEGO, CA 92127  
(858) 451-3535

00128  
MINERS MEDICAL CENTER—S  
290 HAIDA AVENUE PO BOX 689  
HASTINGS, PA 16646  
(814) 247-3100

28907  
MIRMONT TREATMENT CENTER—S  
100 YEARSLEY MILL ROAD  
LIMA, PA 19063  
(610) 744-1400

00108  
MONONGAHELA VALLEY HOSPITAL INC—S  
1163 COUNTRY CLUB ROAD  
MONONGAHELA, PA 15063  
(724) 258-1021

00214  
MOSS REHAB EINSTEIN AT ELKINS PARK—S  
60 EAST TOWNSHIP LINE ROAD ATTN: LAB  
ELKINS PARK, PA 19027  
(215) 456-6150

00025  
MOUNT NITTANY MEDICAL CENTER—S  
1800 EAST PARK AVENUE  
STATE COLLEGE, PA 16803  
(814) 234-6117

00035  
MUNCY VALLEY HOSPITAL—S  
215 EAST WATER ST  
MUNCY, PA 17756  
(570) 546-8282

00304  
NASON HOSPITAL—S  
105 NASON DRIVE  
ROARING SPRING, PA 16673  
(814) 224-2141

00504  
NATIONAL MED SVCS INC/DBA NMS LABS—SC  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

00248  
NAZARETH HOSPITAL—S  
2601 HOLME AVE  
PHILADELPHIA, PA 19152  
(215) 335-6245

27246  
NORCHEM DRUG TESTING LABORATORY—SC  
1760 EAST ROUTE 66, SUITE 1  
FLAGSTAFF, AZ 86004  
(928) 526-1011

29741  
NORTHERN TIER RESEARCH—SC  
1302 MADISON AVE  
DUNMORE, PA 18509  
(570) 209-7913

30984  
OFFICE OF THE DISTRICT ATTORNEY—S  
37 E HIGH STREET, FORENSIC LAB  
CARLISLE, PA 17103  
(717) 240-6526

00099  
OHIO VALLEY GENERAL HOSPITAL—S  
25 HECKEL RD  
MCKEES ROCKS, PA 15136  
(412) 777-6161

31516  
PAML LLC—SC  
611 N PERRY, BLDG II SUITE 100  
SPOKANE, WA 99202  
(509) 755-8645

00250  
PARKWAY CLINICAL LABORATORIES—S  
3494 PROGRESS DRIVE, SUITE D  
BENSALEM, PA 19020  
(215) 245-5112

00520  
PC LAB INC—SC  
1320 FIFTH AVENUE  
PITTSBURGH, PA 15219  
(412) 391-6118

00258  
PENN PRESBYTERIAN MEDICAL CENTER—S  
51 NORTH 39TH ST DEPT OF PATH & LAB  
PHILADELPHIA, PA 19104-2640  
(215) 662-3435

00316  
PENN STATE MILTON S HERSHEY MED CTR—S  
500 UNIVERSITY DRIVE  
DEPT OF PATHOLOGY & LAB MEDICINE  
HERSHEY, PA 17033  
(717) 531-8353

22533  
PENNSYLVANIA DEPT OF HEALTH—SC  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464

31082  
PHAMATECH INC—SC  
10151 BARNES CANYON ROAD  
SAN DIEGO, CA 92121  
(858) 643-5555

00197  
PHOENIXVILLE HOSPITAL LABORATORY—S  
140 NUTT ROAD DEPT OF PATHOLOGY  
PHOENIXVILLE, PA 19460-0809  
(610) 983-1612

31965  
PHYSICIANS CHOICE LABORATORY SERVICES,  
LLC—SC  
300 WESTINGHOUSE BLVD  
CHARLOTTE, NC 28273  
(336) 407-1499

32215  
PHYSICIANS TOXICOLOGY LABORATORY, LLC—SC  
4433 MANCHESTER ROAD  
KALAMAZOO, MI 49001  
(239) 269-0035

00157  
PINNACLE HEALTH AT COMMUNITY GENERAL  
HOSPITAL—S  
4300 LONDONDERRY ROAD  
PO BOX 3000  
HARRISBURG, PA 17109  
(717) 782-3340

00155  
PINNACLE HEALTH AT HARRISBURG HOSPITAL  
LAB—S  
100 SOUTH 2ND STREET  
HARRISBURG, PA 17101  
(717) 782-3340

00022  
POCONO MEDICAL CENTER LAB—S  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544

00221  
POTTSTOWN HOSPITAL COMPANY, LLC—S  
1600 EAST HIGH STREET  
POTTSTOWN, PA 19464  
(610) 327-7130

21648  
PSYCHEMEDICS CORPORATION—SC  
5832 UPLANDER WAY  
CULVER CITY, CA 90230  
(800) 522-7424

00300  
PUNXSUTAWNEY AREA HOSPITAL—S  
81 HILLCREST DRIVE  
PUNXSUTAWNEY, PA 15767  
(814) 938-1820

32205  
QDX PATHALLIANCE, PC—S  
70 JACKSON DRIVE UNIT H3  
CRANFORD, NJ 07016

22715  
QUEST DIAGNOSTICS—SC  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

31399  
QUEST DIAGNOSTICS—SC  
1777 MONTREAL CIRCLE ES/F1 2  
TUCKER, GA 30084  
(770) 936-5007

09620  
QUEST DIAGNOSTICS CLIN LABS INC—SC  
8401 FALLBROOK AVENUE  
WEST HILLS, CA 91304  
(818) 737-6268

00315  
QUEST DIAGNOSTICS CLINICAL LABS INC—SC  
900 BUSINESS CENTER DRIVE  
HORSHAM, PA 19044  
(215) 957-9300

27461  
QUEST DIAGNOSTICS INC—SC  
400 EGYPT ROAD  
NORRISTOWN, PA 19403  
(610) 631-4219

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SC  
14225 NEWBROOK DRIVE PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

22376  
QUEST DIAGNOSTICS NICHOLS INSTITUTE OF  
VALENCIA—S  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543

00482  
QUEST DIAGNOSTICS OF PA INC—SC  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—SC  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

24249  
QUINTILES LABORATORIES LTD—SC  
1600 TERRELL MILL ROAD SUITE 100  
MARIETTA, GA 30067  
(770) 373-3500

00150  
READING HOSPITAL & MEDICAL CTR—S  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(484) 628-8615

25348  
REDWOOD TOXICOLOGY LABORATORY—SC  
3650 WESTWIND BOULEVARD  
SANTA ROSA, CA 95403  
(707) 577-7958

00336  
REGIONAL HOSPITAL OF SCRANTON—S  
746 JEFFERSON AVENUE  
SCRANTON, PA 18510  
(570) 348-7100

32557  
ROBERT WOOD JOHNSON UNIV HOSPITAL AT  
HAMILTON—S  
ONE HAMILTON HEALTHPLACE  
HAMILTON, NJ 08690  
(609) 584-6568

00243  
ROXBOROUGH MEMORIAL HOSPITAL—S  
5800 RIDGE AVE  
PHILADELPHIA, PA 19128  
(215) 487-4394

30821  
 RXTOX INC—SC  
 51 PROF PLAZA, 850 CLAIRTON BLVD, SUITE 1300  
 PITTSBURGH, PA 15236  
 (412) 460-1310

00171  
 SACRED HEART HOSPITAL—S  
 4TH & CHEW STS ATTN LAB DEPT  
 ALLENTOWN, PA 18102  
 (610) 776-4727

00087  
 SAINT CLAIR MEMORIAL HOSPITAL—S  
 1000 BOWER HILL RD  
 PITTSBURGH, PA 15243  
 (412) 561-4900

00174  
 SAINT LUKES HOSPITAL—S  
 801 OSTRUM STREET  
 BETHLEHEM, PA 18015  
 (610) 954-4558

00328  
 SAINT MARY MEDICAL CENTER—S  
 LANGHORNE-NEWTOWN RD  
 LANGHORNE, PA 19047  
 (215) 710-2162

29838  
 SAN DIEGO REFERENCE LABORATORY—SC  
 6122 NANCY RIDGE DRIVE  
 SAN DIEGO, CA 92121  
 (800) 677-7995

00182  
 SCHUYLKILL MC E NORWEGIAN ST—S  
 700 EAST NORWEGIAN STREET  
 POTTSVILLE, PA 17901  
 (570) 621-4032

00183  
 SCHUYLKILL MC S JACKSON ST—S  
 420 SOUTH JACKSON STREET  
 POTTSVILLE, PA 17901  
 (570) 621-5262

28471  
 SECON OF LOUISIANA—S  
 825 KALISTE SALOOM RD, BRANDYWINE 1  
 SUITE 100  
 LAFAYETTE, LA 70508  
 (337) 235-3712

29038  
 SECON OF NEW ENGLAND—SC  
 415 MAIN STREET 4TH FLOOR  
 WORCESTER, MA 01608  
 (508) 831-0703

00064  
 SHARON REGIONAL HEALTH SYSTEM—S  
 740 EAST STATE STREET  
 SHARON, PA 16146  
 (724) 983-3911

00421  
 SKIPPACK MEDICAL LABORATORY—S  
 3887 SKIPPACK PIKE  
 SKIPPACK, PA 19474  
 (610) 584-1669

27649  
 SMA MEDICAL LABORATORIES—S  
 940 PENNSYLVANIA BOULEVARD UNIT E  
 FEASTERVILLE, PA 19053  
 (215) 322-6590

00039  
 SOLDIERS & SAILORS MEM HOSP—S  
 CENTRAL AVENUE  
 WELLSBORO, PA 16901  
 (570) 723-0133

00297  
 SOMERSET HOSPITAL CENTER FOR HEALTH—S  
 225 S CENTER AVENUE  
 SOMERSET, PA 15501  
 (814) 443-5000

00105  
 SOUTHWEST REGIONAL MEDICAL CENTER—S  
 350 BONAR AVENUE  
 WAYNESBURG, PA 15370  
 (724) 627-2608

00260  
 ST CHRISTOPHERS HOSP FOR CHILDREN—S  
 ERIE AVENUE AT FRONT STREET  
 DEPT OF PATHOLOGY & LAB MEDICINE  
 PHILADELPHIA, PA 19134  
 (215) 427-4207

00151  
 ST JOSEPH QUALITY MEDICAL LAB—SC  
 2500 BERNVILLE ROAD  
 READING, PA 19605-9453  
 (610) 378-2200

00261  
 ST JOSEPH'S HOSPITAL-DIV NPHS—S  
 16TH ST & GIRARD AVENUE  
 PHILADELPHIA, PA 19130  
 (215) 787-9000

00318  
 ST LUKES HOSP ALLENTOWN CAMPUS—S  
 1736 HAMILTON STREET  
 ALLENTOWN, PA 18104  
 (610) 628-8724

00180  
 ST LUKES MINERS MEMORIAL HOSPITAL—S  
 360 WEST RUDDLE STREET PO BOX 67  
 COALDALE, PA 18218  
 (570) 645-8271

29015  
 STERLING HEALTHCARE HOLDINGS, LLC—SC  
 2617 EAST L STREET #A  
 TACOMA, WA 98421-2205  
 (253) 552-1551

00094  
 SUBURBAN CLINICAL LABORATORY—S  
 100 SOUTH JACKSON AVENUE  
 BELLEVUE, PA 15202  
 (412) 734-6020

00187  
 SUNBURY COMMUNITY HOSPITAL—S  
 350 NORTH 11TH STREET  
 SUNBURY, PA 17801  
 (570) 286-3491

31474  
 TASC INC—SC  
 2234 N 7TH STREET  
 PHOENIX, AZ 85006  
 (602) 257-7588

00207  
 TAYLOR HOSPITAL DIV OF CCMC—S  
 175 EAST CHESTER PIKE  
 RIDLEY PARK, PA 19078  
 (610) 595-6450

00235  
 TEMPLE UNIV HOSPITAL EPISCOPAL CAMPUS—S  
 100 EAST LEHIGH AVENUE  
 PHILADELPHIA, PA 19125-1098  
 (215) 707-4353

00265  
 TEMPLE UNIVERSITY HOSPITAL—S  
 3401 N BROAD ST  
 DEPT OF PATH & LAB MED—2ND FL. OPB RM 249  
 PHILADELPHIA, PA 19140  
 (215) 707-4353

00104  
 THE UNIONTOWN HOSPITAL LABORATORY—S  
 500 WEST BERKELEY STREET  
 UNIONTOWN, PA 15401  
 (724) 430-5143

00241  
 THOMAS JEFFERSON UNIVERSITY HOSP—S  
 125 SOUTH 11TH STREET 204 PAVILLION  
 PHILADELPHIA, PA 19107  
 (215) 955-1644

00051  
 TITUSVILLE AREA HOSPITAL—S  
 406 WEST OAK STREET  
 TITUSVILLE, PA 16354  
 (814) 827-1851

00313  
 TYLER MEMORIAL HOSPITAL—S  
 880 SR 6 W  
 TUNKHANNOCK, PA 18657-6149  
 (570) 836-4705

00124  
 TYRONE HOSPITAL—S  
 187 HOSPITAL DRIVE  
 TYRONE, PA 16686  
 (814) 684-6384

00121  
 UPMC BEDFORD MEMORIAL—S  
 10455 LINCOLN HIGHWAY  
 EVERETT, PA 15537  
 (814) 623-3506

32389  
 UPMC EAST PATHOLOGY LABORATORY—S  
 2775 MOSSIDE BLVD.  
 GROUND FLOOR, ROOM 0304  
 MONROEVILLE, PA 15146  
 (412) 357-3682

00059  
 UPMC HORIZON GREENVILLE—S  
 110 NORTH MAIN STREET  
 GREENVILLE, PA 16125  
 (724) 588-2100

00057  
 UPMC HORIZON SHENANGO—S  
 2200 MEMORIAL DRIVE  
 FARRELL, PA 16121  
 (724) 981-3500

00098  
 UPMC MCKEESPORT LABORATORY—S  
 1500 FIFTH AVENUE  
 MCKEESPORT, PA 15132  
 (412) 664-2233

00082  
 UPMC MERCY DEPT OF LAB MEDICINE—S  
 1400 LOCUST STREET  
 PITTSBURGH, PA 15219  
 (412) 232-7831

00058  
 UPMC NORTHWEST—S  
 100 FAIRFIELD DRIVE  
 SENECA, PA 16346  
 (814) 676-7120

05784  
 UPMC PASSAVANT LABORATORY CRANBERRY—S  
 ONE ST FRANCIS WAY  
 CRANBERRY TOWNSHIP, PA 16066  
 (724) 772-5370

00083  
 UPMC PRESBYTERIAN SHADYSIDE CP PUH—SC  
 ROOM 5929 MAIN TOWER CHP  
 200 LOTHROP STREET  
 PITTSBURGH, PA 15213-2582  
 (412) 648-6000

00091  
 UPMC SAINT MARGARET HOSPITAL—S  
 815 FREEPORT ROAD  
 LABORATORY  
 PITTSBURGH, PA 15215  
 (412) 784-4000

00092  
 UPMC SHADYSIDE—S  
 5230 CENTRE AVENUE GROUND FLOOR WEST  
 WING  
 PITTSBURGH, PA 15232  
 (412) 623-5950

27225  
 US DRUG TESTING LABORATORIES INC—SC  
 1700 SOUTH MOUNT PROSPECT ROAD  
 DES PLAINES, IL 60018  
 (847) 375-0770

00335  
 VALLEY FORGE MED CTR & HOSP—S  
 1033 W GERMANTOWN PIKE  
 NORRISTOWN, PA 19403  
 (610) 539-8500

00066  
 WARREN GENERAL HOSPITAL—S  
 2 CRESCENT PARK  
 WARREN, PA 16365  
 (814) 726-3860

00298  
 WAYNE MEMORIAL HOSPITAL—S  
 601 PARK STREET  
 HONESDALE, PA 18431  
 (570) 253-1300

00133  
 WAYNESBORO HOSPITAL—S  
 501 E MAIN STREET  
 WAYNESBORO, PA 17268  
 (717) 765-3403

00018  
 WBGH COMMONWEALTH HEALTH LAB SVS—SC  
 575 NORTH RIVER STREET  
 WILKES-BARRE, PA 18764  
 (570) 829-8111



00095  
WESTERN PENNSYLVANIA HOSPITAL—S  
4800 FRIENDSHIP AVE  
PITTSBURGH, PA 15224  
(412) 578-5779

30245  
WESTFIELD HOSPITAL MEDICAL CENTER LABORATORY—S  
4815 W TILGHMAN STREET  
ALLENTOWN, PA 18104  
(610) 973-8425

00112  
WESTMORELAND REGIONAL HOSPITAL—S  
532 W PITTSBURGH STREET  
GREENSBURG, PA 15601  
(724) 832-4365

00037  
WILLIAMSPORT REGIONAL MEDICAL CENTER—S  
700 HIGH STREET  
WILLIAMSPORT, PA 17701-3198  
(570) 321-2300

00141  
YORK HOSPITAL—S  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 851-2345

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-18. Filed for public inspection January 4, 2013, 9:00 a.m.]

### Laboratories Approved to Perform Blood Lead and/or Erythrocyte Protoporphyrin Determinations under The Clinical Laboratory Act

The following laboratories are licensed in accordance with The Clinical Laboratory Act (35 P. S. §§ 2151—2165) and are currently approved under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood for lead or erythrocyte protoporphyrin content. This approval is based on demonstrated proficiency in periodic evaluations conducted by the Bureau of Laboratories of the Department of Health (Department).

Lead poisoning is a reportable noncommunicable disease. Approved laboratories which offer blood lead testing services are required to inform the Department of actual or possible incidents of this condition in accordance with 28 Pa. Code § 27.34 (relating to reporting cases of lead poisoning). These regulations specify the following requirements for reporting by clinical laboratories:

(1) A clinical laboratory shall report all blood lead test results on both venous and capillary specimens for persons under 16 years of age to the Department's Childhood Lead Poisoning Prevention Program, Division of Maternal and Child Health, Bureau of Family Health.

(2) A clinical laboratory shall report an elevated blood lead level in a person 16 years of age or older to the Department's Division of Environmental Health Epidemiology, Bureau of Epidemiology or to other locations as designated by the Department. An elevated blood lead level is defined by the National Institute for Occupational Safety and Health (NIOSH). As of January 26, 2002, NIOSH defines an elevated blood lead level as a venous

blood lead level of 25 micrograms per deciliter ( $\mu\text{g}/\text{dL}$ ) or higher. The Department will publish in the *Pennsylvania Bulletin* any NIOSH update of the definition within 30 days of NIOSH's notification to the Department.

(3) A clinical laboratory which conducts blood lead tests of 100 or more specimens per month shall submit results electronically in a format specified by the Department.

(4) A clinical laboratory which conducts blood lead tests of less than 100 blood lead specimens per month shall submit results either electronically or by hard copy in the format specified by the Department.

(5) A laboratory which performs blood lead tests on blood specimens collected in this Commonwealth shall be licensed as a clinical laboratory and shall be specifically approved by the Department to conduct those tests.

(6) Blood lead analyses requested for occupational health purposes on blood specimens collected in this Commonwealth shall be performed only by laboratories which are licensed and approved as specified in paragraph (5), and which are also approved by the Occupational Safety and Health Administration of the United States Department of Labor under 29 CFR 1910.1025(j)(2)(iii) (relating to lead).

(7) A clinical laboratory shall complete a blood lead test within 5 work days of the receipt of the blood specimen and shall submit the case report to the Department by the close of business of the next work day after the day on which the test was performed. The clinical laboratory shall submit a report of lead poisoning using either the hardcopy form or electronic transmission format specified by the Department.

(8) When a clinical laboratory receives a blood specimen without all of the information required for reporting purposes, the clinical laboratory shall test the specimen and shall submit the incomplete report to the Department.

Erythrocyte protoporphyrin determinations may be performed as an adjunct determination to substantiate blood lead levels of 25 micrograms per deciliter or higher. Since erythrocyte protoporphyrin concentrations may not increase as a result of low-level exposures to lead, direct blood lead analysis is the only reliable method for identifying individuals with blood lead concentrations below 25 micrograms per deciliter.

Persons seeking blood lead or erythrocyte protoporphyrin analyses should determine that the laboratory employs techniques and procedures acceptable for the purpose for which the analyses are sought. Laboratories offering blood lead analysis only are designated with the letter "L" following the name of the laboratory. Those offering erythrocyte protoporphyrin analysis only are designated with the letter "P." Laboratories offering both services are designated with the letters "LP."

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*.

The name or location of a laboratory is sometimes changed but the personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name or location of the facility changed, the Clinical Laboratory Permit number of the

facility at the time the list was prepared is included in the list of approved laboratories above the name of the laboratory.

The Department's blood lead proficiency testing program is approved by the United States Department of Health and Human Services in accordance with 42 CFR 493.901 and 493.937 (relating to approval of proficiency testing programs; and toxicology), which are administered by the Centers for Medicare and Medicaid Services. Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example: large print, audiotope, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

22912  
ACL LABORATORIES—LP  
8901 WEST LINCOLN AVE  
WEST ALLIS, WI 53227  
(414) 328-7945

29169  
ADVANCED TOXICOLOGY NETWORK—LP  
3560 AIR CENTER COVE  
SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770

00016  
ANGELINE KIRBY MEM HEALTH CENTER—L  
71 NORTH FRANKLIN STREET  
WILKES-BARRE, PA 18701  
(570) 822-4278

21613  
ARUP LABORATORIES INC—L  
500 CHIPETA WAY  
SALT LAKE CITY, UT 84108  
(800) 242-2787

24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—LP  
3520 PROGRESS DRIVE UNIT C  
BENSALEM, PA 19020  
(267) 525-2470

22757  
BIOREFERENCE LABORATORIES INC—L  
481B EDWARD H ROSS DRIVE  
ELMWOOD PARK, NJ 07407  
(201) 791-3600

00228  
CHILDRENS HOSP OF PHILADELPHIA—L  
3400 CIVIC CENTER BLVD.  
MAIN BLDG.-5TH FLOOR-ROOM 5135  
PHILADELPHIA, PA 19104  
(215) 590-4446

31847  
DOCTOR'S DATA, INC.—L  
3755 ILLINOIS AVENUE  
ST. CHARLES, IL 60174-2420  
(630) 377-8139

00561  
EAST PENN MFG CO INC—LP  
DEKA RD KELLER TECH CENTER PO BOX 147  
LYONS STATION, PA 19536  
(610) 682-6361

00332  
ELLWOOD CITY HOSPITAL—LP  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081

31378  
ENZO CLINICAL LABS—L  
60 EXECUTIVE BLVD  
FARMINGDALE, NY 11735  
(631) 755-5500

00173  
GEISINGER MEDICAL LABORATORIES—L  
100 N ACADEMY AVENUE  
DANVILLE, PA 17822-0131  
(570) 271-6338

25914  
GENOVA DIAGNOSTICS—L  
63 ZILICOA STREET  
ASHEVILLE, NC 28801  
(828) 253-0621

24655  
HEALTH NETWORK LABORATORIES—L  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

05618  
LAB CORP OF AMERICA HOLDINGS—LP  
6370 WILCOX ROAD  
DUBLIN, OH 43016-1296  
(800) 282-7300

21885  
LAB CORP OF AMERICA HOLDINGS—LP  
1447 YORK COURT  
BURLINGTON, NC 27215  
(800) 334-5161

01088  
LABCORP OF AMERICA HOLDINGS—LP  
69 FIRST AVENUE PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400

00242  
MAIN LINE HOSPITALS LAB-LANKENAU—L  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615

29685  
MAYO CLINIC LABS-ROCH SUPERIOR DR—L  
3050 SUPERIOR DRIVE NW  
ROCHESTER, MN 55901  
(507) 538-6449

09003  
MAYO CLINIC LABS-ROCHESTER MAIN CAMPUS—P  
200 FIRST STREET SW HILTON 530  
ROCHESTER, MN 55905  
(507) 538-6449

29251  
MAYO MEDICAL LABORATORIES NEW  
ENGLAND—LP  
160 DASCOMB ROAD  
ANDOVER, MA 01810  
(978) 658-3600

24668  
MCMURRAY PEDIATRIC & ADOLESCENT  
MEDICINE—L  
6000 WATERDAM PLAZA DRIVE #280  
MCMURRAY, PA 15317  
(724) 941-8199

20802  
MERITUS MEDICAL LABORATORY, LLC—L  
11110 MEDICAL CAMPUS RD STE 230  
HAGERSTOWN, MD 21742  
(301) 790-8670

00504  
NATIONAL MED SVCS INC/DBA NMS LABS—LP  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

30553  
NATIONWIDE CHILDRENS HOSPITAL—P  
CORE LAB AND LAB INFORMATION SYSTEMS  
700 CHILDRENS DRIVE  
COLUMBUS, OH 43205  
(614) 722-5376

23801  
PACIFIC TOXICOLOGY LABORATORIES—LP  
9348 DE SOTO AVENUE  
CHATSWORTH, CA 91311  
(818) 598-3110

02125  
PED ALLIANCE ST CLAIR PED DIV—L  
1580 MCLAUGHLIN RUN ROAD  
PINERIDGE COMMONS SUITE 208  
UPPER ST CLAIR, PA 15241  
(412) 221-2121

22533  
PENNSYLVANIA DEPT OF HEALTH—LP  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464

00022  
POCONO MEDICAL CENTER LAB—L  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544

00324  
PRIMARY CARE HLTH SERV INC LAB—L  
7227 HAMILTON AVE  
PITTSBURGH, PA 15208  
(412) 244-4728

00255  
PUBLIC HEALTH LAB CITY OF PHILA—L  
500 SOUTH BROAD STREET ROOM 359  
PHILADELPHIA, PA 19146  
(215) 685-6501

22715  
QUEST DIAGNOSTICS—LP  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

00669  
QUEST DIAGNOSTICS INCORPORATED—LP  
ONE MALCOLM AVENUE  
TETERBORO, NJ 07608  
(201) 393-5895

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—LP  
14225 NEWBROOK DRIVE PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

22376  
QUEST DIAGNOSTICS NICHOLS INSTITUTE OF  
VALENCIA—L  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543

00482  
QUEST DIAGNOSTICS OF PA INC—LP  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—LP  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

00150  
READING HOSPITAL & MEDICAL CTR—L  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(484) 628-8615

31527  
SHIEL MEDICAL LABORATORY—L  
63 FLUSHING AVENUE  
BROOKLYN NAVY YARD UNIT 336  
BROOKLYN, NY 11205  
(718) 552-1000

00151  
ST JOSEPH QUALITY MEDICAL LAB—L  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200

32074  
UNITED MEDICAL LABORATORY INC.—L  
495 N 13TH STREET  
NEWARK, NJ 07107

00083  
UPMC PRESBYTERIAN SHADYSIDE CP PUH—L  
ROOM 5929 MAIN TOWER CHP  
200 LOTHROP STREET  
PITTSBURGH, PA 15213-2582  
(412) 648-6000

00018  
WBGH COMMONWEALTH HEALTH LAB SVS—L  
575 NORTH RIVER STREET  
WILKES-BARRE, PA 18764  
(570) 829-8111

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-19. Filed for public inspection January 4, 2013, 9:00 a.m.]

### Minimum Levels of Controlled Substances or Their Metabolites in Blood to Establish Presence of Controlled Substance

Under 75 Pa.C.S. § 1547(c)(4) (relating to chemical testing to determine amount of alcohol or controlled substance), as amended by the act of September 30, 2003 (P. L. 120, No. 24), the Department of Health (Department) is publishing a notice of the minimum levels of Schedule I, nonprescribed Schedule II and nonprescribed Schedule III controlled substances or their metabolites that must be present in a person's blood for the test results to be admissible in a prosecution for a violation of 75 Pa.C.S. § 1543(b)(1.1), § 3802(d)(1), (2) or (3) or § 3808(a)(2) (relating to driving while operating privilege is suspended or revoked; driving under influence of alcohol or controlled substance; and illegally operating a motor vehicle not equipped with ignition interlock).

Although there are hundreds of controlled substances in Schedules I, II and III, quantitation limits are listed only for commonly abused controlled substances for which testing procedures are readily available. The limit of quantitation (LOQ) for any laboratory will depend on the equipment and procedures employed for confirmatory testing. The minimum quantitation limits listed for each controlled substance or metabolite are the lowest concentrations that one or more of the laboratories in the Department's approval program for facilities offering these testing services specified they can reliably determine. Laboratories approved by the Department to test blood for controlled substances or their metabolites will have LOQs at or below the minimum quantitation limits listed in this notice.

For this reason, the controlled substances and metabolites listed in this notice are not meant to be all inclusive. The Department recognizes there are other controlled substances and metabolites not listed where testing will be required. When that situation occurs, interested parties should contact the laboratory performing the test to inquire as to that laboratory's specific method of testing, the equipment used and any policies or procedures employed by that laboratory to ensure that the test results are valid.

This notice was revised at 42 Pa.B. 110 (January 7, 2012) to include multiple listings for cannabinoids for the first time. There are now three cannabinoids listed: the parent drug, Delta-9-Tetrahydrocannabinol (THC), and two metabolites of THC: 11-Hydroxy-Delta-9-Tetrahydrocannabinol and 11-Nor-9-Carboxy-Delta-9-Tetrahydrocannabinol. Multiple listings were published because approved laboratories may test for the parent drug, one of its metabolites or a combination of the three cannabinoids. The multiple listings for cannabinoids do not require a laboratory to obtain a test result for the parent drug and the two metabolites for the test result to be

admissible into evidence. A laboratory only needs to test for at least one of the cannabinoids listed and meet the minimum detection level for that cannabinoid. In that notice, for the first time, the Department also listed Methylenedioxyamphetamine and Methylenedioxy-methamphetamine under the classification of amphetamines. This notice replaces the notice published at 42 Pa.B. 110.

Clinical laboratories that operate in this Commonwealth and that perform analyses of blood to determine controlled substance content must be approved by the Department in accordance with 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) and be listed in notices published twice annually in the *Pennsylvania Bulletin*. The approval process requires laboratories to demonstrate an acceptable level of proficiency in determining the presence of controlled substances or their metabolites in blood.

Testing for controlled substances in blood is normally a two-step process. The first step involves screening of the blood using a relatively rapid and inexpensive technique to presumptively determine which specimens may contain a substance or a metabolite of a substance for which the blood is being tested. The second step utilizes a more sensitive and specific procedure to substantiate the presence and concentration of the substance or its metabolite that was presumptively detected in the initial screening procedure.

Confirmatory analyses employed to substantiate the presence of a controlled substance or metabolite generally focus on identifying and quantitatively determining the concentration of the parent drug or a primary metabolite if extensive biotransformation occurs. The detection limits listed were developed by reviewing the minimum reportable concentrations for confirmatory analyses that laboratories in the Department's approval program specified they could measure.

In publishing subsequent notices, the Department will revise, as needed, minimum quantitation limits of those controlled substances or their metabolites already listed and add new controlled substances or their metabolites when the data received from approved laboratories warrants their inclusion.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) may contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).



| <i>Class</i>               | <i>Substance</i>                                 | <i>Schedule</i> | <i>Minimum<br/>Quantitation Limits<br/>(nanograms/milliliter)</i> |
|----------------------------|--|-----------------|---|
| <b>Amphetamines</b>        |  |                 |   |
|                            | Amphetamine                                      | II              | 5   |
|                            | Methamphetamine                                  | II              | 5   |
|                            | Methylenedioxyamphetamine (MDA)                  | I               | 5   |
|                            | Methylenedioxymethamphetamine (MDMA,<br>Ecstasy) | I               | 5   |
| <b>Analgesics</b>          |  |                 |   |
|                            | Methadone  | II              | 6.2   |
| <b>Cannabinoids</b>        |  |                 |   |
|                            | Delta-9-THC (THC)*                               | I               | 0.4   |
|                            | 11-Hydroxy-Delta-9-THC (THC-OH)                  | I               | 1   |
|                            | 11-Nor-9-Carboxy-Delta-9-THC<br>(THC-COOH)       | I               | 1   |
| <b>Cocaine</b>             |  |                 |   |
|                            | Cocaine  | II              | 4   |
|                            | Benzoylecgonine                                  | II              | 1   |
| <b>Hallucinogens</b>       |  |                 |   |
|                            | Phencyclidine                                    | II              | 0.5   |
| <b>Opiates</b>             |  |                 |   |
|                            | Codeine  | II              | 2   |
|                            | Hydrocodone                                      | II              | 2   |
|                            | Hydromorphone                                    | II              | 1.25  |
|                            | 6-Monoacetylmorphine                             | II              | 0.5   |
|                            | Morphine   | II              | 2   |
|                            | Oxycodone  | II              | 2   |
| <b>Sedatives/Hypnotics</b> |  |                 |   |
|                            | Amobarbital                                      | II              | 40  |
|                            | Pentobarbital                                    | II              | 40  |
|                            | Secobarbital                                     | II              | 40  |

\*THC = tetrahydrocannabinol

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-20. Filed for public inspection January 4, 2013, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Maximum Pennsylvania Workers' Compensation Payable

Based upon the Statewide Average Weekly Wage, as determined by the Department of Labor and Industry for the fiscal year ending June 30, 2012, the maximum compensation payable under sections 105.1 and 105.2 of the Workers' Compensation Act (77 P. S. §§ 25.1 and 25.2) shall be \$917 per week for injuries occurring on and after January 1, 2013. For purposes of calculating the update to payments for medical treatment rendered on and after January 1, 2013, the percentage increase in the Statewide Average Weekly Wage is 3.3%.

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 13-21. Filed for public inspection January 4, 2013, 9:00 a.m.]

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

### Determination of Need; Disabled Veterans' Real Estate Tax Exemption

Under 51 Pa.C.S. § 8904 (relating to duty of commission), the State Veterans' Commission (Commission) fixes uniform and equitable standards for the determination of need for certain disabled veterans and their unmarried surviving spouses to qualify for an exemption from real estate taxes on their principal dwellings. In so doing, the Commission was required by law to apply a rebuttable presumption that an applicant with annual income of \$75,000 or less has a need for the exemption.

Section 8904 of 51 Pa.C.S. further provides that, beginning January 1, 2009, the Commission will adjust the annual income level qualifying for the rebuttable presumption in an amount equal to the change in the Consumer Price Index for the preceding 2 years. Adjustments were made effective on January 1, 2009, and

January 1, 2011, and the law requires that income level be adjusted effective January 1, 2013.

During the 2-year period from December 1, 2010, until November 30, 2012, the Consumer Price Index (All Urban Consumers/Seasonally Adjusted) increased by a total of 4.71%. Accordingly, beginning January 1, 2013, the Commission will apply a rebuttable presumption that an applicant for the Disabled Veterans' Real Estate Tax Exemption program with an annual income of \$85,168 or less may have a need for the exemption unless the income presumption is rebutted by the specific facts and circumstances.

In applying the \$85,168 annual income level, the Office of Veterans' Affairs will follow the following approach in determining the effective date of the exemption:

Applications pending on December 31, 2012, which are determined to demonstrate need based on eligibility criteria applicable on or before that date, shall be effective based on the date of application as provided by 43 Pa. Code § 5.25 (relating to effective date of exemption).

Applications pending on December 31, 2012, which did not demonstrate need applying the prior annual rebuttable presumption income level, but which be eligible to receive a rebuttable presumption of need under the revised income level applicable on January 1, 2013, shall be effective as of January 1, 2013, unless the presumption is rebutted.

Applications filed with the local boards for assessment and revision of taxes or similar board or agency on or after January 1, 2013, shall be effective based on the date of application as provided by 43 Pa. Code § 5.25.

Applicants who were denied certificates of need prior to January 1, 2013, but who believe they qualify after that date, may reapply, with the effective date of any exemption being based on the date of the new application as provided by 43 Pa. Code § 5.25 unless the presumption is rebutted.

MICHAEL G. GOULD,  
*Brigadier General (PA)*  
*Deputy Adjutant General for Veterans' Affairs*  
*Executive Secretary, State Veterans' Commission*

[Pa.B. Doc. No. 13-22. Filed for public inspection January 4, 2013, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Medical Assistance Program Fee Increase for Select Primary Care Services

The Department of Public Welfare (Department) is announcing its intent to increase the fees for certain primary care services billed by enrolled qualifying physicians with a specialty designation of family medicine, general internal medicine or pediatric medicine recognized by the American Board of Physician Specialties (ABPS), the American Board of Medical Specialties (ABMS) or the American Osteopathic Association (AOA).

#### *Background*

Section 1202 of the Patient Protection and Affordable Care Act (Pub. L. 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L.

111-152) (collectively ACA), requires state Medicaid programs to pay increased fees to qualifying physicians that are no less than the Medicare rates in effect in calendar years (CY) 2013 and 2014, or if greater, the rates that would be applicable in those CYs using the CY 2009 Medicare physician fee schedule (MPFS) conversion factor (CF).

The Centers for Medicare and Medicaid Services (CMS) published the final Federal regulation implementing section 1202 of the ACA at 77 FR 66670 (November 6, 2012).

States are required to increase fees for certain evaluation and management (E&M) and vaccine administration procedure codes to the extent covered by the State when furnished by a physician or under the personal supervision of a physician with a specialty designation of family medicine, general internal medicine or pediatric medicine. To qualify for the increased fees, physicians may self-attest to a specialty or subspecialty designation of family medicine, general internal medicine or pediatric medicine recognized by the ABPS, the ABMS or the AOA.

As set forth in 42 CFR 447.400(a) (relating to primary care services furnished by physicians with a specified specialty or subspecialty), the Department will pay the increased fees to physicians who self-attest to a specialty or subspecialty designation of family medicine, general internal medicine or pediatric medicine recognized by the ABPS, ABMS or AOA and to one or both of the following:

(1) Board certification with a specialty or subspecialty.

(2) Furnishing evaluation and management services and vaccine administration services that equal at least 60% of all Medicaid codes the physician billed during the most recently completed CY or, for newly eligible physicians, in the prior month.

The Department will provide additional information to physicians regarding the self-attestation.

The fee increase will apply to qualified physicians in the previously-stated specialties or subspecialties rendering primary care services to Medicaid beneficiaries in the Medical Assistance (MA) Program's fee-for-service (FFS), including ACCESS Plus and managed care delivery systems. Qualified physicians rendering services to non-Medicaid beneficiaries, such as, General Assistance MA beneficiaries, will be paid the current MA Program Fee Schedule rate; and physicians rendering services who do not qualify for the primary care fee increase will be paid the current MA Program Fee Schedule rate.

CMS, through enhanced Federal Medical Assistance Percentage (FMAP), will pay 100% of the rate in excess of the MA rate for the specified E&M and vaccine administration procedure codes in effect on July 1, 2009, for dates of service on January 1, 2013, through and including December 31, 2014. On January 1, 2015, the Department will revert back to paying the rates for the specified procedure codes listed on the MA Program Fee Schedule as of December 31, 2012.

#### *Discussion*

The Federal implementing regulation in 42 CFR 447.405 (relating to amount of required minimum payments) specifies that states pay physicians meeting the requirements in 42 CFR 447.400(a) for the specified primary care services based on one of the following options:

(1) The Medicare Part B fee schedule rate applicable to the site of service.

(2) The office setting rate adjusted for the specific geographic location of the service.

(3) The mean over all counties of the rate for each procedure code.

The Department has opted to set the increased fees, for the FFS including ACCESS Plus, and the managed care delivery systems, based on the mean over all counties of the rate for each procedure code as described as follows.

The Federal implementing regulation in 42 CFR 447.405 requires states to use the Medicare CF in effect at the beginning of CY 2013 or 2014, or the CY 2009 CF, if higher, to calculate the fee increase. As the CY 2009 CF is higher than the CY 2013 CF, the revised fees (referred to as follows as computed fees) will be calculated by adjusting the 2013 MPFS to reflect the higher CY 2009 CF, using the following formula:

$$\text{Computed fee} = (\text{CY 2013 MPFS}) \div (\text{CY 2013 CF}) \times (\text{CY 2009 CF})$$

(Note: this formula is used to substitute the 2013 CF for the 2009 CF)

CMS has established two geographic location variations in this Commonwealth for purposes of Medicare payment. Pennsylvania Geographic Practice Cost Index (GPCI) 01 consists of Philadelphia, Bucks, Chester, Delaware and Montgomery Counties; GPCI 99 consists of the remaining 62 counties in this Commonwealth.

The previous calculation was completed for both GPCIs, GPCI 01 for the Philadelphia region and GPCI 99 for the rest of this Commonwealth, for the nonfacility fees. GPCI 01 and GPCI 99 were then blended at 50% each to create the statewide average fee, by procedure code using the following formula:

$$50\% \times (\text{GPCI 01 computed fee for non-facility}) + 50\% \times (\text{GPCI 99 computed fee for non-facility}) = \text{Statewide average fee by procedure code}$$

The Department uses the vaccine product procedure codes, not the specified vaccine administration procedure codes, for payment of the MA vaccine administration fee. CMS has advised states that the ACA provision does not require states to cover procedure codes that they did not previously cover. For this reason, the Department has sought clarification from CMS regarding whether the ACA requirement applies to its payment for vaccine administration and the methodology to compute the enhanced payment. To the extent the Department is required to make an enhanced payment for vaccine administration, the Department will calculate the enhanced payment consistent with 42 CFR 447.405.

Physicians will initially be paid using the current MA Fee Schedule fees. The Department anticipates the systems changes necessary to make payments at the increased fees will be completed in April 2013. Qualifying physicians who submit their self-attestation to the Department by March 1, 2013, will be paid the increased fee retroactive to January 1, 2013. Qualifying physicians who submit their self-attestation to the Department on or after March 2, 2013, will be paid the increased fee for dates of service beginning with the date the attestation is received by the Department.

The Department will also issue an MA Bulletin to provide further detailed information to physicians and will post the specified primary care services procedure codes covered by the MA Program and the corresponding primary care mean Statewide fees, self-attestation and other related information on the Department's web site.

*Fiscal Impact*

Due to the availability of 100% FMAP for these primary care services, the Department projects no fiscal impact in CY 2013 and 2104.

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered in the development of the final notice. Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

GARY D. ALEXANDER,  
*Secretary*

**Fiscal Note:** 14-NOT-805. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 13-23. Filed for public inspection January 4, 2013, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Realty Transfer Tax; Revised 2011 Common Level Ratio; Real Estate Valuation Factors

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 2011. These factors are the mathematical reciprocal of the actual common level ratios. For Pennsylvania Realty Transfer Tax purposes, these factors are applicable for documents accepted from January 1, 2013, to June 30, 2013. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102).

| <i>County</i> | <i>Revised Common Level Ratio Factor</i> |
|---------------|--|
| Bedford       | *1.00                                    |
| Erie          | *1.00                                    |
| Lehigh        | *1.00                                    |

\* Adjusted by the Department of Revenue to reflect an assessment base change effective January 1, 2013.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-24. Filed for public inspection January 4, 2013, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Finding Bucks County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director of the Bureau of Project Delivery as delegated by the Secretary of Transportation makes the following written finding:

The Federal Highway Administration and the Department of Transportation (Department) are planning the replacement of the existing bridge carrying SR 0032, River Road over the Tohicken Creek in Plumstead and Tincum Townships, Bucks County. The project will include replacing the bridge at its existing location and will require the use of a temporary structure to maintain traffic during construction. The proposed bridge will be widened from 20.3 feet to 28 feet to provide shoulders and one sidewalk.

The project will require the use of two Section 4(f)/Section 2002 resources: the Point Pleasant Historic District and the Point Pleasant Community Park. The project will require the removal of the existing bridge, which is contributing to the Point Pleasant Historic District and 0.04 acre of right-of-way acquisition from properties that contribute to the Point Pleasant Historic District. The project will also require 0.04 acre of right-of-way acquisition from the Point Pleasant Community Park, which will have a De Minimis use.

In accordance with section 2002 of The Administration Code of 1929 establishing the Department, a Level-2 Categorical Exclusion Evaluation (CEE) has been developed for the subject project along with an "Individual Section 4(f) Evaluation" document to evaluate the potential environmental impacts caused by the subject project. The document also serves as the Section 2002 Evaluation. The environmental, economic, social and other effects of the proposed project, as enumerated in section 2002 of The Administrative Code of 1929, have been considered.

Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed action, and the project is planned to minimize harm to the Section 2002 resources. Mitigation measures will be taken to minimize harm as stipulated in the Level-2 CEE, the Section 4(f) document.

R. WAYNE WILLEY, P.E.,  
*Chief*  
*Highway Delivery Division*  
*Bureau of Project Delivery*

[Pa.B. Doc. No. 13-25. Filed for public inspection January 4, 2013, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Delaware Riverkeeper Network, Maya Van Rossum,  
The Delaware Riverkeeper and Responsible Drilling  
Alliance v. DEP and Tennessee Gas Pipeline  
Company, Permittee; EHB Doc. No. 2012-196-M**

The Delaware Riverkeeper Network, Maya Van Rossum, The Delaware Riverkeeper and Responsible Drilling Alliance have appealed the issuance by the Department of

Environmental Protection of an approval of coverage under Erosion and Sediment Control General Permit ESCGP-1 issued to Tennessee Gas Pipeline Company for a facility in Wyalusing, Tuscarora and Asylum Townships in Bradford County; Clifford Township in Susquehanna County; Milford, West Falls and Lackawaxen Townships in Pike County; and Berlin and Palmyra Townships in Wayne County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 13-26. Filed for public inspection January 4, 2013, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The January 15, 2013, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, February 19, 2013, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the February 19, 2013, meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation;" "Public Participation Center").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate, (717) 783-8727, [mtate@pa.gov](mailto:mtate@pa.gov).

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 13-27. Filed for public inspection January 4, 2013, 9:00 a.m.]

## FISH AND BOAT COMMISSION

**Proposed Qualified Endangered and Threatened  
Species; Surveyor Requirements**

Contemporaneous with the publication of this notice, the Fish and Boat Commission (Commission) is publishing a notice of proposed rulemaking at 43 Pa.B. 15



(January 5, 2013) soliciting public comments for a period of 60 days regarding the proposed addition of 58 Pa. Code § 75.5 (relating to qualified surveyors for endangered and threatened species and their habitat). Under proposed 58 Pa. Code § 75.5, a surveyor must first be deemed qualified by the Commission to conduct surveys for endangered or threatened species or their habitat in connection with an application for a proposed or planned development activity. Individuals who wish to be qualified by the Commission to conduct surveys for endangered or threatened species must demonstrate to the Commission's satisfaction that they meet the qualified surveyor requirements as approved by the Executive Director and published in the *Pennsylvania Bulletin*. Individuals will demonstrate their qualifications by submitting the completed application provided by the Commission, and upon qualification, the Commission will place the names of the individuals meeting these requirements on its qualified surveyor list for the species described in the application.

In addition to soliciting public comments regarding the proposed rulemaking change, the Commission is soliciting public comments with respect to the following proposed qualified surveyor requirements. Interested persons are invited to submit written comments, objections or suggestions about the proposed requirements to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 60 days after publication of this notice 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*

### **Proposed Qualified Endangered and Threatened Species Surveyor Requirements**

#### **Overview**

The Pennsylvania Fish and Boat Commission (PFBC) reviews projects to be permitted in or near habitats that may be occupied by endangered or threatened species. Site-specific surveys are a component of the project review process when a project activity potentially conflicts with an endangered or threatened species and its habitat. The PFBC has assembled lists of biologists who have documented their expertise to conduct surveys for endangered or threatened species in connection with a proposed or planned development activity. These lists include the names of those individuals who have demonstrated to the PFBC that they meet the qualifications necessary to search for and successfully find and correctly identify listed species and their habitat. In order to conduct PFBC recognized surveys for endangered or threatened species or their habitat in connection with a proposed or planned development activity, a surveyor must first be deemed qualified by the PFBC and placed on its qualified surveyors list. All individuals surveying for endangered or threatened species are required to have a valid Pennsylvania fishing license, a valid Scientific Collector's Permit and Threatened and Endangered Species Permit issued by PFBC. Only individuals, not firms, organizations, or other entities, will be considered for inclusion on a qualified list because the necessary experience can only be individually developed.

Project reviews, species effects analyses, and regulatory/permitting requirements are often directly affected by the presence of state or federally listed endangered or threatened species. Therefore, it is imperative that surveyors have the skills and ability to personally find and identify these species in their natural habitat. The required level of field experience must be maintained at all times to ensure the surveyor is maintaining search skills. A qualified surveyor must have extensive knowledge of the following: taxonomy, life history and habitat requirements of the targeted species group (with particular expertise regarding the endangered or threatened species), and sampling techniques for that species group.

To become qualified and be placed on the PFBC's qualified surveyors list, one must:

1. Read and understand the overview and the species group and taxa specific requirements.

2. Submit an application using the form provided, demonstrating that the applicant satisfies all general and species group or taxa specific requirements.

- a. General requirements include:

- i. Taxonomy and Natural History: Applicants must demonstrate their mastery of species and habitat identification and natural history. Applicants must describe taxonomic coursework (if applicable), workshops attended on species identification or any individualized training. Applicants must have at least 4 credits (or equivalent) in courses or training that covered taxonomy and natural history.

- ii. Sampling Techniques: Applicants must demonstrate knowledge of sampling techniques. Applicant must describe training received in order to successfully implement species or taxa sampling protocols. This description must refer to relevant coursework (e.g., fisheries techniques, population dynamics, etc.), workshops or other training. Applicants must have at least 6 credits (or equivalent) in courses or training that covered sampling techniques for target species group (e.g., fisheries techniques, fisheries management, fish population dynamics, or equivalent instruction on fisheries gears, methodologies or protocols).

- iii. Field Experience: Applicants must demonstrate that they possess a minimum of 100 days of field experience working with the targeted taxa within the preceding 10 years in finding and correctly identifying live endangered and threatened target species in their natural habitat.

- b. Species group or taxa specific requirements are set forth below.

Written materials (e.g., publications, reports, etc.) can be provided to demonstrate taxonomic or life history proficiency. The PFBC reserves the right to interview, test, and/or accompany the applicant in the field to judge the accuracy of target species and habitat identification skills, familiarity with natural history, and/or field survey techniques by the applicant.

#### **Threatened and Endangered Species Group or Taxa Specific Qualified Surveyor Requirements**

The following are descriptions of the necessary qualifications specific to certain species or groups.

1. Fishes
2. Mussels, Interior Basin or Atlantic Slope
3. Reptiles
  - a. Bog Turtle

- b. Eastern Massasauga
- c. Rough Green Snake
- d. Eastern Redbelly Turtle
- 4. Amphibians
  - a. New Jersey Chorus Frog, Southern Leopard Frog, and Northern Cricket Frog
  - b. Eastern Spadefoot
  - c. Blue-spotted Salamander
  - d. Green Salamander

#### Fishes Qualified Surveyor Requirements

##### *Section 1. Experience Related to Finding and Identifying Endangered & Threatened Species.*

A qualified surveyor must be proficient with fish identification techniques and maintain current knowledge of fish taxonomy and distributions. Training and experience as a fish researcher or taxonomist such as found in Stribling et al. (2003) must be evident in the materials submitted with this application. Access to appropriate literature, reference materials, and laboratory equipment is expected. Nomenclature must follow appropriate and current sources such as the Integrated Taxonomic Information System (ITIS; <http://www.itis.gov/>) and the American Fisheries Society (Nelson et al. 2004 and subsequent corrections). Surveyors must demonstrate familiarity with the Guidelines for Quality Assurance and Quality Control of Fish Taxonomic Data Collected as Part of the National Water Quality Assessment Program (Walsh and Meador 1998). Experience with endangered and threatened fishes must be demonstrated in the submitted materials.

- Submit a list of all fish species the applicant has experience collecting and identifying (Family *Genus species*). Indicate any special status applied to a species if listing fish from other states. Fish identification experience must be evident within the documentation submitted.

##### Protocol References:

Stribling, J. B., S. R. Moulton II, and G. T. Lester. 2003. Determining the quality of taxonomic data. *Journal of the North American Benthological Society*: December 2003, Vol. 22, No. 4, pp. 621–631.

Walsh S. J. and M. R. Meador. 1998. Guidelines for Quality Assurance and Quality Control of Fish Taxonomic Data Collected as Part of the National Water Quality Assessment Program. Water-Resources Investigations Report 98-4239. USGS, Raleigh, North Carolina.

Nelson, J. S., Crossman, E. J., Espinosa-Pérez, H., Findley, L. T., Gilbert, C. R., Lea, R. N. & Williams, J. D. 2004. Common and Scientific Names of Fishes from the United States, Canada, and Mexico. Committee on Names of Fishes, 6th edn. Bethesda, MD: American Fisheries Society.

##### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Include relevant certifications and certificates (Certified or Associate Fisheries Professional, USFWS Principles and Techniques of Electrofishing Certificate, USFWS Fish Identification Course, continuing education credits/courses, etc.).

##### *Section 3. Protocol Implementation.*

A qualified surveyor must be proficient with the appropriate gear types, methodologies, and protocols used to

competently sample fish assemblages and their habitats. These will include, but are not limited to, the following: various electrofishing gears (Reynolds 1996), passive capture techniques (Hubert 1996), active fish capture methods especially benthic trawls and variants (Hayes et al. 1996; Herzog et al. 2005; Freedman et al. 2009), and fish community sampling protocols and methodologies (Barbour et al. 1999; Emery et al. 2003; Emery et al. 2006; Bonar et al. 2009; Miko 2011). Surveyors must be familiar with the Guidelines for the Use of Fishes in Research, specifically the Field Activities with Wild Fishes section (UFR 2004). Sampling objectives, habitat types, seasonality, and safety considerations should dictate survey planning. The development of specialized gears and methods to more efficiently sample habitats or species continues to improve our knowledge, and their usage should be considered when appropriate and when approved by the PFBC. Fishes that are particularly difficult to capture may require modified protocols or multiple protocols or gears to effectively target habitats or species that may be in question.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted survey protocols.

- Applicants need to demonstrate that they have conducted surveys for the target species incorporating techniques included in the protocol references below at least five times in the last 10 years and provide documentation of their role and participation in each survey. This documentation must demonstrate the applicant's experience using relevant gear types, applying methodologies, and implementing protocols. This documentation may include final grant reports, posters, agency reports, peer reviewed publications, book chapters, thesis, dissertation, or project descriptions prepared specifically for this application (e.g., position held, support role on a project, museum experience, etc.). Experience as a fish survey crew leader must be evident within the materials submitted.

##### Protocol References:

Barbour, M.T., J. Gerritsen, B.D. Snyder, and J.B. Stribling. 1999. Rapid Bioassessment Protocols for Use in Streams and Wadeable Rivers: Periphyton, Benthic Macroinvertebrates and Fish, Second Edition. EPA 841-B-99-002. U.S. Environmental Protection Agency; Office of Water; Washington, D.C.

Bonar, Scott A., Wayne A. Hubert, and David W. Willis, editors. 2006. Standard Methods for Sampling North American Freshwater Fishes. American Fisheries Society, Bethesda, Maryland.

Emery, E. B., Thomas P. Simon, Frank H. McCormick, Paul L. Angermeier, Jeffrey E. Deshon, Chris O. Yoder, Randall E. Sanders, Shalliam D. Pearson, Gary D. Hickman, Robin J. Reash and Jeffrey A. Thomas. 2003: Development of a Multimetric Index for Assessing the Biological Condition of the Ohio River. *Transactions of the American Fisheries Society* 132(4):791–808.

Emery, E.B., J.A. Thomas M. Bagley, and T.R. Angradi. 2006. Fish. In Angradi, T.R. (editor) Environmental Monitoring and Assessment Program: Great River Ecosystems, Field Operations Manual. EPA/620/R-06/002. U.S. Environmental Protection Agency, Washington, DC.

- Freedman J. A., Timothy D. Stecko, Benjamin D. Lorson, and Jay R. Stauffer Jr. 2009. Development and efficacy of an electrified benthic trawl for sampling large-river fish assemblages. *North American Journal of Fisheries Management* 29:1001–1005.
- Hayes, Daniel B., C. Paola Ferreri, and William Taylor. 1996. Active Capture Methods. Pages 193–220 in B. R. Murphy and D. W. Willis, editors. *Fisheries Techniques*, 2nd edition. American Fisheries Society, Bethesda, Maryland.
- Herzog, D. P., V. A., Barko, J. S., Scheibe, R. A. Hrabik, and D. E. Ostendorf. 2005. Efficacy of a benthic trawl for sampling small-bodied fishes in large river systems. *North America Journal of Fisheries Management* 25:594–603.
- Hubert, W. A. 1996. Passive Capture Techniques. Pages 157–181 in B. R. Murphy and D. W. Willis, editors. *Fisheries Techniques*, 2nd edition. American Fisheries Society, Bethesda, Maryland.
- Miko, D., editor. 2011. *Sampling Protocols for Pennsylvania's Wadeable Streams*. Pennsylvania Fish and Boat Commission. Harrisburg, PA.
- Reynolds, J. B. 1996. Electrofishing. Pages 221–251 in B. R. Murphy and D. W. Willis, editors. *Fisheries Techniques*, 2nd edition. American Fisheries Society, Bethesda, Maryland.
- UFR (Use of Fishes in Research) Committee. 2004. *Guidelines for the Use of Fishes in Research*. American Fisheries Society, Bethesda Maryland.

## 2. Freshwater Mussel Qualified Surveyor Requirements

*Please Note:* Separate lists of qualified surveyors for freshwater mussels are maintained for the two primary basins in Pennsylvania: the Interior Basin (Ohio, Erie, and Genesee Watersheds) and the Atlantic Slope (Delaware and Susquehanna Watersheds)

### *Section 1. Experience Related to Finding and Identifying Endangered & Threatened Species*

- Within the basin for which qualification is sought, the applicant must have personally found at least 20 live individual Pennsylvania or federally listed mussels at seven or more sites within the past five years using survey methods approved by PFBC (see Section 3 for list of protocols). For the purpose of these requirements, "site" is defined as a one-mile long waterway segment. Sites sampled more than once do not count towards the total. For those seeking qualification to survey in the Ohio Basin, at least three of these seven sites must be in Pennsylvania. For those seeking qualification to survey in the Delaware or Potomac Basin, sites may be outside of Pennsylvania. Freshly dead and relic mussels, or those found by others on a survey team, do not count toward the minimum of 20 live individual endangered or threatened mussels.

### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Include relevant certifications and certificates (Certified or Associate Fisheries Professional, SCUBA certification, continuing education credits/courses, etc.).

### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Accepted mussel survey protocols are listed here. Variations of

these protocols or other protocols must be reviewed and approved by the PFBC. Protocol References:

- Smith, D.R., Vilella, R.F., and D.P. Lemarie. 2001. Survey protocol for assessment of endangered freshwater mussels in the Allegheny River, Pennsylvania. *Journal of the North American Benthological Society* 20(1): 118–132
- Smith, D.R. 2006. Survey design for detecting rare freshwater mussels. *Journal of the North American Benthological Society* 25(3): 701–711
- Ohio River Valley Ecosystem Mollusk Subgroup. 2004. Draft protocol for mussel surveys in the Ohio River where dredging/disposal/development activity is proposed (clarified April 2004)
- Adaptive Management Group. 2007. A mussel sampling protocol to assess potential commercial dredging sites in Pools 2,3,4,5,7,8, and 9 in the Allegheny River and the Dashields, Montgomery, and New Cumberland Pools in the Ohio River, Pennsylvania (7 May 2007)

## 3. Reptiles Qualified Surveyor Requirements

### a. Bog Turtle

#### *Section 1. Experience Related to Finding and Identifying Bog Turtle*

Applicant must demonstrate the ability to find and identify all life stages (adults, juveniles, eggs) of the Bog Turtle.

- The applicant must have independently found 20 Bog Turtles at a minimum of five sites within the past five years using presence/inferred-absence survey techniques. The term site refers to a discrete wetland occupied by the turtles. Sites sampled more than once do not count towards total sites. At least three of these sites must have been in Pennsylvania. Bog turtles found dead (e.g., dead-on-road), found in traps, or found using radio telemetry do not count toward this criterion. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

#### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Provide documentation that within the past 10 years, surveyor has independently conducted at least 10 or been an assistant on at least 20 habitat assessment surveys, accurately determining whether or not potential bog turtle habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

#### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC-recommended sampling methods or standard sampling methods for sampling bog turtles. Recognized survey protocols include the USFWS "Guidelines for Bog Turtle Surveys" (Revised April 2006). Variations of these or other protocols must first be reviewed and approved by the PFBC.



### b. Eastern Massasauga

#### *Section 1. Experience Related to Finding and Identifying Eastern Massasauga*

Applicant must demonstrate the ability to find and identify all life stages (adults, juveniles) of the Eastern Massasauga.

- The applicant must independently have found Eastern Massasauga at a minimum of five sites within the past 10 years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats (e.g., overwintering (wetlands, seeps, streams), gestating (upland areas)) utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Sites sampled more than once do not count towards total sites. At least three of these sites must have been in Pennsylvania. Eastern Massasaugas found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Sites sampled more than once do not count towards total sites. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

#### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Provide documentation that within the past 10 years, surveyor has independently conducted at least 10 or been an assistant on at least 20 habitat assessment surveys, accurately determining whether or not potential Eastern Massasauga habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

#### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC-recommended sampling methods or standard sampling methods for sampling Massasauga rattlesnakes. Recognized survey protocols include the PFBC "Guidelines for Eastern Massasauga Rattlesnake Surveys" (Revised June 10, 2005). Variations of these or other protocols must first be reviewed and approved by the PFBC.

#### Protocol References:

Casper, G. S., T. G. Anton, R. W. Hay, A. T. Holycross, R. S. King, B. A. Kingsbury, D. Mauger, C. Parent, C. A. Phillips, A. Resetar, R. A. Seigel, and T. P. Wilson. 2001. Recommended Standard Survey Protocol for the Eastern Massasauga, *Sistrurus catenatus catenatus*. U.S. Fish and Wildlife Service, Endangered Species Division.

### c. Rough Green Snake

#### *Section 1. Experience Related to Finding and Identifying Rough Green Snake*

Applicant must demonstrate the ability to find and identify adult and juvenile life stages of the Rough Green Snake

- The applicant must have independently found Rough Green Snakes at 10 sites within the past 10 years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Sites sampled more than once do not count

towards total sites. Three sites must come from inland (not Coastal Plain) sites in Pennsylvania or Maryland. Rough green snakes found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Sites sampled more than once do not count towards total sites. Voucher photographs, site aerial photographs, site topographic maps, and field notes must be available for each site.

#### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Provide documentation that within the past 10 years, the applicant has independently conducted at least five or been an assistant on at least 10 Phase 1 habitat surveys or their research equivalent, accurately determining whether or not potential rough green snake habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

#### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for sampling Rough Green Snakes and include the following techniques: timed-constrained visual encounter surveys, opportunistic searches, and nighttime spotlight surveys. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

#### Protocol References

Karns, D.R. 1986. Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota. James Ford Bell Museum of Natural History, Occasional Paper 18. Variations of these or other protocols must first be reviewed and approved by the PFBC.

### d. Eastern Redbelly Turtle

#### *Section 1. Experience Related to Finding and Identifying Eastern Redbelly Turtle*

Surveyor must demonstrate the ability to find and identify all life stages (adults, juveniles, eggs) of the Eastern Redbelly Turtle.

- The applicant must have independently found at least 10 redbelly turtle sites, by more than one survey method, within the past five years using presence-inferred absence survey techniques. Half of these sites must document in-hand captures (traps, dipnets, hand collections). Redbelly turtles found dead (e.g., dead-on-road), found live crossing roads, or found using radio-telemetry equipment do not count toward this criterion. The term site refers to a discrete section of waterway (separated from other sites by a minimum of 0.5 miles) occupied by redbelly turtles. Sites sampled more than once do not count towards total sites. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by the PFBC.

#### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

Provide documentation that within the past years, the applicant has independently conducted at least five or been an assistant on at least 10 redbelly turtle habitat



assessments or equivalent research studies, accurately determining whether or not potential redbelly turtle habitat was present. These assessments will have taken into consideration all aspects of redbelly turtle life history (nesting habitat versus aquatic habitat).

### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Recommendations for survey techniques for redbelly turtles can be found in project review letters from the PFBC, which may be obtained by contacting the PFBC at (814) 359-5237. These surveys should include visual surveys, aquatic trapping, as well as nest searches. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

#### Protocol References

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18. Variations of these or other protocols must first be reviewed and approved by the PFBC.

## **4. Amphibians Qualified Surveyor Requirements**

### **a. New Jersey Chorus Frog, Southern Leopard Frog, and Northern Cricket Frog**

#### *Section 1. Experience Related to Finding and Identifying New Jersey Chorus Frog, Southern Leopard Frog and Northern Cricket Frog*

The applicant must demonstrate the ability to find and identify all life stages (adults, metamorphs, tadpoles, eggs) for each of the Northern Cricket Frog, Southern Leopard Frog, and New Jersey Chorus Frog.

- The applicant must have independently found animals of each species at 10 or more sites, by more than one survey method, within the past five years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed occupied by the species. Sites sampled more than once do not count towards total sites. At least half of the animals located must have been in-hand captures (traps, dipnets, hand) documented with voucher specimens or photographs. At least three of the sites must be in Pennsylvania or surrounding states (DE, MD, NJ, NY). Animals found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

#### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Provide documentation that within the past 10 years, the applicant has independently conducted at least 10 or been an assistant on at least 20 Phase 1 surveys or their research equivalent, accurately determining whether or not potential endangered frog habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for amphibians and must include the following techniques: aquatic trapping, timed-constrained visual encounter surveys, opportunistic searches, auditory surveys, drift fencing with pitfall traps, and road cruising. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

#### Protocol References

Heyer, W. R., M. A. Donnelly, R. W. McDiarmid, L.C. Hayek, and M. S. Foster, eds. 1994. *Measuring and Monitoring Biological Diversity: Standard Methods for Amphibians*. Smithsonian Institution Press, Washington.

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18.

## **b. Eastern Spadefoot**

#### *Section 1. Experience Related to Finding and Identifying Eastern Spadefoot*

The applicant must demonstrate the ability to find and identify all life stages (adults, metamorphs, tadpoles, eggs) of the Eastern Spadefoot.

- The applicant must have independently found Eastern Spadefoot at a minimum of 10 sites, by more than one survey method, within the past five years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed occupied by the species. Sites sampled more than once do not count towards total sites. At least half of these animals must have been in-hand captures (traps, dipnets, hand) documented with voucher specimens or photographs. Because Non-Coastal Plain habitat is significantly different in Pennsylvania than in surrounding states (CT, DE, MD, NJ, NY), at least five of the capture sites must be in Pennsylvania. Sites sampled more than once do not count towards total sites. Animals found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

#### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Provide documentation that within the past 10 years, the applicant has independently conducted at least 10 or been an assistant on at least 20 Phase 1 surveys or their research equivalent, accurately determining whether or not potential endangered frog habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling

methods or standard sampling methods for amphibians and must include the following techniques: aquatic trapping, timed-constrained visual encounter surveys, opportunistic searches, auditory surveys, drift fencing with pitfall traps, and road cruising. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

#### Protocol References

Heyer, W. R., M. A. Donnelly, R. W. McDiarmid, L.C. Hayek, and M. S. Foster, eds. 1994. *Measuring and Monitoring Biological Diversity: Standard Methods for Amphibians*. Smithsonian Institution Press, Washington.

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18.

#### c. Blue-Spotted Salamander

##### *Section 1. Experience Related to Finding and Identifying Blue-Spotted Salamander*

The applicant must demonstrate the ability to find and identify all life stages (adults, juveniles, eggs) of the Blue-spotted Salamander.

- The applicant must have independently found at least 10 sites within the past five years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Sites sampled more than once do not count towards total sites. At least half of these animals must have been in-hand captures (traps, dipnets, hand collections) documented with voucher photographs. Animals found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

##### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Provide documentation that within the past 10 years, the applicant has independently conducted at least five or been an assistant on at least 10 habitat assessments or their research equivalent, accurately determining whether or not potential blue-spotted salamander habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

##### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for amphibians and include the following techniques: aquatic trapping, timed-constrained visual encounter surveys, opportunistic searches, drift fencing with pitfall traps, and road cruising. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

#### Protocol References

Heyer, W. R., M. A. Donnelly, R. W. McDiarmid, L.C. Hayek, and M. S. Foster, eds. 1994. *Measuring and Monitoring Biological Diversity: Standard Methods for Amphibians*. Smithsonian Institution Press, Washington.

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18.

#### d. Green Salamander

##### *Section 1. Experience Related to Finding and Identifying Green Salamander*

The applicant must demonstrate the ability to find and identify all life stages (adults, juveniles, eggs) of the Green Salamander.

- The applicant must have independently found at least 10 sites within the past 10 years using presence-inferred absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Voucher photographs must be available. Animals found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Sites sampled more than once do not count towards total sites. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

##### *Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History*

- Provide documentation that within the past 10 years, the applicant has independently conducted at least five or been an assistant on at least 10 habitat assessments or their research equivalent, that accurately determined whether or not potential green salamander habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

##### *Section 3. Protocol Implementation.*

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for amphibians and include the following techniques: Timed-constrained visual encounter surveys, opportunistic searches, and crevice sampling. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

#### Protocol References

Heyer, W. R., M. A. Donnelly, R. W. McDiarmid, L.C. Hayek, and M. S. Foster, eds. 1994. *Measuring and Monitoring Biological Diversity: Standard Methods for Amphibians*. Smithsonian Institution Press, Washington.

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18.

[Pa.B. Doc. No. 13-28. Filed for public inspection January 4, 2013, 9:00 a.m.]

### Temporary Changes to Fishing Regulations; Mentored Youth Trout Fishing Day

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to allow individuals participating in the Mentored Youth Trout Fishing Day Program to fish for trout on March 23, 2013, 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 that date. 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 registered with the Commission. Youth anglers must be registered with the Commission and be accompanied by an adult angler to participate. The minimum size will be 7 inches; the creel limit will be 2 (combined species). Other Commonwealth inland regulations will apply. It is unlawful for adult anglers to fish in waters designated under the Mentored Youth Trout Fishing Day Program without a valid fishing license and trout permit and without being accompanied by a registered youth.

The waters included in the Mentored Youth Trout Fishing Day Program for 2013 are:

| <i>County</i> | <i>Water</i>              |
|---------------|---------------------------|
| Adams         | Waynesboro Reservoir      |
| Berks         | Antietam Lake             |
| Berks         | Scotts Run Lake           |
| Bucks         | Levittown Lake            |
| Cumberland    | Children's Lake           |
| Cumberland    | Doubling Gap Lake         |
| Dauphin       | Middletown Reservoir      |
| Lancaster     | Muddy Run Recreation Lake |
| Lebanon       | Lions Lake                |
| Lehigh        | Lehigh Canal, Section 08  |
| Montgomery    | Deep Creek Dam/Green Lane |
| Schuylkill    | Locust Lake               |

The Executive Director will cause this temporary modification to fishing regulations to be posted in the vicinity of the affected waters and the modified regulation will be fully effective and enforceable. The Executive Director has found that this action is necessary and appropriate to conserve and preserve fishing opportunities.

This temporary modification will go into effect on January 1, 2013, and will remain in effect until the Commission, by appropriate action, amends its regulations to create a Mentored Youth Trout Fishing Day Program. In the absence of action, the temporary modification will expire on December 31, 2013.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 13-29. Filed for public inspection January 4, 2013, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Tuesday, January 8, 2013, Executive Committee Meeting at 2 p.m.; Wednesday, January 9, 2013, Data Systems Committee at 10 a.m. and Education Committee at 1 p.m.; and Thursday, January 10, 2013, Council Meeting at 10 a.m.

The meetings will be held at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodation due to a disability who wish to attend the meeting should contact Renee Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 13-30. Filed for public inspection January 4, 2013, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Electronic Posting of Personal Auto and Homeowners Insurance Rate Filings; Informational Filing

Significant personal automobile and homeowners insurance rate filings that are pending with the Insurance Department (Department) will now be published on the Department's web site upon their receipt. The Department will no longer post notice of personal auto and homeowners insurance rate filings by means of the *Pennsylvania Bulletin* unless otherwise determined by the Department.

To view these filings access [www.insurance.pa.gov](http://www.insurance.pa.gov), then "Services for Insurance Companies," then "Industry Activity" and then "Pending Personal Auto and Homeowners Rate Filings."

Additionally, all filings approved by the Department since April 1, 2008, are available for public view by means of the Department's online searchable database of approved rate and form filings.

This searchable database can be used to view all approved rate, rule or form changes, or both filed by insurance companies doing business in this Commonwealth.

To view this database access [www.insurance.pa.gov](http://www.insurance.pa.gov), then "Services for Insurance Companies," then "Industry Activity" and then "Approved Rate and Form Filing Search."

Persons who have comments or concerns should send all inquiries to Mark Lersch, Director of the Property and Casualty Bureau, [mlersch@pa.gov](mailto:mlersch@pa.gov).

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-31. Filed for public inspection January 4, 2013, 9:00 a.m.]



# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Act 13 of 2012—Implementation of Unconventional Gas Well Impact Fee Act

Public Meeting held  
December 20, 2012

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

*Act 13 of 2012—Implementation of Unconventional Gas  
Well Impact Fee Act; M-2012-2288561*

### Clarification Order Regarding Chapter 23

*By the Commission:*

#### *Introduction*

On February 14, 2012, Governor Corbett signed into law Act 13 of 2012, the Unconventional Gas Well Impact Fee Act (Act 13), which amends Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes. Act 13 provides, inter alia, for an impact fee, Oil and Gas Act amendments and standards for local ordinances. Act 13 allows counties to pass ordinances to impose an impact fee on unconventional gas well producers and, alternatively, allows municipalities, under certain circumstances, to adopt resolutions compelling the imposition of fees if a county elects not to do so.

The Pennsylvania Public Utility Commission's (Commission) administrative responsibilities for implementing the provisions of Act 13 are contained within Chapters 23 and 33 of the Act. On March 16, 2012, we issued a Tentative Implementation Order addressing those responsibilities and proposing procedures to carry out the administrative responsibilities contained in these two chapters. That Order solicited comments from interested parties. Following review of submitted comments, we issued an Order on May 10, 2012, addressing those comments and other issues associated with implementation of Chapter 23 of Act 13.

Subsequently, Petitions for Reconsideration were filed to the May 10, 2012 Order. On July 19, 2012, we issued a Reconsideration Order regarding Chapter 23 of Act 13, further detailing our treatment of vertical unconventional gas wells, assessments, caps on distribution amounts received by a municipality, and producer reporting requirements.

On September 28, 2012, Anadarko E&P Company LP (Anadarko) filed a Petition for Amendment and Clarification (Anadarko Petition) of our May 10, 2012 Implementation Order. Comments to this Petition were filed by the Pennsylvania Department of Environmental Protection (DEP), Seneca Resources Corporation (Seneca), the Pennsylvania Independent Oil & Gas Association (PIOGA), Matt Milliron, and Talisman Energy USA Inc. (Talisman).<sup>1</sup>

#### *Conductor Pipe and Well Fees.*

Anadarko raises several issues in its Petition. First, Anadarko requests clarification on whether the setting of conductor pipe constitutes "spudding," thereby triggering the impact fee. Under Act 13, spudding is defined as "the actual start of drilling of an unconventional gas well." 58

Pa.C.S. § 2301. Anadarko argues that setting conductor pipe does not constitute spudding a well. See Anadarko Petition at 3,4.

In support of its argument, Anadarko alleges that "[c]onductors are metal open-ended cylinders, typically approximately 20 inches in diameter, that are set into the ground at depths of usually not more than 40 to 50 feet simply to create a workspace within which to begin drilling a gas well. Conductors are not cemented in place and are not designed to contain or convey gas." Anadarko Petition at 3. Conductor pipe is set using specialized equipment prior to the arrival of the drilling rig. Id. Many operators set conductor pipe for operational convenience and flexibility, prior to the enactment of Act 13. Id. Anadarko alleges that had producers known that they would be subject to fees for setting conductor pipe, many likely would not have set the pipe. Id.

Alternatively, Anadarko argues that even if setting conductor pipe constitutes spudding, a well should be treated as a vertical stripper well<sup>2</sup> for impact fee purposes. See Anadarko Petition at 4. Vertical wells are subject to the impact fee only if they produce sufficient quantities of gas to qualify as a vertical well under Act 13. Anadarko alleges that if non-producing and low-producing vertical unconventional gas wells are exempt from the fee, it follows that simply placing a conductor at a well pad should also be exempt from the fee. Id.

Talisman filed comments supporting Anadarko's Petition on this issue. Talisman comments that setting conductor pipe is part of site preparation and can be accomplished separately from drilling. See Talisman Comments at 2. Talisman alleges that setting conductor pipe can be done months or years before drilling commences, and is a standard practice among many operators, which promotes safety and efficiency, limiting environmental impact by reducing the number of times contractors need to visit the site for site preparation. Id.

Comments opposing Anadarko's Petition on this issue were filed by DEP and Matt Milliron. DEP states that it has long held that spudding occurs as soon as a drill bit penetrates the ground for the purpose of setting any length of pipe casing or when a conductor pipe is set by being driven into the ground. See DEP Comments at 1. This interpretation predates Act 13 and the industry has been aware of this long standing position. Id.

DEP is the agency primarily responsible for implementing Chapter 32 of Act 13, which sets forth the permitting, financial responsibility, drilling, casing, reporting, plugging, and site restoration requirements for oil and gas wells. See DEP Comments at 1. Section 3211(f) of Act 13, 58 Pa.C.S. § 3211(f), requires operators to provide DEP with notice of the date that drilling will commence. Id. According to their comments, DEP interprets the date of drilling, or "spud date," as the date when "the drilling bit penetrates the surface of the land or when conductor pipe is begun to be set by being driven into the ground." Id. (emphasis added). Setting conductor pipe is one of the first steps in well construction. Id.

DEP further comments that spudding triggers a permit requirement under Act 13. See 58 Pa.C.S. § 3211(a) ("No person shall drill or alter a well . . . without having first obtained a well permit . . ."). DEP Comments at 2. DEP

<sup>2</sup>Vertical gas well" is defined in Act 13 as "an unconventional gas well which utilizes hydraulic fracture treatment through a single vertical well bore and produces natural gas in quantities greater than that of a stripper well." 58 Pa.C.S. § 2301.

"Stripper well" is defined as "an unconventional gas well incapable of producing more than 90,000 cubic feet of gas per day during any calendar month, including production from all zones and multi-lateral well bores at a single well, without regard to whether the production is separately metered." Id.

<sup>1</sup>PIOGA's and Seneca's comments were generally limited to supporting Anadarko's Petition.



states that “if setting conductor [pipe] does not constitute drilling a well, this activity would not necessitate a permit. If a permit is not required then the well site may be built and a wellbore commenced all without a permit from [DEP]. This is in direct conflict with Act 13’s requirements that a well permit be posted at the well site during site preparation, construction and the drilling, operating, and altering of the well. See 58 Pa.C.S. § 3211(a), (g).” Id. DEP argues that under Anadarko’s interpretation, a surface landowner would be deprived of the opportunity to object to well site location prior to development. See 58 Pa.C.S. §§ 3212, 3251. Id. DEP also alleges that Anadarko’s interpretation avoids the requirement to complete drilling with due diligence (58 Pa.C.S. § 3211(i)) or restore the well site if the site is constructed and the well is not drilled within 30 days of permit expiration. 25 Pa. Code § 78.65(2). Id.

Moreover, DEP comments that it worked with operators, including Anadarko, to ensure the accuracy of the list of spud unconventional wells it is required to develop and maintain. 58 Pa.C.S. § 2304. That list includes wells where only conductor pipe is set. DEP Comments at 2.

The final commentator, Matt Milliron, also opposes Anadarko’s interpretation of whether setting conductor pipe constitutes spudding, thus triggering the impact fee. Mr. Milliron comments that the impact fee was established to compensate both state and local governments for impacts created by drilling unconventional gas wells. See Milliron Comments at 1. Mr. Milliron details the steps in the gas well development process, and comments that each of those steps has varying impact to the state and local governments and local residents. Mr. Milliron comments that setting conductor pipe in the ground constitutes spudding since it is the start of the drilling process. Id. Mr. Milliron opines that operators in land lease agreements most assuredly would argue that they satisfy the deadline prescribed in the lease for spudding by setting conductor pipe. Id. at 2.

Having reviewed the Petition and comments, we find that setting conductor pipe into the ground constitutes spudding, thereby triggering the impact fee. We agree with DEP that “the actual start of drilling of an unconventional well” commences as soon as a drill bit penetrates the ground for the purpose of setting any length of casing or when a conductor pipe begins to be set by being driven into the ground. Setting conductor pipe penetrates the land surface and constitutes the start of drilling.

We also agree with DEP’s comments that Anadarko’s interpretation would be inconsistent with the permitting requirements found in Chapter 32 of Act 13 at 58 Pa.C.S. § 3211(a), which prohibits any well drilling absent having first obtained a well permit from DEP. Anadarko’s interpretation would also conflict with Act 13’s requirement that a well permit be posted at the well site during site preparation, well site construction and the drilling or alteration of the well, 58 Pa.C.S. §§ 3211(a) and (g). Additionally, Mr. Milliron’s comments, highlighting the nature of an impact fee, are persuasive from a policy viewpoint. Therefore, we find that the impact fee is triggered upon the start of drilling, which includes setting of conductor pipe.

We also reject Anadarko’s alternative argument that a conductor should be treated the same as a non-producing vertical well for impact fee purposes. Each unconventional gas well in Pennsylvania is permitted as either a horizontal or vertical well. That permit dictates the treatment of the well for impact fee purposes. If conductor pipe is set at a well permitted as a vertical unconven-

tional gas well, it will be treated as such for impact fee purposes. Similarly, if conductor pipe is set at a well permitted as a horizontal unconventional gas well, it will be treated as such for impact fee purposes. Act 13 contains no express language to support Anadarko’s position that a permitted horizontal unconventional well should be exempt from the impact fee if only conductor pipe has been set.

#### *Reclassification of Wells from Horizontal to Vertical.*

Anadarko next argues that unconventional gas wells that DEP reclassified from horizontal to vertical should be eligible for a redetermination of the applicable impact fee and that the Commission should provide reporting mechanisms to account for reclassification of wells from horizontal to vertical. Anadarko Petition at 5.

We agree with Anadarko that reclassification of wells from horizontal to vertical will affect the calculation of the impact fee. However, we do not believe that devising a separate reporting mechanism to account for reclassification is necessary, since an adequate mechanism is already in place by virtue of the annual producer report. See 58 Pa.C.S. § 2303(b).

Pursuant to Section 2303(b), each producer is required to file a list of wells with the Commission annually. Any disputes regarding classification should be identified in that report. The impact fee a producer submits to the Commission is based on the report that the producer files with the Commission. Moreover, the producer is required to pay only the amount as calculated by the annual report filed by the producer. As such, the producer self-reports its financial liability under Act 13.

To the extent there is a dispute regarding the accuracy of the producer’s report, the Commission will address that dispute via the dispute mechanism established at Sections 2307—2313 of Act 13, 58 Pa.C.S. §§ 2307—2313. These provisions will be enforced consistent with our general rules of practice and procedures found at 52 Pa. Code Chapters 1, 3, and 5. We note that we will utilize formal proceedings only after informal efforts reveal that a dispute cannot be resolved. Under these circumstances, we believe that an adequate mechanism is already in place to account for well reclassification.

Finally, there is one issue associated with reclassification that should be addressed involving the appropriate impact fee for a reclassified well. For a horizontal unconventional gas well, the impact fee accrues upon spudding or at the beginning of a calendar year for wells spud previously. For a vertical well, spudding does not trigger the impact fee, but rather satisfaction of required production levels is the relevant inquiry. See July 19, 2012 Reconsideration Order at 3. Recognizing the myriad of scenarios attendant to reclassification, we believe that a fair reading of Act 13 is that a reclassified well should pay the fee for a horizontal well in the reclassification year.<sup>3</sup>

The legislature recognized the greater impact occasioned by horizontal unconventional gas wells as compared to vertical unconventional gas wells. This variance is reflected by the different dollar amounts imposed by the impact fees associated with each type of well. Given this consideration, we believe that it is a fair result to require payment of the horizontal unconventional gas well impact fee for a well classified as such during any part of the year in which that well is otherwise subject to the fee.

<sup>3</sup>If there is an obvious classification or computational error by a producer, we will work to rectify that error.

*Fees that Cease Upon Plugging.*

Anadarko also comments that the impact fee should cease upon a well being plugged for the year in which it was plugged. Anadarko Petition at 6. In support of its argument, Anadarko cites Section 2302(e), 58 Pa.C.S. § 2302(e), which provides:

*Cessation.* Payments of the fee shall cease upon certification to the department by the producer that the unconventional gas well has ceased production and has been plugged according to the regulations established by the department.

Anadarko argues that the most reasonable interpretation of this provision is that fees cease and are not payable for the year in which wells are plugged. Anadarko Petition at 6.

Notwithstanding Anadarko's arguments, we find that the impact fee does not cease for the year in which a well is plugged. We agree with Anadarko that Section 2302(e) of Act 13 is not entirely clear as to the timing of cessation. However, as explained below, we believe that other provisions in Act 13, as well as the purpose of the impact fee itself, supports our interpretation.

Generally, Act 13 provides that an impact fee is triggered by spudding, regardless of when spudding occurred within a calendar year. Indeed, in our May 10, 2012 Implementation Order, we concluded that the initial impact fee is due and owing upon spudding, even if the well is subsequently plugged. Implementation Order at 8. This is the case even for a well that is spud and plugged in the same calendar year.

In the case of a vertical unconventional gas well, the fee is triggered and accrues at the moment the well meets minimum production criteria in a given calendar year. If a vertical well is later plugged during a year in which it had met that minimum production level, the fee is nonetheless payable since it had accrued upon that well meeting the production criteria set forth in Section 2301, 58 Pa.C.S. § 2301. This is consistent with Act 13's requirement that the impact fee is due and owing upon spudding, even if later plugged during the same calendar year.

As for a horizontal unconventional gas well, no similar minimum production criteria exists. Rather, the impact fee for a horizontal unconventional gas well is based on that well's status as a permitted horizontal well. Therefore, assuming the horizontal well was spud in a prior calendar year, the impact fee is triggered and accrues for that calendar year. This is the case for a well that is either plugged or not plugged during that calendar year.

Accordingly, when a horizontal well is plugged in a given year, the fee has already accrued for that year and triggers a payment obligation. The fee ceases in the calendar year following the year in which the well was plugged. Again, this interpretation is consistent with Act 13's requirement that the impact fee is due and owing upon spudding, even if later plugged during the same calendar year. To adopt Anadarko's interpretation would effectively make cessation retroactive, a result not envisioned by 58 Pa.C.S. § 2302(e).

Finally, we note that this interpretation is consistent with the purpose of an impact fee, which is to provide compensation to address the impacts created by drilling. For example, a well plugged at the end of a calendar year is similarly situated to a neighboring unplugged well in terms of impact. Responsibility for payment of an impact fee should reflect this comity. Additionally, a well plugged

in the beginning of a year will necessarily create impact by virtue of the plugging process and should logically be subject to an impact fee.

For the foregoing reasons, we find that the impact fee ceases for a plugged well for the calendar year following plugging, since the impact fee had already accrued for the year in which the well was plugged.

*Disputes and Refunds.*

Anadarko also requests that the Commission clarify the dispute process and associated enforcement proceedings for producers disputing well fees. See Anadarko Petition at 6. Anadarko suggests that a "fee dispute process is necessary and just rather than forcing Producers to pay significant fees for which good faith disputes exist, not knowing whether such fees will ever be refunded if paid, or be subject to mandatory fines if withheld. The process need not be complicated or lengthy, but simply should allow Producers to document and provide information to support their objections to well fees." Anadarko Petition at 6. Accordingly, Anadarko requests that the Commission "clarify the circumstances in which it will follow formal versus informal procedures to reduce the uncertainty surrounding enforcement risks." *Id.*

As noted earlier, a producer is required to file an annual report with the Commission detailing the number of spud unconventional gas wells for the previous calendar year. 58 Pa.C.S. § 2303(b). This report is due by April 1 of the following year. *Id.* Along with this report, a producer is to submit payment of the impact fee. *Id.* As discussed supra, the total impact fee amount for each producer is calculated from the report as compiled by each producer. *Id.* As such, the producer is self-reporting its liability under Act 13. Any disputes should be identified via the report. Accordingly, to the extent that there is a dispute regarding the accuracy of the producer's report, the Commission will address that dispute via the dispute mechanism established at Sections 2307—2313 of Act 13. See 58 Pa.C.S. §§ 2307—2313. Again, as explained supra, these provisions will be enforced consistent with the Commission's general rules of practice and procedures found at 52 Pa. Code Chapters 1, 3, and 5.

At the same time, we note that we will utilize formal proceedings only after informal efforts reveal that a dispute cannot be resolved. The Commission will always seek informal resolution for impact fee disputes prior to initiating formal proceedings. Based upon our experience in the inaugural year, we believe that this is a sound course. We further note that based on the statutory reporting/payment mechanism established by Act 13 that provides for producers to self-report their financial liability subject to subsequent Commission enforcement action if a dispute arises, we do not envision the situation where refunds would be required. Notably, Act 13 does not provide for a refund mechanism.

*Additional Matters.*

The issue of responsibility for payment of the impact fee has arisen where the producer for a particular well changes. This may occur, for example, where a producer transfers its interest to another producer. Pursuant to 58 Pa.C.S. § 2303(b), the impact fee imposed on a producer is due by April 1 of each year following the initial year (2012). By that date, each producer must submit the fee and a well report to the Commission. *Id.* The fee is derived from the submitted well report. *Id.* The well report is for the previous calendar year and includes the number of a producer's spud unconventional gas wells in

each municipality within each county that has imposed a fee, as well as the date each of those wells was spud or ceased production. Id.

Our interpretation of this provision is that the producer filing the report is responsible for paying the impact fee. 58 Pa.C.S. § 2303(b) provides that the liability for fee payment attaches to the producer who is responsible for filing the report. To the extent a particular producer, responsible for filing the report, acquired its interest in the well before an annual report is filed that would have included the subject well, that producer is required to include that well in its report and pay the fee for that well. The fee is imposed on the producer via each well the producer includes on its report. Obviously, producers can proportion this fee among themselves in a private agreement involving a particular well. However, the responsibility for payment of the fee to the Commission lies with the producer filing the report with the Commission. Id.

#### *Annual Municipality Approved Budget Report*

In our Reconsideration Order issued July 19, 2012, Docket No. M-2012-2288561, we determined that 58 Pa.C.S. § 2314(e) requires a municipality to file a Municipality Approved Budget Report (Budget Report) annually with the Commission. See Reconsideration Order, pp. 6—9. Generally, the Budget Report reflects a municipality's final approved budget for the prior fiscal year. In our Implementation Order entered May 10, 2012, we established July 6, 2012 as the deadline for filing the initial Budget Report for fiscal year 2010. However, we did not establish due dates for future years.

Upon further consideration, we will establish March 1 of each year as the deadline for submission of the prior year's final approved Budget Report, with one notable exception. For the upcoming year's deadline, March 1, 2013, the municipal Budget Reports for both 2011 and 2012 must be filed with the Commission. This double filing is the result of the timing necessitated by Act 13. In subsequent years, only the prior year's final approved Budget Report will be due. For example, the municipal Budget Report for 2013 is due by March 1, 2014. Municipalities that fail to properly file the Budget Report will be limited to a \$500,000 CPI adjusted maximum distribution. 58 Pa.C.S. § 2314(e).

Finally, we note that currently the Budget Reports must be filed in hard copy or via e-mail, as provided on the official Commission Budget Report Form. We anticipate that electronic filing will be available next year. We will provide updates on this development through our web site; *Therefore,*

#### *It Is Ordered That:*

1. Anadarko's Petition for Amendment and Clarification is Granted in part and Denied in part, consistent with this Order.
2. Setting conductor pipe constitutes spudding for Act 13 impact fee purposes.
3. The impact fee ceases for a plugged well for the calendar year following plugging pursuant to 58 Pa.C.S. § 2302(e).
4. Well reclassification will be treated consistent with this Order.
5. In the case of transfers, the producer filing the annual report is responsible for paying the impact fee pursuant to 58 Pa.C.S. § 2303.
6. Municipalities must file their Municipality Approved Budget Report for both 2011 and 2012 with the Commission on or before March 1, 2013.

7. Beginning in 2014, municipalities must file the prior year's Municipality Approved Budget Report with the Commission on or before March 1 of each year.

8. A copy of this Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov).

A copy of this Order shall be served on Anadarko E&P Company LP, the Pennsylvania Department of Environmental Protection, Seneca Resources Corporation, the Pennsylvania Independent Oil & Gas Association, Matt Milliron, and Talisman Energy USA Inc.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-32. Filed for public inspection January 4, 2013, 9:00 a.m.]

### **Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standards for the Participation of Demand Side Management Resources—Technical Reference Manual 2013 Update; Doc. No. M-2012-2313373**

#### **Implementation Order**

The Pennsylvania Public Utility Commission (Commission) on December 20, 2012, adopted the 2013 version of the Energy-Efficiency and DSM Rules for Pennsylvania's Alternative Energy Portfolio Standard, Technical Reference Manual (TRM). A copy of the Order, the TRM and the TRM appendices can be found on the Commission's website as follows:

Order: <http://www.puc.pa.gov/pcdocs/1205387.docx>

TRM: <http://www.puc.pa.gov/pcdocs/1205383.docx>

Appendix C: <http://www.puc.pa.gov/pcdocs/1205405.xls>

Appendix D: <http://www.puc.pa.gov/pcdocs/1205397.xls>

Appendix E: <http://www.puc.pa.gov/pcdocs/1205380.xlsx>

In implementing the Alternative Energy Portfolio Standards Act (73 P.S. §§ 1648.1—1648.8), the Commission had initially adopted the TRM on October 3, 2005. Subsequently, in the Energy Efficiency and Conservation (EE&C) Program Implementation Order, entered on January 16, 2009 at Doc. No. M-2008-2069887, the Commission adopted the TRM as a component of the EE&C Program evaluation process. In that Implementation Order, the Commission also noted that the TRM will need to be updated and expanded to fulfill the requirements of the EE&C Program.

In the Order entered June 1, 2009, at Doc. No. M-00051865, the Commission directed that the TRM be updated on an annual basis. The Commission's adoption of the 2013 TRM concludes the current annual update to the TRM.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-33. Filed for public inspection January 4, 2013, 9:00 a.m.]



## Natural Gas Service

**A-2012-2339763. Fink Gas.** Application of Fink Gas for approval to provide natural gas service to the public situated along Camp, Foster's Mill and Ridge Roads in Armstrong County, in the Township of Sugarcreek.

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 January 22, 2013. 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:* Fink Gas

*Through:* Claude J. Fink, Jr., 274 State Route 4017, Cowansville, PA 16218

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-34. Filed for public inspection January 4, 2013, 9:00 a.m.]

## Petition of the Borough of Doylestown

Public Meeting held  
December 20, 2012

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

*Petition of the Borough of Doylestown for a Declaratory Order that the Provision of Water Service to Isolated Customers in Doylestown Township and Buckingham Township Does Not Constitute Provision of Public Utility Service Under 66 Pa.C.S. § 102; Doc. No. P-2012-2327809*

### Tentative Order

*By the Commission:*

On September 28, 2012, the Borough of Doylestown (the Borough or Doylestown), filed the above-captioned petition (Petition) for a declaratory order. In accordance with 52 Pa. Code § 5.42, the Borough served a copy of its petition on the Office of Consumer Advocate (OCA), the Office of Trial Staff (OTS),<sup>1</sup> and the Office of Small Business Advocate (OSBA). None of the above-mentioned parties filed answers to Doylestown's petition.

Section 331(f) of the Public Utility Code provides that the Commission "may issue a declaratory order to terminate a controversy or remove uncertainty." 66 Pa.C.S. § 331(f). In its petition, the Borough seeks a determination that its provision of water service to eighteen extraterritorial customers does not make the water service subject to the Commission's jurisdiction. The Borough asserts that the service it provides to these eighteen customers is not service "to or for the public" within the meaning of Section 102 of the Public Utility Code. 66 Pa.C.S. § 102.

<sup>1</sup>Due to recent restructuring at the Commission, OTS is now part of the Commission's Bureau of Investigation and Enforcement (hereinafter "I&E").

In its petition, the Borough states that the Borough provides public water to all properties within its municipal boundaries. In addition, the Borough directly bills eighteen customers outside its municipal boundaries at the same rates of service as the 3,112 customers that reside inside Borough boundaries. The Borough notes that the eighteen extraterritorial customers consist of three commercial customers in Doylestown Township, eight commercial customers in Buckingham Township, and seven residential customers in Buckingham Township. Petition at 1-2.

The Borough states that it had been complying with the Commission's reporting and tariff requirements until advised by a prior solicitor that the Borough was not subject to the Commission's jurisdiction due to the extremely limited nature of the extraterritorial service. However, the jurisdictional status of service provided to the eighteen extraterritorial customers remains uncertain. Petition at 2-3. Under these circumstances, we agree that it is appropriate to issue a Declaratory Order in response to this petition.

The Borough avers that the tariff and reporting requirements are unreasonably burdensome for the Borough to meet and notes that the Borough is a small political subdivision with a limited staff. The Borough seeks to avoid these requirements while retaining the ability to continue providing water service to the existing extraterritorial customers. Petition at 3-4.

In its petition, the Borough alleges that all of the eighteen extraterritorial customers are directly contiguous to the Borough. The extraterritorial customers, who make up 0.6% of the customer base, have been receiving public water from the Borough since their geographic location makes it impractical for the customers to receive water service from their respective municipalities. The last of the extraterritorial customers was connected to the Borough's public water system in 2000. To date, the Borough has never received any complaint regarding the provision of service or rates charged to any of the extraterritorial customers. Petition at 2.

The Borough provides further support of its Petition through Resolution 2012-9, attached as Exhibit C to its Petition, whereby the Borough resolved that "the Borough will apply the same rates, terms and conditions to all customers, both inside and outside the Borough's municipal boundaries." Resolution 2012-9 also provides that the Borough "will not, unless directed by a Pennsylvania regulatory agency, permit any new customer connections beyond its municipal boundaries without prior approval of the Commission." Petition, Exhibit C. The August 20, 2012 Borough Resolution also states that the Borough will not repeal or sunset the commitments in the aforementioned resolution without advising the Commission in writing. The Borough made such commitments to ensure that the Borough will not provide water service to the general public, but only to Borough residents and the limited customers contiguous to the Borough for whom public water service would otherwise be prohibitively difficult. Id.

In support of its petition, the Borough cites *Lehigh Valley Cooperative Farmers v. City of Allentown*, 54 PaPUC 495 (1980), wherein the Commission concluded that service to a number of isolated individuals outside of the municipal boundaries under special circumstances did not constitute public utility service subject to the Commission's jurisdiction.

In *Lehigh Valley*, the Commission reiterated that the test to determine whether a party is rendering service to



the public is set forth in *Borough of Ambridge v. Pa. Public Service Commission*, 165 A. 47 (Pa. Super. 1933). In *Ambridge*, the Commission noted,

We find the distinction between public and private rendition of such service put definitely on the readiness to serve all members of the public to the extent of capacity: The test is, therefore whether or not such person holds himself out, expressly or impliedly, as engaged in the business of supplying his product or service to the public, as a class, or to any limited portion of it, as contradistinguished from holding himself out as serving or ready to serve only particular individuals. The public or private character of the enterprise does not depend, however, upon the number of persons by whom it is used, but upon whether or not it is open to the use and service of all members of the public who may require it, to the extent of its capacity; and the fact that only a limited number of persons may have occasion to use it does not make it a private undertaking if the public generally has a right to such use.

See also, Petition of Chicora Borough, Docket No. P-00981355 (May 22, 1998); and *Drexelbrook Assoc. v. PaPUC*, 212 A.2d 237, 240 (Pa. 1965) (service to a defined, privileged, and limited group is not public utility service).

The Commission also applied the same rationale in Joint Application of Seven Fields Development Corporation, Docket No. A-220007 and A-210062F2000 (Oct. 1, 1999). In Seven Fields, the Commission noted that the Borough of Seven Fields committed to continue providing water service solely to three customers at the same terms of service as offered to customers within the boundaries of the borough. As in this instant case, the borough presented an affidavit demonstrating intent not to offer service to the general public outside of its boundaries in the future. *Id.*

Similarly, and more recently, in Petition of Laceyville Borough, Docket No. P-2008-2064117 (2008), the Commission determined that service limited to seventeen customers outside the Laceyville Borough limits did not constitute public utility service. In Petition of Cochranon Borough for a Declaratory Order, Docket No. P-2008-2035741 (2009), the Commission determined that service limited to seventy-five customers outside the Cochranon Borough limits did not constitute public utility service. Even more recently, in Petition of the Borough of Sandy Lake, Docket No. P-2011-2224488 (2011), the Commission determined that service limited to twenty-three customers outside Sandy Lake Borough limits did not constitute public utility service. In each of these cases, service to the public was not defined by the number of customers served outside the municipal boundaries. Rather, a determination of public utility service turned on whether the municipality held itself out as ready to serve to the general public, as opposed to a limited and defined group. Doylestown's petition in this proceeding comports with these three recent proceedings, and therefore Doylestown's petition should be resolved on a similar basis.

In applying the standards enunciated in Seven Fields, Laceyville, Cochranon, and Sandy Lake to the facts of the present case, we tentatively find that the limited extraterritorial service provided by the Borough of Doylestown is not subject to the Commission's jurisdiction. The Borough provides extraterritorial service to a very limited number of customers who are geographically contiguous to the Borough and who would have difficulty obtaining water service elsewhere. The Borough will

provide service to the eighteen extraterritorial customers at the same rates, terms, and conditions as customers within the Borough's geographic boundaries. Moreover, the Borough clearly states that it will not permit any new customer connections beyond its municipal boundaries without the prior approval of the Commission. Such service does not constitute the extraterritorial provision of water service to or for the public. We note our expectation that an express condition of this exemption is that the Borough continue to apply the same rates, terms, and conditions of water service outside and within the Borough's geographic boundaries.

Still, we will not cancel the operating authority of the Borough of Doylestown without allowing for an additional opportunity for comment. Parties may file adverse comments with the Commission no later than twenty days after publication of this Order in the *Pennsylvania Bulletin*.

Under these circumstances, and absent any contrary responses from concerned parties, no certificate of public convenience is needed by the Borough and this Commission will cancel the operating authority issued to the Borough of Doylestown; *Therefore*,

*It Is Ordered That:*

1. The Petition for Declaratory Order filed by the Borough of Doylestown on September 18, 2012, at Docket No. P-2012-2327809 is hereby granted tentatively, consistent with this Order.

2. The provision of water service by the Borough of Doylestown to the eighteen customers located outside of the Borough's boundaries tentatively is deemed to be non-jurisdictional because it is not service "to or for the public" within the meaning of Section 102 of the Public Utility Code, 66 Pa.C.S. § 102.

3. A copy of this Order shall be served upon the Office of Consumer Advocate, the Bureau of Investigation and Enforcement, the Office of Small Business Advocate, the Borough of Doylestown, and upon each of the Borough's eighteen extraterritorial customers.

4. The Secretary shall certify this Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

5. The Borough of Doylestown is directed to publish in a newspaper of general circulation in the Doylestown area, notice of this Tentative Order and of the Commission's intent to cancel the Borough of Doylestown's certificate of public convenience absent adverse public comment within the twenty-day time constraint established in the *Pennsylvania Bulletin*.

6. If no objection to this Order is filed with the Commission within twenty days of the publication date in the *Pennsylvania Bulletin*, this Order shall become final, and the Commission's Secretary's Bureau shall cancel the operating authority of the Borough of Doylestown and mark this file as closed. The Secretary's Bureau then shall remove the Borough of Doylestown from the active lists of the Tariff and Annual Report Section of the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administrative Services.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-35. Filed for public inspection January 4, 2013, 9:00 a.m.]

## Telecommunications

**A-2012-2339281. United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and XO Communications Services, Inc.** Joint petition of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and XO Communications Services, Inc. for approval of an amendment to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Joint petition of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and XO Communications Services, Inc., by its counsel, filed on December 17, 2012, at the Pennsylvania Public Utility Commission (Commission), a joint petition for the approval of an amendment to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and XO Communications Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-36. Filed for public inspection January 4, 2013, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v. Vu Maria Garcia, t/d/b/a Maria Dominican Unisex Salon**

On July 9, 2012, Maria Garcia, t/d/b/a Maria Dominican Unisex Salon license no. CB120765, of Philadelphia, Philadelphia County, was issued a civil penalty of \$2,700 based on failure to designate a licensee to be charge in owners absence, salon license not displayed, practicing on an expired salon license, unlicensed individuals providing cosmetology services, no clock timer, insufficient combs and brushes, failed to have a closed container for sanitized implements, no fire extinguisher within the salon and insufficient number of towels per station as required by State Board of Cosmetology (Board) regulation.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the Board's final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 13-37. Filed for public inspection January 4, 2013, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Stacey L. Grazioli, individually, and t/d/b/a Grazioli House of Style**

On July 13, 2012, Stacey L. Grazioli, individually, and t/d/b/a Grazioli House of Style, license Nos. CT015825L and CB118321, of Ridgway, Elk County, was ordered to pay civil penalties of \$2,000 because she practiced cosmetology while her cosmetology teacher license was suspended and operated a cosmetology salon while its license was lapsed.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Board of Cosmetology's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY LOU ENOCHES,  
*Chairperson*

[Pa.B. Doc. No. 13-38. Filed for public inspection January 4, 2013, 9:00 a.m.]

## STATE BOARD OF DENTISTRY

**Revocation of the License of Paul Rotwein, Temporary; Doc. No. 1617-46-2011**

On September 25, 2012, Paul Rotwein, of New York and Seattle, WA, had his Pennsylvania license no. DS023855L revoked and was assessed a civil penalty of \$10,000, based on disciplinary action taken by the proper licensing authority of another state and failure to report the action within 90 days.

Individuals may obtain a copy of the adjudication by writing to Sabina I. Howell, Board Counsel, State Board of Dentistry, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Board of Dentistry's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a

copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

PHILIP T. SIEGEL, D.D.S.,  
*Chairperson*

[Pa.B. Doc. No. 13-39. Filed for public inspection January 4, 2013, 9:00 a.m.]

**STATE BOARD  
OF NURSING**

**Bureau of Professional and Occupational Affairs v.  
Aaron L. Negron; Doc. No. 1757-51-2012**

On October 19, 2012, Aaron L. Negron, license no. PN291977, of Philadelphia, Philadelphia County, was suspended under the Order of the Court of Common Pleas of Philadelphia County dated September 20, 2012, 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 Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 13-40. Filed for public inspection January 4, 2013, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Chrystal Dawn Walters; Doc. No. 1759-51-2012**

On October 9, 2012, Chrystal Dawn Walters, license no. PN268295, of Clarksville, Washington County, was suspended under the Order of the Court of Common Pleas of Greene County dated September 18, 2012, 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 Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 13-41. Filed for public inspection January 4, 2013, 9:00 a.m.]

**STATE TAX  
EQUALIZATION BOARD**

**2011 Common Level Ratios**

The State Tax Equalization Board has established a Common Level Ratio for each county in the Commonwealth for the calendar year 2011. The ratios were mandated by Act 267-1982.

The law requires the State Tax Equalization Board to use statistically acceptable techniques, to make the methodology for computing ratios public and to certify, prior to July 1, the ratio to the Chief Assessor of each county each year.

The statistical acceptable technique which the Board used for the 2011 Common Level Ratio is to determine the arithmetic mean of the individual sales ratios for every valid sale received from the county for the calendar year 2011.

The methodology used is to include every valid sale and compute an average mean. Using this average mean as a base, the State Tax Equalization Board has defined high and low limits by multiplying and dividing this computed average mean by 4. After the high and low limits are defined; the extreme upper sales ratio limit is 200%. Using these computed limits, the State Tax Equalization Board has utilized the valid sales, rejecting those sales, which exceed the limits. The resulting arithmetic mean ratio is the ratio which the State Tax Equalization Board is certifying as the Common Level Ratio for each county for 2011.

The Common Level Ratios for 2011 are as follows.

JAMES A. ZURICK, Esq.,  
*Chairperson*

**2011 COMMON LEVEL RATIOS**

| <i>County</i> | <i>CLR</i> |
|---------------|------------|
| *Adams        | 118.1%     |
| *Allegheny    | 85.7%      |
| Armstrong     | 41.6%      |
| Beaver        | 34.1%      |
| *Bedford      | 78.0%      |
| *Berks        | 77.9%      |
| *Blair        | 16.7%      |
| Bradford      | 33.3%      |
| *Bucks        | 10.8%      |
| *Butler       | 17.0%      |
| *Cambria      | 34.4%      |
| Cameron       | 43.2%      |
| Carbon        | 45.8%      |
| Centre        | 28.8%      |
| *Chester      | 59.0%      |
| Clarion       | 34.6%      |
| Clearfield    | 20.2%      |
| *Clinton      | 96.9%      |
| Columbia      | 27.8%      |
| Crawford      | 41.1%      |
| *Cumberland   | 100.6%     |
| *Dauphin      | 72.6%      |
| *Delaware     | 72.0%      |
| Elk           | 46.3%      |
| *Erie         | 85.0%      |
| *Fayette      | 79.7%      |
| Forest        | 28.1%      |
| *Franklin     | 14.2%      |

NOTICES

| <i>County</i>   | <i>CLR</i> | <i>County</i>  | <i>CLR</i> |
|-----------------|------------|--|------------|
| *Fulton         | 39.0%      | Pike   | 24.7%      |
| *Greene         | 73.9%      | *Potter  | 36.7%      |
| **Huntingdon    | 26.9%      | Schuylkill   | 46.6%      |
| *Indiana        | 17.8%      | *Snyder  | 20.7%      |
| *Jefferson      | 52.0%      | Somerset   | 40.8%      |
| *Juniata        | 18.4%      | *Sullivan  | 64.9%      |
| *Lackawanna     | 19.3%      | Susquehanna  | 32.7%      |
| *Lancaster      | 78.8%      | *Tioga   | 73.5%      |
| *Lawrence       | 96.8%      | *Union   | 83.2%      |
| *Lebanon        | 16.3%      | *Venango   | 94.1%      |
| Lehigh          | 35.6%      | Warren   | 35.7%      |
| *Luzerne        | 109.4%     | Washington   | 14.7%      |
| *Lycoming       | 80.0%      | *Wayne   | 84.3%      |
| *McKean         | 89.9%      | *Westmoreland  | 22.7%      |
| *Mercer         | 36.1%      | Wyoming  | 20.0%      |
| Mifflin         | 55.7%      | *York  | 86.5%      |
| Monroe          | 19.4%      |  |            |
| *Montgomery     | 62.0%      | ^ Updated 12/20/2012   |            |
| *Montour        | 86.2%      | **PDR Change 40% to 80%  |            |
| Northampton     | 37.5%      | *Counties with a Predetermined Assessment Ratio of                             |            |
| *Northumberland | 27.9%      | 100%   |            |
| *Perry          | 100.5%     | [Pa.B. Doc. No. 13-42. Filed for public inspection January 4, 2013, 9:00 a.m.] |            |
| ^Philadelphia   | 30.6%      |  |            |



