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PENNSYLVANIA BULLETIN

Volume 42

Number 16

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Pages 2179—2260

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Department of Conservation and Natural
Resources

Department of Environmental Protection

Health Care Cost Containment Council

Independent Regulatory Review Commission

Insurance Department

Legislative Reference Bureau

Milk Marketing Board

Pennsylvania Public Utility Commission

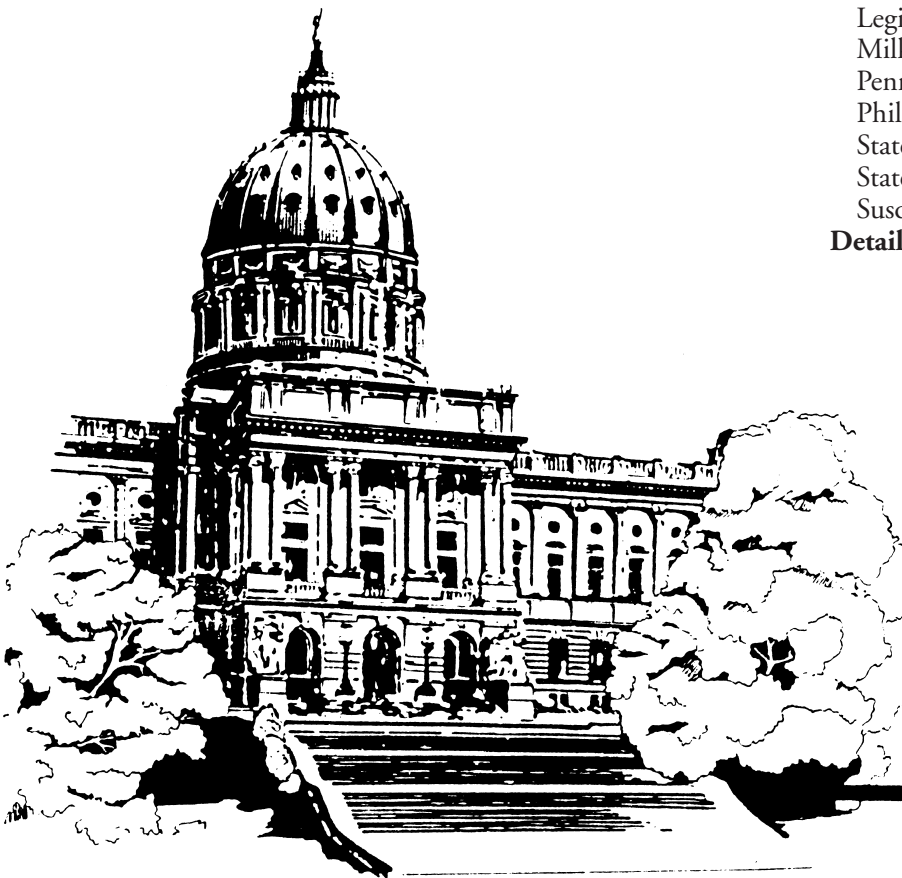
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State Board of Cosmetology

State Board of Education

Susquehanna River Basin Commission

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

No. 449, April 2012

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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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 2012.

4 Pa. Code (Administration)

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7 Pa. Code (Agriculture)

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22 Pa. Code (Education)

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25 Pa. Code (Environmental Protection)

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 81 AND 83]

Amendment of Rules 219(a) and 502(b) of the Rules of Disciplinary Enforcement and Rule 1.15(u) of the Rules of Professional Conduct; No. 108 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 9th day of April, 2012, it is hereby Ordered that:

(1) Rules 219(a) and 502(b) of the Pennsylvania Rules of Disciplinary Enforcement are amended in the following form;

(2) Rule 1.15(u) of the Pennsylvania Rules of Professional Conduct is amended in the following form;

(3) These amendments shall only be effective for the 2012-13 assessment and thereafter shall revert to the provisions effective for the 2011-12 assessment; and

(4) Pursuant to Rule 103 of the Pennsylvania Rules of Judicial Administration, the immediate amendment of Rules 219(a) and 502(b) of the Pennsylvania Rules of Disciplinary Enforcement and Rule 1.15(u) of the Pennsylvania Rules of Professional Conduct is required in the interest of efficient administration.

This Order shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration and shall be effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

CLIENT—LAWYER RELATIONSHIP

* * * * *

Rule 1.15. Safekeeping Property.

* * * * *

(u) Every attorney who is required to pay an active annual assessment under Rule 219 of the Pennsylvania Rules of Disciplinary Enforcement (relating to periodic assessment of attorneys; voluntary inactive status) shall pay an additional annual fee of [\$25.00] \$35.00 for use by the IOLTA Board. Such additional assessment shall be added to, and collected with and in the same manner as,

the basic annual assessment, but the statement mailed by the Attorney Registration Office pursuant to Rule 219 shall separately identify the additional assessment imposed pursuant to this subdivision. All amounts received pursuant to this subdivision shall be credited to the IOLTA Board.

* * * * *

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 219. Periodic assessment of attorneys; voluntary inactive status.

(a) Every attorney admitted to practice law in this Commonwealth shall pay an annual fee of [\$135.00] \$130.00 under this rule. The annual fee shall be collected under the supervision of the Attorney Registration Office, which shall send and receive, or cause to be sent and received, the notices and forms provided for in this rule. The said fee shall be used to defray the costs of disciplinary administration and enforcement under these rules, and for such other purposes as the Board shall, with the approval of the Supreme Court, from time to time determine.

* * * * *

Subchapter E. PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY

GENERAL PROVISIONS

Rule 502. Pennsylvania Lawyers Fund for Client Security.

* * * * *

(b) *Additional assessment.* Every attorney who is required to pay an active annual assessment under Rule 219 (relating to periodic assessment of attorneys; voluntary inactive status) shall pay an additional annual fee of [\$40.00] \$35.00 for use by the Fund. Such additional assessment shall be added to, and collected with and in the same manner as, the basic annual assessment, but the statement mailed by the Attorney Registration Office pursuant to Rule 219 shall separately identify the additional assessment imposed pursuant to this subdivision. All amounts received pursuant to this subdivision shall be credited to the Fund.

* * * * *

[Pa.B. Doc. No. 12-726. Filed for public inspection April 20, 2012, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Corporate Sureties and Professional Bondsmen; Administrative Order No. 01 of 2012

Order

And now, this 3rd day of April, 2012, upon consideration of the Pretrial Justice Institute's February 2011

Report titled "Assessment of Pretrial Services in Philadelphia" and the July 2011 Interim Report of The Reform Initiative: First Judicial District Criminal Courts, Commonwealth of Pennsylvania, and the sources cited therein, the Court takes judicial notice that:

a) in excess of thirty (30%) per cent of defendants scheduled for hearings in the Criminal Divisions of the Court of Common Pleas and Municipal Court fail to appear at least once for their scheduled hearings or trials;

b) approximately 61,000 bench warrants were outstanding at the beginning of 2010, for the arrest of defendants who failed to appear as noted above, some having been issued as long as fifty years before (the majority of defendants had been fugitives for at least one year), and the current number of outstanding bench warrants issued for the arrest of defendants who failed to appear for their scheduled hearing or trial is still substantial;

c) the First Judicial District ("District") lacks the resources to serve all bench warrants and to apprehend all defendants who fail to appear for their scheduled criminal hearings or trials;

d) the District, at the request and with financial support from the City of Philadelphia, has committed additional personnel and resources to increase the number of electronic monitoring devices used to monitor defendants' whereabouts, as well as to monitor compliance with defendants' bail or parole requirements;

e) the District is aware that many defendants fail to comply with their reporting requirements and other release conditions and the number of defendants being monitored by the District will limit the District's ability to apprehend defendants who fail to appear for their scheduled criminal hearings or trials and the effective enforcement of the violations of their release conditions; and

f) the Court is committed to exploring alternatives to the current bail enforcement efforts by more fully utilizing the services of professional bail bondsmen and corporate sureties who are more extensively utilized in other counties throughout Pennsylvania.

Now, therefore, it is hereby *Ordered, Adjudged and Decreed* as follows:

1) Section of 3.(A)(4) of Joint General Court Regulation No. 2006-02 is amended to read as follows:

(4) post with the Prothonotary as security the sum of \$100,000 in United States currency or unencumbered securities of the United States Government, which will entitle the Professional Bondsman to post bond in the aggregate sum of \$1,000,000.00, and by further posting the sum required for each individual bond or undertaking with the bail authority. Provided, however, that the Professional Bondsman must post additional security with the Prothonotary in the event the Professional Bondsman intends to post bond in excess of \$1,000,000. The additional security to be posted with the Prothonotary must be in units of \$200,000 which will entitle the Professional Bondsman to post bond in the additional sum of \$5,000,000 per unit;

2) Section of 3.(B)(6) of Joint General Court Regulation No. 2006-02 is amended to read as follows:

(6) not post bonds if the aggregate maximum amount of unsettled and outstanding bail forfeitures, as determined by the Court Administrator of the First

Judicial District, or the Court Administrator's designee, equals or exceeds the authorized amounts calculated as provided above. The Court Administrator . . .

3) Section of 3.(A)(6) of Joint General Court Regulation No. 2006-03 is amended to read as follows:

(6) post with the Prothonotary as security the minimum sum of \$100,000 in United States currency or unencumbered securities of the United States Government, which will entitle the corporate surety to post bond in the aggregate sum of \$1,000,000, and by further posting the sum required for each individual bond or undertaking with the bail authority. Provided, however, that the corporate surety must post additional security with the Prothonotary in the event the corporate surety intends to post bond in excess of \$1,000,000. The additional security to be posted with the Prothonotary must be in units of \$200,000 which will entitle the corporate surety to post bond in the additional sum of \$5,000,000 per unit;

4) Section of 3.(B)(6) of Joint General Court Regulation No. 2006-03 is amended to read as follows:

(6) not post bonds if the aggregate maximum amount of unsettled and outstanding bail forfeitures, as determined by the Court Administrator of the First Judicial District, or the Court Administrator's designee, equals or exceeds the authorized amounts calculated as provided above. The Court Administrator . . .

5) The Petition filed pursuant to Section 4. of Joint General Court Regulations No. 2006-02 and 2006-03 to secure court approval to post bail in the First Judicial District as a professional bondsman and corporate surety shall be assigned for disposition to the Chair of the Administrative Governing Board of the First Judicial District.

6) Joint General Court Regulation No. 2006-02 is amended by the addition of a new Section 9 which shall read as follows:

9. Review and Monitoring by the District Attorney. The District Attorney of Philadelphia shall be served with a copy of any petition filed pursuant to this Joint General Court Regulation and shall have the continuing power to investigate the qualifications, training, character, and integrity of any Professional Bondsman who seeks leave of court to post bail for criminal defendants as provided in this Regulation, as well as the business practices and business methods of any person who has been approved to post bail as a Professional Bondsman in Philadelphia County and may, as appropriate, request, for good cause, denial or revocation of permission to post bail for criminal defendants in Philadelphia County.

Each applicant or licensee shall provide to the District Attorney such information as may be required concerning his business practices or business methods, or proposed business practices or methods, as a Professional Bondsman.

7) Joint General Court Regulation No. 2006-03 is amended by the addition of a new Section 9 which shall read as follows:

9. Review and Monitoring by the District Attorney. The District Attorney of Philadelphia shall be served with a copy of any petition filed pursuant to this Joint General Court Regulation and shall have the continuing power to investigate the qualifications, training, character, and integrity of any Corporate

Surety that seeks leave of court to post bail for criminal defendants as provided in this Regulation, as well as the business practices and business methods of any Corporate Surety and its Agents who have been approved to post bail as Corporate Surety of as an Agent for the Corporate Surety in Philadelphia County and may, as appropriate, request, for good cause, denial or revocation of permission to post bail for criminal defendants in Philadelphia County.

Each applicant or licensee shall provide to the District Attorney such information as may be required concerning its business practices or business methods, or proposed business practices or methods, as a Corporate Surety.

All other terms and provisions of Joint General Court Regulations No. 2006-02 and 2006-03 shall remain in full force and effect.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1; and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended. As required by Pa.R.Crim.P. No. 105 (D), this Order has been submitted to the Supreme Court's Criminal Procedural Rules Committee for review and written notification has been received from the Committee certifying that this Order is not inconsistent with any general rule of the Supreme Court. This Order shall be filed with the Prothonotary and the Clerk of Courts in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and, as required by Pa.R.Crim.P. No. 105(E), two certified copies of this Order and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. This Order will become effective immediately. As required by Pa.R.Crim.P. No. 105 (F) one certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts and will also be published on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx> and posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE JOHN W. HERRON,
Administrative Judge, Trial Division

[Pa.B. Doc. No. 12-727. Filed for public inspection April 20, 2012, 9:00 a.m.]

PHILADELPHIA COUNTY

Payment of Court Appointed Counsel for Indigent Representation—Fiscal Year 2013 (July 1, 2012 to June 30, 2013) and Thereafter; Administrative Order No. 02-2012

Order

And Now, this 3rd day of April 2012, the court finds as follows:

a) The Public Defender Act (which became effective on January 1, 1969) establishes the office of public defender,

selected by the county commissioners, whose salary is set by the county's salary board, and who is responsible to furnish legal counsel to any person in certain types of cases who lacks sufficient funds to obtain legal counsel. The Public Defender Act authorizes the appointment of an attorney other than the public defender to represent a party, for cause (i.e. conflict of interest in representation) either at the request of the public defender or by the court. When so appointed, the attorney "shall be awarded reasonable compensation, and reimbursement for expenses necessarily incurred, to be fixed by the judge . . . and *paid by the county.*" 16 P.S. § 9960.1, et seq.; § 9960.7 (emphasis supplied);

b) The Public Defender Act does not apply to Philadelphia County. Rather, a non-profit corporation, the Defender Association of Philadelphia, has provided legal representation to indigent persons since 1934, and is funded by the City of Philadelphia on an annual basis through a Legal Services Provider Agreement, the first such agreement having been entered on January 28, 1969 and was designed to provide the same types of services covered by the Public Defender Act. The Legal Services Provider Agreement specifically provides that the Defender Association shall not provide legal representation where such representation would constitute a conflict of interest under the Pennsylvania Rules of Professional Responsibility, and in those cases, the appointments are made by the court pursuant to general rules of court; and

c) at the request of the Administrative Governing Board of the First Judicial District of Pennsylvania ("AGB") appointed by the Supreme Court of Pennsylvania to, inter alia, develop appropriate budget for the First Judicial District ("District") and to negotiate the budget needs of the District with the City of Philadelphia as the District's funding authority, the District's Court Administrator communicated the AGB's decision to the City of Philadelphia on and after September 16, 2011 that commencing with Fiscal Year 2013, the Budget of the District not include any sum for indigent representation since payment for indigent representation is a City of Philadelphia obligation.

Now, therefore, in order to implement the decision of the Administrative Governing Board, it is hereby *Ordered, Adjudged* and *Decreed* that effective with any counsel fee petition approved for payment on or after July 1, 2012 and any fee petitions approved for payment before July 1, 2012 but for which payment is not issued to the court-appointed counsel before July 1, 2012, shall be forwarded to the Treasurer of the City of Philadelphia so that payment can be issued to the court-appointed counsel directly by the City of Philadelphia, in light of the fact that compensation to counsel appointed to represent indigent persons, and related expenses, are a "charge upon the county in which the person is charged," i.e., Philadelphia County.

It is further *Ordered, Adjudged* and *Decreed* that:

1) all District counsel fee petitions and other forms which contain instructions regarding payment to court appointed counsel shall be revised, and are deemed to have been revised, to reflect that commencing on July 1, 2012, upon approval of the amount to be paid, payment to court appointed counsel shall be made by the City of Philadelphia directly to the court-appointed counsel. The District's Counsel Fee Department shall send an electronic copy of any fee petition approved for payment to the Treasurer of the City of Philadelphia or the Treasurer's designee;

2) questions regarding the status of the payment of any District approved fee petition are to be referred to the Treasurer of the City of Philadelphia or the Treasurer's designee; and

3) should the District's Budget for Fiscal Year 2013 as approved by the City of Philadelphia as funding authority for the District include any sum which has been earmarked in any way for payment of court-appointed counsel, the District will refuse to accept same.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1; and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended, and shall become effective immediately. This Order shall be filed with the Prothonotary and the Clerk of Courts in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and certified copies of this Order and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts and will also be published on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx> and posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE JOHN W. HERRON,
Administrative Judge, Trial Division

[Pa.B. Doc. No. 12-728. Filed for public inspection April 20, 2012, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONROE COUNTY

Administrative Order Designating the District Court Administrator under Pa.R.J.C.P. 1604(B) to Receive Reports Regarding Adjustment, Progress and Condition of a Child; No. 5 CV 12 Admin. No. 33

Order

And Now, this 12th day of March, 2012, pursuant to Pa.R.J.C.P. 1604(B) and 42 Pa.C.S. § 6336.1(b), it is *Ordered* that the Court Administrator of Monroe County is designated to receive reports of a foster parent, pre-adoptive parent or relative providing care for a child, submitted regarding a child's adjustment, progress and condition for view by the Court in dependency hearings.

Pursuant to Pa.R.Juv.P 1121(F), the Court Administrator shall forward this Administrative Order to the Juvenile Court Procedural Rules Committee for review. Upon receipt of written notification from the Committee that said Administrative Order is not inconsistent with any general rule of the Supreme Court, the Administrative Order shall then be published contemporaneously on the

UJS Portal and in the *Pennsylvania Bulletin*. One certified copy of the Order shall be filed with the AOPC. One certified copy of the Order shall be published in the *Monroe Legal Reporter*. The Order shall be made available for inspection in the office of the Clerk of Courts, the Monroe County Law Library, and on the Monroe County Court website.

This Order shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

MARGHERITA PATTI WORTHINGTON,
President Judge

[Pa.B. Doc. No. 12-729. Filed for public inspection April 20, 2012, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Collection Fee and Late Payment Penalty for 2012-2013 Registration Year

Notice is hereby given that in accordance with Pennsylvania Rule of Disciplinary Enforcement 219(d)(2) and 219(h)(3), The Disciplinary Board of the Supreme Court of Pennsylvania has established the collection fee for checks returned as unpaid and the late payment penalty for the 2012-2013 Registration Year as follows:

Where a check in payment of the annual registration fee for attorneys has been returned to the Board unpaid, the collection fee will be \$50 per returned item.

At the time the final notices are transmitted by ordinary mail to an attorney who fails to timely file an annual registration form and pay the fee, the late payment penalty will be \$100. After 30 days, the names of every attorney who has failed to respond to the notice shall be certified to the Supreme Court, at which time the late payment penalty will be increased to \$200.

SUZANNE E. PRICE,
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 12-730. Filed for public inspection April 20, 2012, 9:00 a.m.]

Notice to Attorneys

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E., which provides for trust account overdraft notification.

SUZANNE E. PRICE,
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

**List of PA Financial Institutions
Who Have Been Approved as Depositories
for Fiduciary Accounts of Attorneys**

Bank Code A.

595 Abacus Federal Savings Bank
 2 ACNB Bank
 572 **Affinity Bank of Pennsylvania**
 613 Allegent Community Federal Credit Union
 302 Allegheny Valley Bank of Pittsburgh
 548 Allegiance Bank of North America
 579 Alliance Bank
 375 Altoona First Savings Bank
 376 Ambler Savings Bank
 532 **American Bank**
 502 American Eagle Savings Bank
 615 Americhoice Federal Credit Union
 116 **Ameriserv Financial**
 377 Apollo Trust Company
 568 Arc Federal Credit Union

Bank Code B.

558 Bancorp Bank (The)
 485 Bank of America
 415 Bank of Landisburg
 519 Beaver Valley Federal Credit Union
 501 BELCO Community Credit Union
 397 **Beneficial Bank**
 582 Berkshire Bank
 5 BNY Mellon, N.A.
 392 **Brentwood Bank**
 495 Brown Brothers Harriman & Co.
 161 Bryn Mawr Trust Company
 156 Bucks County Bank

Bank Code C.

540 C & G Savings Bank
 618 Capital Bank
 622 Carrollton Bank
 459 Centra Bank
 136 **Centric Bank**
 394 **Charleroi Federal Savings Bank**
 623 Chemung Canal Trust Company
 599 Citibank N.A.
 238 Citizens & Northern Bank
 561 Citizens Bank of PA
 420 Citizens National Bank, Meyersdale
 206 Citizens Savings Bank
 602 **City National Bank of New Jersey**
 576 Clarion County Community Bank
 16 **Clearfield Bank & Trust Co.**
 591 Clearview Federal Credit Union
 23 CNB Bank
 354 Coatesville Savings Bank
 603 Colonial American Bank
 223 Commercial Bank & Trust of Pennsylvania
 21 Community Bank, N.A.
 533 Community First Bank
 430 Community National Bank of Northwestern PA
 132 Community State Bank of Orbisonia
 170 **Conestoga Bank**
 590 Continental Bank
 380 County Savings Bank
 480 Cresson Community Bank
 536 Customers Bank

Bank Code D.

339 Dime Bank (The)
 239 DNB First, National Assoc.

27 Dollar Bank
 423 Dwelling House S&L Assoc.

Bank Code E.

357 Eagle National Bank
 424 East Penn Bank
 597 **East River Bank**
 340 East Stroudsburg Savings Association
 500 Elderton State Bank
 567 Embassy Bank
 541 Enterprise Bank
 28 Ephrata National Bank (The)
 616 ErieBank, a division of CNB Bank
 383 **ESB Bank, F.S.B.**
 601 **Esquire Bank**
 552 Eureka Bank

Bank Code F.

629 1st Colonial National Bank
 478 Farmers & Merchants Bank of Western PA, N.A.
 31 Farmers & Merchants Trust Company
 205 Farmers National Bank of Emlenton
 311 Fidelity Bank
 34 Fidelity Deposit & Discount Bank
 343 **Fidelity Savings & Loan of Bucks County**
 583 **Fifth Third Bank**
 627 First Bank of Delaware
 174 First Citizens National Bank
 191 First Columbia Bank & Trust Co.
 539 **First Commonwealth Bank**
 551 First Cornerstone Bank
 369 First Federal of Bucks County
 504 First Federal S&L Assoc. of Greene County
 388 **First Federal Savings Bank in Monessen**
 525 First Heritage Federal Credit Union
 42 **First Keystone Community Bank**
 371 **First Liberty Bank & Trust**
 263 FirstMerit Bank, N.A.
 51 First National Bank & Trust Co. of Newtown (The)
 421 First National Bank of Fredericksburg
 417 First National Bank of Lilly
 418 First National Bank of Liverpool
 46 First National Bank of Mercersburg
 419 First National Bank of Mifflintown
 198 **First National Bank of Minersville**
 426 First National Bank of Palmerton
 48 First National Bank of Pennsylvania
 427 First National Bank of Port Allegany
 175 First National Community Bank
 549 First National Community Bank (Midland)
 626 First Niagara Bank
 604 First Priority Bank
 592 **First Resource Bank**
 40 First Savings Bank of Perkasio
 349 **First Star Savings Bank**
 158 First Summit Bank
 408 First United National Bank
 151 Firstrust Bank
 416 Fleetwood Bank
 493 **FNB Bank, N.A.**
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 612 **Franklin Security Bank**
 58 **Fulton Bank**

Bank Code G.

588 Gateway Bank of Pennsylvania
 499 Gratz National Bank (The)
 593 **Graystone Tower Bank**
 498 Greenville Savings Bank

Bank Code H.

- 402 **Halifax Bank**
- 244 Hamlin Bank & Trust Co.
- 362 Harleysville Savings Bank
- 363 Hatboro Federal Savings
- 463 Haverford Trust Company (The)
- 559 Home Savings & Loan Co.
- 606 Hometown Bank of PA
- 68 Honesdale National Bank (The)
- 350 HSBC Bank of USA
- 364 **Huntingdon Valley Bank**
- 605 Huntington National Bank
- 608 **Hyperion Bank**

Bank Code I.

- 365 Indiana First Savings Bank
- 575 Integrity Bank
- 557 **Investment Savings Bank**
- 526 Iron Workers Bank

Bank Code J.

- 70 Jersey Shore State Bank
- 127 Jim Thorpe National Bank
- 488 Jonestown Bank and Trust Co.
- 72 **Juniata Valley Bank (The)**

Bank Code K.

- 414 Kish Bank

Bank Code L.

- 74 **Lafayette Ambassador Bank**
- 554 Landmark Community Bank
- 78 Luzerne National Bank

Bank Code M.

- 361 M & T Bank
- 454 Mainline National Bank
- 386 Malvern Federal Savings Bank
- 412 Manor Bank
- 510 Marion Center Bank
- 387 Marquette Savings Bank
- 81 Mars National Bank
- 43 **Marysville Bank**
- 367 Mauch Chunk Trust Company
- 619 MB Financial Bank
- 511 MCS Bank
- 555 Mercer County State Bank
- 192 Merchants Bank of Bangor
- 610 Meridian Bank
- 18 Metro Bank
- 294 Mid Penn Bank
- 276 **Mifflinburg Bank & Trust Company**
- 617 Milestone Bank
- 457 Milton Savings Bank
- 345 Miners Bank
- 614 Monument Bank
- 596 **Morebank**
- 484 **Muncy Bank & Trust Company**

Bank Code N.

- 433 National Bank of Malvern
- 88 National Penn Bank
- 347 Neffs National Bank
- 372 Nesquehoning Savings Bank
- 434 New Tripoli Bank
- 15 **Nextier Bank**
- 439 **Northumberland National Bank**
- 93 Northwest Savings Bank
- 546 **Nova Bank**

Bank Code O.

- 593 1 N Bank, a division of Graystone Tower Bank
- 489 OMEGA Federal Credit Union
- 94 Orrstown Bank

Bank Code P.

- 598 **Parke Bank**
- 584 Parkview Community Federal Credit Union
- 580 **Penn Liberty Bank**
- 97 Penn Security Bank & Trust Company
- 168 Pennstar Bank
- 447 Peoples Neighborhood Bank
- 491 Peoples State Bank (The)
- 99 PeoplesBank
- 556 Philadelphia Federal Credit Union
- 448 Phoenixville Federal Bank & Trust
- 620 Pittsburgh Central Federal Credit Union
- 79 PNC Bank
- 528 Polonia Bank
- 449 Port Richmond Savings
- 451 Progressive Home Federal
- 624 Province Bank
- 456 Prudential Savings Bank

Bank Code Q.

- 107 QNB Bank
- 560 Quaint Oak Savings Bank

Bank Code R.

- 452 **Reliance Bank**
- 220 Republic First Bank
- 628 Riverview Bank
- 208 Royal Bank America

Bank Code S.

- 153 S&T Bank
- 464 Scottdale Bank & Trust Company
- 460 Second Federal S&L Assoc. of Phila.
- 516 Sentry Federal Credit Union
- 458 Sharon Savings Bank
- 633 Slovak Savings Bank
- 462 Slovenian S&L Association of Franklin-Conemaugh
- 486 Somerset Trust Company
- 316 Sovereign Bank, F.S.B.
- 465 **St. Edmonds Federal Savings Bank**
- 518 **Standard Bank PASB**
- 542 Stonebridge Bank
- 517 Sun National Bank
- 440 SunTrust Bank
- 30 Susquehanna Bank
- 236 **Swineford National Bank**

Bank Code T.

- 143 TD Bank
- 594 **Team Capital Bank**
- 26 Third Federal Bank
- 593 Tower Bank, a division of Graystone Tower Bank
- 609 Tristate Capital Bank
- 467 Turbotville National Bank

Bank Code U.

- 113 Union Bank and Trust Company
- 481 Union Building and Loan Savings Bank
- 483 **Union National Bank of Mount Carmel**
- 133 Union National Community Bank
- 472 United Bank of Philadelphia
- 475 United Savings Bank
- 600 Unity Bank
- 232 Univest National Bank & Trust Co.

Bank Code V.

589 Valley Green Bank
 607 **Vantage Point Bank**
 611 Victory Bank (The)
 182 VIST Financial

Bank Code W.

119 Washington Financial Bank
 121 Wayne Bank
 631 Wells Fargo Bank N.A.
 553 WesBanco Bank
 122 **West Milton State Bank**
 494 West View Savings Bank
 473 Westmoreland Federal Savings
 476 William Penn Bank
 272 Woodlands Bank
 573 **Woori America Bank**
 630 WSFS Bank, FSB

Bank Code X.**Bank Code Y.**

577 York Traditions Bank

Bank Code Z.**Platinum Leader Banks**

The Boldfaced Eligible Institutions are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program.

These Institutions pay a net yield at the higher of 1% or 75% of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

[Pa.B. Doc. No. 12-731. Filed for public inspection April 20, 2012, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Kevin H. Main having been suspended from the practice of law in the State of New Jersey for a period of 3 months by Order of the Supreme Court of New Jersey dated May 10, 2011, the Supreme Court of Pennsylvania issued an Order dated April 2, 2012, suspending Kevin H. Main from the practice of law in this Commonwealth for a period of 3 months. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,

Secretary

*The Disciplinary Board of the
 Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 12-732. Filed for public inspection April 20, 2012, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

SUSQUEHANNA RIVER BASIN COMMISSION

[25 PA. CODE CH. 806]

Review and Approval of Projects

Summary: This document contains final rules that would amend the project review regulations of the Susquehanna River Basin Commission (Commission) to include definitions for new terms and an amended definition; provide for administrative approval of interbasin transfers of flowback and production fluids between drilling pad sites that are isolated from the waters of the basin; provide for administrative approval of out-of-basin transfers of flowback or produced fluids from a Commission approved hydrocarbon development project to an out-of-basin treatment or disposal facility; insert language authorizing renewal of expiring approvals, including Approvals by Rule (ABRs); delete specific references to geologic formations that may be the subject of natural gas development using hydrofracture stimulation and replace with a generic category—"unconventional natural gas development;" broaden the scope of ABRs issued to include hydrocarbon development of any kind utilizing the waters of the basin, not just unconventional natural gas well development; memorialize the current practice of requiring post-hydrofracture reporting; and provide further procedures for the approval of water sources utilized at projects subject to the ABR process.

Dates: Effective April 1, 2012.

Addresses: Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

For Further Information Contact: Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306; fax (717) 238-2436, rcairo@srbc.net. Also, for further information on the proposed rulemaking, visit the Commission's web site at www.srbc.net.

Supplementary Information:

Comments and Responses to Proposed Rulemaking

Notice of proposed rulemaking was published in the *Federal Register* on July 13, 2011; the *New York Register* on July 27, 2011; the *Pennsylvania Bulletin* on July 23, 2011; and the *Maryland Register* on July 29, 2011. The Commission convened public hearings on August 2, 2011, in Harrisburg, Pennsylvania and on August 4, 2011, in Binghamton, New York. Public information meetings were also held on October 25, 2011 in Williamsport, Pennsylvania, and on October 27, 2011, in Camp Hill, Pennsylvania. The original 60-day comment period first established on June 23, 2011, was extended until November 10, 2011, pursuant to an action taken by the Commission on September 15, 2011. Comments on the proposed rulemaking were received at both the hearings and during the comment period. The comments can be divided into two categories: (1) General Comments—These comments are not directed to specific language of the proposed rulemaking, but rather address perceived environmental and policy impacts; and (2) Comments by Section—These comments are directed at the specific language of the proposed rulemaking, often offering further revisions to this language. A summary of both categories of comments and the Commission's responses thereto follows.

General Comments

Comment: The Commission should more clearly explain the scientific basis for the proposed rulemaking. Also, the Commission should conduct a full life cycle cumulative impact study of the basinwide impacts of unconventional natural gas extraction prior to issuing this rulemaking.

Response: The proposed rulemaking is administrative in nature and involves no substantive change in the review standards applied to projects. Therefore, the basis of the rulemaking does not involve the analysis, evaluation or re-evaluation of scientific principals. On the whole, it is an attempt to codify within the rules certain definitions, existing practices and policies, and to establish certain procedures related to implementation of the Commission's regulatory authority.

Comment: The more extensive use of the Approval by Rule (ABR) process in this proposed rulemaking will weaken the Commission's regulatory oversight and will simply make it easier for gas well developers using hydrofracture stimulation methods to withdraw the waters of the basin.

Response: The Commission believes that this comment indicates a basic misunderstanding of the scope of the ABR process and the fact that all withdrawal projects will continue to be docketed and acted on by the full Commission. Through the docketing process, the Commission actively manages the use of the basin's waters and mitigates impacts on surface and ground waters through appropriate conditions limiting use. The ABR process then provides an efficient monitoring system for waters that are consumptively used. The Commission applies the same approval standards to all approvals, no matter the form they take. It exercises continuing jurisdiction and oversight to ensure compliance, and can reopen approvals and issue new orders or conditions if warranted.

Comment: Use of the ABR process to oversee the interbasin transfer of flowback and produced fluids and for the out of basin diversion of such fluids for treatment poses a danger to the waters of the basin due to its toxic content and the potential for spillage. The ABR process also bypasses the usual analysis given to proposed diversions of water.

Response: The proposed rules simply formalize practices that are already in place for the transfer of such fluids. These procedures will provide a net benefit to the basin by encouraging the use and reuse of lesser quality water instead of unimpaired water from streams or ground water sources. Furthermore, unlike the typical diversion of water out of the basin where the consumptive loss occurs and is evaluated in the context of the proposed diversion activity, the consumptive loss in this situation is considered to have occurred at the time of the initial withdrawal from the system, before its first use within the basin and prior to being diverted out of the basin. For into-basin diversions, the existing standards are focused on limiting any introduction of contaminated sources into the waters of the basin. The final rulemaking, as structured, provides that same standard. What it changes is the form of the approval, not the standard that should be applied.

Comment: The Commission places too much reliance on allegedly inadequate state water quality laws relating to wastewater disposal and residual waste. For example, the Commission cannot rely on such state laws and regula-

tions to isolate from the waters of the basin the flowback and production fluids whose interbasin transfer the Commission proposes to approve administratively. Therefore, it is incumbent on the Commission to invoke its own water quality regulatory authority and ensure that wastewater is indeed handled in a manner that isolates it from the waters of the basin.

Response: The Susquehanna River Basin Compact, Public Law 91-575, Section 5.2(b) gives specific emphasis to the primary role of the states in water quality management and control. Member states are already exercising or preparing to exercise their water quality authority with respect to gas drilling activity and are also strengthening their laws and regulations. At this stage, there appears to be no justification for the Commission to assume water quality jurisdiction. As noted in response to a comment below, the Commission is taking steps to replace the term “isolate from the waters of the basin” with language that references the standards and requirements of member jurisdictions.

Comment: The Commission’s refusal to promulgate water quality regulations relating to gas well development will allow the non-uniform treatment of water users throughout the basin and therefore not conform to the purposes of the Susquehanna River Basin Compact.

Response: The compact purpose of “uniform treatment of water users” does not require that the Commission exclusively regulate all aspects of water resources in the basin. If state regulations and standards are compatible with the Commission’s Comprehensive Plan and do an adequate job of fulfilling the purposes of the plan, the Commission will not attempt to duplicate those regulations and standards. Where it does act, it does so in a manner that provides for uniform treatment of all water users.

Comment: The expanded use of the ABR process lessens the opportunity for public input and scrutiny on project approvals.

Response: The Commission disagrees. The ABR applications must be noticed by applicants and there is an opportunity for interested citizens to comment on these applications before an approval is issued. ABRs are also subject to the same approval standards as docketed approvals, and may be reopened and modified by the Executive Director should unforeseen problems arise. Furthermore, notice of issuance of an ABR is published in the Federal Register and any such approval is subject to appeal pursuant to § 808.2.

Comment: The Commission should not be extending the scope of the ABR program to include other forms of hydrocarbon development without first determining if the ABR program is suitable for these other forms of development.

Response: The ABR process has proven to be a valuable tool for monitoring consumptive use related activity on pad sites. This rulemaking, which as noted above is administrative in nature, would extend the use of this valuable tracking tool to other forms of hydrocarbon development. Water withdrawals by any water user, including that undertaken for use in other forms of hydrocarbon development, will still undergo the full docket approval process, and be subject to all applicable Commission standards and requirements.

Comment: The Commission is a federal agency under the Susquehanna River Basin Compact and is subject to the National Environmental Policy Act (NEPA). It must

therefore complete all NEPA requirements in connection with this proposed rulemaking action.

Response: The Commission categorically rejects any suggestion that it is subject to NEPA. This is consistent with the position the Commission has taken on NEPA since the 1980s. Instead of a federal agency, the Commission is a federal-interstate compact agency representing all four of its member jurisdictions. The federal government is only one voting member of the Commission and any action of the Commission requires the vote of a majority of the members. Therefore, the actions of the Commission are not the actions of the federal government, but the joint actions of the member jurisdictions. Also, Congress has specifically exempted the Commission from the provisions of the federal Administrative Procedures Act (APA). Federal court decisions have taken a consistent view, namely that agencies not subject to the APA are not federal agencies in the conventional sense and are therefore not subject to NEPA or similar laws imposing requirements on “federal agencies.”

Comments by Section, Part 806

Section 806.3—Definitions

Comment: The 30-day rule in the proposed definition of flowback means that fluid produced from the well bore from the 31st day until the well is placed in production is neither flowback or production fluid within the definition (unless the well is placed into production during the initial 30-day period).

Response: Agreed. The proposed definition is modified to remove the 30-day reference and to make clear that return flow recovered post-hydrofracture and pre-production is defined as flowback.

Comment: The word “siting” in the definitions of “hydrocarbon development” and “unconventional natural gas development” is inconsistent with the “initiation of construction” standard in the Commission’s project review regulations. The regulations specify the “spudding of the well” to be the initiation of a well project.

Response: Agreed. The word “siting” is deleted from this definition to avoid the inconsistency.

Comment: The definition of “project” does not make clear that “unconventional natural gas development” is a subset of “hydrocarbon development activity.”

Response: Language is inserted in the definition to clarify that the term is a sub-category of hydrocarbon development.

Comment: Several comments expressed disagreement with the proposed definition of “tophole water,” with one suggesting use of Pennsylvania’s definition instead and another claiming that the definition is too vague.

Response: The tophole water definition is replaced with a modified version of the Pennsylvania definition. The modification, notably removing the reference to surface water, makes it generally consistent with New York’s interpretation of the term and allows for more basinwide consistency.

Section 806.4—Projects Requiring Review and Approval Paragraphs 806.4(a)(3)(v) & (vi)

Comment: The phrase “in such manner as to isolate it from the waters of the basin” is too vague and should be replaced with a reference to the actual controls exercised by the member states. Also, because the industry may mix the waters of the basin withdrawn from surface and ground water sources with flowback or production fluids

in preparation for hydrofracture use, it is not possible to isolate it from the waters of the basin if read strictly.

Response: The “isolate” terminology is replaced with “provided it is handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdictions.” The same language has also been inserted in Paragraph 806.4(a)(3)(vi), which similarly addresses diversions of flowback or production fluids, and is substituted in Paragraph 806.22(f)(11)(iii) for the same reason.

Comment: There is no clear requirement that project sponsors keep track of interbasin transfers of flowback and production fluids.

Response: Language is added to paragraphs 806.4(a)(3)(v) and (vi) reinforcing the requirement that all monitoring and reporting requirements applicable to the pad site ABR must be met. Similar language is added to paragraph 806.22(f)(11) to meet the same concerns about tracking.

Paragraph 806.4(3)(vi)

Comment: The use of the phrase “the same” implies that each tank load of flowback or production fluid would require separate approval.

Response: The language is replaced with “flowback or production fluids” to remove any uncertainty.

Section 806.13—Submission of Application

Comment: The phrase “Project sponsors of projects subject to review and approval” should properly be changed to read “Sponsors of projects subject to review and approval.”

Response: Agreed. The suggested change is incorporated into the final rulemaking.

Section 806.14—Contents of Application

Paragraph 806.14(a)

Comment: With respect to renewal applications, there is no clear indication that they will be made subject to any approval standards.

Response: To remove any ambiguity, and to further clarify the original intent concerning renewal standards, the phrase “shall be subject to the standards set forth in Subpart C—Standards for Review and Approval of this Part” is added to this paragraph.

Section 806.15—Notice of Application

Paragraph 806.15(e)

Comment: The requirement for a newspaper notice in areas where a wastewater discharge source is to be used is unworkable where such water is mixed with other water sources at the initial destination and is then redistributed, oftentimes to other locations not contemplated at the time notice is given.

Response: The word “initially” is added before the phrase “used for natural gas development” to limit this requirement to the initial location(s) where this water is contemplated for use at the time of application.

Section 806.22—Standards for Consumptive Use of Water

Paragraph 806.22(f)(10)

Comment: Extension of ABR approval terms to 15 years will essentially lessen or weaken the oversight that the Commission exercises over gas drilling activities.

Response: Though the Commission feels that there is a fundamental misunderstanding by some who commented

about the ongoing oversight that it exercises over approved projects, and the ability of the Commission to reopen approvals, it is willing to retain the current approval term with the addition of procedures for renewal of ABRs. Therefore, the proposed change is removed from the final rulemaking.

Paragraph 806.22(f)(11)

Comment: Need to make clear that this paragraph applies to the use of sources in addition to those sources approved for use by the project sponsor pursuant to § 806.4.

Response: Wording is added to the beginning of this paragraph to make the suggested clarification.

Paragraph 806.22(f)(11)(i), (ii), and (iv)

Comment: Tophole water, precipitation and storm water collected on the pad site or water obtained from a hydrocarbon storage facility can be contaminated, so there is a need to appropriately limit its use.

Response: Language is added limiting the use of this water to drilling or hydrofracture stimulation only, or in the case of paragraph 806.22(f)(11)(iv), limiting the use to that provided for in the approval.

Paragraph 806.22(f)(11)(iii)

Comment: As defined, flowback and production fluids do not cover all fluids encountered in the drilling process that serve as a water source under current practice. For example, water can be recovered from drilling muds. Also, such fluids can be recovered from production well sites, in addition to drilling pad sites or hydrocarbon water storage facilities. Current Commission policy allows for the reuse of such fluids.

Response: Drilling fluids and formation fluids are added to this paragraph to cover all fluids recovered during the drilling process and used under current practice for hydrofracture stimulation. The term “production well site” is also added to clarify the sites from which such fluids can be recovered. The word “only” is also added to this paragraph to make clear that these fluids may only be used for hydrofracture stimulation. Language is also added clarifying that all such fluids must be handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdiction.

Paragraph 806.22(f)(14)

Comment: The provisions of the proposed paragraph 806.22(f)(13) pertaining to hydrocarbon water storage facilities need to be separated from provisions relating to public water supply and wastewater sources because of the possible application of the terms to third party water purveyors building hydrocarbon water storage facilities that may not be associated with ABRs.

Response: The changes incorporated into the final rule break out a separate paragraph 806.22(f)(14), clarifying the scope and intent, but make no substantive changes to the provisions contained in the proposed rulemaking. The rule is intended to provide for the approval of such facilities (not otherwise associated with an ABR) to provide a mechanism for monitoring, reporting and tracking associated with such facilities, and to allow for the industry to efficiently register such sources for use.

Paragraph 806.22(f)(15)

Comment: The language in paragraphs 806.22(f)(12)(i) and (ii) relating to providing a copy of any registration or source approval to the appropriate agency of a member state, etc., is repetitive.

Response: Language related to registrations and source approvals that is repetitive is removed and restated once in new paragraph 806.22(f)(15).

List of Subjects in 18 CFR Part 806

Administrative practice and procedure, Water resources.

Accordingly, for the reasons set forth in the preamble, the Susquehanna River Basin Commission amends 18 CFR part 806 as follows:

Part 806—Review and Approval of Projects

1. The authority citation for Part 806 continues to read as follows:

Authority: Secs. 3.4, 3.5(5), 3.8, 3.10 and 15.2, Pub. L. 91-575, 84 Stat. 1509 et seq.

Subpart A—General Provisions

2. Amend § 806.3 by adding definitions for “Flowback,” “Formation fluids,” “Hydrocarbon development,” “Hydrocarbon water storage facility,” “Production fluids,” “Tophole water,” and “Unconventional natural gas development,” and revising the definition of “Project” to read as follows:

§ 806.3 Definitions.

* * * * *

Flowback. The return flow of water and formation fluids recovered from the wellbore of an unconventional natural gas or hydrocarbon development well following the release of pressures induced as part of the hydraulic fracture stimulation of a target geologic formation, and until the well is placed into production.

Formation fluids. Fluids in a liquid or gaseous physical state, present within the pore spaces, fractures, faults, vugs, caverns, or any other spaces of formations, whether or not naturally occurring or injected therein.

* * * * *

Hydrocarbon development. Activity associated with the drilling, casing, cementing, stimulation and completion of wells, including but not limited to unconventional natural gas development wells, undertaken for the purpose of extraction of liquid or gaseous hydrocarbons from geologic formations.

Hydrocarbon water storage facility. An engineered barrier or structure, including but not limited to tanks, pits or impoundments, constructed for the purpose of storing water, flowback or production fluids for use in hydrocarbon development.

* * * * *

Production fluids. Water or formation fluids recovered at the wellhead of a producing hydrocarbon well as a by-product of the production activity.

Project. Any work, service, activity, or facility undertaken, which is separately planned, financed or identified by the Commission, or any separate facility undertaken or to be undertaken by the Commission or otherwise within a specified area, for the conservation, utilization, control, development, or management of water resources, which can be established and utilized independently, or as an addition to an existing facility, and can be considered as a separate entity for purposes of evaluation. For purposes of hydrocarbon development activity, including that related to unconventional natural gas development, the project shall be considered to be the drilling pad upon which one or more exploratory or production wells are

undertaken, and all water-related appurtenant facilities and activities related thereto.

* * * * *

Tophole water. Water that is brought to the surface while drilling through the strata containing fresh groundwater. Tophole water may contain drill cuttings typical of the formation being penetrated but may not be polluted or contaminated by additives, brine, oil or man induced conditions.

Unconventional natural gas development. Activity associated with the drilling, casing, cementing, stimulation and completion of wells undertaken for the purpose of extraction of gaseous hydrocarbons from low permeability geologic formations utilizing enhanced drilling, stimulation or recovery techniques.

* * * * *

3. In § 806.4, revise paragraph (a)(3) introductory text, add paragraphs (a)(3)(v) and (a)(3)(vi), and revise paragraph (a)(8), as follows:

§ 806.4 Projects requiring review and approval.

(a) * * *

(3) Diversions. Except with respect to agricultural water use projects not subject to the requirements of paragraph (a)(1) of this section, the projects described in paragraphs (a)(3)(i) through (a)(3)(iv) of this section shall require an application to be submitted in accordance with § 806.13, and shall be subject to the standards set forth in § 806.24. The project sponsors of out-of-basin diversions shall also comply with all applicable requirements of this part relating to consumptive uses and withdrawals. The projects identified in paragraphs (a)(3)(v) and (a)(3)(vi) of this section shall be subject to regulation pursuant to § 806.22(f).

* * * * *

(v) The interbasin diversion of any flowback or production fluids from hydrocarbon development projects from one drilling pad site to another drilling pad site for use in hydrofracture stimulation, provided it is handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdiction, shall not be subject to separate review and approval as a diversion under this paragraph if the generating or receiving pad site is subject to an Approval by Rule issued pursuant to § 806.22(f) and provided all monitoring and reporting requirements applicable to such approval are met.

(vi) The diversion of flowback or production fluids from a hydrocarbon development project for which an Approval by Rule has been issued pursuant to § 806.22(f), to an out-of-basin treatment or disposal facility authorized under separate governmental approval to accept flowback or production fluids, shall not be subject to separate review and approval as a diversion under this paragraph, provided all monitoring and reporting requirements applicable to the Approval by Rule are met and it is handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdiction.

* * * * *

(8) Any unconventional natural gas development project in the basin involving a withdrawal, diversion or consumptive use, regardless of the quantity.

* * * * *

Subpart B—Application Procedure

4. Revise § 806.13 to read as follows:

§ 806.13 Submission of application.

Sponsors of projects subject to review and approval of the Commission under §§ 806.4, 806.5 or 806.6, or project sponsors seeking renewal of an existing approval of the Commission, shall submit an application and applicable fee to the Commission, in accordance with this subpart.

5. In § 806.14, revise paragraph (a) introductory text to read as follows:

§ 806.14 Contents of application.

(a) Except with respect to applications to renew an existing Commission approval, applications shall include, but not be limited to, the following information and, where applicable, shall be submitted on forms and in the manner prescribed by the Commission. Renewal applications shall include such information that the Commission determines to be necessary for the review of same, shall be subject to the standards set forth in Subpart C—Standards for Review and Approval of this part, and shall likewise be submitted on forms and in the manner prescribed by the Commission.

* * * * *

6. In § 806.15, revise paragraphs (d), (e) and (f) and add paragraph (g), as follows:

§ 806.15 Notice of application.

* * * * *

(d) For applications submitted under § 806.22(f)(13) for a public water supply source, the newspaper notice requirement contained in paragraph (a) of this section shall be satisfied by publication in a newspaper of general circulation in the area served by the public water supply.

(e) For applications submitted under § 806.22(f)(13) for a wastewater discharge source, the newspaper notice requirement contained in paragraph (a) of this section shall be satisfied by publication in a newspaper of general circulation in each area within which the water obtained from such source will initially be used for natural gas development.

(f) For applications submitted under § 806.22(f)(14) for a hydrocarbon water storage facility, the newspaper notice requirement contained in paragraph (a) of this section shall be satisfied by publication in a newspaper of general circulation in the area in which the facility is located.

(g) The project sponsor shall provide the Commission with a copy of the United States Postal Service return receipt for the notifications to agencies of member States, municipalities and county planning agencies required under paragraph (a) of this section. The project sponsor shall also provide certification on a form provided by the Commission that it has published the newspaper notice(s) required by this section and made the landowner notifications as required under paragraph (b) of this section, if applicable. Until these items are provided to the Commission, processing of the application will not proceed. The project sponsor shall maintain all proofs of notice required hereunder for the duration of the approval related to such notices.

Subpart C—Standards for Review and Approval

7. In § 806.22, revise paragraphs (e)(1), (e)(6), (f) introductory text, (f)(1), (f)(4), (f)(6), (f)(8), (f)(9), (f)(11), and (f)(12), and add paragraphs (f)(13), (f)(14) and (f)(15), to read as follows:

§ 806.22 Standards for consumptive uses of water.

* * * * *

(e) * * *

(1) Except with respect to projects involving hydrocarbon development subject to the provisions of paragraph (f) of this section, any project whose sole source of water for consumptive use is a public water supply, may be approved by the Executive Director under this paragraph (e) in accordance with the following, unless the Executive Director determines that the project cannot be adequately regulated under this approval by rule.

* * * * *

(6) The Executive Director may grant, deny, suspend, rescind, modify or condition an approval to operate under this approval by rule, or renew an existing approval by rule previously granted hereunder, and will notify the project sponsor of such determination, including the quantity of consumptive use approved.

* * * * *

(f) Approval by rule for consumptive use related to unconventional natural gas and other hydrocarbon development.

(1) Any unconventional natural gas development project, or any hydrocarbon development project subject to review and approval under §§ 806.4, 806.5, or 806.6 of this part, shall be subject to review and approval by the Executive Director under this paragraph (f) regardless of the source or sources of water being used consumptively.

* * * * *

(4) The project sponsor shall comply with metering, daily use monitoring and quarterly reporting as specified in § 806.30, or as otherwise required by the approval by rule. Daily use monitoring shall include amounts delivered or withdrawn per source, per day, and amounts used per gas well, per day, for well drilling, hydrofracture stimulation, hydrostatic testing, and dust control. The foregoing shall apply to all water, including stimulation additives, flowback, drilling fluids, formation fluids and production fluids, utilized by the project. The project sponsor shall also submit a post-hydrofracture report in a form and manner as prescribed by the Commission.

* * * * *

(6) Any flowback or production fluids utilized by the project sponsor for hydrofracture stimulation undertaken at the project shall be separately accounted for, but shall not be included in the daily consumptive use amount calculated for the project, or be subject to the mitigation requirements of § 806.22(b).

* * * * *

(8) The project sponsor shall certify to the Commission that all flowback and production fluids have been re-used or treated and disposed of in accordance with applicable state and federal law.

(9) The Executive Director may grant, deny, suspend, rescind, modify or condition an approval to operate under this approval by rule, or renew an existing approval by rule granted hereunder, and will notify the project sponsor of such determination, including the sources and quantity of consumptive use approved. The issuance of any approval hereunder shall not be construed to waive or exempt the project sponsor from obtaining Commission approval for any water withdrawals or diversions subject to review pursuant to § 806.4(a). Any sources of water

approved pursuant to this section shall be further subject to any approval or authorization required by the member jurisdiction.

* * * * *

(11) In addition to water sources approved for use by the project sponsor pursuant to § 806.4 or this section, for unconventional natural gas development or hydrocarbon development, whichever is applicable, a project sponsor issued an approval by rule pursuant to paragraph (f)(9) of this section may utilize any of the following water sources at the drilling pad site, subject to such monitoring and reporting requirements as the Commission may prescribe:

(i) Tophole water encountered during the drilling process, provided it is used only for drilling or hydrofracture stimulation.

(ii) Precipitation or stormwater collected on the drilling pad site, provided it is used only for drilling or hydrofracture stimulation.

(iii) Drilling fluids, formation fluids, flowback or production fluids obtained from a drilling pad site, production well site or hydrocarbon water storage facility, provided it is used only for hydrofracture stimulation, and is handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdiction.

(iv) Water obtained from a hydrocarbon water storage facility associated with an approval issued by the Commission pursuant to § 806.4(a) or by the Executive Director pursuant to this section, provided it is used only for the purposes authorized therein, and in compliance with all standards and requirements of the applicable member jurisdiction.

(12) A project sponsor issued an approval by rule pursuant to paragraph (f)(9) of this section may utilize a source of water approved by the Commission pursuant to § 806.4(a), or by the Executive Director pursuant to paragraph (f)(14) of this section, and issued to persons other than the project sponsor, provided any such source is approved for use in unconventional natural gas development, or hydrocarbon development, whichever is applicable, the project sponsor has an agreement for its use, and at least 10 days prior to use, the project sponsor registers such source with the Commission on a form and in the manner prescribed by the Commission.

(13) A project sponsor issued an approval by rule pursuant to paragraph (f)(9) of this section may also utilize other sources of water, including but not limited to, public water supply or wastewater discharge not otherwise associated with an approval issued by the Commission pursuant to § 806.4(a) or an approval by rule issued pursuant to paragraph (f)(9) of this section, provided such sources are first approved by the Executive Director. Any request for approval shall be submitted on a

form and in the manner prescribed by the Commission, shall satisfy the notice requirements set forth in § 806.15, and shall be subject to review pursuant to the standards set forth in subpart C of this part.

(14) A project sponsor issued an approval by rule pursuant to paragraph (f)(9) of this section may utilize water obtained from a hydrocarbon water storage facility that is not otherwise associated with an approval issued by the Commission pursuant to § 806.4(a), or an approval by rule issued pursuant to paragraph (f)(9) of this section, provided such sources are first approved by the Executive Director and are constructed and maintained in compliance with all standards and requirements of the applicable member jurisdiction. The owner or operator of any such facility shall submit a request for approval on a form and in the manner prescribed by the Commission, shall satisfy the notice requirements set forth in § 806.15, and shall be subject to review pursuant to the standards set forth in subpart C of this part.

(15) The project sponsor shall provide a copy of any registration or source approval issued pursuant to this section to the appropriate agency of the applicable member jurisdiction. The project sponsor shall record on a daily basis, and report quarterly on a form and in a manner prescribed by the Commission, the quantity of water obtained from any source registered or approved hereunder. Any source approval issued hereunder shall also be subject to such monitoring and reporting requirements as may be contained in such approval or otherwise required by this part.

Dated: March 6, 2012.

PAUL O. SWARTZ,
Executive Director

Fiscal Note: Fiscal Note 72-9 remains valid for the final adoption of the subject regulation.

(Editor's Note: The regulations of the Commission, 25 Pa. Code Chapter 806, are amended by amending § 806.1 to read as set forth in Annex A.)

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART IV. SUSQUEHANNA RIVER BASIN COMMISSION

CHAPTER 806. REVIEW AND APPROVAL OF PROJECTS

§ 806.1. Incorporation by reference.

The regulations and procedures for review of projects as set forth in 18 CFR Part 806 (2011) (relating to review and approval of projects) are incorporated by reference and made part of this title.

[Pa.B. Doc. No. 12-733. Filed for public inspection April 20, 2012, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (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 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 April 3, 2012.

Under section 503.E of the Department of Banking 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, 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

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-2-2012	Beneficial Mutual Bancorp, Inc. Philadelphia Philadelphia County	Effective
	Application for approval to acquire 100% of SE Financial Corp., Philadelphia, and thereby indirectly acquire 100% of St. Edmond's Federal Savings Bank, Philadelphia.	

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-2-2012	Beneficial Mutual Bancorp, Inc. Philadelphia Philadelphia County	Effective
	Merger of St. Edmond's Federal Savings Bank, Philadelphia, with and into Beneficial Mutual Savings Bank, Philadelphia.	
	As a result of the merger, the following branch offices of St. Edmond's Federal Savings Bank became branch offices of Beneficial Mutual Savings Bank:	
	1901 East Passyunk Avenue Philadelphia Philadelphia County	20 Woodside Road Ardmore Delaware County
	1893 Hurffville Road Deptford New Jersey	1270 Township Line Road Drexel Hill Delaware County
	5873 Ridge Avenue Philadelphia Philadelphia County	

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-31-2012	White Rose Credit Union York York County	Effective
	Application for approval to merge Central York Federal Credit Union, York, with and into White Rose Credit Union, York.	

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-1-2012	TruMark Financial Credit Union Trevose Bucks County	Effective
Application for approval to merge Kenrick Federal Credit Union, Bryn Mawr, with and into TruMark Financial Credit Union, Trevose.		

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
4-2-2012	Diamond Credit Union Pottstown Montgomery County	6581-6591 West Perkiomen Avenue Exeter Township Berks County	Opened

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-734. Filed for public inspection April 20, 2012, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of May 2012

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of May, 2012, is 5%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.56 to which was added 2.50 percentage points for a total of 5.06 that by law is rounded off to the nearest quarter at 5%.

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-735. Filed for public inspection April 20, 2012, 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-016-3855.1—Structure Replacement, Bridge No. 16-0014, Cedar Mountain Road over Cedar Run, Forest District 16, Tioga State Forest, Elk Township, Tioga County. Work consists of removing an existing deteriorating concrete slab bridge and providing and installing a new 13' x 5' precast reinforced concrete box culvert, including associated driving surface aggregate approaches, rock lining and architectural surface treatment. Bid documents will be available on or after April 25, 2012. The bid opening will be held on May 24, 2012.

FDC-010-7160.1—Construction of New Culvert, Bridge No. 10-0101, Beaverdam Road over Left Fork of Beaverdam Run, Forest District 10, Sproul State Forest, Leidy Township, Clinton County. Work consists of construction of a precast concrete box culvert including roadway surfacing, guiderail and architectural surface treatment. Bid documents will be available on or after April 25, 2012. The bid opening will be held on May 24, 2012.

FDC-003-7209.1—Structure Replacement, Bridge No. 03-0032, Couch Road over Unnamed Tributary to Shaeffer Run, Forest District 03, Tuscarora State Forest, Toboyne Township, Perry County. Work consists of removing an existing CMP structure and providing and installing a new precast box culvert, driving surface aggregate approaches, with weathering steel railing. Bid documents will be available on or after April 25, 2012. The bid opening will be held on May 24, 2012.

RICHARD J. ALLAN,
Secretary

[Pa.B. Doc. No. 12-736. Filed for public inspection April 20, 2012, 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. 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

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0064092 (Sewage)	Beach Lake Municipal Authority WWTP State Route 652 Beach Lake, PA 18405	Wayne County Berlin Township	Beach Lake Creek (1-A)	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063479 (Sewage)	Hamlin Center LP—MCB Properties Management (Village Center At Hamlin) 554 Hamlin Highway Hamlin, PA 18427	Wayne County Salem Township	Unnamed tributary to West Branch Wallenpaupack Creek (1-C)	Y
PA0040614	MF Ronca & Sons, Inc. Martin Towers Complex 179 Mikron Road Bethlehem, PA 18020	Northampton County Bethlehem City	Monocacy Creek High Quality Cold Water Fishes (2-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0248045 (Sew)	Jason Sauder 88 Oaktree Road Manheim, PA 17545	Lancaster County Rapho Township	Chickies Creek / 7-G	Y
PA0054852 (IW)	WBLF Acquisition Company, LLC 455 Poplar Neck Road Birdsboro, PA 19508	Berks County Cumru Township	Schuylkill River / 3-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0112631 (Sewage)	Wargo Residence SFTF 1746 Old Reading Road Catawissa, PA 17820-8058	Columbia County Roaring Creek Township	Unnamed Tributary to Roaring Creek (5-E)	Y

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

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

PA0010944 Amendment 1, SIC Code 2821, **Glen Springs Holdings, Inc.** 5005 Lyndon B Johnson Freeway Suite 1350, Dallas, TX 75244-6150. Facility Name: Occidental Chemicals Groundwater Remediation Site. This existing facility is located in Lower Pottsgrove Township, **Montgomery County**.

Description of Existing Activity: The application is amendment for NPDES permit for an existing discharge of treated ground water and storm water.

The receiving stream(s), Schuylkill River, is in State Water Plan Watershed 3D, and is classified for Trout Stocking, 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 003, 004, 005 and 006 are based on a storm water discharge are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Inst. Minimum</i>	<i>Daily Maximum</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
PCBs (Wet Weather) (pg/L) (for Outfall 003 only)	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 105 are based on a design flow of 0.5 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. 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
Ethylbenzene	XXX	XXX	XXX	0.007	XXX	0.018
Chloroform	XXX	XXX	XXX	0.005	XXX	0.010
Total Phenolics	XXX	XXX	XXX	Report	XXX	Report
cis-1,2-Dichloroethylene	XXX	XXX	XXX	0.00275	XXX	0.0041
trans-1,2-Dichloroethylene	XXX	XXX	XXX	0.005	XXX	0.010
Tetrachloroethylene	XXX	XXX	XXX	0.004	XXX	0.010
Trichloroethylene	XXX	XXX	XXX	0.0045	XXX	0.0070
Vinyl Chloride	XXX	XXX	XXX	0.002	XXX	0.005

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

- Applicable Storm water Requirements
- PCBs Requirements for Outfall 003.

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

The EPA Waiver is in effect.

PA0244597, Concentrated Animal Feeding Operation (CAFO), **Walmoore Holsteins Inc.**, 1826 Howell Moore Road, West Grove, PA 19390.

Walmoore Holsteins Inc. has submitted an application for an Individual NPDES permit for a CAFO known as Walmoore Holsteins, located in Londonderry and London Grove Townships, **Chester County**.

The CAFO is situated near Middle Branch White Clay Creek and Unnamed Tributary of East Branch White Clay Creek in Watershed 3-I, which is classified for Exceptional Value Waters, Trout Stocking and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 1,364.72 animal equivalent units (AEUs) consisting of 850 adult cows and 540 heifers. Manure is collected and stored in two earthen high density polyethylene (HDPE) lined storage lagoons, two-clay lined with a picket fence solid separator dams, and one-clay lined with concrete floor storage. The total capacity of the manure storage facilities is 3,575,00 gallons of liquid manure storage in HDPE line lagoons, 1,300,000 and 623,390 gallons of manure storage in the clay lined with a picket fence solid separator dams, and 106,900 gallons of manure in the clay lined with concrete floor storage, for a total of 5,605,290 gallons of manure storage. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

PA0085014, Sewage, SIC Code 4952, **Conestoga Township, Lancaster County**, P O Box 98, Conestoga, PA 17516-0098. Facility Name: Conestoga Township—Colemanville STP. This existing facility is located in Conestoga Township, **Lancaster County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.004 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.63

<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>
CBOD ₅	0.8	1.2	XXX	25	37	50
Total Suspended Solids	1.0	1.5	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
				Geo Mean		

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

The EPA Waiver is in effect.

PA0248207, SIC Code 6514, **Kevin & Melissa Nelson**, 12 Chestnut Grove Lane, Newville, PA 17241. Facility Name: Nelson SFTF. This existing facility is located in Upper Frankford Township, **Cumberland 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 Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes, 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 0.0005 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
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	Report	XXX	XXX
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
				Geo Mean		

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

The EPA Waiver is in effect.

PA0021229, Sewage, SIC Code 4952, **Littlestown Borough Authority Adams County**, 10 S Queen Street, Littlestown, PA 17340-1612. Facility Name: Littlestown STP. This existing facility is located in Littlestown Borough, **Adams County**.

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

The receiving stream(s), Unnamed Tributary of Alloway Creek, is located in State Water Plan watershed 13-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 1 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
CBOD ₅						
May 1 - Oct 31	167	250	XXX	20	30	40
Nov 1 - Apr 30	208	Wkly Avg 334	XXX	25	40	50
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Total Suspended Solids	250	375 Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	11.7	XXX	XXX	1.4	XXX	2.7
Nov 1 - Apr 30	35.0	XXX	XXX	4.2	XXX	8.4
Total Phosphorus	Report	XXX	XXX	Report	Report Daily Max	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	18265			
Net Total Phosphorus	Report	2435			

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on 10/1/2014. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2015. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2014.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2015.

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.

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

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

WQM Permit No. 2312403, Sewage, **Cheyney University of Pennsylvania**, 1837 University Circle, P. O. Box 200, Cheyney, PA 19319.

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

Description of Action/Activity: To upgrade existing wastewater treatment plant to replace aging equipment and enable plant to meet NPDES permit limits.

WQM Permit No. 1512405, Sewage, **Willistown Township**, 688 Sugartown Road, Malvern, PA 19355.

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

Description of Action/Activity: To upgrade the hydraulic capacity of pumping station #3 with new controls.

WQM Permit No. 0990418, Sewage, **Joseph F. Hogan**, 820 Cherry Lane, Newtown, PA 18940-3655.

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

Description of Action/Activity: Permit is being transferred from Riley Day Care Center STP to James F. Hogan.

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

WQM Permit No. 3512403 Sewerage, **Abington Regional Wastewater Authority**, 200 Northern Boulevard, Chinchilla, PA 18410

This proposed facility is located in South Abington Township, **Lackawanna County**, PA.

Description of Proposed Action/Activity: This project involves upgrades to the Authority's existing wastewater treatment to increase hydraulic capacity and to provide for biological nitrogen removal and chemical phosphorus removal.

WQM Permit No. 3512404 Sewerage, **Greenfield Township Sewer Authority**, PO Box 501, Carbondale PA 18407
This proposed facility is located in Greenfield Township, **Lackawanna County**, PA.

Description of Proposed Action/Activity: This project involves replacing the existing chlorine disinfection system with ultraviolet disinfection.

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

WQM Permit No. 6791403 12-1, Sewerage, **East Prospect Borough Authority**, PO Box 334, 28 West Maple Street, East Prospect, PA 17317.

This proposed facility is located in Lower Windsor Township, **York County**.

Description of Proposed Action/Activity: Seeking approval for modifications to the wastewater treatment plant.

WQM Permit No. 2212402, Sewerage, **South Hanover Township Sewer Authority**, 111 West Third Street, Hershey, PA 17033.

This proposed facility is located in South Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Seeking approval for a pump station upgrade.

WQM Permit No. 3688468 12-1, Sewerage, **Paradise Township Sewer Authority**, 2 Township Drive, PO Box 40, Paradise, PA 17562.

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

Description of Proposed Action/Activity: Seeking approval for modifications to the wastewater treatment plant.

WQM Permit No. 2112404, Sewerage, **Lemoyne Borough Municipal Authority**, 3 Lowther Street, Lemoyne, PA 17043-2029.

This proposed facility is located in Lemoyne Borough, **Cumberland County**.

Description of Proposed Action/Activity: Seeking approval for upgrades of the existing treatment plant to meet Chesapeake Bay Watershed effluent limits.

WQM Permit No. 3878202 12-1, Industrial Waste, **BC Natural Chicken LLC**, PO Box 80, Frederickburg, PA 17026.

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

Description of Proposed Action/Activity: Seeking approval for upgrades to the existing wastewater treatment system to provide high efficiency total nitrogen and phosphorus removal to comply with Chesapeake Bay program nutrient limits.

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

WQM Permit No. 5912201, CAFO (SIC 0213), **Remley Farms Swine Facility**, 1170 Salt Spring Road, Roaring Branch, PA 17765.

The receiving stream, Salt Spring Run, is in watershed 5E and classified for: High-Quality—Cold Water Fishery (HQ-CWF).

Description of Proposed Action/Activity: Remley Farms Swine Facility, an existing swine farm, proposes construction of a new 1.49 MG, under barn manure storage facility impoundment. The new and existing manure storage facilities will hold a total stored volume of approximately 3.0 MG of manure. The proposed facility is designed with a perimeter drain leak detection system with a dedicated observation well.

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1504055-R	Devault Foods, Inc. PO Box 587 Devault, PA 19432	Chester	Charlestown Township	Valley Creek (EV) and Pickering Creek (HQ-TSF)
PAI01 1507009-R	W. Ronald Reid 480 Christine Road Nottingham, PA 19362	Chester	West Nottingham Township	Black Run (EV-MF)
PAI01 151209	Solar Initiative (CSI) 633 Jeffers Circle Exton, PA 19341	Chester	Caln Township	West Branch Brandywine Creek (WWF-MF)

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023911023	Donald Samala PPL Electric Utilities 2 N. 9th St. GENN-3 Allentown, PA 18101	Lehigh	Upper Macungie Township	Breinig Run, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912004	Carla & Glenn Ott 7707 Locust Valley Rd. Coopersburg, PA 18036	Lehigh	Lower Milford Township	UNT to Saucon Creek, CWF, MF (EV Wetlands)

Wyoming County Conservation District: One Hollowcrest Complex, Tunkhannock, PA 18657, 570-836-2589.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026612001	S.T.J. Williams Family Partnership LTD P. O. Box 3655 Scranton, PA 18507	Wyoming	Eaton Township	Bowman's Creek, HQ-CWF, MF

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030611007	Reading School District 800 Washington Street Reading, PA 19601	Berks	Reading City	Schuylkill River/WWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041412004	Pastor Daniel Dorsey Calvary Baptist Church 201 Harvest Fields Dr Boalsburg PA 16827	Centre	Harris Township	Galbraith Gap Run HQ-CWF UNT Spring Creek CWF

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061012002	Cabot United Methodist Church 707 Winfield Road Cabot PA 16023	Butler	Winfield Township	UNT Buffalo Creek HQ; TSF
PAI066211002	Oz Gas Ltd Richard Osborne 225A Swede Road Tidioute PA 16351	Warren	Triumph Twp	Lamb Run / West Hickory Creek HQ-CWF
PAI066212001	Warren Office Partners LLC 116 Union Avenue Altoona PA 16602	Warren	Conewango Twp	Jackson Run CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

CAFO Notices of Intent Received

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

PAG124823, CAFO (SIC 0212), **Keith Heimbach Farm**, 129 Don Packard Road, Granville Summit, PA 16926-9623

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

Description of Size and Scope of Proposed Operation/Activity: Keith Heimbach has applied for an NPDES renewal for Keith Heimbach Farm located in Granville Township, Bradford County. Keith Heimbach raises an average of 19 bison, 90 beef cows and 4,200 hogs, totaling 618 AEUs. A total of 825.4 tons of beef manure, 24.3 tons of bison manure and 1,364,210 gallons of hog manure is generated each year. There are two under-building concrete manure storages for the hog manure.

The receiving stream, North Branch Towanda Creek, is in watershed 04C (Sugar Creek-Towanda Creek) and classified for: Cold Water Fishes (CWF).

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

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 (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create 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

<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>
Hidden Springs Farm 2916 Safe Harbor Rd Millersville, PA 17551	Lancaster	21	358.44	Layers	NA	R
Ryan Snyder 6 Snyder Lane Lewistown, PA 17044	Mifflin	251	683	Swine	N/A	New
Goss Family Farm 123 Decatur Road McClure, PA 17841	Mifflin	397	947	Swine	N/A	Renewal (expanding operation)
Gorrell Dairy, LLC c/o Glenn Gorrell 392 Wood Road Milan, PA 18831	Bradford	2195.3	1370.25	Dairy	NA	New

Biosolids Individual Permits (PABIG and PABIS)

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to land apply biosolids subject to certain requirements in the permit.

Persons wishing to comment on a proposed permit are invited to submit statements to the responsible Department regional office noted before the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding an application. A response should include the name, address and telephone number of the writer and a concise statement of a comment and the relevant facts upon which it is based. A public hearing may be held if the regional office considers the public response significant.

Following the 30-day comment period, the water management regional manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, comments received and other information on file and may be inspected and arrangements made for copying at the responsible Department regional office indicated before the application.

Persons with a disability who require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

PABIS 4821. Leslie's Septic Service, Pine Township, Potter County. Mr. David Hinman, 491 Yahn Road, Galeton, PA, 16922 has applied to beneficially use their biosolids on the Woodcock farm in Clymer Township, **Tioga County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 1

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

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

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

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

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

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

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

West Easton Development Office Building, 108 Main Street, West Easton Borough, **Northampton County**. Douglas Sammak, American Analytical & Environmental, Inc., 738 Front Street, Catasauqua, PA 18032 has submitted a Notice of Intent to Remediate on behalf of his client, West Easton Development, LP, 1177 6th Street, Whitehall, PA 18052-5212, concerning the remediation of soil and groundwater found to have been impacted by No. 2 fuel oil as a result of a release discovered during the removal of a previously abandoned underground storage tank. The applicant proposes to remediate the site to meet the Non-Residential Statewide Health Standard for soil and groundwater. The future planned use of the property is commercial. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

Jerome H. Rhoads, Inc., 221 East State Street, Quarryville, PA 17566, Quarryville Borough, **Lancaster County**. Gannett Fleming, Inc., 101 Millersville Road, Lancaster, PA 17603-4250, on behalf of Jerome H. Rhoads, Inc., 624 South Prince Street, Lancaster, PA 17603, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with petroleum hydrocarbons and chlorinated solvents. The site will be remediated to a combination of the Background and Site-Specific Standards. Future use of the site will remain a bulk fuel storage and distribution facility.

Former BP Terminal No. 4574 / Loading Rack, 901 Mountain Home Road, Sinking Spring, PA 19508, Spring Township, **Berks County**. Antea Group, 780 East Market Street, Suite 120, West Chester, PA 19382, on behalf of Atlantic Richfield Company, a BP Products North America Inc. Affiliated Company, 501 West Lake Park Boulevard, WL1-28.1608, Houston, TX 77079 and Reading Terminals Corporation, PO Box 2621, Harrisburg, PA 17105-2621, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs. The site will be remediated to the Site-Specific Standard and will continue as a bulk petroleum storage facility.

PA Army National Guard, Fort Indiantown Gap, Shoppette, Building 9-66, Union Township, **Lebanon County**. PA Department of Military & Veteran Affairs, Fort Indiantown Gap, Building 0-11, Annville, PA 17003 submitted a Notice of Intent to Remediate site soils and groundwater contaminated with gasoline and No. 2 fuel oil. The site will be remediated to the Residential State-wide Health standard and will remain a military base.

Former Fisher Auto Parts Site, 1900-1927 Margaret Avenue, Altoona, PA 16601, City of Altoona, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of 1113-1119 Eighth Avenue Associates, 540 Shannon Road, Altoona, PA 16601, submitted a Notice of Intent to Remediate site soils contaminated with arsenic and lead. The site has operated as an automotive repair facility, paint shop, and metal shop. The site will be remediated to the Site-Specific Standard and future use is a warehouse.

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

Graymont, Inc., Pleasant Gap Facility Spring Township, **Centre County** Letterle & Associates, LLC, on behalf of Graymont, Inc., 965 East College Avenue, Bellefonte, PA 16823-6823 has submitted a Notice of Intent to Remediate soil contaminated with anthracene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(a)pyrene, chrysene, fluorene, phenanthrene, pyrene, benzene, and naphthalene. The applicant proposes to remediate the site to meet the Statewide Health Standard.

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

Lord Corporation West 12th Street Facility, City of Erie, **Erie County**. AMEC Environmental & Infrastructure, Inc., 800 N. Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of the Greater Erie Industrial Development Corporation, 5240 Knowledge Parkway, Erie, PA 16510 and Lord Corporation, 2000 West Grandview Boulevard, Erie, PA 16509 has submitted a Notice of Intent to Remediate. Contamination of soil and groundwater, possibly occurring from historic manufacturing operations has been found on site. Constituents of Concern are chlorinated solvents, primarily tetrachloroethene, dense non-aqueous phase liquids, and breakdown compounds. The

intended future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Erie Times-News* on March 21, 2012. The proposed cleanup standard for the site is Site-Specific.

RESIDUAL WASTE GENERAL PERMITS

Modification of Permit Proposed Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit No. WMGR103SC001. Berks Soil and Stone, 63 S. Hampton Dr., Wyomissing, PA 19610

General Permit numbered WMGR103SC001 was issued on October 11, 2011, for the processing of: (1) spent mushroom substrate, (2) dredged river sand, (3) wood and yard waste, and (4) waste foundry sand generated at the Berks Soil and Stone facility, located in Ontelaunee Township, Berks County, to produce: (a) a manufactured topsoil, (b) construction aggregate, and (c) mulch material.

The permittee submitted a modification to the Department requesting that (i) water treatment residual from a water treatment plant be included in the processing authorized under WMGR103SC001, and (ii) the chemical concentration limit required for total level of Arsenic in the manufactured soil be set at 29 mg/kg to be consistent with current beneficial uses standards.

The heading to the original notice that was published on March 31, 2012, incorrectly stated that the modification was issued instead of proposed. Corrections were made to the bottom paragraph in the original notice and directions for submitting comment by e-mail were added.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at rapenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR103" in the subject line. Faxed comments will not be accepted. Public comments must be submitted by May 30, 2012, and may recommend revisions to, and approval or denial of the modification request. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

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

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.

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

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

06-05008B: SFS Intec, Inc. (P. O. Box 6326, Wyomissing, PA 19610) for installation of a third dip spin coating line at their facility in Wyomissing Borough, **Berks County**.

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

Plan Approval No. 06-05008B is for the installation of a third dip spin coating line equipped with a 2.5 mmBtu/hr natural gas fired drying oven. The VOC content of each as applied surface coating on the new line (expressed as lbs VOC per gallon of coating solids) will be limited to

less than or equal to 5.06. The facility is a minor facility and the plan approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The expected actual air emissions from the proposed project are 10.0 tpy of VOCs, 1.83 tpy NO_x, 0.006 tpy SO_x, 0.08 tpy PM₁₀, 0.08 tpy PM_{2.5}, 0.26 tpy CO, 0.06 tpy VOC, & 1,288.20 tpy GHG.

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

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

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

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

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

36-05156A: L & S Sweeteners, Inc. (388 East Main Street, Leola, PA 17540) for construction of two (2) landfill gas-fired engine generator sets at the facility in Upper Leacock Township, **Lancaster County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to the abovementioned company for the abovementioned project. This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date.

Plan Approval No. 36-05156A authorizes the construction of two (2) landfill gas-fired engine generator sets that will provide electrical power to the facility's operations with excess power delivered to the power utility grid. The proposed project will have the potential to emit 150.9 tpy of CO, 21.6 tpy of NO_x, 1.7 tpy of SO₂, 5.2 tpy of PM₁₀, 37.9 tpy of VOCs, and 18.8 tpy of Formaldehyde. The facility is subject to and contains all applicable requirements of 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, and 40 CFR Part 63, Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

available for public review during normal business hours at Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

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

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

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

AMS 11416: Philadelphia Gas Works—Richmond Plant (3100 East Venango Street, Philadelphia, PA 19134) to modify the Plan Approval dated 7/27/99. The modification include includes removing the presumptive RACT condition to comply with 25 Pa. Code § 129.93(c)(3) for the three emergency Caterpillar Engines 135G2U 295 hp firing natural gas and replacing it with presumptive RACT condition 25 Pa. Code § 129.93(c)(5). The plan approval will contain monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-949-705-4863

06-05105: Green Gas Pioneer Crossing Energy LLC (4251 SW High Meadows Avenue, Palm City, FL 34990) for their landfill-gas-to-energy plant in Exeter 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 for the abovementioned facility.

The subject facility has potential-to-emit 4.0 tpy of PM-10, 40.8 tpy of NO_x, 240.8 tpy of CO, 25.3 tpy of VOC, 47.3 tpy of SO_x and 26.5 tpy of total HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and re-

porting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart WWW, 40 CFR 63 Subpart AAAA, 40 CFR 63 Subpart ZZZZ and BAT.

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

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

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

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

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

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

15-00129: Premier Woodcraft LTD (131 Birch Street, South Coatesville, PA 19320) for renewal of a State Only Operating Permit for a manufacturer of wood partitions and fixtures in South Coatesville Borough, **Chester County**. The facility has taken restriction to remain a synthetic minor for VOC and HAP 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.

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

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

45-00015: Tarheel Quarry LLC (P. O. Box 900, Caughbaugh Road, Blakeslee, PA 18610) for mining and quarry operations in Tobyhanna Township, **Monroe County**. The proposed State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, 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 Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

36-05119: Signature Custom Cabinetry, Inc. (434 Springville Road, Ephrata, PA 17522) for operation of a wood cabinet manufacturing facility and paint booths in Ephrata Township, **Lancaster County**. This is a renewal of their State-only Operating Permit issued in 2007.

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

The subject facility has actual emissions around 12.9 tpy VOC, 4.4 tpy of combined HAPs & 2.5 tpy of a single HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

36-03055: New Enterprise Stone & Lime Co., Inc. (P. O. Box 550, Blue Ball, PA 17506-0550) for operation of limestone quarry and rock crushing operations in Salisbury Township, **Lancaster County**. This is a renewal of their State-Only Operating Permit issued in 2007.

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

The subject facility has actual emissions around 4.9 tpy PM₁₀, 0.21 tpy of CO, 2.5 tpy NO_x, 4.3 tpy SO_x, & 0.1 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours

at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

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

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

25-00095: Lord Corp., MPD (1635 West 12th Street, Erie, PA 16514) to re-issued a Synthetic Minor Permit to operate a Fabricated Rubber Products Manufacturing Facility located in Erie City, **Erie County**. The facility has voluntary limits for VOC and HAP emissions in order to maintain Synthetic Minor status.

PLAN APPROVALS

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

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

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

40-309-042: Certech, Inc. (550 Stewart Road, Hanover Industrial Estates, Wilkes-Barre, PA 18706-1455) for construction and operation of seven (7) periodic kilns for their facility in Hanover Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a) the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Certech, Inc. (550 Stewart Road, Hanover Industrial Estates, Wilkes-Barre, PA 18706-1455) for their facility located in Hanover Twp., Luzerne County. This Plan Approval No. 40-309-042 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-309-042 is for the construction and operation of seven periodic kilns. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO_x emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO_x, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP

and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-309-042 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

39-399-068: Service Tire Truck Center Incorporated (2255 Avenue A, Bethlehem, PA 18017) for installation of a new cyclone at their existing facility for their facility in Bethlehem, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Service Tire Truck Center Incorporated (2255 Avenue A, Bethlehem, PA 18017) for their facility located in Bethlehem, Lehigh County. The facility currently has a State Only permit #39-00091. This Plan Approval No. 39-399-068 will be incorporated into the companies Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 39-399-068 is for the installation of a new cyclone at their existing facility location located in Bethlehem. The company wants replace an old baghouse with a new cyclone to control emissions from their tire buffing process. VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. Particulate emissions will not exceed 0.02 grains/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code

§ 123.41 for Visible emissions. Emissions will be controlled by the use of a high efficiency cyclone. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 39-399-068 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone # 570-826-2511 within 30 days after publication date.

58-399-039: Williams Field Services Co. LLC (1605 Coraopolis Heights Road, Moon Township, PA 15108) for construction of two (2) additional CAT G3608 engines at the Hawley Compressor Station for their facility in Forest Lake Township, **Susquehanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Williams Field Services Company LLC (1605 Coraopolis Heights Road, Moon Twp., PA 15108) for their facility located in Forest Lake Twp., Susquehanna County. This Plan Approval No. 58-399-039 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-399-039 is for the construction of two additional CAT G3608 engines at the Hawley Compressor Station. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO_x emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO_x, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

The facility is subject to NSPS Subpart JJJJ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The

company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions.

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

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 58-399-039 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the

applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

Coal Applications Received

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

03870701 and NPDES No. PA 0214558, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Coal Refuse Disposal #2 in Plumcreek Township, **Armstrong County** and related NPDES permit to reconfigure the refuse disposal site and increase the drainage area for NPDES Outfall 002. Coal Refuse Disposal Support Acres Proposed 7.3, Coal Refuse Disposal Acres Proposed 2.9. Receiving stream: Dutch Run, classified for the following use: CWF. The application was considered administratively complete on April 5, 2012. Application received November 29, 2011.

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

32030110, Fossil Fuel, Inc., 690 Weaver Road, Marion Center, PA 15759, revision of an existing bituminous surface and auger mine to change land use from forestland to unmanaged natural habitat in East Mahoning and Grant Townships, **Indiana County**, affecting 43.0 acres. Receiving stream(s): UTS to Crooked Run to Little Mahoning Creek classified for the following use(s): high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received March 27, 2012.

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

54860105R5 and NPDES Permit No. PA0593303. Kuperavage Enterprises, Inc., (P. O. Box 99, Middleport, PA 17953), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Blythe Township, **Schuylkill County** affecting 273.84 acres, receiving stream: Schuylkill River, classified for the following use: cold water fishes. Application received: April 3, 2012.

Noncoal Applications Received

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

29120802. Jason S. Ramsey, 1010 Buchanan Trail, McConnellsburg, PA 17238, commencement, operation, and restoration of a small noncoal operation in Ayr

Township, **Fulton County**, affecting 5.9 acres. Receiving stream(s): unnamed tributary to Spring Run. Application received: March 30, 2012.

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

58120301. Joseph Zawisky, LLC, (729 Walker Road, Susquehanna, PA 18847), commencement, operation and restoration of a bluestone quarry operation in Jackson and Oakland Townships, **Susquehanna County** affecting 70.0 acres, receiving streams: Drinker and Lewis Creeks, classified for the following use: cold water fishes. Application received: March 26, 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

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

*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

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

* The parameter is applicable at all times.

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

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associ-

ated 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).

Effluent Limits for Coal Mining Activities

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.

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:

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:

limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

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

Effluent Limits for Noncoal Mining Activities

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

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

ated 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

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

NPDES No. 0257851 (Mining permit no. 17110112), Waroquier Coal Company, P. O. Box 128, Clearfield,

PA 16830, new NPDES permit for surface mining in Lawrence Township, **Clearfield County**, affecting 26.0 acres. Receiving stream(s): unnamed tributary #1 to Lick Run, classified for the following use(s): HQ-Cold Water Fisheries. See Lick Run Watershed TMDL. Application received: October 13, 2011.

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	Yes
B	Yes

There is no proposed surface discharge from the above listed facilities to the receiving stream due to the implementation of Best Management Practices.

Noncoal NPDES Draft Permits

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

NPDES No. PA0241903 (Permit No. 10010306). Three Rivers Aggregates, LLC (225 North Shore Drive, Pittsburgh, PA 15212) Renewal of NPDES permit for a large industrial minerals surface mine in Worth Township, **Butler County**, affecting 122.0 acres. Receiving streams: Slippery Rock Creek, classified for the following uses: CWF. TMDL: None. Application received: February 24, 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 Slippery Rock Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>
pH ¹ (S.U.)	6.0
Iron (mg/l)	
Alkalinity greater than acidity ¹	
Total Settleable Solids (ml/l)	0.5

<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
		9.0
		7.0
		0.5

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments,

suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-495. Joe Barakat, Manager, Chadds Ford Township, 10 ring Road, Chadds Ford, PA 19317-9101, Chadds Ford, **Delaware County**, ACOE Philadelphia District.

To construct and maintain two new 40-foot long, 6-foot span pedestrian bridges across Harvey Run (Perennial, WWF-MF) associated with expansion of the existing trail system.

The site is located approximately 2500 feet southeast of the intersection of Baltimore Pike and Creek Road (Wilmington-North, DEL- PA, USGS Quadrangle N: 22.0 inches; W: 11.98 inches).

E46-1077. Texas Eastern Transmission LP, 890 Winter Street, Suite 300, Waltham, MA 02451, Conshohocken, West Conshohocken Boroughs, Plymouth Township, **Montgomery County**, ACOE Philadelphia District.

To remove the two existing 8-inch dilapidated gas pipeline, and to install and maintain approximately 700 linear feet of one 8-inch and one 12-inch diameter gas pipelines across the Schuylkill River (WWF, MF) and its floodplain. This work includes construction and maintenance of a cofferdam/causeway in the river.

The site is located approximately 500 feet downstream of Mid County Expressway (I-476) crossing of the Schuylkill River. (Norristown, PA, USGS Quadrangle N: 20-inches; W: 12.75 inches).

E15-824 -Pennsylvania Turnpike Commission; Tredyffrin Township, **Chester County**; Upper Marion Township, **Montgomery County**. ACOE Philadelphia District

To perform the following Water Obstruction and Encroachment activities associated with the widening of the Pennsylvania Turnpike (I-276) from mile post 319.4, west of Howells Road Bridge in Tredyffrin Township, Chester County to mile post 326.7, west of the Valley Forge Interchange in upper Merion Township, Montgomery County. The project proposes a six-lane highway, a 26-foot wide median, and two 12-foot shoulders along a six-mile segment of the Turnpike:

1) To remove the existing bridge across Valley Creek #1 (EV) at station 1251+00 (Milepost 323.46) and to construct and maintain, in its place, an approximately 121-foot long, 122-foot span, and 20-foot high bridge (S-22).

2) To extend and maintain the existing 60-inch RCP culvert by 90 linear feet (LF) at station 1162+50 across an unnamed tributary to Valley Creek (EV) (S-12).

3) To extend and maintain the existing 72-inch RCP culvert by 75 LF at station 1183+50 across an unnamed tributary to Valley Creek (EV) (S-13).

4) To extend and maintain the existing 54-inch RCP culvert by 15 LF at station 1198+75 across an unnamed tributary to Valley Creek (EV) (S-41).

5) To extend and maintain the existing 12-foot span, 7-foot rise open bottom arch culvert by 87 LF at station 1224+00 across an unnamed tributary to Valley Creek (EV) (S-36).

6) To extend and maintain the existing 12-foot wide, 7-foot rise open bottom arch culvert by 45 LF at station 1224+55 across an unnamed tributary to Valley Creek (EV) (S-19).

7) To extend and maintain the existing 24-foot wide, 10-foot rise open bottom arch culvert by 35 LF at station 1355+85.3 across the West Branch of Trout Creek (WWF) (S-27).

8) To extend and maintain the existing 24-foot wide, 10-foot rise open bottom arch culvert by 56 LF at station 1355+85.3 across the West Branch of Trout Creek (WWF) (S-30).

9) To extend and maintain the existing 24-foot wide, 10-foot rise open bottom arch culvert by 40 LF at station 1366+01.4 across the West Branch of Trout Creek (WWF) (S-28).

10) To extend and maintain the existing 24-foot wide, 10-foot rise open bottom arch culvert by 36 LF at station 1366+01.4 across the West Branch of Trout Creek (WWF) (S-29).

11) To extend and maintain the existing 42-inch RCP culvert by 35 LF at station 1146+65 to accommodate an existing Stormwater discharge due to road expansion (S-49).

12) To extend and maintain the existing 54-inch RCP culvert by 7 LF at station 1153+00 to accommodate an existing Stormwater discharge due to road expansion (S-46).

13) To extend and maintain the existing 24-inch RCP culvert by 15 LF at station 1157+00 to accommodate an existing Stormwater discharge due to road expansion (S-9).

14) To place and maintain fill in approximately 200 LF of an existing Stormwater conveyance channel to accommodate the construction of Bio-Retention Basin 3 at station 1145+00 (S-6).

15) To place and maintain fill in approximately 225 LF of an existing Stormwater conveyance channel to accommodate the construction of Bio-Retention Basin 3A at station 1148+40 (S-8)

16) To place and maintain fill in approximately 200 LF of the existing Stormwater conveyance channel to accommodate the construction of Bio-Retention Basin 6B at station 1194+50 (S-14).

17) To place and maintain fill in approximately 375 LF of the existing Stormwater conveyance channel to accommodate the construction of Infiltration basin 7 at station 1221+10 (S-18).

18) To place and maintain fill in approximately 100 LF of the existing Stormwater conveyance channel to accommodate the construction of Infiltration Basin 8 at station 1236+40 (S-21).

19) To place and maintain fill in approximately 530 LF of the existing Stormwater conveyance channel to accommodate the construction of Underground Vault 10C at station 1264+60 (S-34).

20) To place and maintain fill in approximately 200 LF of the existing Stormwater conveyance channel to accommodate the construction of Noise Wall at station 1217+00 (S-38).

21) To place and maintain fill in 1200 LF of the existing Stormwater conveyance channel to accommodate the construction of Noise Wall at station 1202+00 (S-39).

22) To place and maintain fill in approximately 3,655 SF (0.08 acre) of Valley Creek at station 1251+00 to accommodate the construction of bridge and stormwater basin (S-33).

23) To relocate approximately 100 feet of stream at station 1146+65, to preserve the open channel and to provide for the construction of basin number 3 (S-7).

24) To provide for approximately 23,301 SF (0.53 acre) of channel mitigation near station 1196+00, south of basin B (S-15).

25) To construct and maintain an outfall structure discharging into unnamed tributary to Valley Creek (EV) at station 1072+45 to accommodate the stormwater discharge from Vault 1A-2 (S-50).

26) To construct and maintain an outfall structure discharging into unnamed tributary to Valley Creek (EV) at station 1113+65 to accommodate the stormwater discharge from Basin 2A (S-52).

27) To place and maintain approximately 3,910 SF (0.09 acre) of fill in the floodway of the unnamed tributary to East Branch of Trout Creek (WWF) at station 1384+20 to accommodate the construction of Stormwater Basin 15-3 (S-51).

28) To temporarily impact approximately 0.07 acre of wetland (PEM) to accommodate the construction of stormwater pipe at station 1104+00, (Wetland F).

29) To place and maintain fill in approximately 0.002 acre of wetland (PFO) to accommodate the placement of rip-rap at opening of culvert at station 1123+90 (Wetland H).

30) To temporarily impact approximately 0.008 acre of wetland (PEM) to accommodate the placement of the rip rap and the temporary measures used to redirect/divert the water flow through the culvert during the construction process at station 1223+85 (Wetland I).

31) To place and maintain approximately 0.008 acre of fill in wetland (PEM) to accommodate the placement of rip rap at culvert discharge point at station 1162+00 (Wetland L).

The project will permanently impact approximately 0.11 acre of wetlands, and 290 linear feet of stream. The project will temporarily impact approximately 0.87 acre of wetlands, and 679 linear feet of stream. The project commences west of Howells Road in Tredyffrin Township, Chester County (Malvern, PA, USGS Quadrangle N: 3.4 inches; W: 2.9 inches) and runs east approximately six miles and ends at the Valley Forge Interchange in Upper Merion Township, Montgomery County (Valley Forge, PA, USGS Quadrangle N: 3.4 inches; W: 2.9 inches).

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, Telephone 570-826-2511.

E40-726. Greater Hazelton Area Civil Partnership, 20 West Broad Street, Hazelton, PA 18201, in Hazle Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a prefabricated steel truss pedestrian bridge on existing stone railroad abutments across Hazle Creek (HQ-CWF), having a 115-foot span and a 32-foot underclearance. The project is located on the north side of Beryllium Road approximately 1.4 miles east of its intersection with SR 3019 (Beaver Meadow Mt. Road) (Hazelton, PA Quadrangle, Latitude: 40°57'55.5"; Longitude: -75°54'29").

E45-571. Emerald Lakes Association, Inc., 1112 Glade Drive, Long Pond, PA 18334, in Tobyhanna Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a dry fire hydrant in East Emerald Lake (HQ-CWF, MF) consisting of a 6-inch diameter intake pipe, a 3-foot deep 20' x 25' riprap-lined excavated sump enclosed by a 3-foot high 5-foot wide stone berm in East Emerald Lake (Hazelton, PA Quadrangle, Latitude: 41°04'53"; Longitude: -75°25'39").

E52-235. Pennsylvania Department of Transportation/Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, in Delaware and Lehman Townships, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with roadway improvements along SR 2001:

1. To remove the existing structure and to construct and maintain a road crossing across a tributary to Toms Creek (EV) consisting of a 60-foot long 30-inch pipe depressed 6-inches with a riprap outlet apron.

2. To remove the existing structure and to construct and maintain a road crossing across a tributary to Toms Creek (EV) consisting of a 94-foot long 36-inch pipe depressed 6-inches with a riprap outlet apron.

3. To remove the existing structures and to construct and maintain a road crossing 100 feet downstream across a tributary to Toms Creek (EV) consisting of an open bottom concrete arch bridge that has a 70-foot long span and a 7.0 foot under-clearance.

4. To remove the existing structure and to construct and maintain a stream relocation of a tributary to Toms Creek (EV) for 555 linear feet.

5. To remove the existing structure and to construct and maintain a road crossing across a tributary to Toms Creek (EV) consisting of a 53-foot long 18-inch pipe depressed 6-inches with a drop structure and riprap outlet apron.

6. To remove the existing structure and to construct and maintain a road crossing across a tributary to Toms Creek (EV) consisting of a 64-foot long 42-inch pipe depressed 6-inches with a riprap outlet apron.

7. To remove the existing structure and to construct and maintain a road crossing across a tributary to Toms Creek (EV) consisting of a 58-foot long 30-inch pipe depressed 6-inches with a riprap outlet apron.

8. To remove the existing structures and to construct and maintain a road crossing across Toms Creek (EV) consisting of a single span pre-stressed spread box beam bridge that has a 30-foot long span and an approximate 3.7 foot under-clearance.

9. To remove the existing structure and to construct and maintain a road crossing across a tributary to Toms Creek (EV) consisting of a 56-foot long 24-inch pipe depressed 6-inches with a riprap outlet apron.

10. To remove the existing structure and to construct and maintain a stream relocation of a tributary to Toms Creek (EV) consisting of a 68-foot 53-inch x 83-inch concrete elliptical pipe, 100 feet of open channel and a 68-foot 48-inch x 76-inch concrete elliptical pipe.

11. To remove the existing structure and to construct and maintain a road crossing across a tributary to Briscoe Creek (HQ-CWF) consisting of an 80-foot long 54-inch pipe depressed 6-inches with a riprap outlet apron.

12. To remove the existing structure and to construct and maintain a road crossing across a tributary to Briscoe Creek (HQ-CWF) consisting of an 84-foot long 83-inch x 123-inch culvert depressed 12-inches with a riprap outlet apron.

13. To remove the existing structure and to construct and maintain a road crossing across a tributary to Briscoe Creek (HQ-CWF) consisting of a 90-foot long 36-inch pipe depressed 6-inches with a riprap outlet apron.

14. To remove the existing structures and to construct and maintain a road crossing across Briscoe Creek (HQ-CWF) consisting of an open bottom conspan arch bridge that has a 85-foot long span and a 10.0 foot underclearance.

15. To remove the existing structure and to construct and maintain a road crossing across a tributary to Delaware River (HQ-CWF) consisting of an 84-foot long 42-inch pipe depressed 6-inches with a riprap outlet apron.

16. To remove the existing structure and to construct and maintain a road crossing across a tributary to Delaware River (HQ-CWF) consisting of a 50-foot long 24-inch pipe depressed 6-inches with a riprap outlet apron.

17. To remove the existing structure and to construct and maintain a road crossing across a tributary to Delaware River (HQ-CWF) consisting of a 63-foot long 18-inch pipe depressed 6-inches with a riprap outlet apron.

18. To remove the existing structure and to construct and maintain a road crossing across a tributary to Hornbeck Creek (HQ-CWF) consisting of a 72-foot long 30-inch pipe depressed 6-inches with a riprap outlet apron.

The overall improvements will impact 0.31 acre of PEM wetlands, 0.05 acre of PSS wetlands, and 0.19 acre of PFO wetlands totaling 0.54 acre along with 0.43 acre of temporary wetland impacts, and require 18 stream crossings, totaling 2,699 linear feet of permanent impacts and 637 linear feet of temporary impacts. The permittee is required to provide 1.17 acres of replacement wetlands. The proposed project is located along a 7 miles section of SR 2001 starting at the intersection with Pheasant Run Road and ends north of the intersection of Rockledge Road.

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4802.

E06-677: Berks County, Berks County Services Center, 633 Court Street, 14th Floor, Reading, Pennsylvania 19601, in Perry and Tilden Townships, **Berks County**, ACOE Philadelphia District

To: 1) remove the existing structure, 2) construct and maintain a two-span steel plate girder bridge skewed 80° having a total span of 226.521 feet, a width of 33.375 feet, and an minimum underclearance of 16.370 feet across the Schuylkill River (WWF, MF) at the same location, and 3) construct a temporary causeway for construction, all for the purpose of improving transportation safety and roadway standards. The project is located along T-558 (Fisher Dam Road) (Hamburg, PA Quadrangle; N: 4.1 inches, W: 17.2 inches; Latitude: 40°31'21", Longitude: -75°59'55") in Perry and Tilden Townships, Berks County.

E21-427: Sunesys, LLC, PennREN Fiber Optic Line, 185 Titus Avenue, Warrington, Pennsylvania 18976, in Middlesex Township, **Cumberland County**, ACOE Baltimore District

To install and maintain: 1) a waived fiber optic utility line with a normal span of 28.6 feet across Middle Spring Run (HQ-CWF) (Latitude: 40°03'04.05", Longitude: -77°31'27.02") in Shippensburg Borough, Cumberland County; 2) a waived fiber optic utility line with a normal span of 22.0 feet across an unnamed tributary to Burd Run (CWF) (Latitude: 40°03'28.28", Longitude: -77°30'31.69") in Shippensburg Borough, Cumberland County; 3) a waived fiber optic utility line with a normal span of 51.7 feet across Burd Run (CWF) (Latitude: 40°03'34.62", Longitude: -77°30'23.14") in Shippensburg Borough, Cumberland County; 4) a waived fiber optic utility line with a normal span of 102.3 feet across Mount Rock Spring Creek (WWF) (Latitude: 40°09'41.24", Longitude: -77°18'58.49") in West Pennsboro Township, Cumberland County; 5) a waived fiber optic utility line with a normal span of 85.0 feet across Alexander Spring Creek (CWF) (Latitude: 40°10'59.38", Longitude: -77°15'32.36") in West Pennsboro Township, Cumberland County; 6) a fiber optic utility line with a normal span of 46.2 feet and an underclearance 27.0 feet of across LeTort Spring Run (HQ-CWF) (Latitude: 40°14'01.80", Longitude: -77°08'19.51") in Middlesex Township, Cumberland County; 7) a waived fiber optic utility line with a normal span of 100.0 feet across Hogestown Run (CWF) (Latitude: 40°14'42.98", Longitude: -77°01'56.84") in Silver Spring Township, Cumberland County; 8) a waived fiber optic utility line with a normal span of 39.6 feet across Trindle Spring Run (HQ-CWF) (Latitude: 40°14'48.12", Longitude: -77°00'17.95") in Silver Spring Township, Cumberland County; and 9) a waived fiber optic utility line with a normal span of 96.8 feet across an unnamed tributary to the Susquehanna River (WWF) (Latitude: 40°15'14.39", Longitude: -76°54'15.98") in Lemoyne Borough, Cumberland County; all for the purpose of upgrading and allowing greater access to the fiber optic network.

E36-896: David L. Fenicle, Manheim Borough Authority, Rettew Lane Bridge Replacement, 18 East High Street, Manheim, Pennsylvania 17545-1505, in Manheim Borough and Penn Township, **Lancaster County**, ACOE Baltimore District

To remove the existing structure and construct and maintain a 24.25-foot wide, two-span pre-stressed composite box beam reinforced concrete deck bridge, having normal spans of 52.5 feet and an underclearance of 9.63 feet across Chickies Creek (WWF, MF), temporarily impacting 0.03 acre of palustrine emergent wetland. The project is located on Rettew Lane (Manheim, PA Quadrangle, N: 5.24 inches, W: 4.15 inches; Latitude: 40°09'14" N, Longitude: -76°24'17" W) in Manheim Borough and Penn Township, Lancaster County. The purpose of the project is to replace an aging bridge. Wetland impacts are considered diminimus and mitigation is not required.

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

E08-479. Wysox Creek Watershed Association, 628 Westbrook Road, Rome, PA 18837-8013. Water Obstruction and Encroachment Joint Permit Application, in Orwell and Rome Townships, **Bradford County**, ACOE Susquehanna River Basin District (Rome, PA Quadrangle N: 41° 50' 32.4"; W: 76° 18' 31.7").

To construct and maintain 5900 feet of stream bank stabilization along the banks of Johnson Creek. This project proposes to permanently impact 5900 linear feet of Johnson Creek, which is designated a Cold Water Fishery stream and does not propose to impact any jurisdictional wetlands.

E41-623. PA Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Water Obstruction and Encroachment Joint Permit Application, in Brown Township, **Lycoming County**, ACOE Susquehanna River Basin District (Cedar Run, PA Quadrangle N: 41.519888°; W: 77.398080°).

To construct and maintain a 48-foot by 14-foot bridge on a skew of 90° over Browns Fork located off SR 0414. This project proposes to permanently impact 48 linear feet of Browns Fork, which is designated a High Quality-Cold Water Fishery stream and does not propose to impact any jurisdictional wetlands.

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

E02-1665. Allied Waste Systems of Pennsylvania, LLC, 11 Boggs Rd., Imperial, PA 15126, Findlay Township, **Allegheny County**. ACOE Pittsburgh District

The applicant proposes to place and maintain fill in approximately 2.39 acres of wetlands for the purpose of reconfiguring and expanding the existing Imperial Landfill. The project is located on the north side of Boggs Road, approximately 5,000 feet northwest from the intersection of Boggs Road and Santiago Road (Clinton, PA Quadrangle N: 3.75"; W: 14.13"; Latitude: 40°-27'-9"; Longitude: 80°-16'-32") in Findlay Township, **Allegheny County** and will impact approximately 2.39 acres of wetlands. The applicant also proposes to mitigate a minimum of 2.39 acres of wetlands.

E65-947. University of Pittsburgh 3400 Forbes Ave, Pittsburgh, PA 15260, Hempfield Township, **Westmoreland County**; ACOE Pittsburgh District

The applicant proposes to construct and maintain a single span bridge of steel beam construction, with a width of approximately 16' and a span of approximately 32' across an un-named tributary to Slate Creek (WWF) for the purpose of providing improved emergency vehicle access to the University Campus, to convert an existing light vehicle bridge to pedestrian use only, and to stabilize approximately 80' of stream bank with gabion baskets. The project is located on the University of Pittsburgh's Greensburg campus in Hempfield Township, **Westmoreland County**, PA (Pittsburgh ACOE District, Greensburg, PA Quadrangle, N: 4.4" W 5.0"; Latitude: 40° 16' 28, Longitude 79° 32' 09").

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

E5729-030: Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Elkland and Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 12 inch diameter gathering line and a temporary crossing using timber mats impacting 1,543 square feet of a palustrine emergent (PEM) wetland (Shunk, PA Quadrangle 41°32'02"N, 76°41'31"W);

2. a 12 inch diameter gathering line and a temporary crossing using a mobile bridge impacting 165 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°31'51"N, 76°41'27"W);

3. a 12 inch diameter gathering line and a temporary crossing using a mobile bridge impacting 103 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°31'51"N, 76°41'27"W);

4. a 12 inch diameter gathering line and a temporary crossing using timber mats impacting 6,708 square feet of a palustrine emergent (PEM) wetland (Shunk, PA Quadrangle 41°31'49"N, 76°41'24"W).

The project will result in 268 linear feet of temporary stream impacts and 8,251 square feet of temporary wetland impacts all for the purpose of installing a well line and associated access roads for Marcellus well development.

E4129-039: Anadarko Marcellus Midstream LLC, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cascade & Gamble Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 6 inch gas lines, one 24 inch gas line, one 12 inch gas line, one 12 inch water line, one electric/fiber optic line, and equipment matting impacting 91 linear feet of an unnamed tributary to West Branch Wallis Run (EV) and 10402 square feet of adjacent palustrine forested (PFO) wetland (Barbours, PA Quadrangle 41°27'00"N 76°52'00"W);

2) two 6 inch gas lines, one 24 inch gas line, one 12 inch gas line, one 12 inch water line, one electric/fiber optic line, and equipment matting impacting 159 linear feet of an unnamed tributary to East Branch Wallis Run (EV) (Barbours, PA Quadrangle 41°26'41"N 76°51'36"W);

3) two 6 inch gas lines, one 24 inch gas line, one 12 inch gas line, one 12 inch water line, one electric/fiber optic line, and equipment matting impacting 77 linear feet of East Branch Wallis Run (EV) (Barbours, PA Quadrangle 41°26'42"N 76°51'27"W);

4) two 6 inch gas lines, one 24 inch gas line, one 12 inch gas line, one 12 inch water line, one electric/fiber optic line, and equipment matting impacting 79 linear feet of an unnamed tributary to East Branch Wallis Run and 3963 square feet of adjacent palustrine emergent (PEM) wetland (Barbours, PA Quadrangle 41°26'42"N 76°51'26"W);

5) two 6 inch gas lines, one 24 inch gas line, one 12 inch gas line, one 12 inch water line, one electric/fiber optic line, and equipment matting impacting 79 linear feet of an unnamed tributary to East Branch Wallis Run (EV) (Barbours, PA Quadrangle 41°26'51"N 76°50'43"W);

6) two 6 inch gas lines and equipment matting impacting 2084 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°23'19"N 76°58'39"W);

7) two 6 inch gas lines and equipment matting impacting 377 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°23'25"N 76°58'29"W);

8) two 6 inch gas lines and equipment matting impacting 63 linear feet of Miller Run (EV) (Bodines, PA Quadrangle 41°23'26"N 76°58'30"W);

9) two 6 inch gas lines and equipment matting impacting 71 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°23'28"N 76°58'28"W);

10) two 6 inch gas lines and equipment matting impacting 41 linear feet of an unnamed tributary to Miller Run (EV) and 6974 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°23'35"N 76°58'23"W);

11) two 6 inch gas lines and equipment matting impacting 123 linear feet of West Branch Murray Run (EV) (Bodines, PA Quadrangle 41°23'33"N 76°57'27"W);

12) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one electric/fiber optic line, and equipment matting impacting 62 linear feet of West Branch Murray Run (EV) and 47552 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°24'36"N 76°58'11"W);

13) two 6 inch gas lines, two 6 inch water lines, one 12 inch water line, one electric/fiber optic line, and equipment matting impacting 11260 square feet of palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°24'36"N 76°58'41"W).

The project will result in 774 linear feet of temporary stream impacts and 1.90 acres of temporary wetland impacts all for the purpose of installing freshwater pipelines with associated roadways for Marcellus well development.

E4129-035: PVR Marcellus Gas Gathering, LLC, 25 West Third Street, 100 Penn Tower, Suite 201 & 202, Williamsport, PA 17701, Mifflin, Piatt, & Watson Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a surface water withdrawal impacting 283 linear feet of the West Branch Susquehanna River (WWF, MF) including two intake screen structures on a concrete pad placed on the stream bed (Linden PA Quadrangle 41°12'50"N 77°13'57"W),

2) one sixteen inch water pipeline bored beneath 2962 square feet of a palustrine emergent (PEM) wetland (Linden PA Quadrangle 41°13'00"N 77°14'04"W),

3) one sixteen inch water pipeline and a timber mat bridge impacting 84 linear feet of Stewards Run (WWF) (Linden PA Quadrangle 41°13'08"N 77°14'08"W),

4) one sixteen inch water pipeline and a timber mat bridge impacting 82 linear feet of an unnamed tributary to Stewards Run (WWF) (Linden PA Quadrangle 41°13'48"N 77°14'57"W),

5) one sixteen inch water pipeline and a timber mat bridge impacting 84 linear feet of Stewards Run (WWF) (Jersey Shore PA Quadrangle 41°13'49"N 77°15'16"W),

6) one sixteen inch water pipeline and a timber mat bridge impacting 75 linear feet of Stewards Run (WWF) (Jersey Shore PA Quadrangle 41°13'50"N 77°15'21"W),

7) one sixteen inch water pipeline and a timber mat bridge impacting 75 linear feet of an unnamed tributary to Canoe Run (EV) (Jersey Shore PA Quadrangle 41°14'38"N 77°15'32"W),

8) one sixteen inch water pipeline bored beneath impacting 88 linear feet of an unnamed tributary to Canoe Run (EV) adjacent to Canoe Run Road (Jersey Shore PA Quadrangle 41°14'45"N 77°15'48"W),

9) one sixteen inch water pipeline and a timber mat bridge impacting 76 linear feet of an unnamed tributary to Canoe Run (EV) (Jersey Shore PA Quadrangle 41°14'51"N 77°15'50"W),

10) one sixteen inch water pipeline and a timber mat bridge impacting 74 linear feet of an unnamed tributary to Tombs Run (HQ-CWF) (Waterville PA Quadrangle 41°15'21"N 77°16'40"W),

11) one sixteen inch water pipeline bored beneath impacting 84 linear feet of an unnamed tributary to Tombs Run (HQ-CWF) adjacent to Fillman Road (Waterville PA Quadrangle 41°15'27"N 77°17'25"W),

12) one sixteen inch water pipeline and a timber mat bridge impacting 85 linear feet of Tombs Run (HQ-CWF) adjacent to Tombs Run Road (Waterville PA Quadrangle 41°15'18"N 77°17'38"W),

13) one sixteen inch water pipeline and a timber mat bridge impacting 1655 square feet of a palustrine emergent (PEM) wetland (Waterville PA Quadrangle 41°15'45"N 77°17'35"W).

The project will result in 1090 linear feet of temporary stream impacts and 0.11 acre of temporary wetland impacts all for the purpose of installing natural gas pipeline and associated roadways for Marcellus well development.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Waste Management, Division of Storage Tanks, PO Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

The following applications have been received for 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.

<i>SSIP Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
12006	St. Luke's University Hospital 801 Ostrum Street Bethlehem, PA 18015 Attn: David Alban	Lehigh	Fountain Hill Borough	1 AST storing diesel fuel	25,000 gallons
12007	Baker Hughes Oilfield Operations, Inc. 17021 Aldine Westfield Road Houston, TX 77073-5101 Attn: Joshua Morrissette	Clinton	Lamar Township	14 ASTs storing petroleum products and hazardous substances	96,960 gallons total

ACTIONS

**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN
WATER ACT**
FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2553.

NOTICES

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0055174 (IW)	Buckeye Pipe Line Co., LP Macungie Station 5131 Buckeye Road Macungie, PA 18062	Lehigh County Lower Macungie & Upper Milford Townships	Unnamed Tributary to Swabia Creek (2-C)	Y
PA0033669 (Sewage)	Valley View Park WWTP Edinger Road Dallas, PA 18612	Luzerne County Dallas Township	UNT to Abrahams Creek (05B)	Y
PA0061131 (Sewage)	Dalton Sewer Authority PO Box 538 Dalton, PA 18414	Lackawanna County LaPlume Township	Ackerly Creek (4-F) Cold Water Fishes	Y
PA0060453 (Sewage)	Camp Lavi P O Box Lake Como, PA 18437	Wayne County Buckingham Township	Unnamed Tributary to Equinunk Creek Watershed 1A High Quality Cold water Fishes	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA00800454 (IW)	Carlisle Borough 53 West South Street Carlisle, PA 17013-3468	Cumberland County North Middleton Township	Conodoguinete Creek / 7-B	Y
PA0087050 (Sew)	Valley Creek Estates Home Owners Association 1075 D Sherman Avenue Hagerstown, MD 21740	Franklin County Montgomery Township	Licking Creek / 13-C	Y
PA0022179 (Sew)	Mercersburg Sewer Authority 113 South Main Street Mercersburg, PA 17236-1517	Franklin County Mercersburg Borough	Johnston Run / 13-C	Y
PA0081795 (Sew)	Williams Grove Associates 20 Erford Road Suite 215 Lemoyne, PA 17043-1163	Cumberland County Monroe Township	Yellow Breeches Creek / 7-E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0094269 Sewage	Sheridan SFSTF 151 Adams Road Gallitzin, PA 16641	Cambria County Gallitzin Township	Clearfield Creek	Y
PA0217522 Sewage	Smithton Borough Municipal Authority 690 Peer Street Smithton, PA 15479-0342	Westmoreland County Smithton Borough	UNT to Youghiogheny River	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0238538 (Sewage)	Patricia & Robert Tuznik SFTF, 9028 South Creek Road Girard, PA 16417-8808	Erie County Girard Township	Unnamed Tributary to Elk Creek (15)	Y

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

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

NPDES Permit No. PA0039861, Industrial Waste, SIC Code 2141, 2844, 3081, **Altadis USA, Inc.**, 1000 Tresckow Road, McAdoo, PA 18237.

This existing facility is located in Banks Township, **Carbon County**.

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

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

NPDES Permit No. PA0228818, Industrial Waste, SIC Code 2621, **First Quality Tissue LLC**, 904 Woods Avenue, Lock Haven, PA 17745-3348.

This existing facility is located in Castanea Township, **Clinton County**.

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

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

PA0263893, Sewage, SIC Code 4952, **Hawthorn Redbank Redbank Municipal Authority**, P O Box 241, Hawthorn, PA 16230. Facility Name: Hawthorn Redbank Redbank Municipal Authority WWTP. This proposed facility is located in Redbank Township, **Armstrong County**.

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

The receiving stream, Redbank Creek, is located in State Water Plan watershed 17-C and is classified for trout stocking 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 0.2 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
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 ₅	41.7	66.7	XXX	25	40	50
Total Suspended Solids	50	75	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
				Geo Mean		

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

- Total Residual Chlorine Minimization
- Electronic Discharge Monitoring Report submittal requirement

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

The EPA Waiver is in effect.

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

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

WQM Permit No. WQG02461116, Sewage, **Lower Gwynedd Township Municipal Authority**, 1130 N. Bethlehem Pike, Spring House, PA 19477.

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

Description of Action/Activity: Construction of a combination of low pressure and gravity sewers in 3 areas of Lower Gwynedd Township to service a total of 29 EDU's.

WQM Permit No. 1593412, Sewage, **Renewal, Upper Uwchlan Township**, 140 Pottstown Pike, Chester Springs, PA 19425.

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

Description of Action/Activity: Permit renewal of existing wastewater system known as the Saybrooke Subdivision STP.

WQM Permit No. 0998415, Sewage, **Amendment, Warrington Township**, 852 Easton Road, Warrington, PA 18976.

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

Description of Action/Activity: Construction of a new post equalization basin equipped with an aeration system, a submersible mixer and pumps.

WQM Permit No. 4698415, Sewage, **Transfer, Justin Hopkins**, 1436 Monk Road, Gladwyne, PA 19305.

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

Description of Action/Activity: Permit is being transferred from David J. Hiltbrand to the above Justin Hopkins.

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

WQM Permit No. 661240, Sewerage, **Tunkhannock Borough Municipal Authority**, 203 West Tioga Street, Tunkhannock, PA 18657.

This proposed facility is located in Tunkhannock Borough, **Wyoming County**, PA.

Description of Proposed Action: This application is for re-rating the organic design capacity of the existing sewage treatment plant from 510 pounds per day BOD5 to 620 pounds per day BOD5.

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

WQM Permit No. 3812401, Sewerage, **Palmyra Borough**, 325 S. Railroad Avenue, Palmyra, PA 17078.

This proposed facility is located in Palmyra Borough, **Lebanon County**.

Description of Proposed Action/Activity: Approval for the construction of sewage facilities consisting of the demolition of the existing Pumping Station No. 2 and construction of the new Pumping Station No. 2.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI0151205	Mr. Phillip DiGiore 511 Preston Court Exton, PA 19341	Chester	East Nantmeal Township	Unnamed Tributary Beaver Run (EV)
PAI01151206	Downingtown Borough 4 West Lancaster Avenue Downingtown, PA 19335	Chester	Downingtown Borough	Brandywine Creek (WWF-MF)

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021311005	Pennsylvania Turnpike Commission Attn: Mr. Gary Graham P. O. Box 67676 Harrisburg, PA 17106	Carbon	Kidder Township	UNT to Black Creek, HQ-CWF, MF
PAI024510007(1)	Wal-Mart Stores, Inc. 2001 S.E. 10th St. Bentonville, AR 72716	Monroe	Coolbaugh Township	Polly's Run, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI053011001	Southwestern Pennsylvania Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344	Greene	Center & Franklin Townships	Pursley Creek (HQ-WWF) Stewart Run (HQ-WWF) UNT to Stewart Run (HQ-WWF)
PAI056309002-1	PennDOT Dist. 12-0 825 N. Gallatin Avenue Ext. Uniontown, PA 15401	Washington	Somerset & South Strabane Townships	Little Chartiers Creek (HQ-WWF) Opossum Run (HQ-WWF) and UNT to Opossum Run (HQ-WWF)

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 in 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 (PAR)
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

PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional 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	CAFOs
PAG-13	Stormwater Discharges from MS4

General Permit Type—PAG-02

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Middletown Township Bucks County	PAG0200 0911027-R	PA Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Unnamed Tributary Mill Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Valley Township Chester County	PAG0200 1504064-R	Chesapeake Valley, LP 5221 N. O'Connor Blvd, Ste 700 Irving, TX 75039	Rock Run & Unnamed Tributary West Branch Brandywine Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Chester Borough & West Goshen Township Chester County	PAG0200 1511040A-1	Chester County Hospital 701 East Marshall Street West Chester, PA 19380	Taylor Run (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Goshen Township Chester County	PAG0200 1511044	PA Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406-1525 and Road-Con, Inc. 501 Garfield Avenue West Chester, PA 19380	Chester Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Chichester Township Delaware County	PAG0200 2312005	Bodo Group 576 South Hellbron Drive Media, PA 19063	Naamans Creek (WWF) & Marcus Hook Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Thornbury Township Chester County	PAG0200 2310001-R	Cheyney University of Pennsylvania 1837 University Circle Cheyney, PA 19319	Chester Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAG0200 4612017	Michael J. Braun 2900 Terwood Road Willow Grove, PA 19090	Pennypack Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAG0200 4611062	Craig Forwood 57 Main Street, PO Box 243 Harleysville, PA 19438	West Branch Skippack Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Skippack Township Montgomery County	PAG0200 4611031	Theodore Locker 4089 Heckler Road Skippack, PA 19474	Perkiomen Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tunkhannock Borough, Wyoming County	PAG02006611009	Zaremba Group 14600 Detroit Ave. Lakewood, OH 44107	Tunkhannock Creek, CWF, MF	Wyoming Co. Cons. Dist. 570-836-2589

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
North Whitehall Township, Lehigh County	PAG02003909008R	John Fretz Gateway View, LLC 188 Jefferson St. Emmaus, PA 18049	Coplay Creek, CWF, MF	Lehigh Co. Cons. Dist. 610-391-9583
Williams Township, Northampton County	PAG02004811007	Kenneth P. Sun Jean C. Ardo-Sun 15 Mountain Top Dr. Easton, PA 18042	Delaware River, WWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Reading Township Adams County	PAG02000112006	Scott A. Keller 602 Turkey Pit Road New Oxford, PA 17350	Conewago Creek/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Bern Township Berks County	PAG02000604121RR	Fiorino Grande Grande Land LP (Crestview Subdivision) 2213 Quarry Road West Lawn, PA 19609	UNT to Plum Creek/ WWF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Earl Township Berks County	PAG02000612013	Brian Gottschall County of Berks (Public Safety Radio Network—Earl Site) 633 Court Street Reading, PA 19603	UNT to Ironstone Creek/ TSF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Tilden Township Berks County	PAG02000612010	Brian Stauffer Cigars International, Inc. 1911 Spillman Drive Bethlehem, PA 18015	Schuylkill River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Douglass Township Berks County	PAG02000611048	Karl Yorgey 301 Grist Mill Road Boyertown, PA 19512	Ironstone Creek/ TSF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Earl Township Berks County	PAG02000612013	Brian Gottschall County of Berks 633 Court Street Reading, PA 19603	UNT to Ironstone Creek/ TSF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Tilden Township Berks County	PAG02000612010	Brian Stauffer Cigars International 1911 Spillman Drive Bethlehem, PA 18015	Schuylkill River/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Monroe Township Cumberland County	PAG02002112010	Michael and Barbara Euker 402 Pleasant View Way Hollidaysburg, PA 16648	UNT Hogestown Run/ CWF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Londonderry Twp. Dauphin County	PAG02002210006R	Richard E. Wright 13 Para Avenue Hershey, PA 17033	Swatara Creek/ WWF	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100

*Facility Location:
Municipality &
County*Lower Paxton Twp.
Dauphin County*Permit No.*

PAG02002212001

*Applicant Name &
Address*Todd Gelbaugh
945 East Park Drive
Harrisburg, PA 17111*Receiving
Water / Use*

Spring Creek/ CWF, MF

*Contact Office &
Phone No.*Dauphin Co
Conservation District
1451 Peters Mountain Rd
Dauphin, PA 17018
717.921.8100*Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701**Facility Location:
Municipality &
County*Athens Township
Bradford County*Permit No.*

PAG02000812012

*Applicant Name &
Address*Daniel M. Hawbaker
Glenn O Hawbaker Inc
1952 Waddle Rd Ste 203
State College PA 16803*Receiving
Water / Use*Susquehanna River
WWF*Contact Office &
Phone No.*Bradford County
Conservation District
Stoll Natural
Resource Center
200 Lake Rd Ste E
Towanda PA 18848
(570) 265-5539 X 120*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.**Facility Location:
Municipality &
County*City of Duquesne
Allegheny County*Permit No.*

PAG02000212017

*Applicant Name &
Address*Dura-Bond
Southern Yard
2658 Puckety Drive
Export, PA 15632*Receiving
Water / Use*Monongahela River
(WWF-N)*Contact Office &
Phone No.*Allegheny County CD
Lexington Technology
Park
Building 1 Suite 102
400 North Lexington Ave
Pittsburgh, PA 15208
(412) 241-7645Richland Township
Allegheny County*Permit No.*

PAG02000212019

*Applicant Name &
Address*Kusevich Property
3 Walnut Street
Pittsburgh, PA 15223*Receiving
Water / Use*

Crouse Run (TSF)

*Contact Office &
Phone No.*Allegheny County CD
Lexington Technology
Park
Building 1 Suite 102
400 North Lexington Ave
Pittsburgh, PA 15208
(412) 241-7645Municipality of Mt.
Lebanon
Allegheny County*Permit No.*

PAG02000212024

*Applicant Name &
Address*Kathy Sekaras
1801 Woodlands Circle
Pittsburgh, PA 15241*Receiving
Water / Use*

Saw Mill Run (WWF)

*Contact Office &
Phone No.*Allegheny County CD
Lexington Technology
Park
Building 1 Suite 102
400 North Lexington Ave
Pittsburgh, PA 15208
(412) 241-7645South Huntingdon
Township
Westmoreland
County*Permit No.*

PAG02006511032

*Applicant Name &
Address*158 Painter Road
Site Alterations
2 Penn Center West,
Suite 227
Pittsburgh, PA 15276*Receiving
Water / Use*

Yough River (WWF)

*Contact Office &
Phone No.*Westmoreland
County CD
218 Donohoe Road
Greensburg, PA 15601
(724) 837-5271Hempfield
Township
New Stanton
Borough
Westmoreland
County*Permit No.*

PAG02006511038

*Applicant Name &
Address*PennDOT District 12-0
(Joseph Szczur)
PO Box 459
North Gallatin Avenue
Ext.
Uniontown, PA 15401*Receiving
Water / Use*UNT to Sewickly Creek
(WWF)*Contact Office &
Phone No.*Westmoreland
County CD
218 Donohoe Road
Greensburg, PA 15601
(724) 837-5271Unity Township
Westmoreland
County*Permit No.*

PAG02006512004

*Applicant Name &
Address*Modal, Inc.
(George Heskey)
PO Box 472
757 Lloyd Avenue
Latrobe, PA 15650*Receiving
Water / Use*UNT to Nine Mile Run
(WWF)*Contact Office &
Phone No.*Westmoreland
County CD
218 Donohoe Road
Greensburg, PA 15601
(724) 837-5271

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Cranberry Township Butler County	PAG02001012002	Robert E. Morris Company 900 Day Hill Road Windsor CT 06095	Brush Creek WWF	Butler County Conservation District 724-284-5270
Vernon Township Crawford County	PAG02002011009	Meadville Real Estate Partners LLC Clifford Krey 158 Sebago Lake Drive Sewickley PA 15143	Watson Run WWF	Crawford County Conservation District 814-763-5269
City of Titusville Crawford County	PAG02002011010	Sheetz Inc David Mastrostefano 817 Brookfield Drive Seven Fields PA 16046	Oil Creek CWF	Crawford County Conservation District 814-763-5269
Redbank Township Clarion County	PAG 02 101612002	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461	UNT to Pine Creek to Redbank Creek (CWF)	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461 717-783-7924
Redbank Township Clarion County	PAG 02 101612004	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461	UNT to Town Run to Redbank Creek (CWF)	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461 717-783-7924

*General Permit Type—PAG-03**Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Asylum Township Bradford County	PAR704819	Moxie Liberty LLC 612 Center South Street Suite 200 Vienna, VA 22180	Susquehanna River—4-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Bradford Township Clearfield County	PAR704815 T-1	Midland Asphalt Materials Inc. 640 Young Street Tonawanda, NY 14150	Unnamed Tributary to Roaring Run—8-C	DEP Northcentral Regional Office Water Management 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

*General Permit Type-Site Suitability Notice**Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Site Name</i>	<i>Permit Number</i>	<i>Contact Office & Phone No.</i>
Bank Township Indiana County	Synagro PO Box 35 264 Prisani Street Bovard, PA 15619	Bear Run III Biosolids Site	750483	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Site Name</i>	<i>Permit Number</i>	<i>Contact Office & Phone No.</i>
Fairfield Township Westmoreland County	Synagro PO Box 35 264 Prisani Street Bovard, PA 15619	Martin Farm Biosolids Site	745965	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

**STATE CONSERVATION COMMISSION
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR
NPDES PERMITS FOR CAFOs**

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animalc Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Geoffrey Rohrer 3392 Blue Rock Rd Lancaster, PA 17603	Lancaster	997	1144.58	Dairy/Broiler	NA	A
Harold Weaver 2693 N Colebrook Rd Manheim, PA 17545	Lancaster	60.7	131.57	Ducks	NA	A
Yippee Farms Arlin Benner 880 Pinkerton Road Mount Joy, PA 17552	Lancaster	741.5	1610.2	Dairy	NA	A
Mt. Pleasant Farms Lynn Eberly 2071 Mt. Pleasant Rd. Fayetteville, PA 17222	Franklin	570.7	255.0 130.19	Heifers Ducks	NA	Approved
Burk Lea Farms Stanley & Clinton Burkholder 3099 Grand Point Rd. Chambersburg, PA 17202	Franklin	1,266.6	1,707.8	Dairy	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 3812501 MA, Minor Amendment, Public Water Supply.

Applicant	Quentin Water Company
Municipality	West Cornwall Township
County	Lebanon
Responsible Official	William Matthews, Manager PO Box 243 Quentin, PA 17083
Type of Facility	Conversion of the existing calcium hypochlorite disinfection system to sodium hypochlorite at Well Nos. 1 & 3.
Consulting Engineer	David J Gettle Kohl Bros., Inc. PO Box 350 Myerstown, PA 17067
Permit to Construct Issued:	3/30/2012

Permit No. 0611525, Public Water Supply.

Applicant	Western Berks Water Authority
Municipality	Lower Heidelberg Township

County	Berks
Responsible Official	Leonard E Bilger II, Executive Director 91 Water Road Sinking Spring, PA 19608
Type of Facility	Installation of sulfuric acid feed equipment for pH adjustment. Also relocation of the carbon dioxide pretreatment feed point.
Consulting Engineer	John P Spitko, P.E. Spotts Stevens and McCoy Inc 1047 North Park Road Reading, PA 19610-0307
Permit to Construct Issued:	3/28/2012
Permit No. 2212501 MA, Minor Amendment, Public Water Supply.	
Applicant	Millersburg Area Authority
Municipality	Upper Paxton Township
County	Dauphin
Responsible Official	Jere E Troutman, Authority Manager Municipal Building 101 West St Millersburg, PA 17061
Type of Facility	Repainting of the Reservoir Heights standpipe.
Consulting Engineer	D. Jeffrey Golding, P.E. Gannett Fleming, Inc. PO Box 67100 Harrisburg, PA 17106-7100
Permit to Construct Issued:	3/23/2012
Permit No. 2911502 MA, Minor Amendment, Public Water Supply.	
Applicant	Needmore Water Supply, Inc. Company
Municipality	Belfast Township
County	Fulton
Responsible Official	Donnie L. Gordon, Operator PO Box 330 Needmore, PA 17238
Type of Facility	Installation of 270' of 10" HDPE contact pipe to meet 4-log inactivation of viruses and replacement of existing spring pumps with new submersible pumps. Demonstration of 4-Log Treatment of Viruses for GWR.
Consulting Engineer	Lee S. Zeger III, P.E. CES Engineering, LLC 6765 Brown Lane Petersburg, PA 16669
Permit to Construct Issued:	3/29/2012
Permit No. 3811508 MA, Minor Amendment, Public Water Supply.	
Applicant	Mt. Gretna Authority
Municipality	Mount Gretna Borough

County	Lebanon	Type of Facility	Installation of Greensand filtration for iron & manganese treatment and the installation of additional contact tanks for GWR 4-Log treatment of viruses for EP 102.
Responsible Official	William B Care, Director of Public Works P O Box 391 Mt Gretna, PA 17064	Consulting Engineer	Charles A Kehew II, P.E. James R. Holley & Assoc., Inc. 18 South George St. York, PA 17401
Type of Facility	Installation of additional contact piping for GWR 4-log treatment of viruses for EP 101, 102 & 103.	Permit to Construct Issued:	1/27/2012
Consulting Engineer	David J Gettle Kohl Bros., Inc. PO Box 350 Myerstown, PA 17067	Operations Permit issued to: Western Berks Water Authority , 3060066, Lower Heidelberg Township, Berks County on 3/14/2012 for the operation of facilities approved under Construction Permit No. 0611507 MA.	
Permit to Construct Issued:	3/14/2012	Operations Permit issued to: Littlestown Borough Authority , 7010022, Littlestown Boro & Twp., Germany Twp., Adams County on 3/12/2012 for the operation of facilities approved under Construction Permit No. 0111504.	
Permit No. 3111507 MA, Minor Amendment, Public Water Supply.			
Applicant	Saltillo Borough	Operations Permit issued to: Conewago Valley MHP , 7670021, Newberry Township, York County on 3/27/2012 for the operation of facilities approved under Construction Permit No. 6711507 MA.	
Municipality	Saltillo Borough	Operations Permit issued to: West Lebanon Township , 7380040, West Lebanon Township, Lebanon County on 4/3/2012 for the operation of facilities approved under Construction Permit No. 3811518.	
County	Huntingdon	Operations Permit issued to: Countryside Christian Community , 7380001, North Annville Township, Lebanon County on 3/30/2012 for the operation of facilities approved under Construction Permit No. 3811512.	
Responsible Official	Missy Walters, President PO Box 89 Satillo, PA 17253	Operations Permit issued to: Aqua Pennsylvania, Inc. , 4340018, Delaware Township, Juniata County on 3/14/2012 for the operation of facilities approved under Construction Permit No. 3412501 MA.	
Type of Facility	GWR 4-log treatment of viruses for EP 102 (Well No. 2) & EP 103 (Well No. 3). Installation of additional chlorine contact piping.	Operations Permit issued to: Ridgewood Manor MHP, Inc. , 7360079, Rapho Township, Lancaster County on 4/4/2012 for the operation of facilities approved under Construction Permit No. 3611538 MA.	
Consulting Engineer	Ann K Reynolds, P.E. CET Engineering Services 321 Washington Street Huntingdon, PA 16652	Operations Permit issued to: Brookline Manor , 4340003, Fermanagh Township, Juniata County on 4/3/2012 for the operation of facilities approved under Construction Permit No. 3411501 MA.	
Permit to Construct Issued:	3/14/2012	Operations Permit issued to: Williamstown Dollaer General , 7220957, Williams Township, Dauphin County on 3/28/2012 for the operation of facilities submitted under Application No. 2211514 MA.	
Permit No. 0111514 MA, Minor Amendment, Public Water Supply.			
Applicant	Stockham's Village Inc.	Operations Permit issued to: GSP Management—Alex Acres MHP , 7220007, Halifax Township, Dauphin County on 4/4/2012 for the operation of facilities approved under Construction Permit No. 2211511 MA.	
Municipality	Reading Township	Operations Permit issued to: Brookline Village , 4340001, Fermanagh Township, Juniata County on 4/3/2012 for the operation of facilities approved under Construction Permit No. 3411502 MA.	
County	Adams	Operations Permit issued to: Meadowbrook Mobile Home Park , 7670024, Fairview Township, York County on 3/29/2012 for the operation of facilities approved under Construction Permit No. 6711516 MA.	
Responsible Official	Ivan Stockham 55 Brown's Dam Road New Oxford, PA 17350		
Type of Facility	GWR 4-log treatment of viruses for EP 101 (Well Nos. 1, 2, 3 & 4)		
Consulting Engineer	1 - Not Available		
Permit to Construct Issued:	3/14/2012		
Permit No. 3811512 MA, Minor Amendment, Public Water Supply.			
Applicant	Countryside Christian Community		
Municipality	North Annville Township		
County	Lebanon		
Responsible Official	Mary Ellen Rohrer, Administrator 200 Bellann Court Annville, PA 17003		

Operations Permit issued to: **ROGC Golf Partners LP dba Royal Oaks Golf Club**, 7380366, North Cornwall Township, **Lebanon County** on 4/3/2012 for the operation of facilities approved under Construction Permit No. 3811513.

Operations Permit issued to: **Oak Village MHP**, 7010011, Straban Township, **Adams County** on 3/14/2012 for the operation of facilities submitted under Application No. 0111518 MA.

Operations Permit issued to: **Oak Knoll Estates MHP**, 7220001, Conewago Township, **Dauphin County** on 3/23/2012 for the operation of facilities submitted under Application No. 2211513 MA.

Operations Permit issued to: **Lincoln Estates MHP**, 7010038, Cumberland Township, **Adams County** on 3/29/2012 for the operation of facilities submitted under Application No. 0111517 MA.

Operations Permit issued to: **Manada Creek MHP**, 7220004, East Hanover Township, **Dauphin County** on 3/30/2012 for the operation of facilities approved under Construction Permit No. 2211512 MA.

Operations Permit issued to: **Walnut Grove MHP**, 7010053, Tyrone Township, **Adams County** on 3/23/2012 for the operation of facilities submitted under Application No. 0111520 MA.

Operations Permit issued to: **Chesapeake Estates of New Oxford**, 7010041, Mt. Pleasant Township, **Adams County** on 3/23/2012 for the operation of facilities submitted under Application No. 0111521 MA.

Operations Permit issued to: **Meadows Property Owners Assoc.**, 7010044, Cumberland Township, **Adams County** on 3/28/2012 for the operation of facilities submitted under Application No. 0111523 MA.

Operations Permit issued to: **John E. Groninger, Inc.**, 4340005, Fermanagh Township, **Juniata County** on 3/29/2012 for the operation of facilities submitted under Application No. 3411505 MA.

Operations Permit issued to: **Republic Development Corporation**, 4340017, Milford Township, **Juniata County** on 3/30/2012 for the operation of facilities submitted under Application No. 3411506 MA.

Operations Permit issued to: **ATG Properties, LLC** (Northwood Manor), 7670102, Newberry Township, **York County** on 3/28/2012 for the operation of facilities submitted under Application No. 6711522 MA.

Operations Permit issued to: **Edenville Water Association, Inc.**, 7280046, St. Thomas Township, **Franklin County** on 3/28/2012 for the operation of facilities submitted under Application No. 2811505 MA.

Operations Permit issued to: **Dry Run Water Association**, 7280033, Fannett Township, **Franklin County** on 3/28/2012 for the operation of facilities submitted under Application No. 2811506 MA.

Operations Permit issued to: **Creekview Farms MHP**, 7500006, Carroll Township, **Perry County** on 3/28/2012 for the operation of facilities submitted under Application No. 5011512 MA.

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

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Osceola Township Municipal Authority**

[Township or Borough] Osceola Township
 County **Tioga**
 Responsible Official Mr. Carl Cox Osceola Township Municipal Authority
 P. O. Box 249
 Osceola, PA 16942
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued March 30, 2012
 Description of Action 4-log inactivation of viruses at Entry Point 101 (Renkin and Schoolhouse Wells).

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant **Darway Elder Care and Rehabilitation Center**
 [Township or Borough] Elkland Township
 County **Sullivan**
 Responsible Official Darway Elder Care and Rehabilitation Center
 RR 1, Box 1116
 Forksville, PA 18616
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued March 30, 2012
 Description of Action 4-log inactivation of viruses at Entry Point 100 (Well Nos. 1 and 2).

Millville Borough Municipal Authority (Public Water Supply), Columbia County: On April 10, 2012, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for Millville Borough Municipal Authority. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570) 327-3650).

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Sugarloaf Township	P. O. Box 61 Sybertsville, PA 18251-0061	Luzerne

Plan Description: The Corrective Action Plan (CAP) proposes a systematic plan to identify and propose corrective measures for portions of the Pennsylvania State University's Hazleton Campus (PSU) wastewater collection system that may be subject to excessive amounts of infiltration/inflow (I/I). The PSU CAP is to be implemented in conjunction with Sugarloaf Township's (Township) CAP for its wastewater collection system that is tributary to the Greater Hazleton Joint Sewer Authority's (GHJSA) Wastewater Treatment Facility. The Township's

CAP was previously approved by the Department on March 18, 2009. Both CAP's are also intended to reduce hydraulic overloading at the GHJSA's Wastewater Treatment Facility. The PSU CAP also contains time schedules for the implementation of the activities proposed in the CAP. The CAP is now to be considered an integral part of the Township's Official Sewage Facilities Plan.

Should any of the CAP's activities not yield their expected results, tasks may need to be proposed/completed by PSU and/or the Township to eliminate the potential hydraulic overload of the Township's wastewater collection system and the existing hydraulic overload of the GHJSA's Wastewater Treatment Facility. This pertains mainly to those CAP activities where results may be significantly affected by precipitation amounts, groundwater conditions, stream flow levels, etc.

Should conditions be encountered during the implementation of the CAP, which require the alteration of the approved CAP, PSU and Sugarloaf Township shall contact the Department, in writing, and discuss the need to alter the CAP at the earliest possible time. Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the CAP must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Public Notice of Proposed Consent Order and Agreement Currie Landfill Site

Millcreek Township, Erie County

Pursuant to Section 1113 of the Pennsylvania Hazardous Sites Cleanup Act, Act of October 18, 1988, P. L. 756, No. 108, 35 P. S. §§ 6020.101—6020.1305 ("HSCA"), notice is hereby provided that the Pennsylvania Department of Environmental Protection ("Department") has agreed to a Consent Order and Agreement ("CO&A") among Moxie Nein, LLC ("Moxie") and Millcreek Township, Erie County, Pennsylvania, ("Township") concerning the cleanup of the Currie Landfill Site ("Site"). The Site includes: the areas where D. Angus Currie and the Currie Company operated an unpermitted, municipal and industrial landfill from approximately 1947 to 1966 (the "Landfill"); and the areas where hazardous substances, wastes, and other materials from the Landfill have been released or threaten to be released in Millcreek Township, Erie County, Pennsylvania.

In the past, wastes and other materials containing hazardous substances were dumped, spilled or otherwise disposed at the Site and these hazardous substances contaminated the soils, sediments, surface water and groundwater beneath the Site. The Department and others have investigated the Site and have thus far identified that: 1. Stream surface water and sediment samples taken contained trichloroethylene ("TCE"), tetrachloroethylene ("PCE"), 1,2-dichloroethene ("1,2-DCE") and vinyl chloride; 2. Areas of the landfill contain lead and cadmium bearing hazardous wastes, as that term is defined by RCRA; 3. Groundwater sampled at the site contained vinyl chloride, TCE, and PCE; 4. A total of seven VOCs were detected in the sediment samples including: acetone, 2-butanone, total 1,2-DCE, PCE, toluene, TCE, and vinyl chloride. Based upon the groundwater investigation, the presence of 1,2-DCE, PCE, TCE, and vinyl chloride in the sediments indicated migration of

these contaminants from the groundwater to the surface water and sediments of the West Branch of Cascade Creek. Each of these substances is defined in Section 103 of HSCA, 35 P. S. § 6020.103 as a "hazardous substance". The presence of these hazardous substances at the property constitutes a "release" and a "threat of release" of a hazardous substance, as defined in Section 103 of HSCA, 35 P. S. § 6020.103.

After acquisition of the Site property by Moxie, a portion designated as a future recreational facility will be donated to the Township. Following the Department's response, the remaining portion will be redeveloped for commercial/industrial usage. The specific terms of this settlement are set forth in the Agreement among the Department, Moxie and the Township. The Department will receive and consider comments relating to the Agreement for sixty (60) days from the date of this Public Notice. The Department has the right to withdraw its consent to the Agreement if the comments concerning the Agreement disclose facts or considerations which indicate that the Agreement is inappropriate, improper, or not in the public interest. After the public comment period, the Department's settlement with Moxie and the Township shall be effective upon the date that the Department notifies Moxie and the Township, in writing, that this Agreement is final and effective in its present form, and that the Department has filed a response to significant written comments to the Agreement, or that no such comments were received.

The Agreement is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, Pennsylvania. Comments may be submitted, in writing, to Mr. Gary Mechtly, Environmental Group Manager. Mr. Mechtly can be reached in the Department's Northwest Regional Office, located at 230 Chestnut Street, Meadville, PA 16335, telephone: 814-332-6648. TDD users may contact the Department through the Pennsylvania Relay Service at 800-645-5984.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report

includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

LSI Corporation Allentown Union Boulevard Facility (aka Agere Systems, Lucent Technologies, AT&T), 555 Union Boulevard, Allentown City, **Lehigh County**. Peter Beyer, ERM, Inc., 350 Eagleview Boulevard, Suite 200, Exton, PA 19341 has submitted a combined Remedial Investigation Report/Risk Assessment Report/Cleanup Plan on behalf of his client, LSI Corporation, 1110 American Parkway NE, Room 12K-305, Allentown, PA 18109, concerning the remediation of soil and groundwater found to have been impacted by TCE and breakdown products as a result of the discovery of a former waste solvent underground storage tank during the plant's decommissioning/demolition activities. The combined report was submitted to document partial fulfillment of the Site-Specific Standard for soil and groundwater. A public notice regarding the submission of the combined Remedial Investigation Report/Risk Assessment Report/Cleanup Plan was published in *The Morning Call* on March 24, 2012.

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

Universal Well Services, Williamsport, Lycoming County. Robert M. Byer, Jr., Sovereign Consulting Inc., 50 West Welsh Pool Road, Suite 6, Exton, Pa 19341 on behalf of Don Lundy, Lundy Industrial Realty, 25 West Third Street #504, Williamsport, Pa 17701-6529 has submitted a Final Report concerning remediation of site soil contaminated with ethylene glycol. The report is intended to document remediation of the site to meet the Statewide Health Standard

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

CamTran Bus Facility, City of Johnstown, Cambria County. Gannett Fleming, PO Box 67100, Harrisburg, PA 17106 on behalf of Cambria County Transit Authority, 726 Central Avenue, Johnstown, PA 15902 has submitted a Remedial Investigation Report, Risk Assessment, and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with heavy metals and SVOC's.

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:

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

102 Hotel Heights, Lawrence Township, Clearfield County. Bigler Boyz Environmental, 116 Grahamton Road, Woodland, PA 16881 on behalf of Martin Belella, 102 Hotel Heights, Clearfield, Pa 16830 has submitted a Final Report concerning the remediation of site soil

contaminated with virgin oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 27, 2012.

HAZARDOUS WASTE ACTION

Variations issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations for hazardous waste management facilities.

Southwest Regional Office: Regional Manager, Waste Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

American Iron Oxide Company (AMROX), Two Wheeling Pittsburgh Steel Drive, Allenport, PA 15412. Renewal of a variance from solid waste classification for spent pickle liquor used by AMROX for acid regeneration and iron oxide production at its facility in Allenport Borough, **Washington County** was approved by the Regional Office on April 9, 2012.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR097R020. Ultra-Poly Corporation; 102 Demi Road, P. O. Box 330, Portland, PA 18351-0330. This permit is for research and development activities to support the processing and beneficial use of residual waste. The project involves gasification of waste plastics to alternative energy and the creation of light oil. The permit was issued by Central Office on April 2, 2012.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. 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, Inc., 3201 South 61st Street, Philadelphia PA 19153-3502. This permit is for a 10-year renewal and modifications (increase the facility's maximum daily volume to 6,000 tons per day and the addition of various drying agents to contaminated soil that have high moisture content to improve screening performance and/or rate of transfer through the thermal treatment) of the Clean Earth of Philadelphia, Inc.'s facility, a residual waste processing facility located at 3201 South 61st Street in

the City of Philadelphia. The permit was renewed and modified by the Southeast Regional Office on March 30, 2012.

Permit No. 101662. Conshohocken Recycling & Rail Transfer, LLC, 1060 Conshohocken Road, Conshohocken PA 19428-1002. This permit is for the reissuance of the existing solid waste permit from "Conshohocken Rail, LLC," to "Conshohocken Recycling & Rail Transfer, LLC," at the Conshohocken Recycling & Rail Transfer, LLC facility, an existing construction and demolition waste transfer station facility, located in Plymouth Township, **Montgomery County**. The permit was issued by the Southeast Regional Office on April 2, 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.

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

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

40-303-031GP13: Popple Construction, Inc. (215 East Saylor Avenue, Laflin, PA 18702) on April 5, 2012, to install and operate a hot mix asphalt plant at their Valley Asphalt Plant in Plains Township, **Luzerne County**.

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

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

GP5-27-020A: PA General Energy—TB 5129 Compressor Station (FR 145, Marionville, PA 15857) on March 31, 2012, to operate one (1) rich burn compressor engine, Caterpillar G3306NA, Rated 145 bhp @ 1800 rpm (BAQ-GPA/GP-5) in Kingsley Township, **Forest County**.

GP5-27-021A: PA General Energy—TB 37 Compressor Station (FR 217, Marionville, PA 15857) on March 31, 2012, to operate one (1) rich burn compressor engine, Caterpillar G3306NA, Rated 195 bhp @ 1800 rpm (BAQ-GPA/GP-5) in Howe Township, **Forest County**.

GP5-27-023A: PA General Energy—Cooper Haight Compressor Station (Job Corp Road, Marionville, PA 15857) on March 31, 2012, to operate one (1) rich burn compressor engine, Ford Industrial LSG-875, Rated 118 bhp @ 1800 rpm (BAQ-GPA/GP-5) in Howe Township, **Forest County**.

GP5-27-025A: PA General Energy—Deadman's Corners Compressor Station (FR 217, Marionville, PA 15857) on March 31, 2012, to operate One (1) lean burn 2 stroke compressor engine, Ajax DPC-180LE, Rated 180 bhp @ 400 rpm (BAQ-GPA/GP-5) in Howe Township, **Forest County**.

GP5-33-188A: CNX Gas Company LLC—Big Run Compressor Station (off Bowers Road, Punxsutawney, PA 15767) on April 3, 2012, to operate two (2) 1380 bhp natural gas compressor engines, a 50 MMscf/d capacity glycol dehydrator/reboiler, and associated condensate tanks (BAQ-GPA/GP-5) in Gaskill Township, **Jefferson County**.

GP9-33-188B: CNX Gas Company LLC—Big Run Compressor Station (off Bowers Road, Punxsutawney, PA 15767) on April 3, 2012, to operate one (1) diesel or #2 fuel fired internal combustion engine, Cummins, Model 500 DFEK (BAQ-GPA/GP-5) in Gaskill Township, **Jefferson County**.

GP5-42-227B: Somerset Gas Gathering of Pennsylvania—SGG Compressor Station (East of Irons Hollow Road and West of Robbins Brook Road, Smethport, PA 16749) on April 2, 2012, to operate three (3) lean burn natural gas engines, Caterpillar G3516BLE (rated 1380 bhp at 1400 rpm), G3516BTALE (rated 1340 bhp at 1400 rpm), and G3508BTALE (rated 630 bhp at 1400 rpm) in Norwich Township, **McKean County**.

GP5-43-328A: Energy Resources of America, Inc.—Jamestown Station (West Jamestown Road, Jamestown, PA 16134) on March 30, 2012, to operate one (1) Lean Burn 2 Stroke Compressor Engine, Ajax DPC-105, Rated 105 bhp @ 360 rpm (BAQ-GPA-GP5) in Greene Township, **Mercer 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.

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

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

18-00005D: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301-2843) on April 4, 2012, to construct and operate a 16,000 brake-horsepower (bhp) natural gas-fired turbine/compressor engine (Source ID P110), a 690 bhp natural gas-fired emergency generator (Source ID P202), a 4.2 million Btu per hour boiler and a 2.5 million Btu per hour boiler (Source ID 042) at their Finnefrock Compressor Station in Leidy Township, **Clinton County**. The respective facility is a major facility for which a Title V operating permit 18-00005 has been issued.

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

65-00979: Laurel Mountain Midstream, LLC (1550 Corapolis Heights Road, Suite 140, Moon Township, PA 15108) on April 5, 2012, for installation and initial temporary operation of two (2) new Caterpillar G3612LE lean burn natural gas-fired compressor engines rated at 3,550 bhp each at the Herminie Compressor Station in South Huntingdon Township, **Westmoreland County**. A total of seven natural gas-fired compressor engines, two dehydrators, and five produced water tanks will be located at this site after this authorization.

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

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

25-025S: General Electric Transportation—Erie Plant (2901 East Lake Road, Bldg 9-201, Erie, PA 16531) on April 2, 2012, to construct a new paint booth in building 6 in Lawrence Park Township, **Erie County**. This is a Title V facility.

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

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

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

06-05116A: Packaging Corporation of America (173 Tuckerton Road, Reading, PA 19605) on April 2, 2012, to install and start-up a corrugated box manufacturing facility in Muhlenberg Township, **Berks County**. The plan approval was extended.

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

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

08-00010D: Global Tungsten & Powders, Corp. (Hawes Street, North Towanda, PA 18848) on April 3, 2012, to extend the authorization to temporarily operate two new plasma spray systems used to coat fuel cell interconnectors (Source ID P229) and a grit blaster used to prepare the interconnector surfaces prior to coating (Source ID P230) at their facility in North Towanda Township, **Bradford County** until November 5, 2012. The plan approval has been extended.

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

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

32-00055F: EME Homer City Generation, LP (1750 Power Plant Rd., Homer City, PA 15748) on April 4, 2012, to extend the period of temporary operation of the 313 MMBtu/hr distillate oil-fired auxiliary boiler authorized under plan approval PA-32-00055F, until October 4, 2012, at Homer City Generating Station in Black Lick and Center Townships, **Indiana County**.

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

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

42-223A: Tennessee Gas Pipeline Company, Compressor Station 310 (Off of State Route 146, Tax Map 29-002-300-02, Clermont, PA 16740), issued on March 31, 2012, for the construction of a compressor turbine, emergency generator, hot water boiler, and fuel preheater in Sergeant Township, **McKean County**. This is a State Only facility.

61-218A: Tennessee Gas Pipeline Company, Compressor Station 303 (Meadow Church Road, Map AS 08-15 Lot 71, Seneca, PA 16346), issued on March 31, 2012, for the construction of a compressor turbine, emergency generator, hot water boiler, and fuel preheater in Cranberry Township, **Venango County**. This is a State Only facility.

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

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

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

10-00021: INDSPEC Chemical Corp. (113 Main Street, P. O. Box 307, Petrolia, PA 16050) on April 4, 2012, to re-issued the Title V Operating Permit for this chemical manufacturing facility in Petrolia Borough, **Butler County**. The facility is a major facility due to its potential to emit particulate matter less than ten microns in diameter, sulfur oxides, nitrogen oxides, VOCs, and HAPs.

24-00127: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA 16512) on March 29, 2012, to re-issue the Title V Operating Permit for Lamont Station, at 5405 Highland Road, in Jones Township, **Elk County**. The facility is a major facility due to its potential to emit nitrogen oxides.

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

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

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

36-03188: Dorma Door Controls, Inc. (Dorma Drive, Reamstown, PA 17567) on April 2, 2012, for their facility that manufactures door controls, locks, exit devices, and electronic access control hardware in East Cocalico Township, **Lancaster County**. The State-only permit was renewed.

36-03011: Cargill Cocoa & Chocolate, Inc. (48 North Broad Street, Lititz, PA 17543-1005) on April 3, 2012, for their chocolate and cocoa manufacturing facility in Lititz Borough, **Lancaster County**. The State-only permit was renewed.

21-05033: Wilson Paving, Inc. (480 West Old York Road, Carlisle, PA 17015-7503) on April 4, 2012, for their batch asphalt plant in South Middleton Township, **Cumberland County**. The State-only permit was renewed.

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

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

49-00009: Masonite Corporation (PO Box 112, Northumberland, PA 17857-0112) on April 6, 2012 issued a state only operating permit for their facility located in Point Township, **Northumberland County**. The facility's sources include two boilers, five surface coating spray booths and associated cleanup operations, a prefinish line, a gluing operation, a milling & sanding operation, an emergency generator and a parts washer. The potential emission of all air contaminants are below their respective major emission thresholds. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

42-00177: Bradford Forest, Inc. (444 High St., Bradford, PA 16701), on April 2, 2012, renewed a State Only Operating Permit for the facility located in the City

of Bradford, **McKean County**. The facility is a Synthetic Minor. The primary sources at the facility are 3 Wood Boilers, saw mill operations, and parts washers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

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

46-00112: Palmer International, Inc. (2036 Lucon Road, Skippack, PA 19474) on April 5, 2012, is a non-Title V facility located in Skippack Township, **Montgomery County**. The Synthetic Minor Operating Permit has been amended to incorporate conditions from Plan Approval No. 46-0112E, which was for the modification of a reactor process [Reactor A (Source ID 129) and Reactor A Condenser (Source ID C03)] and the re-activation of two (2) "Rocket" Vessels (Source ID 105). Reactor A and the Reactor A Condenser were installed under Plan Approval No. 46-0112D. Under Plan Approval No. 46-0112D, Palmer International committed to removing two (2) "Rocket" Vessels. Upon installation of Reactor A, Palmer International decided to reactivate one or both of the "Rocket" Vessels under Plan Approval No. 46-0112E. Only one "Rocket" Vessel was reactivated. The "Rocket" Vessel is a source of VOC emissions. Reactor A is a source of VOC and HAP (methanol and formaldehyde). Emissions are controlled by an existing thermal oxidizer. Most sources at the site are operated in "Building A." Building A sources have the following 12-month rolling emission limits: VOC—21.0 tons; PM—18.78 tons; NO_x—18.48 tons; CO—47.12 tons; SO_x—36.65 tons; HAP (total)—11.0 tons; formaldehyde (a VOC and HAP)—9.40 tons; and Ammonia—22.63 tons. Hours of operation and production are monitored and recorded to determine compliance with the emission limits. Temperature readings of coolant and effluent gas through the Reactor A Condenser are monitored and recorded to ensure proper operation of the condenser. The Synthetic Minor Operating Permit contains additional monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

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

36-05140: Valley Proteins, Inc. (693 Wide Hollow Road, East Earl, PA 17519-9645) on April 2, 2012, for their rendering plant in East Earl Township, **Lancaster County**. The Title V permit was administratively amended to incorporate the provisions of Plan Approvals 36-05140C and 36-05140D.

36-03051: McNeil Consumer Pharmaceuticals Co. (1838 Colonial Village Lane, Lancaster, PA 17601-6700) on April 3, 2012, for their pharmaceuticals manufacturing facility in East Lampeter Township, **Lancaster County**. The State-only permit was administratively amended to reflect a change of ownership.

67-03031: Pennex Aluminum Co. (PO Box 100, Wellsville, PA 17365-0100) on April 3, 2012, for their secondary aluminum processing facility in Wellsville Borough, **York County**. The State-only permit was changed via a minor modification to revise the heat input of the Source 301 oven battery from 38 MMBtu to 45 MMBtu.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

32110101 and NPDES No. PA0263150. Amerikohl Mining, Inc., 1384 State Route 711, Stahlstown, PA 15687 commencement, operation and restoration of a bituminous surface mine in Brush Valley Township, **Indiana County**, affecting 102.4 acres. Receiving stream(s): unnamed tributaries to/and Ferrier Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 3, 2011. Permit issued: March 28, 2012.

11910101 and NPDES No. PA0599093. E. P. Bender Coal Company, Inc., Main & Lehmer Streets, P. O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Reade Township, **Cambria County**, affecting 88.0 acres. Receiving stream(s): unnamed tributaries to/and Powell Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 31, 2011. Permit issued: March 28, 2012.

11100104 and NPDES No. PA0263087. RJC Kohl, Inc., 1927 Killen School Road, Nicktown, PA 15762, commencement, operation and restoration of a bituminous surface mine in Susquehanna, Elder and West Carroll Townships, **Cambria County**, affecting 98.5 acres. Receiving stream(s): unnamed tributaries to Fox Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: September 21, 2010. Permit issued: March 28, 2012.

1110102 and NPDES No. PA0263249. Laurel Sand & Stone, Inc., P. O. Box 556, 210 E. Main Street, Ligonier, PA 15658, commencement, operation and restoration of a bituminous surface and auger mine in Jackson

Township, **Cambria County**, affecting 225.1 acres. Receiving stream(s): unnamed tributaries to/and South Branch Blacklick Creek and unnamed tributaries to/and Bracken Run classified for the following use(s): cold water fishery. The application includes a stream encroachment to upgrade an existing access road within the barrier of unnamed tributary "B" to Bracken Run. The application also includes a request for a Section 401 Water Quality Certification. There are no potable water supply intakes within 10 miles downstream. Application received: May 23, 2011. Permit issued: March 30, 2012.

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

61100101. K & A Mining (P. O. Box 288, Grove City, PA 16127) Revision to an existing bituminous surface mine to add blasting in Irwin Township, **Venango County** affecting 68.6 acres. Receiving streams: Unnamed tributary to Williams Run; unnamed tributary to Scrubgrass Creek; unnamed tributary to East Branch Wolf Creek. Application received: January 20, 2012. Permit Issued: April 4, 2012.

33030109. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242) Renewal of an existing bituminous surface mine in Winslow Township & Reynoldsville Borough, **Jefferson County** affecting 34.0 acres. Receiving streams: Unnamed tributary to Soldier Run. Application received: February 8, 2012. Permit Issued: April 4, 2012.

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

40663027R5. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine and refuse disposal operation in Hazle Township, **Luzerne County** affecting 154.9 acres, receiving stream: Black Creek. Application received: December 9, 2010. Renewal issued: April 4, 2012.

40663027GP104. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40662027 in Hazle Township, **Luzerne County**, receiving stream: Black Creek. Application received: November 3, 2011. Permit issued: April 4, 2012.

40663030R5 and NPDES Permit No. PA0225134. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine and coal refuse disposal operation and issuance of a no discharge NPDES Permit in Foster Township, **Luzerne County** affecting 225.0 acres, receiving streams: Black Creek and Sandy Run Creek. Application Received: March 4, 2011. Renewal issued: April 4, 2012.

54851317R4. Blackwood Mining, (540 East Center Street, Ashland, PA 17921), renewal of an existing anthracite underground mine operation in Reilly and Tremont Townships, **Schuylkill County** affecting 2.5 acres, receiving stream: Swatara Creek. Application received: December 9, 2011. Renewal issued: April 4, 2012.

54851317GP104. Blackwood Mining, (540 East Center Street, Ashland, PA 17921), General NPDES Permit for stormwater discharges associated with mining activities on Underground Mining Permit No. 54851317 in Reilly and Tremont Townships, **Schuylkill County**, receiving stream: Swatara Creek. Application received: December 9, 2011. Permit issued: April 4, 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

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

08124120. Meshoppen Blasting Inc. (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting for a well site and access road located in Herrick Township, **Bradford County**. Permit issued March 29, 2012. Permit expires September 30, 2012.

08124121. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013-0608). Blasting for a well pad located in Steven Township, **Bradford County**. Permit issued: March 29, 2012. Permit expires: March 23, 2013.

08124122. Midstream Explosives, LLC (289 Southside Drive, Newville, PA 17241-8951). Blasting for a pipeline located in LeRoy Township, **Bradford County**. Permit Issued: March 29, 2012. Permit expires: March 25, 2013.

41124105. Maine Drilling & Blasting Inc.) P. O. Box 1140, Gardiner, ME 04345-1140). Blasting for a road/highway located in Armstrong Township, **Lycoming County**. Permit issued: March 29, 2012. Permit expires: March 26, 2013.

41124106. Maurer & Scott Sales, Inc. (122 Thomas St, Coopersburg, PA 18036-2100). Blasting for construction of a gas well pad located in Cogan House Township, **Lycoming County**. Permit issued: April 3, 2012. Permit expires: December 31, 2012.

57124106. Doug Wathen LLC (11934 Fairway Lakes Drive, Suite 1, Fort Myers, FL 33913). Blasting for construction of a gas well pad located in Cherry Township, **Sullivan County**. Permit issued: April 5, 2012. Permit expires: April 4, 2013.

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

40124107. Maine Drilling & Blasting, (PO Box 1140, Gardiner, ME 04345), construction blasting for Chief Gathering Wyoming Natural Gas Pipeline in Dallas Township and Eaton and Monroe Townships, **Wyoming County** with an expiration date of March 23, 2013. Permit issued: April 3, 2012.

40124108. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Ledge Court in Pittston Township, **Luzerne County** with an expiration date of March 27, 2013. Permit issued: April 3, 2012.

40124109. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Ray Orchard Construction Project in Plains Township, **Luzerne County** with an expiration date of December 31, 2012. Permit issued: April 3, 2012.

36124114. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Jay Paul Hursh manure pit in Clay Township, **Lancaster County** with an expiration date of September 30, 2012. Permit issued: April 4, 2012.

38124112. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Liberty Station in Annville Township, **Lebanon County** with an expiration date of March 31, 2013. Permit issued: April 4, 2012.

58124124. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Malling Well Pad in Silver Lake Township, **Susquehanna County** with an expiration date of March 30, 2013. Permit issued: April 5, 2012.

58124125. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Barnhart Well Pad in Liberty Township, **Susquehanna County** with an expiration date of March 30, 2013. Permit issued: April 5, 2012.

58124126. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Susquehanna Gathering Line in New Milford and Lexon Townships and New Milford Borough, **Susquehanna County** with an expiration date of April 2, 2013. Permit issued: April 5, 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

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

E5929-028: SWEPI LP, 190 Thorn Hill Road, Warrendale, PA 15086, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16 inch diameter natural gas gathering line, an 8 inch diameter natural gas gathering line, a 10 inch diameter fresh water line, and a fiber optic cable impacting 38 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41°33'55"N 77°01'57"W);

The project will result in 38 square feet (0.01 acre) of temporary wetland impacts all for the purpose of installing the natural gas gathering lines, a fresh water line, a fiber optic cable, and associated access roadways in Liberty Township, Tioga County.

E0829-022: Chesapeake Appalachia, LLC, 101 North Main Street, Athens, PA 18810, Terry Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. One 10 inch diameter waterline and a 16 foot wide equipment mat impacting 68 linear feet of an unnamed tributary to Susquehanna River (WWF, MF); (Wyalusing, PA Quadrangle, Latitude: 41°41'4", Longitude: -76°18'57").

2. One 10 inch diameter waterline impacting 42 linear feet of an unnamed tributary to Susquehanna River (WWF, MF); (Wyalusing, PA Quadrangle, Latitude: 41°41'1", Longitude: -76°18'58").

3. One 10 inch diameter waterline and a 16 foot wide equipment mat impacting 44 linear feet of an unnamed tributary to Susquehanna River (WWF, MF); (Wyalusing, PA Quadrangle, Latitude: 41°40'57", Longitude: -76°18'59").

4. One 10 inch diameter waterline and a 16 foot wide equipment mat across a Palustrine Emergent Wetland and a Palustrine Emergent Wetland. Impacted Area: 71 square feet; (Wyalusing, PA Quadrangle, Latitude: 41°40'48", Longitude: -76°18'54").

5. One 10 inch diameter waterline impacting 9 linear feet of an unnamed tributary to Susquehanna River (WWF, MF); (Wyalusing, PA Quadrangle, Latitude: 41°40'49", Longitude: -76°18'53").

6. One 10 inch diameter waterline and a 16 foot wide equipment mat impacting 28 linear feet of an unnamed tributary to Susquehanna River (WWF, MF) and an adjacent Palustrine Emergent Wetland impacting 13 square feet (Wyalusing, PA, Latitude: 41°40'48", Longitude: -76°18'53").

7. One 10 inch diameter waterline across a Palustrine Emergent Wetland, Palustrine Forested Wetland and a

Palustrine Scrub-Shrub Wetland. Impacted Area: 744 square feet; (Wyalusing, PA Quadrangle, Latitude: 41°39'48", Longitude: -76°18'22").

8. One 10 inch diameter waterline and a 16 foot wide equipment mat impacting 54 linear feet of North Branch Sugar Run (CWF, MF) and an adjacent Palustrine Emergent Wetland impacting 5,799 square feet (Wyalusing, PA, Latitude: 41°39'24", Longitude: -76°18'20").

The project will result in 245 linear feet and 1,190 square feet of temporary stream impacts and 6,627 square feet (0.15 acre) of temporary PEM, PSS and PFO wetland impacts from temporary waterlines and temporary equipment mat crossings all for the purpose of establishing a temporary water supply for Marcellus well development.

E4129-018: PVR Marcellus Gas Gathering, LLC, 100 Penn Tower, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701, Anthony & Mifflin Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) two 12.0 inch diameter water pipe lines and timber matting across an unnamed tributary to Hickory Swale (EV) impacting 75 linear feet (Waterville Quadrangle 41°18'52"N 77°17'55"W),

(2) two 12.0 inch diameter water pipe lines and timber matting across Hickory Swale (EV) impacting 79 linear feet (Waterville Quadrangle 41°19'02"N 77°17'55"W),

(3) two 12.0 inch diameter water pipe lines across an unnamed tributary to Hickory Swale (EV) impacting 76 linear feet (Waterville Quadrangle 41°19'02"N 77°17'55"W),

(4) two 12.0 inch diameter water pipe lines and timber matting across an unnamed tributary to the First Fork Larrys Creek (EV) impacting 78 linear feet (Waterville Quadrangle 41°19'15"N 77°17'56"W),

(5) a two 12.0 inch diameter water pipe lines and timber matting across an unnamed tributary to the First Fork Larrys Creek (EV) impacting 81 linear feet (Waterville Quadrangle 41°19'16"N 77°17'56"W),

(6) a two 12.0 inch diameter water pipe lines and timber matting across an unnamed tributary to the First Fork Larrys Creek (EV) impacting 77 linear feet (Waterville Quadrangle 41°19'17"N 77°17'56"W).

The project will result in 466 linear feet of stream impacts and 0.0 acre of wetland impacts, all for the purpose of installing water pipe line with associated access roadways for Marcellus well development.

E5329-009. Tenaska Resources, LLC., 1701 E. Lamar Blvd., Suite 100, Arlington, TX 76006-7320. Spahr Pipeline, in Abbott Township, **Potter County**, ACOE Baltimore District. (Galeton, PA Quadrangle, Latitude: N41°39'5.04", Longitude: W77°42'2.88").

To construct, operate, and maintain one 2-inch underground natural gas pipeline crossing beneath Hoppe Hollow (EV) and installed via directional drilling. The project will result in 8 linear feet of impact to Hoppe Hollow, all for the purpose of transmission of natural gas from Marcellus Shale development.

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.

E21-424: James Weary, Mount Holly Springs Borough Authority, 200 Harman Street, Mount Holly

Springs, Pennsylvania 17065, in Mount Holly Springs Borough, **Cumberland County**, ACOE Baltimore District

To construct and maintain: 1) a blower platform with an area of 296.0 square feet; 2) a screening chamber with an area of 428.0 square feet; 3) an influent manhole with an area of 20.0 square feet; 4) a decant pumping station and control panel with an area of 50.0 square feet; 5) chemical feed and electrical buildings on the existing bioreactors; 6) associated underground piping; and 7) 3,940.0 square feet of new paving. All impacts are located within the 100-year FEMA delineated floodway of Mountain Creek (TSF, MF). The purpose of the project is to improve the existing Mount Holly Springs Borough Wastewater Treatment Plant to comply with the Chesapeake Bay Tributary Strategy. The project is located at 11 Mill Street in Mount Holly Springs Borough, Cumberland County (Mount Holly Springs, PA Quadrangle; N: 23.36 inches, W: 8.92 inches; Latitude: 40°07'23"; Longitude: -77°11'20").

E36-889: Lewis T. David, Columbia Water Company, 220 Locust Street, PO Box 350, Columbia, Pennsylvania 17512, in Columbia Borough, **Lancaster County**, ACOE Baltimore District

To: 1) demolish a maintenance building, Pump Station #2, sediment basin tank, and the Ajax boat building; 2) remove approximately 300.0 cubic yards of fill located in the floodplain of the Susquehanna River (WWF, MF); and 3) demolish Pump Station #1 located in the floodway of the Susquehanna River (WWF, MF). To construct and maintain: 4) a 22.0-foot by 61.0-foot raw water pumping station; 5) a 17.0-foot by 17.0-foot traveling screen facility; 6) a 74.0-foot by 31.0-foot filter facility addition; and 7) a driveway and parking improvements within in the floodplain of the Susquehanna River (WWF, MF); and 8) a 84.0-foot by 56.0-foot flocculation sediment basin located in the floodway of the Susquehanna River (WWF, MF). The project is located at the existing Walnut Street Water Treatment Plant on the southeast quadrant of the intersection of Walnut Street and Locust Street (Columbia West, PA Quadrangle, N: 5.40 inches, W: 1.01 inches; Latitude: 40°01'47.0", Longitude: -76°30'25.9") in the Borough of Columbia, Lancaster County. The purpose of the project is to upgrade the existing facility to meet future growth and environmental regulations. No wetlands will be impacted by this project.

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

E19-289. Julian E. Shaffer, 330 Grant Street, Berwick, PA 18603. Shaffer Cabin, in Fishing Creek Township, **Columbia County**, ACOE Baltimore District (Mifflinville, PA Quadrangle Latitude: 41°6'16.1"; Longitude: 76°21'39.6").

This permit authorizes the construction, operation and maintenance of 20 concrete block piers to support the new cabin structure on the existing footprint. The structures first floor elevation shall be a minimum of 18 inches above elevation of 623.8 feet. The pier layout shall be 40 linear feet long with pier configuration every 8 feet and 20 linear feet wide with pier configuration every 10 feet. An additional 5 piers will be placed in the front of the structure to facilitate the placement of a deck 18 inches above base 100 yr flood elevations. This property is located 1 mile from SR 487 of Winding Road onto Twin Bridges Road, last cabin on right. This permit was issued under Section 105.13(e) "Small Projects."

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 # ESX12-015-0076

Applicant Name Appalachia Midstream Services, Inc.

Contact Person Patrick Myers, Jr.

Address 100 Ist Center

City, State, Zip Horseheads, NY 14845

County Bradford County

Township(s) Sheshequin Township

Receiving Stream(s) and Classification(s) Trib. 30799 to

Susquehanna River (WWF/MF), Trib. 30802 to

Susquehanna River (WWF/MF), Susquehanna

River (WWF/MF)

ESCGP-1 # ESX12-015-0082

Applicant Name Appalachia Midstream Services, Inc.

Contact Person Patrick Myers, Jr.

Address 100 Ist Center

City, State, Zip Horseheads, NY 14845

County Bradford County

Township(s) Standing Stone Township

Receiving Stream(s) and Classification(s) Rummerfield

Creek (WWF, MF), Trib. 29971, 29973, 29977 to Rummerfield

Creek (WWF, MF), Trib. 29989, 29990, 64330

to Susquehanna River (WWF, MF)

ESCGP-1 # ESX11-113-0017 (01)

Applicant Name Appalachia Midstream Services, Inc.

Contact Person Patrick Myers, Jr.

Address 100 Ist Center

City, State, Zip Horseheads, NY 14845

County Sullivan County

Township(s) Cherry Township

Receiving Stream(s) and Classification(s) Little Loyalsock

Creek, Tribs 20314, 20319, and 20321 to Little

Loyalsock Creek (EV, MF)

ESCGP-1 # ESX12-015-0080

Applicant Name Appalachia Midstream Services, Inc.

Contact Person Patrick Myers, Jr.
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Bradford County
Township(s) Wilmot Township
Receiving Stream(s) and Classification(s) Tributary 29588
to Sugar Run Creek (CWF), Wysox—Wyalusing Creeks
Watershed;
Secondary: Sugar Run Creek (CWF)

ESCGP-1 # ESX12-015-0079
Applicant Name Appalachia Midstream Services, Inc.
Contact Person Patrick Myers, Jr.
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Bradford County
Township(s) Wilmot Township
Receiving Stream(s) and Classification(s) Drains to: 2
UNTs to Panther Lick Creek (CWF) Wysox—Wyalusing
Creeks Watershed;
Secondary: Panther Lick Creek (CWF)

ESCGP-1 # ESX12-015-0059
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Bradford County
Township(s) Tuscarora Township
Receiving Stream(s) and Classification(s) UNT to Tansue
Creek, Tuscarora Creek (Both CWF);
Secondary: Susquehanna River (WWF)

ESCGP-1 # ESX12-131-0006
Applicant Name Appalachia Midstream Services, Inc.
Contact Person Patrick Myers, Jr.
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Wyoming County
Township(s) Meshoppen Township
Receiving Stream(s) and Classification(s) Little Meshop-
pen Creek, Trib 29454 and 29455 to Susquehanna River
(CWF/MF)

ESCGP-1 # ESX12-015-0078
Applicant Name Appalachia Midstream Services, Inc.
Contact Person Patrick Myers, Jr.
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Bradford County
Township(s) Wyalusing Township
Receiving Stream(s) and Classification(s) Trib 29957 to
Susquehanna River (WWF, MF)

ESCGP-1 # ESX12-117-0029
Applicant Name SWEPI LP
Contact Person H. James Sewell
Address 190 Thorn Hill Road
City, State, Zip Warrendale, PA 15086
County Tioga County
Township(s) Sullivan Township
Receiving Stream(s) and Classification(s) Trib. To Elk
Run (GQ-CWF, MF)

ESCGP-1 # ESX12-131-0008
Applicant Name Chief Gathering, LLC
Contact Person Nicholas Bryan
Address 999 North Loyalsock Ave. Suite G
City, State, Zip Montoursville, PA 17754
County Wyoming County
Township(s) Lemon Township
Receiving Stream(s) and Classification(s) Meshoppen
Creek (CWF/MF)

ESCGP-1 # ESX12-115-0038
Applicant Name Cabot Oil & Gas Corporation
Contact Person Kenneth Marcum
Address Five Penn Center West, Suite 401
City, State, Zip Pittsburgh, PA 15276-0130
County Susquehanna County
Township(s) Gibson Township
Receiving Stream(s) and Classification(s) Tunkhannock
Creek & Bear Swamp Creek (CWF)/Susquehanna
River;
Secondary: Susquehanna River

ESCGP-1 # ESG11-131-0030 (01)
Applicant Name Chief Gathering LLC
Contact Person Nicholas Bryan
Address 999 North Loyalsock Avenue, Suite G
City, State, Zip Montoursville, PA 17754
County Wyoming and Luzerne Counties
Township(s) Lemon, Washington, Tunkhannock, Eaton,
Monroe and Dallas Townships
Receiving Stream(s) and Classification(s) Toby Creek
(CWF/MF), Trout Brook (CWF, MF), Leonard Creek
(HQ-CWF, MF), Bowman Creek (HQ-CWF, MF), Roar-
ing Run (HQ-CWF, MF), Newton Run (CWF, MF),
Sugar Hollow Creek (HQ-CWF, MF), Benson Hollow
(HQ-CWF, MF), Susquehanna River (CWF, MF), Swale
Brook (CWF, MF), Kern Glen Creek (CWF-MF), Taques
Creek (CWF, MF), Billings Mill Brook (CWF, MF) and
Meshoppen Creek (CWF, MF)

ESCGP-1 # ESX12-015-0067
Applicant Name Angelina Gathering Company, LLC
Contact Person Danny Spaulding
Address 2350 N. Sam Houston Parkway E., Suite 125
City, State, Zip Houston, TX 77032
County Bradford County
Township(s) Herrick Township
Receiving Stream(s) and Classification(s) UNTs to Cold
Creek including Reeves Pond (WWF, MF)

ESCGP-1 # ESX12-081-0044
Applicant Name Seneca Resources
Contact Person Michael Clinger
Address 51 Zents Boulevard
City, State, Zip Brookville, PA 15825
County Lycoming County
Township(s) McIntyre Township
Receiving Stream(s) and Classification(s) Long Run; UNT
to Grays Run; Grays Run; Yoder Hollow (HQ);
Secondary: Lycoming Creek (EV, MF)

ESCGP-1 # ESX12-015-0064
Applicant Name Angelina Gathering Company, LLC
Contact Person Danny Spaulding
Address 2350 N. Sam Houston Parkway E., Suite 125
City, State, Zip Houston, TX 77032
County Bradford County
Township(s) Orwell & Herrick Townships
Receiving Stream(s) and Classification(s) Rummerfield
Creek, UNT to Rummerfield Creek and UNT to
Johnson Creek (All CWF, MF, WWF)

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

ESCGP-1 #ESX12-073-0010—Pulaski-Whiting Well Site
Applicant Hilcorp Energy Co
Contact Stephanie McMurray
Address 1201 Louisiana Street
City Houston State TX Zip Code 77002
County Lawrence Township(s) Pulaski(s)
Receiving Stream(s) and Classification(s) UNT to
Shenango River/Shenango River Watershed—WWF

ESCGP-1 #ESX12-085-0003—Miklos Well Pad
 Applicant Carrizo Utica LLC
 Contact Laura Wible
 Address PO Box 231
 City Drifting State PA Zip Code 16834
 County Mercer Township(s) West Salem & Pymatuning(s)
 Receiving Stream(s) and Classification(s) UNT to Booth
 Run (WWF)

ESCGP-1 #ESX12-123-0016—Youngsville Project
 Applicant Catalyst Energy
 Contact David See
 Address 424 South 27th Street
 City Pittsburgh State PA Zip Code 15203
 County Warren Township(s) Brokenstraw(s)
 Receiving Stream(s) and Classification(s) Matthews Run/
 Lancing Run

ESCGP-1 #ESX12-085-0001—Yoder Well Pad
 Applicant Carrizo (Utica) LLC
 Contact Gary J. Byron
 Address PO Box 231
 City Drifting State PA Zip Code 16834
 County Mercer Township(s) West Salem(s)
 Receiving Stream(s) and Classification(s) UNT to Chest-
 nut Run—WWF, Chestnut Run

ESCGP-1 #ESX12-039-0002—Lippert Unit #1H
 Applicant Range Resources - Appalachia, LLC
 Contact Mary Patton
 Address 100 Throckmorton Street, Suite 1200
 City Fort Worth State TX Zip Code 76102
 County Crawford Township(s) East Fairfield(s)
 Receiving Stream(s) and Classification(s) UNT to Little
 Sugar Creek—CWF, French Creek

ESCGP-1 #ESX12-053-0028—DR01 Pad & Impoundment
 Applicant Hunt Marcellus Operating Company, LLC
 Contact V. Marcus Lowery
 Address 106 N. Michael Street, Suite 3
 City St. Marys State PA Zip Code 15857
 County Forest Township(s) Hickory & Kingsley(s)
 Receiving Stream(s) and Classification(s) East Hickory
 Creek, Ross Run, East Branch Ross Run, UNT to Camp
 Run, Toms Run—HQ/CWF, Beaver Run—HQ/CWF

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr. Pittsburgh PA*

3/1/12
 ESCGP-1 No.: ESX11-059-0036 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: GREENE Township: CENTER
 Receiving Stream (s) And Classifications: WOODS RUN
 (WWF) PURSLEY CREEK (WWF), UNT TO PURSLEY
 CREEK (WWF); OTHER

3/14/12
 ESCGP-1 No.: ESX11-125-0026
 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(s): DEEMSTON BORO
 Receiving Stream(s) and Classifications: UNT TO PLUM
 RUN / TENMILE CREEK WATERSHED; OTHER

2/27/12
 ESCGP-1 No.: ESX12-059-0013
 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): CENTER
 Receiving Stream(s) and Classifications: RUSH RUN /
 SOUTH FORK TEN MILE CREEK; HQ

3/12/12
 ESCGP-1 No.: ESX12-125-0029
 Applicant Name: RANGE RESOURCES APPALACHIA
 LLC
 Contact Person: MR GLENN TRUZZI
 Address: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): HANOVER
 Receiving Stream(s) and Classifications: UNT's TO
 HARMON CREEK, WARD RUN/RACCOON CREEK
 WATERSHED; OTHER

12/20/11
 ESCGP-1 No.: ESX11-007-0023
 Applicant Name: CHESAPEAKE APPALACHIA LLC
 Contact Person: MR ERIC HASKINS
 Address: 101 NORTH MAIN STREET
 City: ATHENS State: PA Zip Code: 18810
 County: BEAVER Township(s): SOUTH BEAVER
 Receiving Stream(s) and Classifications: UNT (HQ-CWF)-
 BRUSH RUN-(HQ-CWF)/LITTLE BEAVER CREEK;
 HQ

3/9/12
 ESCGP-1 No.: ESX12-003-0003
 Applicant Name: RANGE RESOURCES APPALACHIA
 LLC
 Contact Person: MR GLENN D TRUZZI
 Address: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: ALLEGHENY Township(s): FRAZER
 Receiving Stream(s) and Classifications: UNT TO DAYS
 RUN AND DAYS RUN / LOWER ALLEGHENY RIVER
 WATERSHED; OTHER

2/2/12
 ESCGP-1 No.: ESX12-005-0002
 Applicant Name: NORTHEAST NATURAL ENERGY LLC
 Contact Person: LOFLIN D BRETT
 Address: 707 VIRGINIA STREET E #1400
 City: CHARLESTON State: WV Zip Code 25301
 County: ARMSTRONG Township(s): MAHONING,
 WAYNE
 Receiving Stream(s) and Classifications: TWO UNT's TO
 MAHONING CREEK (CWF) AND MAHONING
 CREEK (WWF); OTHER

2/29/12
 ESCGP-1 No.: ESX12-129-0005
 Applicant Name: LAUREL MOUNTAIN MIDSTREAM
 LLC
 Contact Person: MR FRANK CANNETO
 Address: 1605 CORAOPOLIS HEIGHTS ROAD
 City: MOON TOWNSHIP State: PA Zip Code: 15108
 County: WESTMORELAND Township(s):
 S HUNTINGDON & SEWICKLEY
 Receiving Stream(s) and Classifications: SEWICKLEY
 CREEK & UNT's (WWF), LITTLE SEWICKLEY
 CREEK & UNT's (TSF) YOUGHIOGHENY
 (HUC#05020006); OTHER

3/19/12
 ESCGP-1 No.: ESX12-125-0034
 Applicant Name: RANGE RESOURCES APPALACHIA
 LLC
 Contact Person: MR GLENN TRUZZI
 Address: 3000 TOWN CENTER BOULEVARD

City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): BUFFALO
 Receiving Stream(s) and Classifications: UNT TO WOLF
 RUN AND UNTs TO BUFFALO CREEK/ WHEELING-
 BUFFALO CREEKS WATERSHED; HQ

3/5/12

ESCGP-1 NO.: ESX12-129-0006
 Applicant Name: WPX ENERGY APPALACHIA LLC
 CONTACT PERSON: MR DAVID FREUDENRICH
 ADDRESS: 6000 TOWN CENTER BOULEVARD
 SUITE 300

City: CANONSBURG State: PA Zip Code: 15317
 County: WESTMORELAND Township(s): DONEGAL
 Receiving Stream(s) and Classifications: UNT TO FOUR
 MILE RUN/OHIO RIVER WATERSHED; TSF; ATW

12/6/11

ESCGP-1 No: ESX11-003-0003 MAJOR REVISION
 Applicant Name: SUPERIOR APPALACHIAN PIPELINE
 LLC

Contact Person KENNETH D MAGYAR
 Address: 1000 TOWN CENTER WAY SUITE 120
 City: CANONSBURG State: PA Zip Code: 15317
 County: ALLEGHENY Township: FRAZER AND
 INDIANA

Receiving Stream (s) And Classifications: UNT TO
 LITTLE DEER CREEK (TSF) AND YULE RUN WWF,
 OTHER

11/10/11

ESCGP-1 No.: ESX11-125-0106
 Applicant Name: RANGE RESOURCES—APPALACHIA
 LLC

Contact Person: LAURA RUSMISEL
 Address: 380 SOUTH POINTE BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): HOPEWELL
 Receiving Stream(s) and Classifications: UNT TO BRUSH
 RUN, WATERSHED; BUFFALO CREEK (HQ-WWF),
 HQ

12/1/11

ESCGP-1 No.: ESX11-007-0022
 Applicant Name: CHESAPEAKE APPALACHIA LLC
 Contact Person: MR ERIC HASKINS
 Address: 101 NORTH MAIN STREET
 City: ATHENS State: PA Zip Code: 18810
 County: BEAVER Township(s): INDUSTRY
 Receiving Stream(s) and Classifications: UNT TO
 SIXMILE RUN—WWF/UNT TO WOLF RUN—WWF;
 OTHER

1/26/12

ESCGP-1 No.: ESX12-125-0018
 Applicant Name: LAUREL MOUNTAIN MIDSTREAM
 LLC
 Contact Person: MR FRANK CANNETO
 Address: 1605 CORAOPOLIS HEIGHTS ROAD
 City: MOON TOWNSHIP State: PA Zip Code: 15108
 County: WASHINGTON Township(s): DEEMSTON BORO
 & W. BETHLEHEM TOWNSHIP
 Receiving Stream(s) and Classifications: PLUM RUN
 (TSF) TENMILE CREEK (TSF) BLACK DOG HOL-
 LOW (WWF); OTHER

01/19/12

ESCGP-1 No.: ESX11-005-0016
 Applicant Name: EQT GATHERING LLC
 Contact Person: MR BRIAN CLAUTO
 Address: 455 RACETRACK ROAD
 City: WASHINGTON State: PA Zip Code: 15301 COUNTY
 ARMSTRONG Township(s): PLUMCREEK AND KIT-

TANNING

Receiving Stream(s) and Classifications: UNT TO
 NORTH BRANCH CHERRY RUN (CWF) WETLANDS
 (EV); OTHER

01/17/12

ESCGP-1 No.: ESX12-063-0003
 Applicant Name: XTO ENERGY INC
 Contact Person: BERNHARDT KISSEL
 Address: 395 AIRPORT ROAD
 City: INDIANA State: PA Zip Code: 15701
 County: INDIANA Township(s): CENTER
 Receiving Stream(s) and Classifications: UNT TO
 CHERRY RUN (WWF) OHIO RIVER BASIN; OTHER

01/25/12

ESCGP-1 No.: ESX11-059-0039 MAJOR REVISION
 Applicant Name: EQT PRODUCTION
 Contact Person: TODD KLANER
 Address: 455 RACETRACK ROAD
 City: WASHINGTON State: PA Zip Code 15301
 County: GREENE Township(s): CENTER
 Receiving Stream(s) and Classifications: RUSH RUN-HQ-
 WWF UNT TO SOUTH FORK TENMILE CREEK
 HQ-WWF, LIGHTNER RUN-HQ-WWF-S. FORK
 TENMILE CREEK WATERSHED; HIGH QUALITY

12/22/11

ESCGP-1 No.: ESX11-059-0029 MAJOR REVISION
 Applicant Name: CHEVRON APPALACHIA LLC
 Contact Person: JEREMY HIRTZ
 Address: 800 MOUNTAIN VIEW DRIVE
 City: SMITHFIELD State: PA Zip Code: 15478
 County: GREENE, WASHINGTON Township(s):
 MORGAN, WEST BETHLEHEM
 Receiving Stream(s) and Classifications: UNT TO
 TENMILE CREEK / TENMILE CREEK WATERSHED;
 OTHER

01/24/12

ESCGP-1 No.: ESX12-125-0015
 Applicant Name: RANGE RESOURCES—APPALACHIA
 LLC
 Contact Person: LAURA M RUSMISEL
 Address: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): DONEGAL
 Receiving Stream(s) and Classifications: UNTs TO
 DUTCH FORK / WHEELING-BUFFALO CREEKS WA-
 TERSHED; HQ

11/14/11

ESCGP-1 NO.: ESX11-051-0041
 Applicant Name: LAUREL MOUNTAIN MIDSTREAM
 LLC
 CONTACT PERSON: STEPHANIE L RANKER
 ADDRESS: 2620 MEMORIAL BOULEVARD SUITE A
 City: CONNELLSVILLE State: PA Zip Code: 15425
 County: Fayette Township(s): FRANKLIN
 Receiving Stream(s) and Classifications: UNT TO
 BOLDEN RUN (WWF), UNT's TO ALLEN RUN
 (WWF) / MONONGAHELA RIVER WATERSHED

01/23/12

ESCGP-1 NO.: ESX12-125-0013
 Applicant Name: RANGE RESOURCES—APPALACHIA
 LLC
 CONTACT: GLENN D TRUZZI
 ADDRESS: 3000 TOWN CENTER BOULEVARD
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): CANTON
 Receiving Stream(s) and Classifications: UNT TO
 GEORGES RUN / CHARTIERS CREEK WATERSHED;
 OTHER

SPECIAL NOTICES

**HAZARDOUS SITES CLEAN-UP
UNDER THE ACT OF
OCTOBER 18, 1988**
**Notice of Prompt Interim Response Ford City
Equipment Site**
Ford City Borough, Armstrong County

The Pennsylvania Department of Environmental Protection ("Department"), under the authority of the Hazardous Sites Cleanup Act, 35 P.S. Section 6020.101 et. seq. ("HSCA"), has initiated a prompt interim response at the Ford City Equipment Site (Site). This response has been initiated pursuant to Sections 501(a) and 505(b) of the HSCA, 35 P.S. Sections 6020.501(a) 6020.505(b). The Site is located at 2nd Avenue (Eljer Way) between 9th Street and O'Connor Street in Ford City Borough, Armstrong County.

The Site consists of mercury spilled on a vacant lot where building demolition had taken place. Liquid droplets of mercury were found on a concrete area and mercury droplets were observed in nearby fill material. The Site was once the location of the PPG Ford City glass manufacturing facility, most recently the Site was occupied by Ford City Equipment Company.

The current and/or potential threat from the Site to human health or welfare is the direct contact of the contamination to persons entering the areas where the spilled mercury and potentially contaminated soil is located, access is generally unrestricted. The current and/or potential threat that could adversely affect the environment is contamination of the soil, groundwater, and surface water from runoff and/or leaching of the spilled mercury. Sediment and surface water of the Allegheny River could be impacted as a result of runoff and/or leaching of the mercury.

The Department considered the following three alternatives to address the spilled mercury at the Site: (Alternative 1) taking no action to address contamination related to the spilled mercury; (Alternative 2) fencing and securing the area affected by the mercury spill; and (Alternative 3) cleaning up and removing the spilled mercury for recycling/disposal and excavating soil and/or other material potentially impacted by the mercury for proper disposal. Alternative 3 was chosen because it complies with the applicable, relevant, and appropriate requirements.

This notice is being provided under Section 506 (b) of the Hazardous Sites Cleanup Act. The Administrative Record which contains information forming the basis and documenting the selection of this response action is available for public review and comment at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 and is available for review between 9 a.m. and 4 p.m.

The Administrative Record will be open for comment until July 20, 2012. Persons may submit written comments into the record, during this time only, by sending them or delivering them to Edward Litwin, Project Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

In addition, persons may present oral comments for inclusion in the Administrative Record at a public hearing scheduled for May 30, 2012 at 6:30 p.m. at the Ford City Public Library located at 1136 4th Avenue, Ford City, PA

16226. Persons wishing to present comments must register with John Poister at the Department's Southwest Regional Office, in writing at: 400 Waterfront Drive, Pittsburgh, PA 15222 or by telephone at (412) 442- 4203 before noon, May 30, 2012.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding, should contact John Poister at (412) 442-4203 or through the Pennsylvania AT&T Relay Service at (800) 654-5954 (TDD) to discuss how the Department may accommodate their needs.

NPDES Stormwater Permit

NPDES Permit Stormwater PAI012306006, Sentinel Ridge Development, LLC, 110 North Phoenixville Pike, Suite 100, Malvern, PA 19355, has applied to conduct earth disturbance activities and discharge stormwater associated with construction activities located in Marple Township, **Delaware County**, into Holland Run (a.k.a. Hotland Run) (EV-CWF).

The Department of Environmental Protection (Department) has reviewed the revised permit application documentation and plans submitted by Sentinel Ridge Development, LLC and proposes, based upon its evaluation, that the NPDES permit suspension imposed by the October 22, 2009 Order of the Environmental Hearing Board (EHB) in the matter of *Crum Creek Neighbors v. DEP and Pulte Homes of PA, L.P.*, EHB Docket No. 2007-287-L, be partially lifted to allow Sentinel Ridge Development, LLC to conduct earth disturbance activities and discharge stormwater associated with construction activities to Holland Run (EV-CWF) from Phase II of its proposed development, in accordance with the terms of the NPDES permit, including supporting documentation and plans that include a Hydrologic and Water Quality Evaluation of Stormwater Impacts on Holland Run, a Hydrogeologic Evaluation Report, and other information, that examine the effect of the project on the baseflow to Holland Run, and the effect of certain modeled basin overflows, on Holland Run. Phase II is situated in the center of the site with Phase I (under construction) to the South and Phase III (planned for future development) to the North. The Best Management Practices and the Antidegradation Analysis Module for the project site, as set forth in the previously-referenced NPDES permit, along with supporting documentation and plans, are proposed to constitute the effluent limitations for Phase II of the development.

The Department proposes to authorize earth disturbance activities in, and the discharge of stormwater associated with construction activities from, the Phase II Limit of Disturbance Area that consists of 3.3 acres in the Holland Run Watershed as depicted on the Wilkinson & Associates Plans for the development dated February 1, 2012, as revised March 27, 2012. Permanent work for the Phase II area is proposed to consist of the construction of approximately 800 feet of roadway, 29 townhomes (units 26 through 54), and Detention Basin A5. Work will include temporary earth disturbance to install Swale C, staging, stockpiling in the vicinity of Building A and to install the temporary cul-de-sac. Construction phases for the project are clearly depicted on the Erosion and Sedimentation Control Plan Drawings, dated June 17, 2010, as revised thereafter, that were submitted by the developer and approved by the Department and the Delaware County Conservation District. These plans are available for public inspection and review at the District's offices.

Sentinel Ridge Development, LLC is not authorized by this proposed partial lifting of the NPDES permit suspension to conduct earth disturbance activities within the Phase III Limit of Disturbance Area, or to discharge stormwater associated with construction activities from the Phase III Limit of Disturbance Area. No discharge of stormwater associated with construction activities, or earth disturbance activities draining into Holland Run, are proposed to be authorized in the area currently depicted in plan drawings for high density condominium development on the northern end of the property that includes discharges to the finger tributary to Holland Run.

The Department will accept public comment for 30 days on its proposed partial lifting of the NPDES permit suspension for the Phase II area of the development as described previously. Written comments should be addressed to the Regional Manager, Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401.

NPDES Permit for Existing Discharge of Treated Industrial Wastewater

Southcentral Regional Office: Regional Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Telephone: 717.705.4707.

PA0008281, SIC Code 4911, **PPL Brunner Island LLC**, P O Box 221 Wago Road, York Haven, PA 17370. Facility Name: Brunner Island Steam Electric Station. This existing facility is located in East Manchester Township, **York County**.

Description of Existing Activity: The application is to renew the NPDES permit for existing discharge of treated industrial wastewater.

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

At the request of the permittee and in accordance with 25 Pa. Code § 92a.82(d), the Department has agreed to extend the public comment period for this permit by an additional 15 days from the date of this notice.

General Permit for Short-Term Construction Project

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

BMR GP-103-3411001, New Enterprise Stone & Lime Company, Inc., Box 77, Church Street, New Enterprise, PA 16664. General Permit for Short-Term Construction Project GP-103-3411001 with mining activities located in Milford Township, **Juniata County**. Receiving stream: Juniata River classified for the following uses: warm water fishery. There are no public water supplies located within 10 miles downstream. Notice of Intent for Coverage received: November 23, 2011. Coverage Approved: March 28, 2012.

[Pa.B. Doc. No. 12-737. Filed for public inspection April 20, 2012, 9:00 a.m.]

Air Quality Plan Approvals Public Meeting and Hearing Change of Date and Location

Public Notification of Change of Date and Location of Public Meeting and Hearing to Solicit Comments on Laser Northeast Gathering Company, LLC's Plan Approval Application Nos. 58-399-016, 58-399-017, 58-399-018, and 58-399-019

Under 25 Pa. Code § 127.48 (relating to conferences and hearings), the Department of Environmental Protection (Department) is changing the date and location of the public meeting and hearing to solicit comments on the proposed Air Quality Plan Approvals Nos. 58-399-016, 58-399-017, 58-399-018 and 58-399-019, for Laser Northeast Gathering Company, LLC (Permittee), 333 Clay Street, Suite 4500, Houston, TX 77022, to construct the proposed Compressor Stations, which are to be located in Liberty, Middletown and Forest Lake Townships, Susquehanna County, as described in the Permittee's June 24, 2011, Plan Approval Applications and any other subsequent supplemental submissions.

The stations each will consist of two CAT G3606LE engines and two dehydrators with reboilers. The VOC emissions from each facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO_x emissions from each facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO_x and CO emissions from each facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from each facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan Approval and Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

The facilities are subject to MACT 40 CFR Part 63 Subparts ZZZZ and HH, NSPS Subpart JJJJ and 25 Pa. Code § 127.12(a)(5) (relating to content of application) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The Permittee shall be subject to and comply with 25 Pa. Code § 123.31 (relating to limitations) for malodorous emissions.

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

A public meeting will be held for the purpose of receiving comments on the proposed air quality plan approvals. The meeting will be held on April 26, 2012, at 6 p.m. at the Elk Lake High School, 2380 Elk Lake School Road, Springville, PA 18844-0100. Persons interested in commenting are invited to appear.

Staff from the Department's Air Quality Program will explain the application review process and applicable regulations. This presentation will be followed by a question and answer session with citizens.

The public meeting will be followed by a Department public hearing beginning at 7:30 p.m. during which time citizens will have an opportunity to present oral testimony regarding the proposed Air Quality Plan Approval applications. Anyone who wishes to present oral testimony during the public hearing may register that evening prior to the hearing. Citizens will have a maximum of 5

minutes each to present testimony. Written testimony of any length also will be accepted. The testimony will be recorded by a court reporter and transcribed into a written document. The Department will respond in writing to all relevant testimony provided during the public hearing.

Copies of the applications, the Department's technical reviews and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. The Department will accept notices up to the day of the public hearing.

This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

To ensure that all speakers have a fair and equal opportunity to present testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through May 7, 2012.

The Department will address comments from the public before any final actions are taken on the proposals. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Mark Wejkszner at the previously listed address.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown previously, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information contact Mark Wejkszner at (570) 826-2511 or write to the Department at the Wilkes-Barre address given previously.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-738. Filed for public inspection April 20, 2012, 9:00 a.m.]

Bid Opportunity

AMD 18(0817)102.1, Acid Mine Drainage Project, Fran Contracting Camp Run No. 3, East Keating Township, Clinton County. The principal items of work and approximate quantities include permanent access

road with parking lot/turn around 1,368 square yards; subsurface drain 550 linear feet; excavation and rebackfilling 165,000 cubic yards; alkaline addition 13,000 tons; existing alkaline addition 1,740 cubic yards; seeding 27.1 acres; and tree planting 15,505 trees. This bid issues on April 20, 2012, and bids will be opened on May 17, 2012, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-739. Filed for public inspection April 20, 2012, 9:00 a.m.]

Bid Opportunity

OSM 56(2517)101.1, Abandoned Mine Land Reclamation Project, Railroad Street, Windber Borough, Somerset County. The principal items of work and approximate quantities include mobilization and demobilization; implementation of the erosion and sediment control plan; grading 4,400 cubic yards; and seeding 4 acres. This bid issues on April 20, 2012, and bids will be opened on May 17, 2012, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-740. Filed for public inspection April 20, 2012, 9:00 a.m.]

Draft NPDES General Permit for Discharges from Aquatic Animal Production Facilities (PAG-11)

The Department of Environmental Protection (Department) is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Aquatic Animal Production Facilities (PAG-11).

The Department is required by 3 Pa.C.S. § 4213 (relating to requirements for discharge of water) to develop an NPDES General Permit for aquacultural facilities, including those existing facilities that discharge into High Quality (HQ) and Exceptional Value (EV) waters, where net effluent limitations, monitoring type and frequency of pollutants shall be determined in consultation with the Department of Agriculture and the Aquaculture Advisory Committee. The PAG-11 General Permit was developed for discharges to waters other than HQ and EV.

The PAG-11 General Permit is intended to provide NPDES permit coverage to Concentrated Aquatic Animal

Production (CAAP) facilities as defined in 25 Pa. Code § 92a.2 (relating to definitions) and in 40 CFR Part 122, Appendix C (relating to criteria for determining a concentrated aquatic animal production facility (§ 122.24)). Discharges from CAAP facilities must be covered by NPDES permits in accordance with 40 CFR 122.24(a) (relating to concentrated aquatic animal production facilities (applicable to State NPDES programs, see § 123.25)). Other facilities that produce harvestable freshwater, estuarine or marine animals that do not meet the criteria in 40 CFR Part 122, Appendix C (non-CAAP facilities) but discharge pollutants and may be required to obtain permit coverage are also eligible for coverage under the General Permit. All aquatic animal production facilities must meet the minimum eligibility requirements to be considered for coverage under the General Permit.

The draft General Permit includes the following proposed effluent limitations and major requirements: Concentration-based effluent limitations are proposed for 5-day Biochemical Oxygen Demand (BOD-5), Total Suspended Solids (TSS) and Total Nitrogen on a “net” basis. This means that facilities will need to monitor influent flows into the facility for these parameters, and deduct the concentrations determined to be present in the influent from the concentrations present in the effluent to determine compliance. In addition, limitations are proposed for pH and Dissolved Oxygen. Monitoring will be required for Flow, Ammonia-Nitrogen and Formaldehyde, if Formaldehyde is used at the facility. No limitations are proposed for these parameters. Facilities covered by the General Permit will need to develop and submit a Best Management Practices (BMP) Plan as part of the Notice of Intent (NOI) to apply for permit coverage. Facilities must report the usage of the drugs and chemicals listed in the NOI or otherwise approved by the Department on a quarterly basis. Facilities must report the impending usage of investigational new animal drugs (INAD) in writing within 7 days of agreeing to participate in a study and orally within 7 days of initiating use of the new drug. INAD usage, as well as extra-label drug usage, must also be reported in writing on a monthly basis. An annual report must be submitted no later than 28 days following the anniversary date of permit coverage to provide information on annual production, status of the BMP Plan, an annual noncompliance summary, waste utilization, inspections and repairs and proposed or completed expansions.

The proposed NOI fee for coverage under this General Permit is \$100. The Department anticipates that once coverage under the General Permit is authorized, coverage will continue without the need to submit an NOI for renewal of coverage as long as the PAG-11 General Permit is renewed, unless the Department specifically requires the submission of an NOI in writing.

Opportunity to Comment

A copy of the draft General Permit and related documents will be made available at the Department’s web site at www.elibrary.dep.state.pa.us. Select “Permit and Authorization Packages,” “Water Management,” “NPDES (National Pollutant Discharge Elimination System),” “General Permits” and “PAG-11 (Draft).” Further information and copies of the draft General Permit may be obtained by contacting Sean M. Furjanic, P.E., Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8774 or sefurjanic@pa.gov.

The Department requests written comments on the draft PAG-11 General Permit (Document Nos. 3800-PM-BPNPSM0006a-h) by May 21, 2012. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Interested persons may submit written comments, suggestions or objections to Sean M. Furjanic, P.E., Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8774 or sefurjanic@pa.gov.

Upon issuance of the PAG-11, the Department will publish a notice in the *Pennsylvania Bulletin* of the availability of the general permit.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-741. Filed for public inspection April 20, 2012, 9:00 a.m.]

Draft NPDES General Permit for Discharges from Aquatic Animal Production Facilities to High Quality or Exceptional Value Waters (PAG-14)

The Department of Environmental Protection (Department) is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Aquatic Animal Production Facilities to High Quality (HQ) and Exceptional Value (EV) Waters (PAG-14).

The Department is required by 3 Pa.C.S. § 4213 (relating to requirements for discharge of water) to develop an NPDES General Permit for aquacultural facilities, including those existing facilities that discharge into HQ and EV waters, where net effluent limitations, monitoring type and frequency of pollutants shall be determined in consultation with the Department of Agriculture and the Aquaculture Advisory Committee. The PAG-14 General Permit was developed for existing discharges to HQ or EV waters.

The PAG-14 General Permit is intended to provide NPDES permit coverage to Concentrated Aquatic Animal Production (CAAP) facilities as defined in 25 Pa. Code § 92a.2 (relating to definitions) and in 40 CFR Part 122, Appendix C (relating to criteria for determining a concentrated aquatic animal production facility (§ 122.24)). Discharges from CAAP facilities must be covered by NPDES permits in accordance with 40 CFR 122.24(a) (relating to concentrated aquatic animal production facilities (applicable to State NPDES programs, see § 123.25)). Other facilities that produce harvestable freshwater, estuarine or marine animals that do not meet the criteria in 40 CFR Part 122, Appendix C (non-CAAP facilities) but discharge pollutants and may be required to obtain permit coverage are also eligible for coverage under the General Permit. All aquatic animal production facilities must meet the minimum eligibility requirements to be considered for coverage under the General Permit.

The draft General Permit includes the following proposed effluent limitations and major requirements: Concentration-based effluent limitations are proposed for 5-day Biochemical Oxygen Demand (BOD-5), Total Suspended Solids (TSS) and Total Nitrogen on a “net” basis. This means that facilities will need to monitor influent flows into the facility for these parameters, and deduct

the concentrations determined to be present in the influent from the concentrations present in the effluent to determine compliance. In addition, limitations are proposed for pH and Dissolved Oxygen. Monitoring will be required for Flow, Ammonia-Nitrogen and Formaldehyde, if Formaldehyde is used at the facility. No limitations are proposed for these parameters. Facilities covered by the General Permit will need to develop and submit a Best Management Practices (BMP) Plan as part of the Notice of Intent (NOI) to apply for permit coverage. Facilities must report the usage of the drugs and chemicals listed in the NOI or otherwise approved by the Department on a quarterly basis. Facilities must report the impending usage of investigational new animal drugs (INAD) in writing within 7 days of agreeing to participate in a study and orally within 7 days of initiating use of the new drug. INAD usage, as well as extra-label drug usage, must also be reported in writing on a monthly basis. An annual report must be submitted no later than 28 days following the anniversary date of permit coverage to provide information on annual production, status of the BMP Plan, an annual noncompliance summary, waste utilization, inspections and repairs and proposed or completed expansions.

The proposed NOI fee for coverage under this General Permit is \$100. The Department anticipates that once coverage under the General Permit is authorized, coverage will continue without the need to submit an NOI for renewal of coverage as long as the PAG-14 General Permit is renewed, unless the Department specifically requires the submission of an NOI in writing.

Opportunity to Comment

A copy of the draft General Permit and related documents will be made available at the Department's web site at www.elibrary.dep.state.pa.us. Select "Permit and Authorization Packages," "Water Management," "NPDES (National Pollutant Discharge Elimination System)," "General Permits" and "PAG-14 (Draft)." Further information and copies of the draft General Permit may be obtained by contacting Sean M. Furjanic, P.E., Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8774 or sefurjanic@pa.gov.

The Department requests written comments on the draft PAG-14 General Permit (Document Nos. 3800-PM-BPNPSM0077a-h) by May 21, 2012. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Interested persons may submit written comments, suggestions or objections to Sean M. Furjanic, P.E., Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8774 or sefurjanic@pa.gov.

Upon issuance of the PAG-14, the Department will publish a notice in the *Pennsylvania Bulletin* of the availability of the general permit.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-742. Filed for public inspection April 20, 2012, 9:00 a.m.]

Federal Consistency under the Coastal Zone Management Act

The United States Army Corps of Engineers (Corps) published a notice regarding the reissuance of 48 Nationwide Permits (NWP) and the issuance of two new NWPs at 77 FR 10184 (February 21, 2012). Some of the NWPs authorize discharges into or encroachments upon waters of the United States in this Commonwealth. These NWPs became effective on March 19, 2012. The Corps' Baltimore District Office has also published Regional Conditions that apply to the NWPs within this Commonwealth on March 19, 2012 (SPN 12-32).

The issuance of NWPs is a Federal action subject to review for consistency with the enforceable policies of the Commonwealth's Coastal Resources Management Program (CRM). The Commonwealth is required under 15 CFR Part 930, Subpart C (relating to consistency for Federal agency activities) to make its Coastal Zone Management Act (CZMA) determination by May 21, 2012 (77 FR 10184). CRM is reviewing these NWPs and their Regional Conditions for Pennsylvania and is soliciting comments as part of the CZMA Federal consistency review process.

Additionally, Regional Conditions for NWPs 3, 13, 19, 35 and 36 published by the Corps' Huntingdon District on March 19, 2012, (LRH-201100098) for the State of Ohio are subject to CRM review under the Commonwealth's National Oceanic and Atmospheric Administration approved (January 9, 2007) interstate consistency program.

Following review of the NWPs and the Regional Conditions proposed by the Corps' Baltimore and Huntingdon Districts, the Department of Environmental Protection (Department) proposes to make a determination that the NWPs are consistent with the enforceable policies of the Commonwealth's CRM program.

CRM's enforceable policies can be found on the Department's web site at <http://www.dep.state.pa.us/river/reference/reference.htm>, select Program Guidance Document from the "Downloadable Materials" section. CRM's enforceable policies are described in Chapter 2—Coastal Zone Policy Framework.

For further information concerning the NWPs, contact the United States Army Corps of Engineers, David Olson at (202) 761-4922 or access the Corps' Regulatory Home Page at http://www.usace.army.mil/CECW/Pages/cecwo_reg.aspx.

Persons wishing to comment on the proposed CRM Federal consistency determination of the NWPs or Regional Conditions are invited to do so within 30 days of this notice. Prior to final action on this Federal activity, consideration will be given to any comments, suggestions or objections which are submitted in writing by May 21, 2012. Comments should be submitted to Karen Price, Interstate Waters Office, P. O. Box 8465, Harrisburg, PA 17105-8465. Requests should contain the name, address and telephone number of the person commenting, identification of the notice to which the comments are addressed and a concise statement of comments, objections or suggestions. No comments submitted by facsimile transmission will be accepted.

Comments may be submitted electronically to the Department at kprice@pa.gov. A subject heading of the proposal must be included in each transmission. Comments submitted electronically must also be received by the Department by May 21, 2012.

The Corps is reissuing 48 of the 49 NWP's, general conditions and definitions with some modifications and 2 new NWP's, 3 new general conditions and 3 new definitions. These final NWP's were effective on March 19, 2012.

Except in instances where the Pennsylvania Statewide Programmatic General Permit (PASPGP-4) issued by the Corps in July 2011 does not apply, the Corps has indicated it will suspend these NWP's. This suspension will preserve the one-stop State and Federal permitting process the Corps presently offers under PASPGP-4 while maintaining the current level of protection provided to our wetlands and water resources.

Nationwide Permits

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
8. Oil and Gas Structures
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
12. Utility Line Activities
13. Bank Stabilization
14. Linear Transportation Projects
15. United States Coast Guard Approved Bridges
16. Return Water From Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil and Hazardous Substances
21. Surface Coal Mining Activities
22. Removal of Vessels
23. Approved Categorical Exclusions
24. Indian Tribe or State Administered Section 404 Programs
25. Structural Discharges
26. [Reserved]
27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities
28. Modifications of Existing Marinas
29. Residential Developments
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access and Dewatering
34. Cranberry Production Activities
35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
39. Commercial and Institutional Developments
40. Agricultural Activities
41. Reshaping Existing Drainage Ditches
42. Recreational Facilities
43. Stormwater Management Facilities
44. Mining Activities
45. Repair of Uplands Damaged by Discrete Events
46. Discharges in Ditches
47. [Reserved]
48. Commercial Shellfish Aquaculture Activities
49. Coal Remining Activities

50. Underground Coal Mining Activities
51. Land-Based Renewable Energy Generation Facilities
52. Water-Based Renewable Energy Generation Pilot Projects

Nationwide Permit General Conditions

1. Navigation
2. Aquatic Life Movements
3. Spawning Areas
4. Migratory Bird Breeding Areas
5. Shellfish Beds
6. Suitable Material
7. Water Supply Intakes
8. Adverse Effects from Impoundments
9. Management of Water Flows
10. Fills Within 100-Year Floodplains
11. Equipment
12. Soil Erosion and Sediment Controls
13. Removal of Temporary Fills
14. Proper Maintenance
15. Single and Complete Project
16. Wild and Scenic Rivers
17. Tribal Rights
18. Endangered Species
19. Migratory Bird and Bald and Golden Eagle Permits
20. Historic Properties
21. Discovery of Previously Unknown Remains and Artifacts
22. Designated Critical Resource Waters
23. Mitigation
24. Safety of Impoundment Structures
25. Water Quality
26. Coastal Zone Management
27. Regional and Case-by-Case Conditions
28. Use of Multiple Nationwide Permits
29. Transfer of Nationwide Permit Verifications
30. Compliance Certification
31. Pre-Construction Notification

Federal consistency of the NWP's is also conditional upon their certification under section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341) by the Department of Environmental Protection, Bureau of Waterways Engineering and Wetlands, Division of Wetlands, Encroachments and Training. A separate notice regarding the Section 401 Water Quality Certification was published at 42 Pa.B. 2101 (April 14, 2012).

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-743. Filed for public inspection April 20, 2012, 9:00 a.m.]

Public Comment Period on BAQ-GPA/GP-5 Extended

At 42 Pa.B. 1187 (March 3, 2012), the Department of Environmental Protection (Department) published a Proposed Revisions to the General Plan Approval and/or General Operating Permit for Natural Gas Production and Processing Facilities (BAQ-GPA/GP-5) notice. That notice requested that written comments be received by May 2, 2012.

The Department also stated in that notice that the General Permit will not be issued prior to the publication of United States Environmental Protection Agency's (EPA) final New Source Performance Standards and National Emission Standards for Hazardous Air Pollu-

tants for this industry sector. Those standards were scheduled to be finalized, under a consent decree, on April 3, 2012, but that deadline has recently been extended to April 17, 2012, to allow the EPA additional time to consider the extensive public comments that have been received.

Because the Department recognizes the value in giving potential commentators the opportunity to fully consider the new Federal rules when developing comments, the Department is extending its comment period for BAQ-GPA/GP-5 for an additional 3 weeks.

The Department requests written comments on the proposed revisions to this General Permit by May 23, 2012. Comments received by facsimile will not be accepted. Interested persons may submit written comments, suggestions or objections to Naishadh Bhatt, Environmental Group Manager, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325 or nabhatt@pa.gov.

Upon issuance of the modified GP-5, the Department will publish a notice in the *Pennsylvania Bulletin* of the issuance of the modified General Permit.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-744. Filed for public inspection April 20, 2012, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled a meeting of the Payment Data Advisory Group on Thursday, April 26, 2012, from 1:30 to 3 p.m.

The meeting 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 René Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOSEPH MARTIN,
Executive Director

[Pa.B. Doc. No. 12-745. Filed for public inspection April 20, 2012, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, April 5, 2012, and announced the following:

Action Taken—Regulations Approved:

Department of Labor and Industry #12-95: Food Service Employee Incentive Program (deletes 34 Pa. Code §§ 231.91—231.99)

Pennsylvania Gaming Control Board #125-145: Accounting and Internal Controls; Commencement of Slot and Table Game Operations (deletes temporary 58 Pa. Code §§ 521.3, 521.11 and 525.1—525.20 and amends 58 Pa. Code Chapters 401a, 461a, 465a and 467a)

Pennsylvania Gaming Control Board #125-155: Table Game Rules for Blackjack and Pai Gow Poker (deletes temporary 58 Pa. Code Chapters 549 and 561 and adds permanent Chapters 633a and 645a)

Pennsylvania Gaming Control Board #125-159: Table Game Rules of Play for Spanish 21, Poker, Mississippi Stud and Crazy 4 Poker (deletes temporary 58 Pa. Code Chapters 551, 553, 571 and 573 and adds permanent Chapters 635a, 637a, 655a and 657a)

State Board of Medicine #16A-4929: Behavior Specialist (amends 49 Pa. Code Chapter 16 and adds Subchapter I to Title 49)

Approval Order

Public Meeting Held
April 5, 2012

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; Arthur Coccodrilli; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.

*Department of Labor and Industry—
Food Service Employee Incentive Program;
Regulation No. 12-95 (#2932)*

On February 23, 2012, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Labor and Industry (Department). This rulemaking deletes 34 Pa. Code §§ 231.91—231.99. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This regulation rescinds obsolete provisions pertaining to the defunct Food Service Employee Incentive Program.

We have determined this regulation is consistent with the statutory authority of the Department (43 P. S. § 333.109) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
April 5, 2012

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; Arthur Coccodrilli; John F. Mizner, Esq., abstained; Lawrence J. Tabas, Esq.

*Pennsylvania Gaming Control Board—
Accounting and Internal Controls; Commencement
of Slot and Table Game Operations;
Regulation No. 125-145 (#2894)*

On May 3, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking deletes temporary 58 Pa. Code §§ 521.3, 521.11 and 525.1—525.20. It also amends 58

Pa. Code Chapters 401a, 461a, 465a and 467a. The proposed regulation was published in the May 21, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 28, 2012.

These changes align existing regulations with changes to the Pennsylvania Race Horse Development and Gaming Act and the introduction of table games in Pennsylvania.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b)(30)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
April 5, 2012

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; Arthur Coccodrilli; John F. Mizner, Esq., abstained; Lawrence J. Tabas, Esq.

*Pennsylvania Gaming Control Board—
Table Game Rules for Blackjack and Pai Gow Poker;
Regulation No. 125-155 (#2901)*

On August 2, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking deletes temporary 58 Pa. Code Chapters 549 and 561 and adds permanent Chapters 633a and 645a. The proposed regulation was published in the August 13, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 28, 2012.

This rulemaking rescinds two chapters of the Board's temporary table game regulations pertaining to the games of Blackjack and Pai Gow Poker and replaces them with two new chapters of permanent regulations.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b)(30) and 13A02(1)—(5.1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
April 5, 2012

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; Arthur Coccodrilli; John F. Mizner, Esq., abstained; Lawrence J. Tabas, Esq.

*Pennsylvania Gaming Control Board—
Table Game Rules of Play for Spanish 21, Poker,
Mississippi Stud and Crazy 4 Poker;
Regulation No. 125-159 (#2919)*

On October 26, 2011, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking deletes temporary 58 Pa. Code Chapters 551, 553, 571 and 573 and adds permanent Chapters 635a, 637a, 655a and 657a. The proposed regulation was published in the November 5, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 2, 2012.

This rulemaking rescinds four chapters of the Board's temporary table game regulations pertaining to the games of Spanish 21, Poker, Mississippi Stud and Crazy 4 Poker and replaces them with four new chapters of permanent regulations.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b)(30) and 13A02(1)—(5.1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
April 5, 2012

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; Arthur Coccodrilli; John F. Mizner, Esq.; Lawrence J. Tabas, Esq., abstained

*State Board of Medicine—
Behavior Specialist;
Regulation No. 16A-4929 (#2820)*

On February 2, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Chapter 16. It also adds Subchapter I to Title 49. The proposed regulation was published in the February 13, 2010 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 11, 2011, and withdrawn on May 19, 2011. It was submitted again on June 20, 2011, and withdrawn on July 14, 2011. It was submitted a third time on February 22, 2012.

This rulemaking establishes licensure requirements for behavior specialists as required by Act 62 of 2008.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 422.8 and 422.25 and 40 P.S. § 764h(g)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 12-746. Filed for public inspection April 20, 2012, 9:00 a.m.]

INSURANCE DEPARTMENT

Request to Surrender a Certificate of Authority to Provide a Continuing Care Retirement Community by Siemon Nursing Home, Inc.

Siemon Nursing Home, Inc. has submitted a request to surrender their Certificate of Authority to operate a Continuing Care Retirement Community at Siemon's Lakeview Manor Estate in Somerset, PA. The request was received on April 10, 2012, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the surrender of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@pa.gov.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-747. Filed for public inspection April 20, 2012, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the company's termination of the insureds' residential or personal property insurance policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Angel Sepulveda; file no. 12-115-113385; Allstate Property and Casualty Insurance Company; Doc. No. P12-04-002; May 22, 2012, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial

action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-748. Filed for public inspection April 20, 2012, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-12-001, Dated February 6, 2012. Authorizes the Side letter with AFSCME for 2011-2015 Master Agreement and Memorandum of Understanding effective July 1, 2011.

MARY JANE PHELPS,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 12-749. Filed for public inspection April 20, 2012, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule for All Milk Marketing Areas; Nonfat Flavored Milk

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing Milk Marketing Areas 1—6 on June 6, 2012, at 10:30 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning minimum resale prices for nonfat flavored milk.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered an appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on May 17, 2012, a notice of

appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on May 17, 2012, notification of their desire to be included as a party. Parties shall indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 3 p.m. on May 24, 2012, the petitioner shall file with the Board, in person or by mail, one original and five copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 3 p.m. on May 31, 2012, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 12 p.m. on May 29, 2012.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 12-750. Filed for public inspection April 20, 2012, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Eligible Telecommunications Carriers; Mobility Fund Phase I Support

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless

carrier's petition for conditional designation as eligible telecommunications carriers (ETC) for Federal Mobility Fund Phase I support purposes of establishing eligibility to participate in the Mobility Phase I Auction:

T-Mobile Northeast, LLC, T-Mobile Central, LLC and VoiceStream Pittsburgh, LP petition for limited designation as eligible telecommunications carrier—Doc. No. P-2012-2297650

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket numbers within 14 days of publication of this notice. Reply comments of the carrier are due within 7 days thereafter. Interested parties may review the pending petitions at the Commission web site <http://www.puc.state.pa.us> or hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is Rhonda L. Daviston, Assistant Counsel, Law Bureau (717) 787-6166.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-751. Filed for public inspection April 20, 2012, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by May 7, 2012. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2012-2288521. Catherine E. Hartzell (6067 Canoe Ripple Road, Knox, Clarion County, PA 16232)—for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal

convictions prevent them from owning or operating motor vehicles, from points in the County of Clarion, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-752. Filed for public inspection April 20, 2012, 9:00 a.m.]

Wastewater Service

A-2012-2298067. Little Washington Wastewater Company, d/b/a Suburban Wastewater Company. Application of Little Washington Wastewater Company, d/b/a Suburban Wastewater Company for approval of: 1) the acquisition by Little Washington Wastewater Company of the wastewater system assets of the Township of Kidder situated in a portion of Kidder Township, Carbon County; and 2) the right of Little Washington Wastewater Company to begin to offer, render, furnish and supply wastewater service to the public in an additional portion of Kidder Township, Carbon County.

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 May 7, 2012. 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, and at the applicant's business address.

Applicant: Little Washington Wastewater Company

Through and By Counsel: Thomas T. Niesen, Esquire, Thomas, Long, Niesen and Kennard, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-753. Filed for public inspection April 20, 2012, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 12-032.1, PAMT Infill Building Floor Slab Repair, until 2 p.m. on Thursday, May 17, 2012. Information (including mandatory prebid information) concerning this project can be obtained from the PRPA web site www.philaport.com under Procurement, or call the Engineering Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 12-754. Filed for public inspection April 20, 2012, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Steven Nguyen, t/d/b/a Contempo Nails and Hair; Doc. No. 0293-45-12

On February 13, 2012, Steven Nguyen, t/d/b/a Contempo Nails and Hair, license no. CB097942L of Philadelphia, Philadelphia County, had his license suspended for nonpayment of a previously imposed civil penalty. His license has since been reinstated.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final adjudication and 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. 12-755. Filed for public inspection April 20, 2012, 9:00 a.m.]

STATE BOARD OF EDUCATION

Public Hearing on the Application of the Riegelsville Independent School District for Transfer from the Easton Area School District to the Palisades School District

The Special Committee of the State Board of Education (Board) established to facilitate the Board's consideration of the application of the Riegelsville Independent School District to transfer from the Easton Area School District to the Palisades School District will conduct a public hearing on May 1, 2012, at 6 p.m. at the Riegelsville Borough Hall, 615 Easton Road, Riegelsville, Bucks County.

The purpose of the hearing is to listen to public comment from persons and organizations interested in the matter. Copies of the application for transfer and other relevant material are available on the Board's web site at www.education.state.pa.us. Public comment is limited to no more than 10 minutes per person and participants will be assigned a time slot when they register.

Individuals wishing to offer comments at the public hearing must register in advance, no later than Thursday, April 26, 2012, by telephoning the Board office at (717) 787-3787 (TTY (717) 783-8445), Monday through Friday (excluding holidays), between 8:30 a.m. and 4 p.m.

Individuals with disabilities needing special accommodations to participate or attend the hearing, such as sign

language interpreter services, must contact the Board office at the previously listed telephone number by Thursday, April 26, 2012, at 4 p.m. Persons with disabilities are invited to submit public comments in alternative formats such as Braille, taped testimony or by telephone. Written and alternative formats of public comment will be afforded the same thoughtful consideration by the Board as oral remarks.

Should registrants scheduled to provide public comment need to cancel their participation, the Board requests that they immediately notify the Board office at (717) 787-3787 or ra-stateboardofed@pa.gov.

KAREN MOLCHANOW,
Executive Director

[Pa.B. Doc. No. 12-756. Filed for public inspection April 20, 2012, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on May 10, 2012, at 2:30 p.m. at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 7, 2012, which will be noticed separately. The Commission will also hear testimony on: 1) amending its Regulatory Program Fee Schedule; 2) amending its Records Processing Fee Schedule; and 3) amending the Comprehensive Plan for the Water Resources of the Susquehanna River Basin. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and other items. The deadline for the submission of written comments is May 21, 2012.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436.

The proposed fee schedules and draft resolution on the amendments to the comprehensive plan can be accessed on the Commission's web site at <http://www.srbc.net/pubinfo/publicparticipation.htm> or by contacting the Commission to receive a copy by first-class mail. Information concerning the applications for these projects is available at the Commission's Water Resource Portal at www.srbc.net/wrp. Materials and supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF.

Opportunity to Appear and Comment

Interested parties may appear at the hearing to offer comments to the Commission on any project or other items listed previously. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's web site, www.srbc.net, prior to the hearing for review. The presid-

ing officer reserves the right to modify or supplement the rules at the hearing. Written comments on any project or other items listed previously may also be mailed to Richard Cairo, General Counsel, Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391, or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before May 21, 2012, to be considered.

Supplementary Information

The public hearing will cover: 1) amendment to its Regulatory Program Fee Schedule; 2) amendment to its Records Processing Fee Schedule; and 3) amendment to the Comprehensive Plan for the Water Resources of the Susquehanna River Basin. Each June before the start of the next fiscal year on July 1, the Commission considers amendments to fee schedules and the comprehensive plan.

The public hearing will also cover the following projects:

Projects for Rescission Action:

1. Project Sponsor and Facility: BAE Systems Controls, Town of Union, Broome County, NY (Docket No. 20030802).

2. Project Sponsor: Hawk Valley, Inc. Project Facility: Hawk Valley Golf Club, Brecknock Township, Lancaster County, PA (Docket No. 20000402).

Projects for Action:

1. Project Sponsor and Facility: Anadarko E&P Company, LP (West Branch Susquehanna River), Piatt Township, Lycoming County, PA. Application for surface water withdrawal of up to 1.500 mgd (peak day).

2. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Eagle Rock Utilities, Black Creek Township, Luzerne County and Hazle Township, Schuylkill County, PA. Application for groundwater withdrawal of up to 0.288 mgd (30-day average) from Well ER-6, located in Black Creek Township, Luzerne County.

3. Project Sponsor and Facility: Aqua Resources, Inc. (Susquehanna River), Athens Township, Bradford County, PA. Application for surface water withdrawal of up to 0.900 mgd (peak day).

4. Project Sponsor and Facility: Aqua Infrastructure, LLC. Application for source approval of a regional water supply distribution system to natural gas operations centered in Lycoming County, PA.

5. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Clearfield Creek), Reade Township, Cambria County, PA. Application for surface water withdrawal of up to 1.152 mgd (peak day).

6. Project Sponsor and Facility: Empire Kosher Poultry, Inc., Walker Township, Juniata County, PA. Modification to increase total groundwater system withdrawal by an additional 0.499 mgd, for a total of 1.269 mgd (30-day average) (Docket No. 20030809).

7. Project Sponsor and Facility: Jo Jo Oil Company, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).

8. Project Sponsor and Facility: LDG Innovations, LLC (Tioga River), Lawrenceville Borough, Tioga County, PA.

Modification to increase surface water withdrawal by an additional 0.375 mgd, for a total of 0.750 mgd (peak day) (Docket No. 20100311).

9. Project Sponsor and Facility: LHP Management, LLC (Muncy Creek), Muncy Creek Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).

10. Project Sponsor and Facility: LHP Management, LLC (West Branch Susquehanna River), Muncy Creek Township, Lycoming County, PA. Application for surface water withdrawal of up to 3.000 mgd (peak day).

11. Project Sponsor and Facility: Mountain Country Energy Services, Inc. (Driftwood Branch Sinnemahoning Creek), Lumber Township, Cameron County, PA. Request for extension of Docket No. 20081213.

12. Project Sponsor and Facility: Niagara Gas & Oil Services, Inc. (Susquehanna River), Athens Township, Bradford County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).

13. Project Sponsor and Facility: Northeast Natural Energy, LLC (West Branch Susquehanna River), Cooper Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.500 mgd (peak day).

14. Project Sponsor and Facility: Northwestern Lancaster County Authority, Penn Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.324 mgd (30-day average) from Well 2.

15. Project Sponsor and Facility: Northwestern Lancaster County Authority, Penn Township, Lancaster County, PA. Application for groundwater withdrawal of up to 1.000 mgd (30-day average) from Well 3.

16. Project Sponsor and Facility: OTT North East Services, LLC (Starrucca Creek), Harmony Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.480 mgd (peak day).

17. Project Sponsor and Facility: Rausch Creek Land, LP, Porter Township, Schuylkill County, PA. Application for groundwater withdrawal of up to 0.100 mgd (30-day average) from Pit No. 21.

18. Project Sponsor and Facility: RES Coal, LLC (Clearfield Creek), Boggs Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.306 mgd (peak day).

19. Project Sponsor and Facility: RES Coal, LLC, Boggs Township, Clearfield County, PA. Application for consumptive water use of up to 0.275 mgd (30-day average).

20. Project Sponsor and Facility: Roger D. Jarrett (West Branch Susquehanna River), Muncy Creek Township, Lycoming County, PA. Application for surface water withdrawal of up to 3.000 mgd (peak day).

21. Project Sponsor and Facility: Southwestern Energy Production Company (East Branch Tunkhannock Creek), Lenox Township, Susquehanna County, PA. Application for surface water withdrawal of up to 1.500 mgd (peak day).

22. Project Sponsor and Facility: SWEPI, LP (Chemung River), Town of Big Flats, Chemung County, NY. Applica-

tion for renewal of surface water withdrawal of up to 0.107 mgd (peak day) (Docket No. 20080604).

23. Project Sponsor and Facility: SWEPI, LP (Cowanesque River), Lawrence Township, Tioga County, PA. Application for surface water withdrawal of up to 0.942 mgd (peak day).

24. Project Sponsor and Facility: SWEPI, LP (Tioga River—Tioga Junction), Lawrence Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.107 mgd (peak day) (Docket No. 20080606).

25. Project Sponsor and Facility: Talisman Energy USA, Inc. (Chemung River), Town of Chemung, Chemung County, NY. Application for modification and renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20080605).

26. Project Sponsor and Facility: Tennessee Gas Pipeline Company (Susquehanna River), Asylum Township, Bradford County, PA. Application for surface water withdrawal of up to 1.080 mgd (peak day).

27. Project Sponsor and Facility: Tennessee Gas Pipeline Company, Asylum Township, Bradford County, PA. Application for consumptive water use of up to 0.030 mgd (30-day average).

28. Project Sponsor: Viking Energy of Northumberland, LLC. Project Facility: Power Plant, Point Township, Northumberland County, PA. Application for renewal of consumptive water use of up to 0.387 mgd (peak day) (Docket No. 19870301).

29. Project Sponsor: Viking Energy of Northumberland, LLC. Project Facility: Power Plant, Point Township, Northumberland County, PA. Application for renewal of groundwater withdrawal of up to 0.172 mgd from Well 1, and a total system withdrawal limit of up to 0.391 mgd (30-day average) (Docket No. 19870301).

30. Project Sponsor: Viking Energy of Northumberland, LLC. Project Facility: Power Plant, Point Township, Northumberland County, PA. Application for renewal of groundwater withdrawal of up to 0.172 mgd from Well 2, and a total system withdrawal limit of up to 0.391 mgd (30-day average) (Docket No. 19870301).

31. Project Sponsor: Viking Energy of Northumberland, LLC. Project Facility: Power Plant, Point Township, Northumberland County, PA. Application for renewal of groundwater withdrawal of up to 0.172 mgd from Well 4, and a total system withdrawal limit of up to 0.391 mgd (30-day average) (Docket No. 19870301).

32. Project Sponsor and Facility: WPX Energy Appalachia, LLC (North Branch Wyalusing Creek), Middletown Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.750 mgd (peak day).

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: April 5, 2012.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 12-757. Filed for public inspection April 20, 2012, 9:00 a.m.]

