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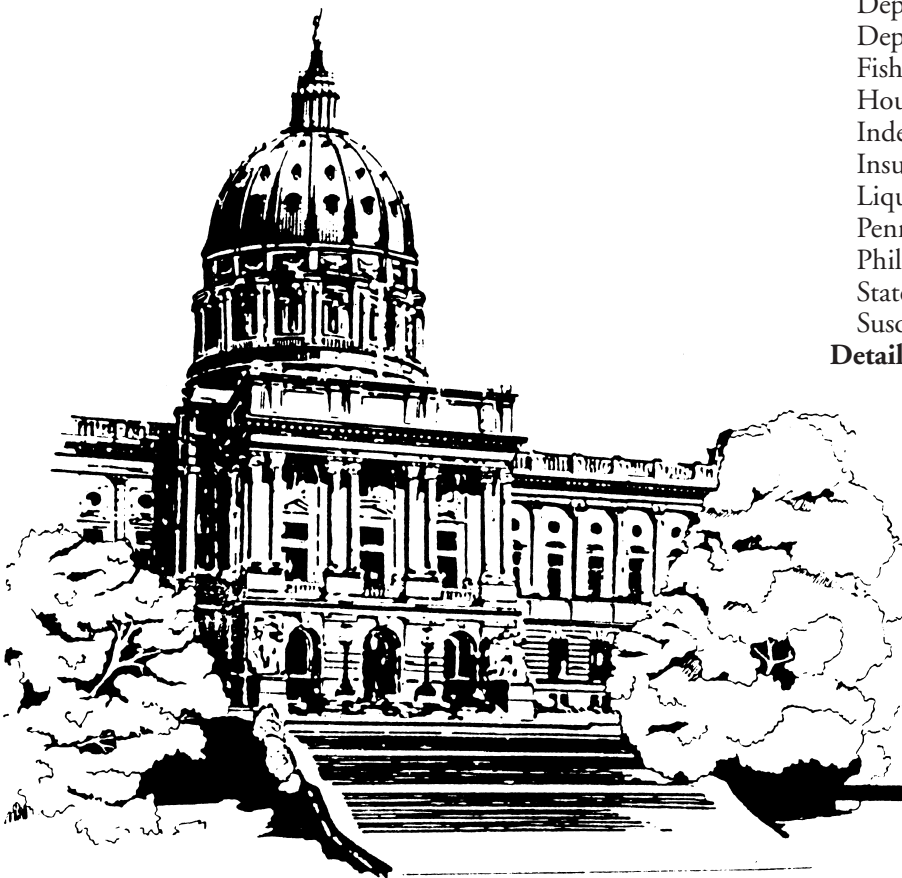
# PENNSYLVANIA BULLETIN

Volume 42  
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Number 9  
Pages 1109—1204

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Department of Banking  
Department of Environmental Protection  
Department of General Services  
Department of Health  
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Philadelphia Regional Port Authority  
State Board of Medicine  
Susquehanna River Basin Commission

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

**No. 448, March 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](http://www.pacode.com).

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

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

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

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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.

<b>4 Pa. Code (Administration)</b>		<b>67 Pa. Code (Transportation)</b>	
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		Unclassified .....	8, 203, 550, 551, 669, 670, 671, 762, 766, 768, 934, 1033, 1121



# THE COURTS

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [ 246 PA. CODE CHS. 200 AND 300 ]

#### **Proposed Revisions to Rules 209, 305, 307, 314, 315, 318 and 319 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges**

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt revisions to Rules 209, 305, 307, 314—315, and 318—319 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

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

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

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

Pamela S. Walker, Counsel  
Supreme Court of Pennsylvania  
Minor Court Rules Committee  
Pennsylvania Judicial Center  
P. O. Box 62635  
Harrisburg, PA 17106-2635  
Fax: 717-231-9546

or email to: [minorcourt.rules@pacourts.us](mailto:minorcourt.rules@pacourts.us)

All comments shall be received no later than Friday, May 4, 2012.

*By the Minor Court Rules Committee*

MARK A. BRUNO,  
*Chair*

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

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

#### **Rule 209. Continuances.**

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

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

C. Except for good cause shown,

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

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

(a) beyond [ 90 ] 120 days from the date of filing the plaintiff's complaint in proceedings commenced pursuant to Rule 303, or

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

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

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

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

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

(c) as a member of the Disciplinary Board.

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

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

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

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

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

#### CHAPTER 300. CIVIL ACTION

#### **Rule 305. Setting the Date for Hearing; Delivery for Service.**

The magisterial district judge, at the time the complaint is filed, shall:

(1) Set a hearing date [ **which shall be not less than 12 or more than 60 days from the date the complaint is filed** ] that allows the hearing to be held as expeditiously as possible, but no more than 120 days from the date the complaint is filed.

(2) Insert the hearing time and date and the address of the magisterial district court in the complaint form.

(3) Deliver a copy of the complaint form with hearing time and date thereon to the plaintiff.

(4) Deliver a copy of the complaint form with hearing time and date thereon for service on the defendant as hereinafter set forth, which copy shall contain the following notice:

**NOTICE TO DEFENDANT**

(a) [ If you intend to enter a defense to this complaint you should so notify this office immediately. ] **YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN COMPLAINT, YOU MUST TAKE ACTION WITHIN FIFTEEN (15) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY COMPLETING AND RETURNING THE ENCLOSED NOTICE OF INTENT TO DEFEND FORM TO THIS COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE WILL PROCEED WITHOUT YOU AND A JUDGMENT WILL BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT.**

(b) [ If you have a claim against the plaintiff which is within magisterial district court jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing. ] **IF YOU WANT TO SUE THE PLAINTIFF ON A CLAIM THAT IS WITHIN MAGISTERIAL COURT JURISDICTION, YOU MAY FILE A COUNTERCLAIM. A COUNTERCLAIM MUST BE FILED FIFTEEN DAYS PRIOR TO THE HEARING DATE.**

(c) [ YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT. ] **YOU MAY WISH TO SEEK LEGAL ASSISTANCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

(d) **IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**Official Note:** The [ 60 ] 120 day limitation in subdivision (1) of this rule was considered to provide sufficient time in which to effect service under requirement of Rule 307 that service be made at least [ ten ] 45 days before the hearing. See Rule 314E as to reinstatement of complaints dismissed because of lack of service. The copies required in subdivisions (3) and (4) are provided by the Magisterial District Judge Automated System. Giving the notice mentioned in subdivision [ (4)(a) ] (4) is necessary if the defendant is to **avoid a default judgment and to obtain judgment under Rule 319A** because of the plaintiff's failure to appear. Subdivision (4)(b) gives notice of the right to file a [ cross-claim ] counterclaim within magisterial district court jurisdiction. The procedure for filing such a claim is set forth in Rule 315, and the Note to that rule indicates possible procedures as to counterclaims not within magisterial district court jurisdiction. [ Subdivision (4)(c) provides for a warning

**concerning a default judgment, which may be rendered under Rule 319B. ] Subdivisions (4)(c)—(d) provide information for obtaining legal assistance.**

**Rule 307. Service of the Complaint.**

Service shall be made at least [ ten ] 45 days before the hearing, in the following manner:

(1) A copy of the complaint for each defendant shall be delivered by the magisterial district judge for service to the sheriff of, or any certified constable in, the county in which the magisterial district of the magisterial district judge is situated. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth. If the complaint is delivered for service to the sheriff and service is to be made in a county other than the one in which the magisterial district of the magisterial district judge is situated, the sheriff shall deputize the sheriff of the county in which service is to be made. A certified constable may serve the complaint anywhere in the Commonwealth.

(2) If service is to be made in a county other than the one in which the magisterial district judge's magisterial district is situated, the magisterial district judge, instead of acting in accordance with subdivision (1), may:

(a) send the copy of the complaint for service to a magisterial district judge in the county in which service is to be made who shall deliver it for service to the sheriff of, or any certified constable in, that county. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth, or

(b) if service is to be made in Philadelphia, send the copy of the complaint for service to the Court Administrator of the Philadelphia Municipal Court who shall deliver it for service to a writ server of that court or to the sheriff of Philadelphia.

(3) When service by mail is permitted by the rules in this chapter, it shall be at the option of the plaintiff and shall be made by the magisterial district judge by certified or registered mail. Such service may be made to any place in or outside the Commonwealth.

**Official Note:** This rule provides a number of alternative methods of serving the complaint. Subdivision (1) permits a certified constable to serve the complaint anywhere in the Commonwealth and authorizes deputized service by sheriffs. Subparagraph (2)(a) permits service out of the county through magisterial district judges in the county in which service is to be made, a method of service which might be preferable to service under subdivision (1) by a certified constable of the county where the complaint was filed when that county is a considerable distance from the county of service. Subparagraph (2)(b) provides for service in Philadelphia by writ servers of the Philadelphia Municipal Court or by the sheriff of Philadelphia, although service may still be made in accordance with subdivision (1) if the magisterial district judge so desires. Subdivision (3) makes service by mail, when permitted, at the option of the plaintiff. This was done because service by mail will ordinarily reduce costs.

**Rule 314. Return, Waiver and Failure of Service; Reinstatement.**

A. The person serving the complaint shall, at or before the time of the hearing, make proof of service which shall show (1) the manner of service, (2) the date, time, and

place of service and, (3) the name and relationship or title, if any, of the person on whom the complaint was served. The proof of service shall be filed with the original complaint.

B. When service is made by registered or certified mail, the return receipt shall be filed with the original complaint.

C. The appearance of a defendant in person or by representative or the filing by a defendant of a claim in the case shall be deemed a waiver of any defect in service but not a waiver of a defect in venue.

D. If the complaint is not served on the defendant in time to permit holding a hearing within [ 60 ] 120 days of the filing of the complaint, the magisterial district judge shall dismiss the complaint without prejudice.

E. Upon written request of the plaintiff, a complaint that has been dismissed without prejudice for failure to make service pursuant to subdivision D of this rule may be reinstated at any time and any number of times. The date of reinstatement shall be the date upon which the request for reinstatement is filed.

**Official Note:** The provision concerning appearance not being a waiver of venue was inserted in subdivision C of this rule to prevent the concentration of business in the office of a favorable magisterial district judge. Also, the public cannot generally be expected to be aware of venue provisions. See Rule 302H regarding improper venue.

Subdivision D is intended to prevent the accumulation of stale claims in the office of the magisterial district judge.

Subdivision E provides for the reinstatement, upon written request of the plaintiff, of a complaint that has been dismissed without prejudice for failure to make service under subdivision D. Compare Pa.R.C.P. No. 401(b). The written request for reinstatement may be in any form and may consist of a notation on the permanent copy of the complaint form, "Reinstatement of complaint requested," subscribed by the plaintiff. The magisterial district judge shall mark all copies of the reinstated complaint, "Complaint reinstated. Request for reinstatement filed on \_\_\_\_ (date)." If it is necessary to use a new form for the reinstated complaint, the reinstated complaint, except for service portions thereof, shall be an exact copy of the original complaint, although signatures may be typed or printed with the mark "/s/" indicating an actual signature. The language in subdivision E that a complaint may be reinstated "at any time" will permit reinstatement after a faulty service without waiting for further proceedings in the case. Reinstatement must occur within the period of the statute of limitations from the date of the last filing or reinstatement. The cost for reinstating a complaint is specified in Section 1725.1 of the Judicial Code, 42 Pa.C.S. § 1725.1. In addition, there may be additional server costs for service of the reinstated complaint.

#### Rule 315. [ Claim by Defendant ] Counterclaim.

A. The defendant, by filing a complaint at least [ five ] 15 days before the date set for the hearing, may assert in the case any claim against the plaintiff that is within the jurisdiction of a magisterial district judge. Such a claim need not arise from the same transaction or occurrence from which the plaintiff's claim arose, nor need it be the same type of claim.

B. The rules governing the form, processing, and service of a plaintiff's complaint shall apply also to the defendant's complaint. [ **The magisterial district judge shall set a date and time for the consolidated hearing of both complaints that shall not be less than 12 or more than 30 days from the filing of the defendant's complaint. The magisterial district court shall promptly notify the parties of the date and time set for the consolidated hearing of both complaints.** ]

C. A money judgment for the plaintiff or for the defendant, but not for both, shall be entered with respect to such [ **cross-complaints** ] **counterclaims**, any lesser amount found due on the claim asserted in one being deducted from the greater amount found due on the claim asserted in the other.

D. Rescinded.

**Official Note:** Paragraph A of this rule permits the defendant to file a [ **cross-complaint** ] **counterclaim** against the plaintiff at least [ **five** ] 15 days before the date originally set for the hearing, if it is for a claim cognizable by a magisterial district judge. See Section 1515(a)(3) of the Judicial Code, 42 Pa.C.S. § 1515(a)(3), as to waiver of jurisdictional limits, a defendant filing a [ **cross-complaint** ] **counterclaim** being considered a "plaintiff" as to the [ **cross-complaint** ] **counterclaim** within the meaning of this statute. [ **The requirement that a cross-complaint be filed at least five days before the hearing is intended to give the magisterial district judge time to notify the parties of any new hearing date and time.** ] Notice under paragraph B is not a substitute for proper service. If the defendant does not file an action at least [ **five** ] 15 days before the hearing, the defendant may still file a complaint against the plaintiff but it will not be processed as a [ **cross-complaint** ] **counterclaim**.

No provision has been made for a stay of the magisterial district court proceedings upon notice by the defendant of intention to commence an action in the court of common pleas on a claim against the plaintiff not within magisterial district judge jurisdiction. It was thought that no such provision was necessary, for if the plaintiff prevails in the magisterial district court action the defendant may appeal, the appeal operates as an automatic supersedeas of the money judgment, the case is heard de novo, and the defendant may assert a claim in the court of common pleas, possibly as a counterclaim. See Rules 1002, 1007, and 1008.

Since a [ **cross-complaint** ] **counterclaim** is in the nature of a responsive pleading, there is no fee for filing it.

No [ **cross-complaint** ] **counterclaim** may be filed in a supplementary action filed under Rule 342. See Rule 342 and Note.

Rule 318. [ **Informing Plaintiff of** ] Notice of Intention to Defend.

(A) **A defendant shall give the magisterial district court written notice of intention to defend on a form that shall be prescribed by the State Court Administrator within fifteen days of the date of service. If the defendant does not give such notice, the magisterial district judge shall enter judgment for the plaintiff or continue the case for cause.**

(B) If the defendant gives the magisterial district court notice of intention to defend in accordance with [ **Rule 305(4)(a)** ] **subdivision (A)**, the magisterial district court shall promptly give the plaintiff written notice that the defendant intends to enter a defense.

**Official Note:** [ **No specific form of notification from the defendant to the magisterial district court is required by this rule, but entries** ] **Entries** on the docket will show that the defendant gave **written** notice of intention to defend and that the magisterial district court gave written notice to the plaintiff.

**Rule 319. Failure of a Party to Appear at the Hearing.**

A. If a plaintiff who has been given notice of the defendant's intention to defend does not appear at the hearing, but the defendant does appear, the magisterial district judge shall enter judgment for the defendant or continue the case for cause. [ **If the plaintiff does not appear at the hearing and the defendant does, but the plaintiff has not been given notice of the defendant's intention to defend, the case shall be continued.** ]

B. If the defendant does not appear at the hearing, the magisterial district judge shall, whether or not the plaintiff appears, enter judgment for the plaintiff **in the amount specified on the complaint** or continue the case for cause. [ **If judgment is entered for the plaintiff, the magisterial district judge shall assess damages for the amount to which the plaintiff is entitled if it is for a sum certain or which can be made certain by computation, but if it is not, the damages shall be assessed by the magisterial district judge at a hearing at which the issues shall be limited to the amount of the damages. If such a hearing is to be held, the magisterial district judge shall give the defendant written notice of the time and date of the hearing, which shall be not less than ten (10) days from the date of the notice.** ]

**Official Note:** The first sentence of subdivision A of this rule provides for a judgment for the defendant rather than merely a dismissal of the plaintiff's complaint. This provision is intended to prevent the plaintiff from bringing the action again before a magisterial district judge, although he can appeal. The continuance called for in the second sentence of subdivision A will constitute a form of notice to defend and if the plaintiff does not appear at the second hearing judgment will be entered against him.

As to the provisions concerning assessment of damages in subdivision B, compare Pa.R.C.P. Nos. 1037(b) and 1047(b). ]

**REPORT**

*Proposed Amendments to Rules 209, 305, 307, 314—315, and 318—319 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges*

**Civil Actions: Setting Hearing Date; Notice to Defendant and Defendant's Notice of Intent to Defend; Counterclaim; Failure of a Party to Appear**  
**I. Introduction and Background**

The Minor Court Rules Committee (the "Committee") is proposing amendments to the rules of procedure governing civil actions before magisterial district judges. The

goal of these rule changes is to promote statewide uniformity in the setting of hearing dates in civil actions, and to eliminate the common practice of setting a "fake" hearing date until a defendant enters a notice of intention to defend. The Committee learned, as explained below, that existing procedures require unnecessarily scheduled hearings and continuances, with the end result often being a default judgment because the defendant does not appear at the hearing to defend against the complaint.

The Committee began looking at this issue in 2002, initiating this project partly in response to a survey that it circulated to all magisterial district judges. The purpose of the Committee's survey was to collect samples of "cover sheets" or instructions that magisterial district judges send to parties at the time of service of civil and landlord/tenant complaints. The Committee had contemplated developing standardized civil and landlord/tenant cover sheets that would provide parties with general information about court procedures. More than 150 magisterial district judges responded to the Committee's survey, and provided copies of civil and landlord/tenant cover sheet forms used in their magisterial district courts. Some cover sheets appear to have been adopted countywide, but most were developed by individual judges and were unique to one court.

In reviewing the sample cover sheets, the Committee noticed one practice used by a significant number of courts that raised concerns with the Committee. Current Rule 305 requires that the magisterial district court set a hearing date immediately upon the filing of the plaintiff's complaint, and requires that the court send a hearing notice along with the complaint when it is served on the defendant. The Committee noticed that many district courts, while technically complying with the requirement that a hearing date be set immediately, included instructions on their cover sheets that the hearing date on the hearing notice is, in essence, a default date, and the parties are not to appear on that date. The cover sheets further provide that the defendant is to inform the court of his or her intention to defend by the date on the hearing notice, and if the defendant does notify the court by the prescribed date that he or she intends to defend, that the court will notify the parties of an actual hearing date on which they are to appear and present their cases. If the defendant fails to notify the court by the prescribed date and does not appear for the hearing, a default judgment is entered without the plaintiff having to appear in court. Under this procedure, therefore, the hearing date required by Rule 305 becomes a de facto fictitious date, and only after the defendant notifies the court of his or her intention to defend, is the "real" hearing date set.

The Committee found that many magisterial district judges were using this informal procedure as a case management tool to avoid setting hearing dates in cases that may result in a default judgment. After making inquiries about the use of this informal procedure, the Committee heard reports from judges who claimed the procedure works very well, enabling the court to schedule its hearing times with greater certainty, to dispose of cases more efficiently, and to avoid unnecessary court appearances by parties.

The Committee acknowledges that courts should employ all proper means to manage and expedite case flow and enhance the administration of justice. Nonetheless,

the Committee has concerns about the use of an informal procedure that is not contemplated by or sanctioned under existing rules. The Committee does not suggest that there is anything inherently improper about this procedure, nor does the Committee suggest that the rules of procedure should be so rigid or inflexible so as to quash the ability of individual judges to adopt practices and policies designed to meet the unique needs of their courts. Rather, the Committee's concerns center on the widespread use of an informal procedure that is arguably inconsistent with the official procedural scheme set forth in the general rules, and the confusion that can occur as a result of using this informal procedure in some, but not all, magisterial district courts.

The Committee's primary concern is that the computer-generated hearing notice form that is sent to the plaintiff and served on the defendant along with the complaint states, as to the hearing date entered on the form, that "you must appear at the hearing and present your defense." Therefore, in courts that use the informal "default date" procedure, the instructions on the official hearing notice form are inconsistent with the instructions on the local court-generated cover sheet, which is likely to cause confusion. To make their cover sheet instructions clear, some courts use brightly colored paper or stickers to inform the parties that they are to disregard the date on the hearing notice form. The Committee is also concerned that many, but not all, courts have adopted this informal procedure, thereby resulting in inconsistent practice from court-to-court. In addition, even those courts that use the informal procedure have inconsistent procedures. For example, some cover sheets reviewed by the Committee require the defendant to notify the court of an intention to defend within a certain number of days, others require notice only by the prescribed date; some cover sheets require written notice, others provide for notice by telephone. The statewide general rules are intended to make practice in the magisterial district courts consistent and predictable. While the rules should allow enough flexibility for individual judges to adopt practices or policies that they find necessary to account for local needs and conditions, "local rules" of this nature are not contemplated by or provided for in the general rules.

Given its concerns about the widespread use of this informal procedure, the Committee considered ways in which the use of the procedure could be discouraged so as to maintain consistency in practice in the district courts and promote compliance with the procedural scheme set forth in the general rules. Following review and discussion of the survey results, the Committee drafted a comprehensive set of proposed rule changes that contemplated having defendants complete and return a simplified answer form before the court would set a hearing date. The proposal was published with a request for public comment in the *Pennsylvania Bulletin*. Following receipt and review of the public comments, the Committee conducted further analysis and discussion of the proposed changes, and made recommendations to the Pennsylvania Supreme Court ("Court"). Subsequently, the Committee requested the Court's permission to withdraw the recommendations for further review and modification. The proposal that follows is the result of the Committee's subsequent review of the issues initially identified in 2002.

## II. Discussion

In its present examination of the informal procedures used in many magisterial district courts, the Committee continues to see value in facilitating uniformity in the

setting of hearing dates statewide, and eliminating the common practice of setting a "fake" hearing date until a defendant enters a notice of intention to defend. The Committee's efforts in this regard focused on changing the timeframes for the setting of the hearing, service of the complaint, and requiring the defendant to timely file a notice of intent to defend or suffer a default judgment.

## III. Proposed Rule Changes

### A. Rule 209

Under the proposal, Rule 209C(2)(a), providing for continuances, would require amendment to account for the new hearing date schedule set forth below. Specifically, the aggregate of all continuances in matters commenced pursuant to Rule 303 could not extend beyond 120 days from the filing of the plaintiff's complaint.

### B. Rule 305

Rule 305 currently requires, among other things, that a hearing date be set immediately upon the filing of the plaintiff's complaint, with the hearing date set not less than 12 or more than 60 days from the date the complaint is filed. Under the proposed changes, the hearing would continue to be scheduled at the time the complaint is filed, but the window for scheduling the hearing would expand to no more than 120 days from the date the complaint is filed. It is anticipated that this change will allow the civil action to proceed without the need to set a "fake" hearing date.

Additionally, the Committee proposes adding an enhanced Notice to Defendant that would accompany the complaint when served on the defendant. The enhanced Notice to Defendant would be based on the notice required by Pa.R.C.P. No. 1018.1 for civil actions in the courts of record. The notice would inform the defendant that he or she must file a written Notice of Intention to Defend with the magisterial district court within fifteen days after service of the complaint and notice in order to defend against the claim, or else suffer judgment by default. In addition, the notice would provide instructions regarding the filing of a counterclaim, which would need to be filed fifteen days prior to the hearing date.

### C. Rule 307

The only proposed change to Rule 307 amends the time limit for serving the complaint, from at least 10 days before the hearing to at least 45 days before the hearing.

### D. Rule 314

The Committee proposes amending Rule 314D to provide that the magisterial district justice shall dismiss the complaint without prejudice if it cannot be served on the defendant within 120 days of the filing of the complaint, such that the hearing cannot be timely held. This amendment is necessitated by the change to Rule 305.

### E. Rule 315

Rule 315 modifies the time for a defendant to file a counterclaim against the plaintiff from "at least five days before the date set for the hearing" to at least fifteen days before the date set for hearing. Moreover, the Committee recommends deleting the second sentence of Rule 315B, which provides for setting a consolidated hearing, since proposed revised scheduling will permit the parties to have adequate notice of the defendant's complaint. Finally, Rule 315 would be amended to substitute the term "counterclaim" for "cross-complaint."

**F. Rule 318**

Currently, Rule 318 does not require a defendant to give the magisterial district court notice of intention to defend, but, instead, prescribes steps for the court to take if such notice is filed. The proposed amendments would require the defendant to file a written notice of intention to defend within 15 days of the date of service. Failure of a defendant to file a notice will result in the entry of judgment for the plaintiff or a continuance of the case for cause. By receiving notice of the intention to defend, the magisterial district court will be able to proceed with the hearing.

**G. Rule 319**

In Rule 319A, the Committee recommends removing the second sentence pertaining to hearing results when the plaintiff has not been given notice of the defendant's intention to defend because, under the new scheme, there would not be a situation where a hearing would proceed without the defendant filing a notice of intention to defend. Moreover, in Rule 319B, the Committee proposes deleting the portion of the rule addressing damages hearing, instead limiting judgment to the amount specified on the complaint.

[Pa.B. Doc. No. 12-352. Filed for public inspection March 2, 2012, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### GREENE COUNTY

#### Consolidated Local Rules of Court; C.A. No. 5 of 1992

##### Order

*And Now*, this 3rd day of February, 2012, the Court *Orders* as follows:

1. Local Rule G 1920.51(f) is amended to provide that Masters in Divorce shall receive as compensation for their services \$125.00 per hour for the first five hours of their service and \$110.00 per hour thereafter, after presentation to and approval by the Court.

2. Future amendments of this subsection may be made by general order.

3. This rule shall become effective 30 days after the date of its publication in the *Pennsylvania Bulletin*.

4. The Greene County Court Administrator shall file one certified copy of the Rule with the Administrative Office of the Pennsylvania Courts, two certified copies with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and one certified copy with the Domestic Relations Procedural Rules Committee.

5. This rule shall be kept continually available for public inspection and copying in the Office of the Prothonotary.

*By the Court*

WILLIAM R. NALITZ,  
*President Judge*

[Pa.B. Doc. No. 12-353. Filed for public inspection March 2, 2012, 9:00 a.m.]

## WESTMORELAND COUNTY

### Adopting New Rule W1915.19; No. 3 of 2012

#### Amended Order

*And Now*, this 10th day of February, 2012 *It Is Hereby Ordered* that, Westmoreland County Rule of Civil Procedure W1915.19 is adopted. This Rule is effective thirty (30) days after publication in *The Pennsylvania Bulletin*.

*By the Court*

GARY P. CARUSO,  
*President Judge*

#### Rule W1915.19. Relocation.

(a) A Complaint for Custody shall be filed prior to or simultaneously with the filing of any Notice of proposed relocation.

(b) Any Notice proposing relocation shall comply with 23 Pa.C.S.A. § 5337(c) and shall be filed with the Prothonotary prior to being served on all other parties. A copy shall also be served on the chambers of the assigned judge.

(c) Any Objection to proposed relocation shall comply with 23 Pa.C.S.A. § 5337(d) and shall be filed with the Prothonotary, served on all other parties, and together with a scheduling order for a relocation hearing, served upon the chambers of the assigned Judge.

[Pa.B. Doc. No. 12-354. Filed for public inspection March 2, 2012, 9:00 a.m.]

## ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

### Amendments to the Fee Schedule Concerning Requests for Access to Electronic Case Records

Section 5.00(A) of the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania* provides that reasonable fees may be imposed for providing public access to electronic case records pursuant to this policy.

When responding to bulk requests pursuant to Section 3.10(A) of this policy, the Administrative Office of Pennsylvania Courts (AOPC) currently charges \$78 per hour (\$28 per hour for staff time and \$50 per hour for computer equipment time). This fee schedule took effect January 1, 1997 (26 Pa.B. 6179).

Beginning April 1, 2012, the fee schedule shall be amended as follows. The computer equipment time fee of \$50 per hour will be eliminated. The staff time fee shall be increased to \$80 per hour. The net result will be an overall increase of 2.5% (from \$78 to \$80 per hour). In addition, a minimum charge of 1 hour of staff time shall be assessed to each request, and thereafter requesters will be charged in 15 minute increments.

In addition, the fees assessed for recurring bulk requests (i.e., on a monthly basis) of standardized files will also change as of April 1, 2012. To view the most recent list of standardized files offered and associated fees, please visit the AOPC website at [www.pacourts.us](http://www.pacourts.us).

ZYGMONT A. PINES,  
*Court Administrator*

[Pa.B. Doc. No. 12-355. Filed for public inspection March 2, 2012, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE BOARD OF MEDICINE

[ 49 PA. CODE CH. 16 ]

### Prescribing

The State Board of Medicine (Board) proposes to amend § 16.92 (relating to prescribing, administering and dispensing) to read as set forth in Annex A.

#### *Effective Date*

The proposed rulemaking will be effective upon final form publication in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

The proposed rulemaking is authorized under section 8 of the Medical Practice Act of 1985 (act) (63 P. S. § 422.8).

#### *Background and Need for the Amendment*

The problems caused by inappropriate prescribing and overprescribing have been compounded in recent years by rogue online pharmacies. Because of the severity of these problems, most states and the Federal government have promulgated regulations to place reasonable restrictions on prescribing drugs that will protect the public from unscrupulous practitioners. Nevertheless, instances of a single practitioner and single pharmacy dispensing hundreds of thousands of doses of dangerous drugs to patients virtually unknown to the practitioner or pharmacist persist. The Commonwealth's regulations must be reformed to address this threat to public health and safety.

Some of the attempts at regulation include the following. In 2006, the United States Department of Justice's Drug Enforcement Administration required practitioners to register in every state in which they prescribe to monitor and reduce inappropriate prescribing and overprescribing of controlled substances. In 2008, the United States Congress passed the Ryan Haight Online Pharmacy Consumer Protection Act (Pub. L. No. 110-425), which amended the Drug Abuse Prevention and Control Act (21 U.S.C.A. §§ 801–971) to address the alarming growth in prescription drug abuse by minors purchasing drugs over the Internet. It requires online pharmacies to have a valid prescription, preceded by a physical examination, to dispense controlled substances. However, this law failed to address drugs of abuse that are not listed as Federally-controlled substances. Rogue online pharmacies coupled with unscrupulous prescribers have turned to drugs of abuse that are not on the Federal controlled substance list.

The Federation of State Medical Boards and the National Association of Boards of Pharmacy have encouraged their member boards to develop regulations to monitor and restrict inappropriate prescribing and overprescribing. Most states have done so; however, the Commonwealth lags behind the rest of the Nation in regulating this area and has become one of the largest providers of prescription drugs of abuse to individuals in states across the United States. The Board, which already regulates physician prescribing of controlled substances, had not updated its prescribing regulations since 1998 and currently does not directly address the standards for prescribing drugs that are not controlled substances. Under the current regulations, to hold a physician licen-

see accountable for inappropriate prescribing or overprescribing of a drug that is not a controlled substance, the Commonwealth must allege and prove that a practitioner's prescribing deviated from the standard of care. To demonstrate the inappropriate prescribing or overprescribing, the Commonwealth must have access to the medical records of thousands of patients spread across the United States as well as the records of pharmacies that are frequently located offshore. Using the tools currently available under the Board's regulations, it is extremely difficult to hold unscrupulous physicians accountable for inappropriate prescribing or overprescribing of drugs that are not controlled substances.

Three drugs that are not controlled substances, but which share serious potential for addiction and abuse (butalbital, carisoprodol and tramadol hydrochloride), are being prescribed by Pennsylvania-licensed physicians and sold by rogue pharmacies at alarming rates in this Commonwealth. The Board therefore proposes to expand its regulation of prescribing, administering and dispensing of controlled substance to include these three drugs. The Board drafted a proposed revision of § 16.92 which would have applied to all drugs and provided its stakeholders with a draft of the draft proposal. The Board received many comments opining that its draft was overly inclusive and would have a negative impact on accessible health care. The Board revised the draft to its current form which is narrowly focused to address these three drugs which are not controlled substances, but which are currently being inappropriately prescribed and overprescribed. The Board spoke with representatives of its stakeholders regarding this proposed rulemaking. The proposed rulemaking met with unanimous approval.

The Board proposes to rewrite, simplify and update § 16.92 to expand it to include the following additional drugs that are not controlled substances in this Commonwealth: butalbital, carisoprodol and tramadol hydrochloride, including agents in which these drugs are an active ingredient. Butalbital is a barbiturate that is known to have addictive and abuse potential and is prone to overuse by the consumer. See, for example, Charles E. Romero, M.D., Joshua D. Baron, M.D., Antony P. Knox, M.D., PhD, Judy A. Hinchey, M.D., Allan H. Ropper, M.D. "Barbiturate Withdrawal Following Internet Purchase of Fioricet." *Archives of Neurology*, 2004; 61: 1111-1112.

A metabolite of carisoprodol is meprobamate, which is a controlled substance. Roy R. Reeves, DO, PhD, Jeffery S. Hammer, M.D. and Richard O. Pendarvis, PhD. "Is the Frequency of Carisoprodol Withdrawal Syndrome Increasing?" *Pharmacotherapy*, 2007; 27 (10): 1462-1466. Cases of dependence, withdrawal and abuse have also been reported with carisoprodol. Roy R. Reeves, DO, PhD and Randy S. Burke, PhD. "Is it Time for Carisoprodol to Become a Controlled Substance at the Federal Level?" *Southern Medical Journal*, 2008; 101 (2): 127-128. The United States Department of Justice, Drug Enforcement Administration, Office of Diversion Control lists carisoprodol as a "drug of concern" and notes that carisoprodol has been consistently listed in the top 25 most frequently identified drugs by state and local forensic laboratories since 2000, and that Florida reported a 100% increase in carisoprodol/meprobamate related deaths from 208 in 2003 to 415 in 2008, surpassing opioids such as heroin, fentanyl and hydromorphone. The drug has been added to the state controlled substances lists in Alabama, Arizona, Arkansas, Florida, Georgia,

Hawaii, Indiana, Kentucky, Louisiana, Massachusetts, Minnesota, Nevada, New Mexico, Oklahoma, Oregon, Texas and West Virginia.

Tramadol is used to treat moderate to moderately severe pain and may induce psychic and physical dependence of the morphine-type; dependence and abuse, including drug-seeking behavior and taking illicit actions to obtain the drug; and withdrawal symptoms. Drug Enforcement Administration, Office of Diversion Control, Drug and Chemical Evaluation Section, "Tramadol," February 2011. Tramadol related incidents have dramatically increased by 165% from 1995 to 2002 in the Federal Drug Abuse Warning Network. "What is the addiction risk associated with tramadol?" *The Journal of Family Practice*, 2005, 54 (1): 72-73. Additional evidence that tramadol is a drug of abuse has led Arkansas and Kentucky to designate it a controlled substance under state law and Louisiana to list it as a drug of abuse. Anecdotal evidence from this Commonwealth suggests that tramadol is one of the most inappropriately and overprescribed drugs.

#### *Description of the Proposed Amendments*

The Board proposes to amend § 16.92 to expand its application to carisoprodol, butalbital and tramadol hydrochloride, and agents in which these drugs are an active ingredient. The Board proposes to rewrite the section for clarity; however, other substantive amendments are not proposed.

#### *Fiscal Impact and Paperwork Requirements*

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will not impose additional paperwork requirements upon the Commonwealth or its political subdivisions. Because the Board believes that the standard of medical care in this Commonwealth already requires an objective examination before prescribing the three additional drugs, practitioners who are already compliant with the standard of care will not be affected by the proposed rulemaking.

#### *Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, a sunset date has not been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 22, 2012, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

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

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed

rulemaking to Teresa Lazo, Assistant Counsel, Department of State, P. O. Box 2649, Harrisburg, PA 17105-2649, st-medicine@state.pa.us within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-4933 (Prescribing) when submitting comments.

JAMES W. FREEMAN, M.D.,  
Chairperson

**Fiscal Note:** 16A-4933. No fiscal impact; (8) recommends adoption.

### Annex A

## TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

### PART I. DEPARTMENT OF STATE

#### Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

#### CHAPTER 16. STATE BOARD OF MEDICINE—GENERAL PROVISIONS

#### Subchapter F. MINIMUM STANDARDS OF PRACTICE

§ 16.92. Prescribing, administering and dispensing [ **controlled substances** ].

[ (a) A person licensed to practice medicine and surgery in this Commonwealth or otherwise licensed or regulated by the Board, when prescribing, administering or dispensing controlled substances, shall carry out, or cause to be carried out, the following minimum standards:

(1) *Initial medical history and physical examination.* In a health care facility regulated by the Department of Health, the Department of Public Welfare or the Federal government, an initial medical history shall be taken and an initial physical examination shall be conducted to the extent required by the Department of Health in 28 Pa. Code (relating to health and safety) or Department of Public Welfare in 55 Pa. Code (relating to public welfare) or the Federal government in appropriate Federal regulations, whichever is applicable, and bylaws of the health care facility and its medical staff. In other practice settings, before commencing treatment that involves prescribing, administering or dispensing a controlled substance, an initial medical history shall be taken and an initial physical examination shall be conducted unless emergency circumstances justify otherwise. Alternatively, medical history and physical examination information recorded by another health care provider may be considered if the medical history was taken and the physical examination was conducted within the immediately preceding 30 days. The physical examination shall include an evaluation of the heart, lungs, blood pressure and body functions that relate to the patient's specific complaint.

(2) *Reevaluations.* Among the factors to be considered in determining the number and frequency of follow-up evaluations that should be recommended to the patient are the condition diagnosed, the controlled substance involved, expected results and possible side effects. For chronic conditions, periodic follow-up evaluations shall be recommended to monitor the effectiveness of the controlled substance in achieving the intended results.



(3) *Patient counseling.* Appropriate counseling shall be given to the patient regarding the condition diagnosed and the controlled substance prescribed, administered or dispensed. Unless the patient is in an inpatient care setting, the patient shall be specifically counseled about dosage levels, instructions for use, frequency and duration of use and possible side effects.

(4) *Medical records.* In a health care facility regulated by the Department of Health, the Department of Public Welfare or the Federal government, information pertaining to the prescription, administration or dispensation of a controlled substance shall be entered in the medical records of the patient and the health care facility under 28 Pa. Code or 55 Pa. Code or appropriate Federal regulations, whichever is applicable, and bylaws of the health care facility and its medical staff. In other practice settings, certain information shall be recorded in the patient's medical record on each occasion when a controlled substance is prescribed, administered or dispensed. This information shall include the name of the controlled substance, its strength, the quantity and the date it was prescribed, administered or dispensed. On the initial occasion when a controlled substance is prescribed, administered or dispensed to a patient, the medical record shall also include a specification of the symptoms observed and reported, the diagnosis of the condition for which the controlled substance is being given and the directions given to the patient for the use of the controlled substance. If the same controlled substance continues to be prescribed, administered or dispensed, the medical record shall reflect changes in the symptoms observed and reported, in the diagnosis of the condition for which the controlled substance is being given and in the directions given to the patient.

(5) *Emergency prescriptions.* In the case of an emergency phone call by a known patient, a prudent, short-term prescription for a controlled substance may be issued. Neither a refill nor a consecutive issuance of this emergency prescription may be given unless a physical examination and evaluation of the patient are first conducted. The results of this examination and evaluation shall be set forth in the patient's medical record together with the diagnosis of the condition for which the controlled substance is being prescribed. An emergency oral prescription for a Schedule II controlled substance shall be covered by a written prescription delivered to the pharmacist within 72 hours. In certain health care facilities regulated by the Department of Health, the Department of Public Welfare and the Federal government, orders for the immediate, direct administration of a Schedule II controlled substance to a patient are not considered prescriptions and are, therefore, not subject to the requirements in this paragraph. Further information regarding this exclusion can be found in The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144) and 28 Pa. Code Chapter 25 (relating to controlled substances, drugs, devices and cosmetics).

(b) This section establishes minimum standards for the prescription, administration and dispensation of controlled substances by persons licensed to practice medicine and surgery in this Commonwealth or otherwise licensed or regulated by the

Board. This section does not restrict or limit the application of The Controlled Substance, Drug, Device and Cosmetic Act or of another statute or regulation, and does not relieve a person from complying with more stringent standards that may be imposed by another statute or regulation.

(c) Compliance with this section will not be treated as compliance with the standards of acceptable and prevailing medical practice when medical circumstances require that the practitioner exceed the requirements of this section. ]

(a) For purposes of this section, "drug" includes the following:

(1) Controlled substances under The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144) or substances that are controlled substances under Federal law.

(2) Carisoprodol or agents in which carisoprodol is an active ingredient.

(3) Butalbital or agents in which butalbital is an active ingredient.

(4) Tramadol hydrochloride or agents in which tramadol hydrochloride is an active ingredient.

(b) When prescribing, administering or dispensing drugs regulated under this section, a person licensed to practice medicine and surgery in this Commonwealth or otherwise licensed or regulated by the Board shall carry out, or cause to be carried out, the following minimum standards:

(1) *Initial medical history and physical examination.* An initial medical history shall be taken and an initial physical examination shall be conducted unless emergency circumstances justify otherwise. Medical history and physical examination information recorded by another licensed health care provider may be considered if the medical history was taken and the physical examination was conducted within the immediately preceding 30 days. The physical examination shall include an objective evaluation of the heart, lungs, blood pressure and body functions that relate to the patient's specific complaint.

(2) *Reevaluations.* Reevaluations of the patient's condition and efficacy of the drug therapy shall be made consistent with the condition diagnosed, the drug or drugs involved, expected results and possible side effects.

(3) *Patient counseling.* The patient shall be counseled regarding the condition diagnosed and the drug prescribed, administered or dispensed. Unless the patient is in an inpatient care setting, the patient shall be specifically counseled about dosage levels, instructions for use, frequency and duration of use and possible side effects.

(4) *Medical records.* Accurate and complete medical records must document the evaluation and care received by patients.

(i) On the initial occasion when a drug is prescribed, administered or dispensed to a patient, the medical record must include the following:

(A) A specification of the symptoms observed by the health care provider and reported by the patient.

(B) The diagnosis of the condition for which the drug is being given.

(C) The directions given to the patient for the use of the drug.

(ii) After the initial occasion when a drug is prescribed, administered or dispensed, the following information shall be recorded in the patient's medical record:

(A) The name of the drug.

(B) The strength of the drug.

(C) The quantity of the drug.

(D) The date the drug was prescribed, administered or dispensed.

(E) Changes to the information recorded under subparagraph (i).

(5) *Emergency prescriptions.* In the case of an emergency contact from a known patient, a prudent, short-term prescription for a drug may be issued. Neither a refill nor a consecutive issuance of this emergency prescription may be given unless a physical examination and evaluation of the patient is first conducted by a licensed health care provider. The results of this examination and evaluation shall be recorded in the patient's medical record together with the diagnosis of the condition for which the drug is being prescribed. An emergency oral prescription for a Schedule II controlled substance shall be covered by a written prescription delivered to the pharmacist within 72 hours.

(6) *Compliance with other laws.*

(i) This section may not be construed as restricting or limiting the application of The Controlled Substance, Drug, Device and Cosmetic Act or statutes or regulations of the Department of Health and the Department of Public Welfare that govern the prescription, administration and dispensation of drugs and medical recordkeeping in certain health care facilities.

(ii) This section may not be construed as restricting or limiting the application of Federal laws or regulations that govern the prescription, administration and dispensation of drugs and medical recordkeeping in certain health care facilities.

(iii) This section does not relieve a person from complying with more stringent standards that may be imposed by another statute or regulation.

(7) *Compliance with facility policy.* This section does not relieve a person from complying with more stringent standards that may be imposed by the health care facility in which the person practices or by the person's employer.

(8) *Adherence to standards of practice.* Compliance with this section will not be treated as compliance with the standards of acceptable and prevailing medical practice when medical circumstances require that the practitioner exceed the requirements of this section.

[Pa.B. Doc. No. 12-356. Filed for public inspection March 2, 2012, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Referendum on Continuation of the Pennsylvania Apple Marketing Program

I. The Pennsylvania Apple Marketing Program was established under the provisions of the Agricultural Commodities Marketing Act. The Act requires that the Secretary of Agriculture call a referendum of affected producers every five years to determine whether or not a majority of those voting still desire the program. The program was last subjected to a review referendum conducted in 2007. It is now time for another review referendum to determine whether a majority of the apple producers desire the program to continue.

II. *Referendum Period:* The referendum period shall be from March 21, 2012, until 4 p.m. on April 4, 2012. Completed ballots shall be mailed or hand-delivered to the Pennsylvania Department of Agriculture, Bureau of Market Development, Room 310, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110-9408. Hand-delivered ballots must be received by 4 p.m. on April 4, 2012. Ballots that are mailed must be postmarked no later than April 4, 2012, and received no later than April 9, 2012.

III. *Notice of Referendum:* This referendum order and an official ballot shall be mailed no later than March 14, 2012, to all affected producers whose names appear on the list of Pennsylvania apple producers maintained in the Office of the Secretary of Agriculture. Additional

copies of the same materials shall be made available at the Office of the Secretary of Agriculture.

IV. *Eligible Voters:* The rules governing the eligibility of a producer for voting are as follows: the record date for determination of whether a producer is eligible to vote is March 21, 2012, and all apple producers who grow 500 or more apple trees are eligible to vote on the referendum.

V. *Counting of Ballots:* The ballots will be canvassed and counted by a Teller Committee appointed by the Secretary of Agriculture. The counting of the ballots will begin at 10 a.m., Monday, April 16, 2012, at the Pennsylvania Department of Agriculture, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110. The Secretary will announce the results of the referendum within 30 days following the completion of the referendum period. The results will be published in the *Pennsylvania Bulletin* and the Harrisburg *Patriot-News*, and disseminated to the news media.

VI. *Reporting Irregularities:* Any irregularities or disputes concerning the referendum procedures must be reported in written form to the Secretary of Agriculture not later than seven (7) calendar days from the end of the referendum period.

VII. *Publication:* This referendum order shall be published in the *Pennsylvania Bulletin* and the Harrisburg *Patriot-News*.

VIII. *Effective Date:* The foregoing order shall be effective immediately.

GEORGE D. GREIG,  
*Secretary*

[Pa.B. Doc. No. 12-357. Filed for public inspection March 2, 2012, 9:00 a.m.]

## 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 February 14, 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

#### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-2-2012	Peoples State Bank of Wyalusing Wyalusing Bradford County	802 Hunter Highway Tunkhannock Wyoming County	Filed
2-6-2012	Allegheny Valley Bank of Pittsburgh Pittsburgh Allegheny County	3474 William Penn Highway Pittsburgh Allegheny County	Filed

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-13-2012	Penn Liberty Bank Wayne Chester County	15 Freedom Boulevard West Brandywine Chester County	Filed
2-14-2012	Penn Liberty Bank Wayne Chester County	1210 East Lancaster Avenue Downingtown Chester County	Filed

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-1-2012	First Keystone Community Bank Berwick Columbia County	<i>To:</i> 299 Wyoming Avenue Kingston Luzerne County  <i>From:</i> 179 Wyoming Avenue Kingston Luzerne County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-13-2012	Northwest Savings Bank Warren Warren County	7310 Ritchie Highway Glen Burnie Anne Arundel County, MD	Filed

**Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
2-13-2012	Vantage Point Bank Fort Washington Montgomery County  Amendment to Article II of the institution's Articles of Incorporation provides for a change in their principal place of business from 1250 Virginia Drive, Fort Washington, Montgomery County, Pennsylvania 19034 to 100 Gibraltar Road, Horsham, Montgomery County, Pennsylvania 19044  Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 12-358. Filed for public inspection March 2, 2012, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater

associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. 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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060313 (Sewage)	Clean Treatment Sewer Co. Townsend Circle Road Dingmans Ferry, PA 18328	Pike County Delaware Township	Dingmans Creek (1-D)	Y
PA0062383 (Industrial Waste)	3 Springs Water Company, Inc. 1800 Pine Run Road Laurel Run, PA 18702	Luzerne County Laurel Run Borough	Unnamed Tributary to Pine Creek (05B)	Y
PA0062324 (Sewage)	Pike County Environmental, Inc. 1116 Delaware Drive Matamoras, PA 18336	Pike County Westfall Township	Delaware River (1-D)	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*

**PA0012467**, SIC Code 4613, **Laurel Pipe Line Co. LP**, Five Tek Park, Breinigsville, PA 18031. Facility Name: Booth Station IWTP. This existing facility is located in Bethel Township, **Delaware County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of stormwater, treated groundwater and hydrostatic test water.

The receiving stream(s), unnamed tributary to Green Creek, is located in State Water Plan watershed 3-G and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Oil and Grease	XXX	XXX	XXX	15	XXX	30
TRPH	XXX	XXX	XXX	15	XXX	30
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Monitoring Point 101 are based on a design flow of 0.07 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Ethylbenzene	XXX	XXX	XXX	Report	Report	XXX
Benzene	XXX	XXX	XXX	0.005	0.01	0.013
Total BTEX	XXX	XXX	XXX	0.1	0.2	0.25
Toluene	XXX	XXX	XXX	Report	Report	XXX
Total Xylenes	XXX	XXX	XXX	Report	Report	XXX

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

- A. Remedial Measures if Unsatisfactory Effluent
- B. Change of Ownership
- C. Product Contaminated Stormwater Runoff
- D. PPC Plan
- E. Other Wastewater Discharges
- F. Definitions
- G. Groundwater Monitoring
- H. No Stripper Tower Cleaning Water Discharge
- I. Visual Inspection
- J. Total BTEX
- K. Laboratory Certification
- L. Hydrostatic Test Water

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.

**PA0036447**, IW, SIC Code 8731, **Naval Surface Warfare Center, Carderock Division**, Ship Systems Engineering Station, 5001 South Broad Street, Philadelphia, PA 19112-1403. Facility Name: Naval Surface Warfare Center. This existing facility is located in City of Philadelphia, **Philadelphia County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of contact and no-contact cooling wastewater.

The receiving streams, Delaware River and Navy Reserve Basin of Schuylkill River are located in State Water Plan watersheds—3F and 3J and are classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Internal Monitoring Point 101 of Outfall 001 are based on a flow of 36.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	Report	110

The proposed effluent limits for Internal Monitoring Point 301 of Outfall 001 are based on a flow of 36 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	Report	110

The proposed effluent limits for Internal Monitoring Point 105 of Outfall 005 are based on a flow of 0.55 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Temperature (°F)	XXX	XXX	XXX	XXX	Report	110
Total Dissolved Solids	XXX	XXX	XXX	750	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for 005 are below.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2

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

- Remedial Measures
- BAT/ELG Reopener
- Change of Ownership
- TMDL/WLA Analysis
- Laboratory Certification
- Approved Chemicals
- Stormwater Requirements
- No PCB Discharge
- DRBC Approval for Thermal Load Mitigations

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.

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

**PA0081221**, Sewage, SIC Code 4952, **Cod Investments LLC**, P O Box 20062, York, PA 17402. Facility Name: Bailey Run MHP. This existing facility is located in Miller Township, **Perry 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), Bailey Run, is located in State Water Plan watershed 12-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

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

The EPA Waiver is in effect.

**PA0038733**, Sewage, SIC Code 4952, **East Providence Township Municipal Authority Bedford County**, PO Box 83, Breezewood, PA 15533. Facility Name: East Providence Township STP. This existing facility is located in East Providence Township, **Bedford County**.

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

The receiving stream(s), Unnamed Tributary to Tub Mill Run, is located in State Water Plan watershed 11-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.38 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.02	XXX	0.07
CBOD <sub>5</sub>	79	127	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	95	145	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	6.3	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	19	XXX	XXX	6.0	XXX	12.0
Total Phosphorus	6.3	XXX	XXX	2.0	XXX	4.0

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

The EPA Waiver is in effect.

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

**PAS706104**, Industrial Waste, SIC Codes 2992 and 5172, **Valvoline, division of Ashland, Inc.**, 3499 Blazer Parkway, Lexington, KY 40509. Facility Name: Valvoline Rochester Packaging Plant. This proposed facility is located in Rochester Borough, **Beaver County**.

Description of Proposed Activity: The application is for a new NPDES permit for new discharges of treated storm water associated with an industrial activity and uncontaminated storm water.

The receiving stream(s), Lacock Run and the Ohio River, are located in State Water Plan watershed 20-G and are 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 0.576 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
Ethylbenzene	XXX	XXX	XXX	Report	XXX	Report
Toluene	XXX	XXX	XXX	Report	XXX	Report
Total Xylenes	XXX	XXX	XXX	Report	XXX	Report
Total BTEX	XXX	XXX	XXX	0.1	XXX	0.25
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	XXX	Report
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0



Discharges from Outfalls 002, 003, 004, 005, 006, 007, 008, and 010 shall consist solely of uncontaminated storm water.

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

- Residual waste disposal requirements; prohibition on discharges of floating materials, oil, grease, scum and substances which produce tastes, color, odors, turbidity or settle to form deposits that would be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life; prohibition on oil-bearing wastewaters causing a sheen or discoloration of the waters of this Commonwealth or adjoining shoreline; and requirements for the control of storm water discharges including the development and implementation of pollution prevention measures (PPC Plan).

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

The EPA Waiver is in effect.

**PA0253723, Amendment No. 1**, SIC Code 1389, **Shallenberger Construction, Inc.**, 195 Enterprise Lane, Connellsville, PA 15425. Facility Name: Ronco Industrial Wastewater Treatment Facility. This existing facility is located in Masontown Borough, **Fayette County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for the discharge of treated oil and gas well-drilling and production wastewaters.

The receiving stream, the Monongahela River, is located in State Water Plan watershed 19-G and is classified for warm water fishes, aquatic life, water supply, and recreation. The first existing downstream potable water supply is the Carmichaels Municipal Water Authority located four miles below the discharge point.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
BOD <sub>5</sub>	221	680	XXX	53.0	163	XXX
Oil and Grease	63	130	XXX	15	30	XXX
Total Suspended Solids	47.2	124	XXX	11.3	29.6	XXX
Total Aluminum	17	33	XXX	4.0	8.0	XXX
Total Antimony	0.130	0.463	XXX	0.0312	0.111	XXX
Total Arsenic	0.0830	0.414	XXX	0.0199	0.0993	XXX
Total Barium	42	83	XXX	10	20	XXX
Total Cadmium	0.0426	0.0718	XXX	0.0102	0.0172	XXX
Total Chromium	0.218	0.697	XXX	0.0522	0.167	XXX
Total Cobalt	0.293	0.759	XXX	0.0703	0.182	XXX
Total Copper	0.901	2.09	XXX	0.216	0.500	XXX
Dissolved Iron	XXX	29	XXX	XXX	7.0	XXX
Total Iron	15	29	XXX	3.5	7.0	XXX
Total Lead	0.668	1.46	XXX	0.160	0.350	XXX
Total Manganese	8.3	17	XXX	2.0	4.0	XXX
Total Mercury	0.00103	0.00268	XXX	0.000246	0.000641	XXX
Total Nickel	1.29	3.31	XXX	0.309	0.794	XXX
Total Selenium	0.291	0.734	XXX	0.0698	0.176	XXX
Total Silver	0.0509	0.133	XXX	0.0122	0.0318	XXX
Total Strontium	42	83	XXX	10	20	XXX
Total Tin	0.153	0.398	XXX	0.0367	0.0955	XXX
Total Titanium	0.0255	0.0663	XXX	0.00612	0.0159	XXX
Total Vanadium	0.216	0.262	XXX	0.0518	0.0628	XXX
Total Zinc	1.05	2.07	XXX	0.252	0.497	XXX
Benzene	0.004	0.008	XXX	0.001	0.002	XXX
Ethylbenzene	Report	Report	XXX	Report	Report	XXX
Toluene	Report	Report	XXX	Report	Report	XXX
Total Xylenes	Report	Report	XXX	Report	Report	XXX
Total BTEX	0.4	0.8	XXX	0.1	0.2	XXX
Acetone	33.3	126	XXX	7.97	30.2	XXX
Acetophenone	0.235	0.476	XXX	0.0562	0.114	XXX
Bis(2-Ethylhexyl)Phthalate	0.421	0.897	XXX	0.101	0.215	XXX
2-Butanone	7.72	20.1	XXX	1.85	4.81	XXX
Butyl Benzyl Phthalate	0.370	0.784	XXX	0.0887	0.188	XXX
Carbazole	1.15	2.50	XXX	0.276	0.598	XXX
o-Cresol	2.34	8.01	XXX	0.561	1.92	XXX
p-Cresol	0.855	2.91	XXX	0.205	0.698	XXX
n-Decane	1.82	3.96	XXX	0.437	0.948	XXX
Fluoranthene	0.112	0.224	XXX	0.0268	0.0537	XXX
n-Octadecane	1.26	2.46	XXX	0.302	0.589	XXX
Phenol	4.51	15.2	XXX	1.08	3.65	XXX
Pyridine	0.759	1.54	XXX	0.182	0.370	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
2,4,6-Trichlorophenol	0.442	0.647	XXX	0.106	0.155	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	1,632	2,546	XXX
Total Dissolved Solids	2,090	3,130	XXX	500	750	XXX
Chloride	1,040	2,090	XXX	250	500	XXX
Sulfate	Report	1,040	XXX	Report	250	XXX
Bromide	Report	Report	XXX	Report	Report	XXX
Acidity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Gross Alpha (pCi/L)	XXX	XXX	XXX	Report	Report	XXX
Radium 226/228, Total (pCi/L)	XXX	XXX	XXX	Report	Report	XXX
Total Uranium (µg/L)	XXX	XXX	XXX	Report	Report	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

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

- Prohibition on discharges that would be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life; requirements for priority pollutant sampling and analysis, sludge disposal, oil-bearing wastewaters, storm water discharges, chemical additives reporting, recording/reporting of residual waste receipts, and background/ambient stream sampling.

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 2311401**, Sewage, **Upper Providence Township Sewer Authority**, 935 N. Providence Road, Media, PA 19063-1499

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

Description of Action/Activity: Construction and operation of a low pressure sanitary sewer extension utilizing individual grinder pumps.

**WQM Permit No. 1512401**, Sewage, **Avon Grove School District**, 375 S. Jennersville Road, West Grove, PA 19390.

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

Description of Action/Activity: Upgrade to the existing wastewater treatment plant to satisfy stricter NPDES discharge criteria for total nitrogen.

**WQM Permit No. 0912401**, Sewage, **Wrightstown Township**, 2033 Second Street Pike, Wrightstown, PA 18940.

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

Description of Action/Activity: Construction and operation of a wastewater treatment system which consist of individual grinder stations and a force main conveyance to treatment lagoon.

**WQM Permit No. 1512402**, Sewage, **Easttown Municipal Authority**, 566 Beaumont Road, Devon, PA 19333.

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

Description of Action/Activity: Construction of a new wet well/dry well sewage pumping station and emergency generator/control building, associated with piping and electrical work, site work, demolition of the existing station.

**WQM Permit No. 1505428**, Sewage, **Amendment, Borough of Spring City**, 6 South Church Street, Spring City, PA 19475.

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

Description of Action/Activity: Construction of chemical feed facilities for the addition of ferric chloride and/or aluminum sulfate at the Borough's WWTP to reduce effluent phosphorus concentrations.

**WQM Permits No. 1505420**, Sewage, **Renewal, West Vincent Township**, 729 St. Matthews Road, Chester Springs, PA 19425.

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

Description of Action/Activity: Renewal of existing WQM permit.

**WQM Permit No. 2312401**, Sewage, **Delaware County Regional Water Quality Control Authority**, P. O. Box 999, Chester, PA 19016-0999.

This proposed facility is located in Rose Valley Borough, **Delaware County**.

Description of Action/Activity: The previous chlorination system that used chlorine gas is being replaced by on that uses a sodium hypochlorite solution. The previous dechlorination system that used sulfite tablets is being replaced by on that uses sodium thiosulfate dry crystals.

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

**WQM Permit No. 4012401** Sewerage, **Nuangola Borough Sewer Authority**, 85 Nuangola Avenue, Mountaintop, PA 18707

This proposed facility is located in Nuangola Boro., **Luzerne County**, PA.

Description of Proposed Action/Activity: This project involves construction of a low pressure sanitary sewage collection system to serve the Borough of Nuangola and the Rice Elementary School. The system will connect to the Mountaintop Area Joint Sewer Authority's sewer system near the intersection of Blytheburn and Prospect Roads.

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

**WQM Permit No. 0212201**, Industrial Waste, **GenOn Power Midwest, L.P.**, 121 Champion Way, Canonsburg, PA 15317-5817

This proposed facility is located in the City of Pittsburgh, **Allegheny County**

Description of Proposed Action/Activity: Permit application for the construction and operation of boiler blowdown discharges.

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

**WQM Permit No. 1008201**, Industrial Waste **Amend No. 2, Seneca Landfill**, 121 Brickyard Road, Mars, PA 16046

This existing facility is located in Jackson Township, **Butler County**.

Description of Proposed Action/Activity: Modifications to eliminate existing flow restrictions.

**WQM Permit No. 4212402**, Sewerage, **Keating Township**, PO Box 103, 7160 Route 46, E. Smethport, PA 16730

This proposed facility is located in Keating Township, **McKean County**.

Description of Proposed Action/Activity: Application to construct a sanitary sewer collection system and wastewater treatment plant.

**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**

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

*Schuylkill County Conservation District: 1206 Ag Center Drive, RR 5, Box 5810, Pottsville, PA 17901, 570-622-3742*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025411003	Port Clinton Borough Attn: Gregory A. Boltz P. O. Box 246 Port Clinton, PA 19549	Schuylkill	Borough of Port Clinton, Schuylkill County; West Brunswick Twp., Schuylkill County; Windsor Township, Berks County; Borough of Hamburg, Berks County	Rattling Run, EV, MF; Rattling Run, CWF, MF; Little Schuylkill River, CWF, MF; Schuylkill River, WWF, MF

*Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, 570-629-3060.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024511016	Tobyhanna Army Depot 11 Hap Arnold Blvd. Mail Stop 5086 Tobyhanna, PA 18466 and Williams Electric Co., Inc. 155 General Lemnitzer St. Tobyhanna, PA 18466	Monroe	Coolbaugh Twp.	Hummler Run, HQ-CWF, MF

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032111014	South Middleton Township Municipal Authority PO Box 8 Boiling Springs, PA 17007-0008	Cumberland	Monroe Township	Yellow Breeches Creek/HQ-CWF, 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041412002	Lee Myers Geisinger Medical Clinic 100 N Academy Ave Danville PA 17822	Centre	Patton Township	UNT to Buffalo Run HQ-CWF

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

*Armstrong County Conservation District, Armsdale Administration Building, 124 Armsdale Road, Kittanning, PA 16201 (724) 548-3435*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI050312001	PennDOT Dist. 10-0 2550 Oakland Avenue Indiana, PA 15701	Armstrong	West Franklin Township	UNT to Buffalo Creek (HQ-TSF)

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

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

*McKean County Conservation District, 17137 Route 8, Smethport PA 16749*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061012001	PA American Water Company 800 West Hershey Park Drive Hershey PA 17033	Butler	Oakland Township	Connoquenessing Creek HQ-WWF; Connoquenessing Creek WWF
PAI064212003	Bradford City Water Authority	McKean	Foster & Bradford Townships	UNT Marilla Brook HQ-CWF; Brown Valley Run CWF; Gilbert 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*

**PAG124824**, CAFO (SIC 0212 and 0213), **Lane Farms**, 750 Woodard Road, Harrison Valley, PA 16927-9434.

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

Description of Size and Scope of Proposed Operation/Activity: The facility is comprised of approximately 4,500 finishing swine, 155 head dairy operation (cows, finishers, heifers, and bulls) operation, and a 145 head beef operation (cows, finishers, and bulls). There are a total of 963.5 AEUs.

The receiving stream, Cowanesque River, is in watershed 4A (Tioga River / Cowanesque River) and classified for: (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>
Denise and Dennis Staub 904 Germany Road East Berlin, PA 17316	Adams	4	433.87	Turkey	NA	New
John Wanner 5800 Wanner Rd Narvon, PA 17555	Lancaster	683.2	1135.63	Dairy	HQ	R

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 3612503**, Public Water Supply.  
 Applicant **New Danville Six Pack, Inc.**  
 Municipality Pequea Township  
 County **Lancaster**  
 Responsible Official Leang J. Ngo, Owner  
 2096 New Danville Pike  
 Lancaster, PA 17602  
 Type of Facility Public Water Supply  
 Consulting Engineer James R. Sanchez, P.E.  
 Sanchez & Associates, Inc.  
 460 N. George Street  
 Millersville, PA 17551  
 Application Received: 2/6/2012  
 Description of Action Addition of nitrate treatment by anion exchange

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

**Permit No. 5612501**, Public Water Supply.  
 Applicant **Jefferson Township Water & Sewer Authority**  
 786 Mountain View Road  
 Somerset, PA 15501  
 [Township or Borough] Jefferson Township  
 Responsible Official Bruce Barron, Chairman  
 Jefferson Township Water & Sewer Authority  
 786 Mountain View Road  
 Somerset, PA 15501  
 Type of Facility New water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501

Application Received Date February 21, 2012  
 Description of Action Construction of a 200,000 gallon water storage tank; and 11,200 feet of 10-inch and 7,500 feet of 6-inch waterline for the new Jefferson Township Water & Sewer Authority water system.

**Permit No. 3212501**, Public Water Supply.

Applicant **Indiana County Municipal Services Authority**  
 602 Kolter Drive  
 Indiana, PA 15701

[Township or Borough] Village of Arcadia,  
 Montgomery Township

Responsible Official Michael Duffalo,  
 Executive Director  
 Indiana County Municipal Services Authority  
 602 Kolter Drive  
 Indiana, PA 15701

Type of Facility Water system

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

Application Received Date February 6, 2012

Description of Action Installation of post-chlorination at the water treatment plant.

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

**Permit No. 6376590**, Public Water Supply

Applicant **Forbes Milk and Water Transport**

Township or Borough Hickory Township

County **Lawrence**

Responsible Official Hugh E. Forbes

Type of Facility Bulk Water Hauler

Consulting Engineer Not applicable

Application Received Date January 30, 2012

Description of Action Hauling of certified potable water to various clients.

**Permit No. 4312501**, Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**

Township or Borough City of Sharon

County **Mercer**

Responsible Official Marc A. Lucca

Type of Facility Public Water Supply

Consulting Engineer Mark A. Tompeck, P.E.  
 Hatch Mott MacDonald  
 27 Bleeker Street  
 Millburn, NJ 07041

Application Received Date February 17, 2012

Description of Action Replacement of filter media in the plant's six existing gravity filters. Filter inspection and repairs will also be undertaken, as necessary.

**MINOR AMENDMENT**

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

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

**Application No. 6511501MA, Minor Amendment.**

**Permit No. 6511501MA**, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**  
 124 Park and Pool Road  
 New Stanton, PA 15672

[Township or Borough] Penn and Unity Townships

Responsible Official William Castelli, Distribution Facilities Superintendent  
 Municipal Authority of Westmoreland County  
 124 Park and Pool Road  
 New Stanton, PA 15672

Type of Facility Water system

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

Application Received Date February 10, 2012

Description of Action Painting of the interior and exterior of the Charter Oaks #1 water storage tank.

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

Applicant **Municipal Authority of Westmoreland County**  
 124 Park and Pool Road  
 New Stanton, PA 15672

[Township or Borough] Penn and Unity Townships

Responsible Official William Castelli, Distribution Facilities Superintendent  
 Municipal Authority of Westmoreland County  
 124 Park and Pool Road  
 New Stanton, PA 15672

Type of Facility Water system

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

Application Received Date February 10, 2012

Description of Action Painting of the interior and exterior of the Arlington water storage tank.

**Permit No. 0211501MA, Public Water Supply.**

Applicant	<b>Municipal Authority of the Borough of Oakmont</b> PO Box 73 721 Allegheny Avenue Oakmont, PA 15139
[Township or Borough]	Oakmont Borough
Responsible Official	John D. Dunlap, General Manager Municipal Authority of the Borough of Oakmont PO Box 73 721 Allegheny Avenue Oakmont, PA 15139
Type of Facility	Water system
Consulting Engineer	NIRA Consulting Engineers, Inc. 950 Fifth Avenue Coraopolis, PA 15108
Application Received Date	January 26, 2012
Description of Action	Construction of new covers over the outdoor clarifiers.

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

**Application No. 266W2-MA1, Minor Amendment.**

Applicant	<b>Rixford Waterworks Association</b>
Township or Borough	Otto Township
Responsible Official	Jeff Anderson
Type of Facility	Public Water Supply
Consulting Engineer	Allan R. Vanderpoel, P.E. E&M Engineers and Surveyors, P.C. 24 Derrick Road Bradford, PA 16701
Application Received Date	January 23, 2012
Description of Action	Permit existing water storage tank.

**Application No. 2084503-MA3, Minor Amendment.**

Applicant	<b>Springboro Area Water Authority</b>
Township or Borough	Springboro Borough
Responsible Official	James Glaspy
Type of Facility	Public Water Supply
Consulting Engineer	Robert L. Rabell R.L. Rabell Surveying and Engineering 10560 Walnut Street Albion, PA 16401
Application Received Date	February 14, 2012
Description of Action	Chlorine gas/liquid injection point modifications, soda ash (removal from permit).

**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 Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Simek Property**, 8923 Breinig Run Circle, Upper Macungie Township, **Lehigh County**. Tracy Termin, Lewis Environmental, Inc., P. O. Box 639, 155 Railroad Plaza, Royersford, PA 19468 has submitted a Notice of Intent to Remediate on behalf of her client, Frank Simek, 8923 Breinig Run Circle, Breinigsville, PA 18031, concerning the remediation of soil found to have been impacted by kerosene as a result of a release from a 275-gallon aboveground storage tank. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. 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 Brownsfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Carlisle Town Center**, 321 Cherry Street, Carlisle, PA 17103, Carlisle Borough, **Cumberland County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Downtown Construction Company, LLC, 2201 Barren Hill Road, Conshohocken, PA 19428, submitted a Notice of Intent to Remediate groundwater contaminated with Petroleum and Chlorinated VOCs to a Site-Specific Standard. Remediation of soils was addressed previously. Future use of the site is residential.

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

**Application(s) received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northeast Region: William Tomayko, Regional Waste Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit Application No. 301085. Keystone Cement Company**, P. O. Box A, Bath, PA 18014-0058. Keystone Cement Company has requested final closure and release of the collateral bond for the former brick landfill located on their site in East Allen Township, **Northampton County**. The brick landfill was clean closed. The application was received by the Regional Office on January 17, 2012.

Comments concerning the application should be directed to William Tomayko, Regional Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Persons interested in obtaining more information about the closure certification may contact the Northeast Regional Office at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

### **AIR QUALITY**

#### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS**

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating

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

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

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

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

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

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

#### **PLAN APPROVALS**

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

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

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

**66-315-057: Procter & Gamble Paper Products Co.** (PO Box 32, Mehoopany, PA 18629-0032) for modification of paper machines 2M and 3M at their facility in Washington Township, **Wyoming County**.



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

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

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

**66-399-012: Williams Field Services Company, LLC** (Westpointe Center Three, 1605 Coraopolis Heights Road, Moon Township, PA 15108) for installation of two (2) 7,301 Bhp natural gas fired Low NOx turbines and (1) 402 Bhp emergency generator with oxidation catalyst at their Wilcox Compressor Station site in Tunkhannock Township, **Wyoming County**.

**39-309-079: Lafarge North America** (5160 Main Street, Whitehall, PA 18052) for a PAL (Plant wide Applicability Limit) permit for the establishment of plant wide applicability limits in accordance with 25 Pa. Code § 127.218 for the following pollutants and emission levels not to exceed on a 12 month rolling sum at their facility in Whitehall Township, **Lehigh County**.

1. Particulate matter (PM) shall not exceed 629.31 tons/year
2. Particulate matter < 10 microns (PM10) shall not exceed 587.54 tons/year
3. Particulate matter < 2.5 microns (PM2.5) shall not exceed 524.12 tons/year
4. Oxides of Nitrogen (NOx) shall not exceed 810.31 tons/year
5. Sulfur dioxide (SO2) shall not exceed 1,079.81 tons/year
6. Volatile organic compounds (VOC) shall not exceed 75.08 tons/year
7. Carbon monoxide (CO) shall not exceed 5,669.76 tons/year
8. Lead (Pb) shall not exceed 0.91 tons/year
9. Sulfuric acid (H2SO4) shall not exceed 7.00 tons/year
10. Hydrogen fluoride (HF) shall not exceed 3.21 tons/year
11. Greenhouse gasses (GHG) shall not exceed 725,877.77 tons/year

The PAL permit shall be valid for a term of ten (10) years. This facility currently operates under Title V Operating Permit No. 39-00011.

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

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

**65-00979: Laurel Mountain Midstream, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) to allow the installation and initial temporary operation of two new Caterpillar G3612LE lean burn natural gas-fired compressor engines rated at 3,550 bhp each at the Heminie Compressor Station located in South Huntingdon Township, **Westmoreland County**.

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

tends to issue Air Quality Plan Approval: PA-65-00979 to allow the installation and initial temporary operation of two new Caterpillar G3612LE lean burn natural gas-fired compressor engines rated at 3,550 bhp each at the Heminie Compressor Station located in South Huntingdon Township, Westmoreland County. Five currently authorized natural gas-fired compressor engines rated at 1,380 bhp each, two dehydrators (including reboilers) rated for 35 and 150 mmscf/day of natural gas, and five produced water tanks with capacities between 150 and 476 barrels will remain permitted under GP5-65-00979E. Three currently authorized natural gas-fired compressor engines rated at 1,450, 1,340, and 810 bhp will be deactivated prior to startup of the two newly proposed compressor engines. 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.

Potential to emit from the facility is estimated to be 71.98 tons of nitrogen oxides (NO<sub>x</sub>), 43.24 tons of carbon monoxide (CO), 45.83 tons of volatile organic compounds (VOC), 4.67 tons of formaldehyde (HCHO), 10.54 tons of hazardous air pollutants (HAP), and 93,167 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year. Best available technology (BAT) for the proposed natural gas-fired engines is ultra lean burn emission combustion technology, installation and proper operation of oxidation catalysts, and good combustion practices including the use of air to fuel ratio controllers and proper maintenance and operation. The authorization is subject to State regulations including 25 Pa. Code § 123.31, Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart JJJJ for spark ignition internal combustion engines, and Federal National Emission Standards for Hazardous Air Pollutants (NESHAPS) including 40 CFR Part 63 Subpart HH for oil and natural gas production facilities. The reporting of greenhouse gas emissions in the form of CO<sub>2</sub>e and on a mass basis has also been included in this Plan Approval. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

Interested persons may submit written comments, suggestions, or objections concerning the proposed Plan Approval to Alan Binder, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Written comments submitted to the Department shall include the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed Plan Approval (PA-65-00979).

Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

For additional information you may contact Alan Binder at 412-442-4168.

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

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

**10-0010: AK Steel Corporation—Butler Works** (1 Armco Drive, Butler, PA 16045) for modifications to Plan Approval 10-001M, at their facility in Butler Township, **Butler County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 10-001O to AK Steel Corporation for modifications to Plan Approval 10-001M at their Butler Works facility located at 1 Armco Drive, Butler Township, Butler County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 10-001O is for modifications to Plan Approval 10-001M, which was issued by the Department on February 22, 2010 for construction of the Melt Shop Modernization Project, consisting of the #5 Electric Arc Furnace (EAF), Ladle Metallurgical Facility (LMF), and various ancillary sources. Proposed Plan Approval 10-001O authorizes a 10.8 ton per year increase in allowable emissions of particulate matter, and incorporates changes affecting the applicability of 40 CFR 60 Subpart AAa to the #2 EAF and AOD; control device mapping related to the #1/2 Baghouse; permit language related to production rate requirements for stack testing; requirements related to the simultaneous operation of the #2 and #5 EAFs; monitoring requirements related to natural gas consumption for various sources; monitoring requirements for new and existing cooling towers; recordkeeping requirements for paved and unpaved roads; testing requirements for truck dump stations; and compliance dates for various conditions. The Department has determined that the proposed changes are of minor significance with regards to the PSD/NSR netting analysis previously performed by AK Steel in conjunction with Plan Approval 10-001M.

The subject source(s) will be subject to the applicable requirements of 40 CFR Subparts AAa (Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983) and IIII (Standards of Performance for Stationary Compression Ignition Internal Combustion Engines). The Plan Approval will contain testing, monitoring, reporting, recordkeeping, and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the following:

1. Name, address, and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 10-001O.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that

such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

**37-332A: Amerikohl Aggregates, Inc.—McMillin Mine** (1384 State Route 711, Stahlstown, PA 15687), for the construction of a limestone processing plant at their facility in Wayne Township, **Lawrence County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 37-332A to Amerikohl Aggregates, Inc. for the construction of a limestone processing plant at their McMillin Mine facility located on Chewton-Wurtemberg Rd., Wayne Township, Lawrence County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 37-332A is for the construction of a 500 ton/hour capacity limestone processing plant, which will consist of sixteen (16) conveyors, two (2) crushers, two (2) screens, 415 bhp and 167 bhp diesel-fired generator(s), and associated stockpiles and paved and unpaved roadways. BAT for this equipment will consist of the use of water spray dust suppression system(s) on crushers and screeners, and the use of Best Management Practices to limit fugitive particulate matter emissions from paved and unpaved roads. Based on the information provided by the applicant and DEP's own analysis, the proposed source will emit a maximum of 37.2 tons of particulate matter, 11.5 tons of which will be particulate matter less than 10 microns (PM-10), 2.7 tons of carbon monoxide, 4.0 tons of combined nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC), and 1.3 tons of sulfur oxides per year.

The proposed facility will be limited to an annual throughput not to exceed 650,000 tons per year of material processed, and will be subject to the applicable requirements of 40 CFR Subparts OOO (Standards of Performance for Nonmetallic Mineral Processing Plants) and IIII (Standards of Performance for Stationary Compression Ignition Internal Combustion Engines). The Plan Approval will contain testing, monitoring, recordkeeping, and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the following:

1. Name, address, and telephone number of the person submitting comments.

2. Identification of the proposed Plan Approval; No. 37-332A.

3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

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

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

**S10-010A: Jeanes Hospital** (7600 Central Avenue, Philadelphia, PA 19111) for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**, intent to Modify Operating Permit to include the following changes:

Increase tuning and testing times for each emergency generator located at the facility to the following as required by the Joint Commission:

(a) Testing of each emergency generator at the facility is limited to six hours per month.

(b) Engine tuning of each emergency generator at the may be performed one time per year and is limited to six hours per generator.

(c) Preventive maintenance and equipment malfunctions required by the Joint Commission are allowed to be conducted on each emergency generator at the facility and is limited to 12 hours per year per generator:

The Synthetic Minor Operating Permit was originally issued on July 26, 2011

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

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

**S10-007A: Albert Einstein.** (at 5501 Old York Road, Philadelphia, PA 19141) for operation of a hospital facility in the City of Philadelphia, **Philadelphia County**, intent to Modify Operating Permit to include the following changes:

Increase tuning and testing times for each emergency generator located at the facility to the following as required by the Joint Commission:

(a) Testing of each emergency generator at the facility is limited to six hours per month.

(b) Engine tuning of each emergency generator at the may be performed one time per year and is limited to six hours per generator.

(c) Preventive maintenance and equipment malfunctions required by the Joint Commission are allowed to be conducted on each emergency generator at the facility and is limited to 12 hours per year per generator:

The Synthetic Minor Operating Permit was originally issued on August 8, 2010.

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

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

#### OPERATING PERMITS

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

**38-05011: Plain N Fancy, Inc.** (P. O. Box 519, Oak Street and Route 501, Schaefferstown, PA 17088-0519) for operation of a wood kitchen cabinet manufacturing facility in Heidelberg Township, **Lebanon County**.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) intends to issue an Air Quality Title V Operating Permit for the abovementioned facility.

The facility's emissions of volatile organic compounds (VOCs) in 2010 were reported to be 37.9 tons. The facility shall continue to limit their VOC emissions to 70 tons per year based on a 12-month rolling total. The Operating Permit will include emission limits, work practice standards, monitoring requirements, recordkeeping, and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52, 129.101—129.106 and 40 CFR Part 63, Subpart JJ.

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 following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit by the permit number listed above.
- A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Thomas J. Hanlon, P.E., 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 EPA for review and approval.

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

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

**65-00016: Latrobe Specialty Steel Co.** (2626 Ligonier Street, Latrobe, PA 15650) for operation of a specialty steel manufacturing facility in Latrobe Borough, **Westmoreland County**. This is a renewal of the Title V Operating permit.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the above mentioned facility.

Latrobe Steel is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permit requirements). Latrobe Steel manufactures stainless and other specialty alloy steels. Air emission sources at this facility include an electric arc furnace, an argon oxygen decarburization vessel, a ladle furnace, numerous heat treating furnaces, vacuum induction melting processes, various rolling, grinding, welding and sawing/shearing operations, scarfing and descaling machines, a boiler, miscellaneous heating units, a pickle tank, a precision forging machine and a slag handling building. There has been an overall decrease in emissions from the facility since issuance of the previous Title V Operating Permit due to the conversion of an electric arc furnace to a ladle furnace. The Operating Permit contains appropriate emission limitations, testing, monitoring, recordkeeping, reporting requirements, and work practice standards. Further details on the conditions and the reasons for their inclusion are available upon request.

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 400 Waterfront Drive, Pittsburgh, PA 15222.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V Operating Permit to the regional office within 30 days of

publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the following:

Name, address and telephone number of the commentator.

Identification of the proposed Operating Permit No. TVOP-65-00016.

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 a notification is sufficient. Written comments or requests for a public hearing should be directed to Nicholas Waryanka, P.E., Operating Permits, 400 Waterfront Drive, Pittsburgh, PA, 15222.

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

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*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*

**21-05033: Wilson Paving, Inc.** (480 West Old York Road, Carlisle, PA 17015) for operation of its batch asphalt plant in South Middleton Township, **Cumberland County**.

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

The facility has the following actual air 2011 emissions: 11.3 tons CO, 0.29 tons total HAPs, 0.71 tons NO<sub>x</sub>, 0.69 tons PM<sub>10</sub>, 0.13 tons SO<sub>x</sub> and 0.23 tons VOCs. 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 plan approval, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit by the permit number listed above.
- A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Daniel C. Husted, New Source Review Chief, may be contacted at 717-705-4863, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**36-03011: Cargill Cocoa & Chocolate, Inc.** (48 North Broad Street, Lititz, PA 17543) for the chocolate and cocoa manufacturing facility in Lititz Borough, **Lancaster County**.

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

The subject facility has actual emissions of 6.4 tpy of PM, 1.9 tpy of NO<sub>x</sub> and 1.6 tpy of CO. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit by the permit number listed above.
- A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

**04-00600: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Beaver Valley Mine Coal Preparation Plant, located in Greene Township, **Beaver County**.

The facility contains air contamination sources consisting of screens, conveyers, storage piles, and one 350-bhp emergency diesel generator engine. Processed coal throughput of the facility is limited to 500,000 tons per

year. Facility emissions are 13.9 tons per year of PM<sub>10</sub>, 3.05 tons per year of NO<sub>x</sub>, 0.62 tons per year of CO. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to state requirements as well as 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation, Processing Plants. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this State Only Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments,

Identification of the proposed Operating Permit (specify Operating Permit OP-04-00600), and

Concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

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

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

**10-00065: Allegheny Mineral Harrisville Plant** (PO Box 1022, One Glade Park East, Kittanning, PA 16201), to issue the renewal of the State Only Operating Permit for the limestone plant located at 133 Camp Ground Road in Mercer Township, **Butler County**. The facility is a Natural Minor. The primary sources at the facility include a feeder, jaw crusher, conveyors, screens, material bins, stockpiles, Bradley Mill, Raymond Mill, bagging, and transfer points. The mills are each controlled by cyclone / baghouse. Fugitive emissions are minimized by the wet spray Aquadyne system. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**N11-027: Septa Frankford** (Frankford Ave & Bridge St Philadelphia, PA 19124) for the operation of a bus repair and maintenance shop in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include Six (6) Boilers less than 5 MMBTU/hr firing

natural gas or No. 2, One (1) 0.72 MMBTU/hr Pressure Washer firing natural gas, Three (3) Emergency generators less than 150 kW firing natural gas, One (1) 6000 gallon gasoline storage tank with Stage 2 vapor recovery, One (1) Cold cleaning degreaser

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

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

**N11-026: Septa Germantown Brake Shop** (6725 Germantown Brake Shop, Philadelphia, PA 19119) for the operation of a bus repair and maintenance shop in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include Two (2) 4.718 MMBTU/hr Boiler firing natural gas or No. 2, One (1) 0.44 MMBTU/hr Pressure washer firing natural gas, One (1) 1000 underground gasoline storage tank both with Stage 2 vapor recovery, One (1) Cold cleaning degreaser.

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

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

**S11-010A: Albert Einstein.** (at 5501 Old York Road, Philadelphia, PA 19141) for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**, intent to Modify Operating Permit to include the following changes:

Increase tuning and testing times for each emergency generator located at the facility to the following as required by the Joint Commission:

- (a) Testing of each emergency generator at the facility is limited to six hours per month.
- (b) Engine tuning of each emergency generator at the may be performed one time per year and is limited to six hours per generator.
- (c) Preventive maintenance and equipment malfunctions required by the Joint Commission are allowed to be conducted on each emergency generator at the facility and is limited to 12 hours per year per generator:

The Synthetic Minor Operating Permit was originally issued on August 8, 2010.

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

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

#### *Coal Applications Received*

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

**56111303 and NPDES No. PA0236110. LCT Energy, LP**, (941 Pine Grove Lane, Suite B, Johnstown, PA 15905), to operate the Maple Springs Mine in Conemaugh Township, **Somerset County** and related NPDES permit. Surface Acres Proposed 51.4, Underground Acres Proposed 3781.8, Subsidence Control Plan Acres Proposed 3781.8. Receiving stream: Quemahoning Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority—Quemahoning Reservoir and intake Quemahoning Creek. The application was considered administratively complete on February 13, 2012. Application received: September 15, 2011.

**30841316 and NPDES No. PA0213636. Consol Pennsylvania Coal Company, LLC**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** and related NPDES permit for additional acreage associated with installation of six boreholes and the 6 South 1 Airshaft site. Surface Acres Proposed 14.0. No additional discharges. The application was considered administratively complete on February 16, 2012. Application received: November 8, 2011.

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

**56663135 and NPDES No. PA0605921, PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, transfer of an existing bituminous surface and auger mine from Zubeck, Inc., P. O. Box 5, Cairnbrook, PA 15924, located in Stonycreek Township, **Somerset County**, affecting 128.2 acres. Receiving stream(s): Schrock Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek SWI. Application received: February 10, 2012.

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

**65120101 and NPDES Permit No. PA0252182. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205). Application for commencement, operation and reclamation of a bituminous surface mine, located in Penn Township, **Westmoreland County**, affecting 25 acres. Receiving stream: unnamed tributary to Lyons Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: February 14, 2012.

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

**33030109. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242). Renewal of an existing bituminous surface mine in Winslow Township and Reynoldsville Borough, **Jefferson County** affecting 34.0 acres. Receiving streams: One unnamed tributary to

Soldier Run and Soldier Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: February 8, 2012.

**16070102. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous surface mine in Toby Township, **Clarion County** affecting 187.3 acres. Receiving streams: Unnamed tributaries to Black Fox Run, Black Fox Run, and unnamed tributaries to Catfish Run, all classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: February 9, 2012.

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

**17060104 and NPDES No. PA0256358. RES Coal LLC** (P. O. Box 228, 224 Grange Hall Road, Armagh, PA 15920). Renewal of an existing bituminous surface mine located in Morris Township, **Clearfield County** affecting 132.0 acres. Receiving streams: unnamed tributary to Hawk Run and an unnamed tributary to Moshannon Creek classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: February 7, 2012.

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

**49840103C3. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), correction to an existing anthracite surface mine operation to increase permitted acres for support from 127.0 to 160.3 acres in East Cameron and Mt. Carmel Townships, **Northumberland County**, receiving stream: Mahanoy Creek, classified for the following use: warm water fishes. Application received: February 13, 2012.

#### *Noncoal Applications Received*

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

**37010301. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Renewal of existing NPDES Permit No. PA0241881 in Slippery Rock Township, **Lawrence County**. Receiving streams: Nine unnamed tributaries to Slippery Rock Creek, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application received: February 14, 2012.

## MINING ACTIVITY NPDES DRAFT PERMITS

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

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a

tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

*Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more

stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

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

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

\*The parameter is applicable at all times.

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons



why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

*Coal NPDES Draft Permits*

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

**NPDES No. PA0236136 (Mining Permit No. 30071301), Freeport Mining, LLC**, (PO Box 1020, 158 Portal Road, Waynesburg, PA 15370). A new NPDES and mining activity permit for the Freeport Mine in Jefferson and Morgan Townships, **Greene County** for a new underground mine. Surface Acres Affected 146.0, Underground Acres Affected 5286.0. Receiving streams, Unnamed Tributary to Castile Run and South Fork Tenmile Creek, both classified for the following use(s): WWF. Monongahela River TMDL. The application was considered administratively complete on May 29, 2008. Application received November 30, 2007.

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 proposed average daily discharge rate for Outfall 001 is 13.96 MGD

Outfall 001 discharges to: Unnamed Tributary to Castile Run

The proposed effluent limits for Outfall 001 Lat: 39° 57' 51" Long: 80° 03' 48" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	4.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	2.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)			Monitor and Report	
Sulfates (mg/l)			Monitor and Report	
Chlorides (mg/l)			Monitor and Report	

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

The proposed average daily discharge rate for Outfall 002 is 4.94 MGD

Outfall 002 discharges to: Unnamed Tributary to Castile Run

The proposed effluent limits for Outfall 002 Lat: 39° 57' 49" Long: 80° 03' 40" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	4.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	2.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)			Monitor and Report	
Sulfates (mg/l)			Monitor and Report	
Chlorides (mg/l)			Monitor and Report	

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

The proposed average daily discharge rate for Outfall 003 is 6.59 MGD

Outfall 003 discharges to: Unnamed Tributary to Castile Run

The proposed effluent limits for Outfall 003 Lat: 39° 57' 50" Long: 80° 03' 39" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	4.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	2.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)			Monitor and Report	
Sulfates (mg/l)			Monitor and Report	
Chlorides (mg/l)			Monitor and Report	

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

The proposed average daily discharge rate for Outfall 004 is 0.43 MGD

Outfall 004 discharges to: South Fork Tenmile Creek

The proposed effluent limits for Outfall 004 Lat: 39° 57' 58" Long: 80° 03' 13" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		2.12	4.24	5.3
Manganese (mg/l)		1.46	2.92	3.65
Aluminum (mg/l)		0.92	1.84	2.3
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)		50	100	125
Total Dissolved Solids (mg/l)		500	750	1250
Sulfates (mg/l)		125	250	313
Chlorides (mg/l)			Monitor and Report	

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

The proposed average daily discharge rate for Outfall 005 is 27.41 MGD

Outfall 005 discharges to: South Fork Tenmile Creek

The proposed effluent limits for Outfall 005 Lat: 39° 58' 03" Long: 80° 03' 09" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	4.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	2.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)		500	750	1250
Sulfates (mg/l)		125	250	313
Chlorides (mg/l)			Monitor and Report	

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

The proposed average daily discharge rate for Outfall 006 is 21.96 MGD

Outfall 006 discharges to: Wetland to South Fork Tenmile Creek

The proposed effluent limits for Outfall 006 Lat: 39° 58' 05" Long: 80° 02' 56" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	4.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	2.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)			Monitor and Report	
Sulfates (mg/l)			Monitor and Report	
Chlorides (mg/l)			Monitor and Report	

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

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

**NPDES No. PA0263389 (Mining permit no. 56110110), Coal Loaders, Inc.**, 210 East Main Street, Ligonier, PA 15658-1318, new NPDES permit for surface mining, auger mining and blasting in Quemahoning Township, **Somerset County**, affecting 86.2 acres. Receiving stream(s): Unnamed Tributaries to/and Higgins Run, classified for the following use(s): High Quality Cold Water Fishery. This receiving stream is included in the Kiskiminetas-Conemaugh River Watershed TMDL. Application received: December 1, 2011.

All treatment and sediment facilities will be addressed through non-discharge alternatives. There will be no point source discharges from this mining permit.

**NPDES No. PA0263397 (Mining permit no. 56120101), Wilson Creek Energy, LLC**, 140 W. Union Street, Somerset, PA 15501, new NPDES permit for surface mine in Jenner Township, **Somerset County**, affecting 154.1 acres. Receiving stream(s): Hoffman Run, classified for the following use(s): cold water fisheries. This receiving stream is included in the Kiskiminetas-Conemaugh TMDL. Application received: December 20, 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 treated wastewater listed below discharge to Hoffman Run.

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

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

<i>Outfalls: 001, 002</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfalls listed below discharge to Hoffman Run.

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

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

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

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

**NPDES No. PA0252140 (Mining permit no. 65110101), Gary Gioia Coal Co.,** 319 Karen Drive, Elizabeth, PA 15037, new NPDES permit for a bituminous surface mine in South Huntingdon Township, **Westmoreland County**, affecting 76.9 acres. Receiving stream: unnamed tributaries to the Youghiogheny River, classified for the following use(s): WWF. This receiving stream is included in the Monongahela River TMDL. Application received: November 9, 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 treated wastewater outfall(s) listed below discharge to unnamed tributaries to the Youghiogheny River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
TP1	Y
TP2	Y
TP3	Y

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

<i>Outfalls:</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to unnamed tributaries to Youghiogheny River.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
SP1	Y
SP2	Y
SP3	Y

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

<i>Outfalls:</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

**NPDES No. PA0259187 (Permit No. 61110102). Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) New NPDES permit for a bituminous surface mine in Clinton Township, **Venango County**, affecting 35.2 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. TMDL: Scrubgrass Creek. Application received: September 27, 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 discharge to unnamed tributary "A" to Scrubgrass Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		.75	1.5	1.9
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		30	70	90
Osmotic Pressure (milliosmoles/kg)				50

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

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

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

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

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

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. 0257559 (Mining permit no. 08110303). Glenn O. Hawbaker, Inc.**, 1952 Waddle Road, Suite 203, State College, PA 16804, new of an NPDES permit for a Bluestone overburden quarry in Terry Township, **Bradford County**, affecting 46.3 acres. Receiving stream(s): Susquehanna River classified for the following use(s): Warm Water Fisheries. Application received: February 2, 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 noncoal mining activities.

The outfall(s) listed below discharge to Susquehanna River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP-1	yes

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

**NPDES No. PA0225002 on Surface Mining Permit No. 19110301. Hanson Aggregates Pennsylvania, LLC**, (7660 Imperial Way, Allentown, PA 18195), new NPDES Permit for a siltstone, sandstone and shale quarry operation in Madison and Hemlock Townships, **Columbia County**, affecting 281.9 acres. Receiving streams: unnamed tributary to Little Fishing Creek, classified for the following uses: cold water fishes. Application received: April 29, 2011.

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

The outfall(s) listed below discharge to Little Fishing Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	E&S and O.D.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

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#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E51-250. Philadelphia Water Department**, Aramark Tower, 1101 Market Street, 2nd Floor, Philadelphia, PA 19107-2994, City of Philadelphia, ACOE Philadelphia District.

To enclose and maintain approximately 416 linear feet of an UNT of Pennypack Creek by utilizing an 84-inch RCP.

The site is located near the intersection of Bustleton Avenue and Scotchbrok Drive (Germantown, PA USGS Quadrangle N: 4.1 inches; W: 3.7 inches).

**E09-959- Pennsylvania Department of Transport, District 6**, 7000 Geerdes Blvd, King of Prussia, Bucks County. ACOE Philadelphia District

To perform the following water obstruction and encroachment activities associated with the replacement of the existing Delaware Road Bridge (S.R. 1016, Section BBR) over the Delaware Canal (WWF, MF):

1. To remove the existing bridge, and to construct and maintain, in its place, a single span bridge approximately 28-foot 4-inches long, 54-foot span, and with 7-foot 4-inches underclearance.

2. To construct and maintain a temporary a road crossing over the canal.

The project will permanently impact approximately 35 linear feet of stream. The site is located at the intersection of Delaware Road (S.R. 1016) and Durham Road in Riegelsville Borough, Bucks County (Riegelsville, PA-NJ USGS Quadrangle N: 17.20 inches; W: 9.41 inches)

**E15-823. Chester County Conservation District**, 688 Unionville Road, Suite 200, Kennett Square, PA 19348, East Bradford Township, Chester County, ACOE Philadelphia District.

To restore and maintain approximately 1,200 linear feet of Plum Run and its tributary. Work will include stream-bank stabilization, minor channel realignment, floodplain grading and fish enhancement structures.

The site is located approximately one half mile south of the intersection of US-322 Business and S.R. 0052. (West Chester, PA USGS Quadrangle N: 9.5 inches; W: 6.3 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") in Hazle Township, Luzerne County.

**E64-292. The Hideout Property Owners Association**, 640 The Hideout, Lake Ariel, PA 18436, in Lake Township, Wayne County, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream and wetland enhancement project in and along approximately 900 feet of Ariel Creek and adjacent wetlands with work consisting of regrading and excavation within approximately 1.4 acres of wetlands and replanting approximately 5.1 acres of wetlands with native trees, shrubs and herbs. Impacted wetlands are located in the floodplain of Ariel Creek. The project is located in the Hideout Residential Development on the west side of Brookfield Road immediately downstream of Brooks Lake (Lakeville, PA Quadrangle Latitude 41° 26' 15"; Longitude: -75° 21' 37").

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

**E28-369: Texas Eastern Transmission, LP, TEAM 2012**, 890 Winter Street, Suite 300, Waltham, MA 02451, in Greene, Guilford, and Peters Townships, Franklin County, ACOE Baltimore District

To remove the existing 24.0-inch diameter gas pipeline and install and maintain a 36.0-inch diameter high-strength carbon steel gas pipeline in and across: 1) four unnamed tributaries to Conococheague Creek (CWF, MF),

2) Stump Run (CWF, MF), 3) an unnamed tributary to West Branch Conococheague Creek (TSF, MF), 4) seven wetland crossings in the Conococheague Creek Watershed, being 66.0, 45.0, 41.0, 100.0, 31.0, 395.0, and 140.0 feet long (Start: Chambersburg, PA Quadrangle; N: 3.09 inches, W: 2.47 inches; Latitude: 39°53'31.3", Longitude: -77°38'33.3"; End: Scotland, PA Quadrangle; N: 4.94 inches, W: 1.22 inches; Latitude: 39°54'8.0", Longitude: -77°30'31.2") in Greene, Guilford, and Peters Townships, **Franklin County**. The purpose of the project is to provide additional natural gas supply diversity and security of supply. All impacts are temporary impacts and mitigation is not required.

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

**E08-478. Pennsylvania Department of Transportation**, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 4014 Section 21M Roadway Improvement and Paving Project, Smithfield Township, **Bradford County**, ACOE Baltimore District (East Troy, PA Quadrangle N: 41° 52' 28"; W: 76° 36' 46").

PA DOT Engineering District 3-0 proposes to upgrade approximately a two-mile section of SR 0414. The project will include roadway widening, roadway paving and drainage upgrades. The project will impact seven Unnamed Tributaries to Peas Creek and six wetlands. The project proposes a total of 1768 Ft. of permanent impacts and 167 Ft. of temporary impacts to the Tributaries to Peas Creek. The project proposes a total of 0.12 acre of permanent impact to the wetlands and 0.08 acre of temporary impact to the wetlands. These impacts are the result of roadway widening, pipe replacements and channel modifications for streams located adjacent to the roadway. Unnamed Tributaries to Peas Creek are classified as Trout Stream Fishery by Title 25, Chapter 93 Water Quality Standards. The project will not require mitigation.

**E18-471. Pennsylvania Department of Transportation**, Engineering District 2-0, 1924 Daisy Street Extension, Clearfield, PA 16830. SR 0477, Segment 0050, Offset 1398, Outfall to Long Run in Lamar Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle; Latitude: 41° 05' 05"; Longitude 76° 26' 55").

The applicant proposes to install an 18-inch Outfall to Long Run and the associated Rip Rap Scour Protection. The outfall does not meet GP-4 criteria because Long Run is a special protection watershed. Long Run is classified as an Exceptional Value Stream. The project does not propose any impact to Jurisdictional Wetlands.

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

**E02-1660. South Fayette Conservation Group**, 515 Millers Run Road, Morgan, PA, South Fayette Township, **Allegheny County**. ACOE Pittsburgh District.

Applicant proposes to construct, and maintain a stream sealing project that will include installation of stream liners and/or injecting grout to maintain stream flow. There will be approximately 3,865 feet of temporary and permanent impacts. The project will be constructed in Fishing Run and an UNT to Millers Run (WWF). The project is located near the intersection of PA 978 and Millers Run Road (Canonsburg, PA quadrangle; N: 19.5 inches, W: 8.7 inches; Latitude: 40° 21' 27"; Longitude: 80° 16' 16" and ending at USGS Canonsburg, PA quadrangle; N: 13.7", W: 0"; Latitude: 40° 19' 29"; Longitude: 80° 11' 15").

*Southwest Regional Office, Oil and Gas Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

Project Description

[ **Permit # E63-07-002** ]. **Range Resources—Appalachia, LLC**, 3000 Town Center Blvd., Canonsburg, PA 15317. To construct an access road, associated with the Carlisle Well Site, crossing T32919 to Brush Run in Hopewell Township, **Washington County**, Pittsburgh ACOE District, State Water Plan Basin 20-E, (Washington West, PA Quadrangle; N inches; W inches; Latitude: N 40° 13' 03.00"; Longitude: W 80° 20' 05.56"), Wheeling—Buffalo Creeks Watershed. The applicant proposes to involve the installation of 42 linear feet of 48" culvert crossing the stream channel of T32919 to Brush Run (HQ-WWF) to serve as permanent access to R. Carlisle well site. Impacts include T32919 to Brush Run (HQ-WWF) approximately 42 linear feet of stream within the project area. The upstream watershed drainage at the access road crossing is approximately 282 acres (0.44 mi<sup>2</sup>).

<i>Stream Name</i>	<i>Coordinates</i>	<i>Proposed Linear Impact</i>
T32919 to Brush Run	40° 13' 03.00" 80° 20' 05.56"	42 ft. (Culvert)

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

**E33-244, PA Game Commission**, 2001 Elmerton Ave, Harrisburg, PA 17110-9797. SGL 244 Camp Run Bridge, in Knox Township, **Jefferson County**, ACOE Pittsburgh District (Reynoldsville, PA Quadrangle N: 41°, 04', 37"; W: 78°, 58', 08").

To construct and maintain a 14 foot long steel beam bridge having a clear span of 36 feet and an underclearance of 5 feet across Camp Run as a replacement for an existing ford on an access road within State Game Land 244 approximately 0.75 mile upstream of the mouth of Camp Run at Sandy Lick Creek.

**E37-188, LRC Hermitage PA, LLC**, 1585 Frederick Boulevard, Akron, OH 44320. Kohl's Retail Development

Wetland Mitigation, in New Wilmington, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 41°, 5', 11.89"; W: 80°, 24', 15.72").

To construct and maintain approximately 1.51 acres of replacement wetlands involving excavation in the floodway of an unnamed tributary to the Shenango River (WWF). The replacement wetlands are proposed as mitigation for the wetland impacts associated with a 13 acre commercial development located in the City of Hermitage, Mercer County (N: 41°, 13', 39.96"; W: 80°, 27', 7.82") as detailed in the Joint Permit Application E43-354.

**E43-354, LRC Hermitage PA, LLC**, 1585 Frederick Boulevard, Akron, OH 44320. Kohl's Retail Development, in Hermitage City, **Mercer County**, ACOE Pittsburgh

District (Sharon East, PA Quadrangle N: 41°, 13', 39.96"; W: 80°, 27', 7.82").

To permanently fill approximately 0.958 acre of wetlands (0.60 acre PEM, 0.33 acre PSS, and 0.02 acre PFO) in the watershed of Bobby Run (WWF) for the construction of a 13 acre commercial development located southwest of the State Route 18 and State Route 62 intersection in the City of Hermitage. The applicant proposes to mitigate for the wetland impacts by constructing approximately 1.51 acres of replacement wetlands in the floodway of an unnamed tributary to the Shenango River (WWF) in New Wilmington, Lawrence County (N: 41°, 5', 11.89"; W: 80°, 24', 15.72") as detailed in the Joint Permit Application E37-188.

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

**E0829-036: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Wilmot Township, Bradford County, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter natural gas line and a timber mat bridge impacting 24 linear feet of an unnamed tributary to Foster Branch Creek (CWF, MF) and adjacent Palustrine Emergent Wetland and Palustrine Scrub-Shrub Wetland (EV) impacting 1,539 square feet (Colley, PA Latitude: 41°36'43", Longitude: -76°18'11"), The project will result in 24 linear feet or 68 square feet of temporary stream impacts, 1,539 square feet (0.04 acre) of PEM and PSS temporary wetland impacts all for the purpose of installing a natural gas line with associated access roadways.

**E5929-027: Talisman Energy USA, Inc.**, 50 Pennwood Place, Warrendale, PA 15086, Bloss, Hamilton, Liberty, Union, and Ward Townships, Tioga County, ACOE Baltimore District.

To construct, operate, and maintain:

1. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 214 square feet of a palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle 41°39'28"N 77°06'03"W);

2. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 75 linear feet of an unnamed tributary to Johnson Creek (CWF) (Blossburg, PA Quadrangle 41°39'29"N 77°06'03"W);

3. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 110 square feet (bore) of a palustrine forested (EV-PFO) wetland (Blossburg, PA Quadrangle 41°39'27"N 77°05'56"W);

4. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 5 linear feet of an unnamed tributary to Johnson Creek (CWF) (Blossburg, PA Quadrangle 41°39'27"N 77°05'56"W);

5. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 260 square feet of a palustrine forested (EV-PFO) wetland (Blossburg, PA Quadrangle 41°39'26"N 77°05'51"W);

6. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 30 linear feet of an unnamed tributary to Johnson Creek (CWF) (Blossburg, PA Quadrangle 41°39'26"N 77°05'50"W);

7. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 88 square feet of a

palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle 41°39'26"N 77°05'49"W);

8. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 6 linear feet of an unnamed tributary to Johnson Creek (CWF) (Blossburg, PA Quadrangle 41°39'26"N 77°05'49"W);

9. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a temporary road crossing using seven 20 foot long 36 inch diameter corrugated metal pipes impacting 110 linear feet of Bellman Run (CWF) (Blossburg, PA Quadrangle 41°39'22"N 77°05'36"W);

10. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 122 linear feet of an unnamed tributary to Bellman Run (CWF) (Blossburg, PA Quadrangle 41°39'04"N 77°05'22"W);

11. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 103 linear feet of an unnamed tributary to Long Run (CWF) (Blossburg, PA Quadrangle 41°38'01"N 77°05'12"W);

12. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 186 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°38'17"N 77°04'32"W);

13. Timber matting impacting 2,095 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°38'17"N 77°04'25"W);

14. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 433 square feet of a palustrine emergent wetland (PEM) (Blossburg, PA Quadrangle 41°38'17"N 77°04'24"W);

15. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 190 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°38'18"N 77°04'15"W);

16. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 1,394 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°38'17"N 77°04'07"W);

17. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a temporary road crossing using two 20 foot long 36 inch diameter corrugated metal pipes impacting 89 linear feet of a Dibble Run (EV) (Blossburg, PA Quadrangle 41°38'7"N 77°03'53"W);

18. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 116 linear feet of an unnamed tributary to Dibble Run (EV) (Blossburg, PA Quadrangle 41°38'05"N 77°03'47"W);

19. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 111 linear feet of an unnamed tributary to Dibble Run (EV) (Blossburg, PA Quadrangle 41°38'06"N 77°03'41"W);

20. Timber matting impacting 167 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°38'15"N 77°03'34"W);

21. Timber matting impacting 554 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°38'15"N 77°03'34"W);

22. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 199 of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°38'18"N 77°05'28"W);

23. Two 12 inch diameter gas pipelines and one 10 diameter inch waterline and a temporary road crossing using five 20 foot long 36 inch diameter corrugated metal pipes impacting 151 linear feet of a Taylor Run (EV) (Blossburg, PA Quadrangle 41°38'24"N 77°02'43"W);

24. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 110 linear feet of an unnamed tributary to Taylor Run (EV) (Blossburg, PA Quadrangle 41°38'24"N 77°02'41"W);

25. Timber matting impacting 1,035 square feet of a palustrine scrub-shrub/emergent (EV-PSS/PEM) wetland (Blossburg, PA Quadrangle 41°38'25"N 77°02'32"W);

26. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 2,057 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°38'47"N 77°02'15"W);

27. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 113 linear feet of an unnamed tributary to Carpenter Run (EV) (Blossburg, PA Quadrangle 41°38'55"N 77°02'19"W);

28. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 889 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'02"N 77°02'12"W);

29. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 97 linear feet of an unnamed tributary to Carpenter Run (EV) (Blossburg, PA Quadrangle 41°39'04"N 77°02'09"W);

30. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a temporary road crossing using six 20 foot long 36 inch diameter corrugated metal pipes crossing impacting 101 linear feet of Carpenter Run (EV) (Blossburg, PA Quadrangle 41°39'05"N 77°02'0"W);

31. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 1,370 square feet of a palustrine forested (EV-PFO) wetland (Blossburg, PA Quadrangle 41°39'05"N 77°02'05"W);

32. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 1,991 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'05"N 77°02'01"W);

33. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 39 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'04"N 77°02'01"W);

34. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 108 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'06"N 77°01'57"W);

35. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 1,962 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'06"N 77°01'57"W);

36. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting bridge impacting 3,903 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'05"N 77°01'55"W);

37. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 103 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'05"N 77°01'54"W);

38. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 2,918 square feet of palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'05"N 77°01'54"W);

39. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 99 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'06"N 77°01'47"W);

40. A timber mat bridge impacting 24 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'06"N 77°01'44"W);

41. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 11,586 square feet of palustrine forested/scrub shrub (PFO/PSS) wetland (Blossburg, PA Quadrangle 41°39'06"N 77°01'42"W);

42. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 630 square feet of palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'10"N 77°01'41"W);

43. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 92 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'09"N 77°01'23"W);

44. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 106 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'10"N 77°01'20"W);

45. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 948 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'10"N 77°01'19"W);

46. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 926 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'12"N 77°01'17"W);

47. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 844 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'15"N 77°01'09"W);

48. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 3,910 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'16"N 77°01'08"W);

49. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 2,505 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'16"N 77°01'04"W);

50. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 105 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'17"N 77°01'03"W);

51. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 647 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'17"N 77°01'01"W);

52. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 116 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'18"N 77°01'01"W);



53. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 617 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'18"N 77°01'01"W);
54. Timber matting impacting 579 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'19"N 77°00'59"W);
55. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 111 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'18"N 77°00'59"W);
56. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 1,564 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'18"N 77°00'58"W);
57. Timber matting impacting 774 square feet of a palustrine emergent/scrub shrub (PEM/PSS) wetland (Blossburg, PA Quadrangle 41°39'19"N 77°00'58"W);
58. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 5,306 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'20"N 77°00'56"W);
59. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 88 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'20"N 77°00'55"W);
60. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 209 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'19"N 77°00'45"W);
61. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 3,341 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'19"N 77°00'43"W);
62. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 188 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'19"N 77°00'43"W);
63. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 187 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'19"N 77°00'42"W);
64. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 2,445 square feet of a palustrine emergent/forested (PEM/PFO) wetland (Blossburg, PA Quadrangle 41°39'19"N 77°00'35"W);
65. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 103 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'19"N 77°00'35"W);
66. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 1,426 square feet of a palustrine emergent/scrub shrub/forested (PEM/PSS/PFO) wetland (Blossburg, PA Quadrangle 41°39'21"N 77°00'27"W);
67. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 113 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'21"N 77°00'19"W);
68. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 4,349 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'22"N 77°00'18"W);
69. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 183 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'22"N 77°00'17"W);
70. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and a timber mat bridge impacting 120 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'22"N 77°00'13"W);
71. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline and timber matting impacting 1,530 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'23"N 77°00'12"W);
72. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 34 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'25"N 77°00'08"W);
73. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 37 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'26"N 77°00'07"W);
74. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 36 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'28"N 77°00'06"W);
75. Two 12 inch diameter gas pipelines and one 10 inch diameter waterline impacting 145 linear feet of Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'28"N 77°00'05"W);
76. Timber matting impacting 2,333 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'28"N 77°00'05"W);
77. A temporary road crossing using six 30 foot long 36 inch diameter corrugated metal culverts impacting 30 linear feet of Carpenter Run (EV) (Blossburg, PA Quadrangle 41°39'8"N 77°02'06"W);
78. A temporary road crossing using timber mats impacting 1,324 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'9"N 77°02'05"W);
79. A temporary road crossing using timber mats impacting 345 square feet of a palustrine open water (POW) wetland (Blossburg, PA Quadrangle 41°39'10"N 77°02'05"W);
80. A temporary road crossing using timber mats impacting 380 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'15"N 77°01'49"W);
81. A temporary road crossing using a timber mat bridge impacting 53 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'15"N 77°01'49"W);
82. A temporary road crossing using timber mats impacting 42 square feet of a palustrine forested/scrub shrub/emergent (PFO/PSS/PEM) wetland (Blossburg, PA Quadrangle 41°39'15"N 77°01'50"W);
83. A temporary road crossing using timber mats impacting 13 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'16"N 77°01'47"W);
84. A temporary road crossing using a timber mat bridge impacting 42 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'16"N 77°01'45"W);

85. A temporary road crossing using timber mats impacting 39 square feet of a palustrine emergent (PEM) wetland (Blossburg, PA Quadrangle 41°39'17"N 77°01'43"W);

86. A temporary road crossing using timber mats impacting 53 square feet of a palustrine open water (POW) wetland (Blossburg, PA Quadrangle 41°39'17"N 77°01'42"W);

87. A temporary road crossing using a timber mat bridge impacting 36 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'19"N 77°01'35"W);

88. A temporary road crossing using a timber mat bridge impacting 36 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'20"N 77°01'33"W);

89. A temporary road crossing using timber mats impacting 922 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'23"N 77°01'16"W);

90. A temporary road crossing using timber mats impacting 2,029 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'23"N 77°01'15"W);

91. A temporary road crossing using timber mats impacting 648 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'20"N 77°01'02"W);

92. A temporary road crossing using timber mats impacting 233 square feet of a palustrine emergent (PEM) wetland with a forested boundary (Blossburg, PA Quadrangle 41°39'20"N 77°00'59"W);

93. A temporary road crossing using a timber mat bridge impacting 47 linear feet of an unnamed tributary to Tioga River (CWF) (Blossburg, PA Quadrangle 41°39'20"N 77°00'59"W);

94. A temporary road crossing using timber mats impacting 1,757 square feet of a palustrine emergent (PEM) (Blossburg, PA Quadrangle 41°39'20"N 77°00'58"W);

95. A temporary road crossing using timber mats impacting 346 square feet of a palustrine forested (PFO) wetland (Blossburg, PA Quadrangle 41°39'20"N 77°00'57"W).

The project will result in 3,313 linear feet of temporary stream impacts, a total of 32,025 square feet (0.74 acre) of temporary wetland impacts, and 44,776 square feet (1.03 acres) of permanent wetland impacts all for the purpose of installing natural gas gathering lines, a fresh waterline, and associated access roads for Marcellus well development.

#### ENVIRONMENTAL ASSESSMENTS

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

**D23-053EA. Ridley Park Borough**, 105 East Ward Street, Ridley Park, PA 19078. Borough of Ridley Park, **Delaware County**, ACOE Philadelphia District.

Project proposes to remove 4.5-acres of accumulated silts and sediments from Ridley Park Lake Dam across Little Crum Creek (WWF, MF). The dam is located approximately 700-feet southwest of the intersection of Constitution Avenue and West Ridley Avenue (Landsdowne, PA Quadrangle, Latitude: 39°52'39"; Longitude: -75°19'52").

#### DAM SAFETY

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

**D24-047A. Brockway Borough Municipal Authority**, 501 Main Street, Brockway, PA 15824. Horton Township, **Elk County**, ACOE Pittsburgh District.

Project proposes to modify Whetstone No. 2 Storage Dam. The dam is located across the Whetstone Branch of Little Toby Creek (HQ-CWF) (Sabula, PA Quadrangle N: 21.4 inches; E: 9.48 inches).

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## ACTIONS

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

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

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

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction

requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PAS802224 (Storm Water)	Waste Management of PA, Inc. Beach Lake Transfer Station Rosencranse Road Beach Lake, PA 18405	Wayne County Berlin Township	Unnamed Tributary of Beach Lake Creek High Quality-Cold Water Fishes (1-A)	Y
PA0062472 (Sewage)	Chestnut Ridge MHP Lower Smith Gap Road Palmerton, PA 18071	Carbon County Lower Towamensing Township	Aquashicola Creek (2-B)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0088251 (Sew)	Upper Bern Township 25 N. 5th Street PO Box 185 Shartlesville, PA 19554	Berks County Upper Bern Township	Wolf Creek / 3-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0218634 Sewage	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701	Indiana County Pine Township	Yellow Creek	Y
PA0028657 Sewage	Nanty Glo STP 879 Wood Street Nanty Glo, PA 15943	Cambria County Nanty Glo Borough	South Branch Blacklick Creek	Y
PA0203777 Sewage	Ductmate Industries STP 1502 Industrial Drive Monongahela, PA 15063-7000	Allegheny County Forward Township	Monongahela River	Y

\*\*\*\*Renewal individuals

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0239879 (Sewage)	Michael D. Wahlenmayer SRSTP 7012 Bargain Road Erie, PA 16509	Erie County McKean Township	Unnamed Tributary to Thomas Run HQ-CWF; MF (15)	Y

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


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

**NPDES Permit No. PAS122204**, Storm Water, SIC Code 2082, **Samuel Adams PA Brewery Co.**, 7880 Penn Drive, Breinigsville, PA 18031.

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

Description of Proposed Action/Activity: Issuance of a new NPDES Permit for a discharge of Storm Water from three outfalls from an existing facility.

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

**PA0010031 A-2**, Industrial Waste, SIC Code 4911, **GenOn REMA, LLC**, 121 Champion Way, Canonsburg, PA 15317. Facility Name: GenOn REMA, LLC—Shawville Station.

This existing facility is located in Bradford Township, **Clearfield County**.

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

**NPDES Permit No. PA0032816 A-1**, Sewage, SIC Code 4173, **PA DOT, Bureau Of Design**, Harrisburg, PA 17105-3060.

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

Description of Existing Action/Activity: Issuance of an amended NPDES Permit for an existing discharge of treated Sewage. The permit was amended to decrease monitoring frequencies for pH and Total Residual Chlorine (TRC) from daily to 5/week.

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

**NPDES Permit No. PA0254495**, Sewage, **Lawrence Taylor**, 4600 Laurel Avenue, Grants Pass, OR 97527

This proposed facility is located in Penn Hills Township, **Allegheny County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a single residence sewage treatment facility

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

**NPDES Permit No. PA0263923**, Sewage, **Brian Alter**, 319 Hannahstown Road, Cabot, PA 16023.

This existing facility is located in Jefferson Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for treated sewage to a Single Residence Sewage Treatment Plant to repair an on-lot system.

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


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

**WQM Permit No. 2311401**, Sewage, **Upper Providence Township Sewer Authority**, 935 N. Providence Road, Media, PA 19063-1499

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

Description of Action/Activity: Construction and operation of a low pressure sanitary sewer extension utilizing individual grinder pumps.

**WQM Permit No. 1512401**, Sewage, **Avon Grove School District**, 375 S. Jennersville Road, West Grove, PA 19390.

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

Description of Action/Activity: Upgrade to the existing wastewater treatment plant to satisfy stricter NPDES discharge criteria for total nitrogen.

**WQM Permit No. 4600415**, Sewage, Transfer, **Mark Jackson**, 3234 Rockhill Road, Perkiomenville, PA 18074.

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

Description of Action/Activity: Permit transfer from Terry Schnable to Mark Jackson.

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

**WQM Permit No. 5211401**, Sewage, SIC Code 4952, **Mesivta Eitz Chaim of Bobov**, 1577 48th Street, Brooklyn, NY 11219.

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

Description of Proposed Action/Activity: Sewage Treatment Plant with spray irrigation field and conveyance pipeline to service two Camp buildings.

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

**WQM Permit No. WQG02061201**, Sewerage, **Ruscombmanor Township**, 204 Oak Lane, Fleetwood, PA 19522.

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

Description of Proposed Action/Activity: Construction / Operation of sanitary sewer to extend along Pricetown Road (SR 12), from a point 700 feet west of SR 73, heading east to the existing manhole for the Pricetown sewer near Highland Hills Drive.

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

**WQM Permit No. 4902407-A1**, SIC Code 4952, **Kulpmont-Marion Heights Joint Municipal Authority**, P. O. Box 126, Kulpmont PA, 17834.

This proposed facility is located in Coal Township, **Northumberland County**.

Description of Proposed Action/Activity: The permit was amended to upgrade the existing influent pump station. The existing influent pump station will include two (2) new 10-HP submersible pumps with VFD and controls. In addition, the existing 24-HP submersible pump will be equipped with VFD and controls.

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

**WQM Permit No. 0211401**, Sewerage, **McDonald Sewage Authority**, 151 School Street, McDonald, PA 15057-1288

This proposed facility is located in McDonald Borough, **Allegheny and Washington Counties**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewers.

**WQM Permit No. 3086402-A2**, Sewerage, **Lower Tenmile Joint Sewer Authority**, 144 Chartiers Road, Jefferson, PA 15344

This proposed facility is located in East Bethlehem Township, **Washington County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of an STP expansion.

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

**WQM Permit No. 1011301**, Sewage, **Brian Alter**, 319 Hannahstown Road, Cabot, PA 16023.

This existing facility is located in Jefferson Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of a new permit for a Single Residence Sewage Treatment Plant to repair an on-lot system.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025211001	United States National Park Service Delaware Water Gap National Recreation Area River Road off Route 209 Bushkill, PA 18324	Pike	Delaware Township	Dingman's Creek, HQ-CWF, MF; Delaware River, HQ-CWF, MF
PAI023903042R	Pulte Homes of PA, L. P. 1100 Northbrook Drive Suite 200 Trevose, PA 19053	Lehigh	Lower Macungie Twp.	Little Lehigh Creek, HQ-CWF, 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041411004	G.M. McCrossin Inc 2780 Benner Pike Bellefonte PA 16823	Centre	Benner Township	Spring Creek HQ-CWF

*Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044111004	Herman E. Logue Glenn O Hawbaker LLC 2801 Confields Ln Montoursville PA 17754	Lycoming	Loyalsock Township	Loyalsock Creek Existing Use & EV

## 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 &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Westfall Twp., Pike Co.	PAG02005211002	Municipal Authority of the Township of Westfall 155 Westfall Town Dr. Matamoras, PA 18336	Delaware River, WWF, MF	Pike Co. Cons. Dist. 570-226-8220
Westfall Twp., Pike Co.	PAG02005211001	Monroe Optical 1036 North 9th St. Stroudsburg, PA 18360	Delaware River, WWF, MF	Pike Co. Cons. Dist. 570-226-8220
City of Pottsville, Schuylkill Co.	PAG02005411017	Fanelli Limited Partnership II 529 Terry Reiley Way Suite 202 Pottsville, PA 17901	Norwegian Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
City of Allentown Lehigh Co.	PAG02003911009	Scott Unger Allentown Commercial & Industrial Development Authority 435 W. Hamilton Suite 331 Allentown, PA 18101	Jordan Creek, TSF, MF	Lehigh Co. Cons. Dist. 610-391-9583
Salem Twp., Luzerne Co.	PAG02004011019	Tech Packaging, Inc. Michael Hess 46 River Rd. Berwick, PA 18603	Susquehanna River, WWF, MF	Luzerne Co. Cons. Dist. 570-674-7991

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Sinking Spring Boro. Berks County	PAG02000611052	Scott Lang McDonald's USA, LLC 3710 Penn Avenue Sinking Spring, PA 19608	Ironworks Creek & Mill Creek/TSF, MF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
North Newton Twp. Cumberland County	PAG02002111032	Arlin Weaver 201 Bulls Head Road Newville, PA 17241	Green Spring Run/CWF, MF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Penn Township Cumberland County	PAG02002111020	3-T Investors, LP F & M Trust—Newville Branch 170 Stover Drive Carlisle, PA 17015	West Branch Mount Rock Spring Creek/ WWF, MF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Silver Spring Twp. Cumberland County	PAG02002105030R	David Strong D.D. & K2B, LLC 3064 Bricker Road Manheim, PA 17545	Trindle Spring Run/CWF	Cumberland Co Conservation Dist 310 Allen Road, Suite 301 Carlisle PA 17013 717.240.7812
Conewago Twp. & Londonderry Twp. Dauphin County	PAG02002209038R	Mr. Francis McNaughton Deodate Assoc., LP 4400 Deer Path Rd. Harrisburg, PA 17110	Brills Run & Lynch Run/ TSF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Middletown Boro. & Lower Swatara Twp. Dauphin County	PAG02002211031	Mr. Steve Daniels Diakon Lutheran Social Ministries 960 Century Drive Mechanicsburg, PA 17055	Swatara Creek/ WWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Swatara Township Dauphin County	PAG02002204064R	Tom R. George FWK, LLC 813 Rear, East Chocolate Ave. Hershey, PA 17033	Swatara Creek/ WWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
West Hanover Twp. Dauphin County	PAG02002211033	Brian Kobularcik, P.E. Metropolitan Development Grp 130 Reed Avenue, Suite 100 Wyomissing, PA 19610	Manada Creek/ WWF	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Caernarvon Twp. Lancaster County	PAG02003612008	The Harden Group 5010 Ritter Road, Suite 112 Mechanicsburg, PA 17055	UNT Conestoga River/WWF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
East Lampeter Twp. Lancaster County	PAG02003612005R	Brookfield Development Corp 227 Granite Run Drive Suite 100 Lancaster, PA 17601	UNT Conestoga River/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Lancaster Township Lancaster County	PAG02003606113R	Shepherd Family LP 2817 Countryside Drive Lancaster, PA 17601	Conestoga River/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Millersville Borough Lancaster County	PAG02003610010R	BWR LLC 2938 Columbia Ave., Suite 1202 Lancaster, PA 17603	Little Conestoga Creek/WWF, MF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Millersville Borough Lancaster County	PAG02003610016R	Ted and Diane Silar 420 Bristol Road Bristol, ME 04539	Conestoga River/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Rapho Township Lancaster County	PAG02003611106	Rapho Township 971 Colebrook Road Manheim, PA 17545	Dellinger Run & Chiques Creek/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Rapho Township Lancaster County	PAG02003612010	David Ginder 765 Garfield Road Mount Joy, PA 17552	Little Chickies Creek/WWF	Lancaster Co Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717.299.5361, Ext. 5
Lebanon City Lebanon County	PAG02003812002	Sherry Capello City of Lebanon 400 S. Eighth St., Room 215 Lebanon, PA 17042	Brandywine Creek/TSF, MF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Codorus Township York County	PAG02006706064R	Jeffrey B. Powers Codorus Ventures, LLC (Hills At Valley View) 113 Westminster Road, Suite 200 Reisterstown, MD 21136	UNT to Codorus Creek/ TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Fairview Township York County	PAG02006706059R	Lora L. Willi Cider Press Estates 11 Briar Lane Camp Hill, PA 17011	Tributary to Yellow Breeches/CWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Fairview Township York County	PAG02006705107R	Old York Developers, LLC 1224 Mill Street Building D, Suite 103 East Berlin, CT 06023	UNT to Fishing Creek/TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Springettsbury, Windsor, & York Township's York County	PAG02006711054	Keith Kahwajy 11 East Broadway Red Lion, PA 17356	Cabin Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
South Waverly Borough Bradford County	PAG02000812009	Thomas Horn 300 Murray St Sayre PA 18840	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Center 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539 X 120
Ferguson Township Centre County	PAG02001411014	CATA John Spsychalski 2081 W Whitehall Rd State College PA 16801	Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Ave Suite 4 Bellefonte PA 16823 Phone: (814) 355-6817

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Wayne Township Armstrong County	PAG02000311006	Mahoning Creek Hydroelectric Company, LLC 150 North Miller Road Suite 450 C Fairlawn, OH 44333	Camp Run (CWF)	Armstrong County CD Armsdale Administrative Building 124 Armsdale Road Kittanning, PA 16201 (724) 548-3435

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Cresson Township Cambria County	PAG02001111020	Mount Aloysius College 7373 Admiral Peary Hwy Cresson, PA 16630	UNT to Clearfield Creek (CWF)	Cambria County CD 401 Candlelight Drive, Suite 221 Ebensburg, PA 15931 (814) 472-2120
Union Township Washington County	PAG02006312001	Union Garden LP Carmen Paliotta 1550 Connor Drive South Park, PA 15129	UNT to Peters Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Peters Township Washington County	PAG02006312011	Peters Township 610 McMurray Road McMurray, PA 15317	Brush Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Cecil Township Washington County	PAG02006312013	MarkWest Liberty Midstream & Resources, LLC. Robert McHale 601 Technology Drive Suite 130 Canonsburg, PA 15317	UNT to Millers Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Adams Township Butler County	PAG02001011018	Chris Kaclik KED Development Co LLC 1272 Mars-Evans City Road Evans City PA 16033	UNT Kaufman Run WWF	Butler Conservation District 724-284-5270
Pulaski Township Lawrence County	PAG02003712001	LRC Hermitage PA Attn: Mr. Kevin Woodman 1585 Frederick Blvd Akron OH 44320	Shenango River WWF	Lawrence Conservation District 724-652-4512
Bradford Township McKean County	PAG2004206002R	Universal Well Services 201 Arch Street Meadville Pa 16335	Rutherford Run CWF	McKean Conservation District 814-887-4001

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Franklin County Southampton Township	PAR113510	Volvo Construction Equipment North America LLC 312 Volvo Way Shippensburg, PA 17257-9209	UNT to Rowe Run / CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Cumberland County Middlesex Township	PAR803674	Old Dominion Freight Line, Inc. 500 Old Dominion Way Thomasville, NC 27380	Conodogiu net Creek / WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*Facility Location:  
Municipality &  
County*

Center Township  
Snyder County

*Permit No.*

PAR214801

*Applicant Name &  
Address*

Advanced Concrete System Inc.  
55 Advanced Lane  
Middleburg, PA 17842

*Receiving  
Water/Use*

Unnamed Tributary  
to Tuscarora  
Creek—6-A

*Contact Office &  
Phone No.*

DEP Northcentral  
Regional Office  
Clean Water  
Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3636

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

*Facility Location:  
Municipality &  
County*

Ellwood City  
Borough  
Lawrence County

*Permit No.*

PAR208329

*Applicant Name &  
Address*

Inmetco  
1 Inmetco Drive  
Ellwood City, PA 16117-6231

*Receiving  
Water/Use*

Unnamed Tributary  
to the  
Connoquenessing  
Creek 20-C

*Contact Office &  
Phone No.*

DEP  
NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814/332-6942

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

Old Lycoming  
Township,  
Lycoming County

*Permit No.*

PAG044876  
WQM4196404-T1

*Applicant Name &  
Address*

James M. Dailey  
291 Lowmiller Road,  
Williamsport, PA 17701

*Receiving  
Water/Use*

Bottle Run (10A)

*Contact Office &  
Phone No.*

DEP Northcentral  
Regional Office  
Clean Water  
Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3636

*General Permit Type—PAG-8*

*Facility Location:  
Municipality &  
County*

Lower Chanceford  
Twp  
York County

*Permit No.*

PAG080002  
PAG080005  
PAG080007  
PAG080011  
PAG080013  
PAG080017  
PAG080018  
PAG080020  
PAG082203  
PAG083518  
PAG083522  
PAG083533  
PAG083551  
PAG083605  
PAG089910

*Applicant Name &  
Address*

Jesse Baro, Inc.  
157 Quarry Road  
Douglassville, PA 19518

*Site Name &  
Location*

George Scott Farm  
Slab Road  
Delta, PA 17314

*Contact Office &  
Phone No.*

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

*General Permit Type—Site Suitability Notice**Facility Location:*

<i>Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name</i>	<i>Permit Number</i>	<i>Contact Office &amp; Phone No.</i>
Derry Township Westmoreland County	Redevelopment Authority of the City of Johnstown 241 Asphalt Road Johnstown, PA 15901	Mock II Farm	746604	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-10**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Rostraver Township Westmoreland County	PAG106150	Laurel Mountain Midstream Operating, LLC 1605 Coraopolis Heights Road Moon Township, PA 15108	Redstone Creek	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-12**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Heidelberg Township Lebanon County	PAG123724	Ken Haller 225 State Road 501 S. Newmanstown, PA 17073	UNT Hammer Creek / CWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Antrim Township Franklin County	PAG123609	Marvin Long/Kristy Walter 4207 Fletcher Drive Greencastle, PA 17225	Conococheague Creek / WWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

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

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<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>Approved or Disapproved</i>
Junbro Farm LCC James and John Junkin 14492 Path Valley Rd. Willow Hill, Pa 172721	Franklin	282.2	651.55 63.45 160.46	Swine Sheep Turkey	NA	Approved
Lamar Horst 11599 Koons Rd. Waynesboro, PA 17268	Franklin	244	288.51	Poultry	NA	Approved
Stoner's Hijos Hill, Inc. Tim Stoner 7678 Oellig Rd. Mercersburg, PA 17236	Franklin	1430.9	1202.65	Dairy	NA	Approved
New Hope Farm CVFF 23177 Back Rd. Concord, PA 17217	Franklin	0	1310.25	Swine	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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 1511520**, Public Water Supply.  
Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Township Schuylkill  
County **Chester**  
Type of Facility PWS  
Consulting Engineer CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA 17112  
Permit to Construct February 1, 2012  
Issued

**Permit No. 1511522**, Public Water Supply.  
Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010  
Township East Brandywine  
County **Chester**  
Type of Facility PWS  
Consulting Engineer Aqua Pennsylvania, Inc.  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010  
Permit to Construct February 1, 2012  
Issued

**Permit No. 0911549**, Public Water Supply.  
Applicant **Green Top Mobile Home Park**  
P. O. Box 677  
Morgantown, PA 19543  
Township West Rockhill  
County **Bucks**  
Type of Facility PWS  
Consulting Engineer ACT ONE Consultants, Inc.  
200 S. 4th Street  
Harrisburg, PA 17111-2276  
Permit to Construct January 31, 2012  
Issued

**Permit No. 0911543**, Public Water Supply.  
Applicant **Trumbauersville Borough**  
1 Evergreen Drive  
Trumbauersville, PA 18970  
Borough Trumbauersville

County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer Cowan Associates, Inc.  
 120 Penn-AM Drive  
 Quakertown, PA 18951  
 Permit to Construct February 1, 2012  
 Issued

**Permit No. 0911544**, Public Water Supply.  
 Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Township New Britain  
 County **Chester**  
 Type of Facility PWS  
 Consulting Engineer Aqua Pennsylvania, Inc.  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 190106  
 Permit to Construct February 1, 2012  
 Issued

**Permit No. 0911551**, Public Water Supply.  
 Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Borough New Britain  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer CET Engineering Services  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 Permit to Construct January 31, 2012  
 Issued

**Permit No. 0911569**, Public Water Supply.  
 Applicant **Upper Makefield Township**  
 1076 Eagle Road  
 Newtown, PA 18940

Township Upper Makefield  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer CKS Engineering, Inc.  
 88 South Main Street  
 Doylestown, PA 18901  
 Permit to Construct February 3, 2012  
 Issued

**Permit No. 4611512**, Public Water Supply.  
 Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Township Perkiomen  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer Aqua Pennsylvania, Inc.  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010  
 Permit to Construct February 1, 2012  
 Issued

**Permit No. 4611514**, Public Water Supply.  
 Applicant **Dock Woods Community**  
 275 Dock Drive  
 Lansdale, PA 19446-6215

Borough Lansdale  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer Suburban Water Technology  
 1697 Swamp Pike  
 Gilbertsville, PA 19525  
 Permit to Construct February 1, 2012  
 Issued

**Permit No. 4611516**, Public Water Supply.  
 Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Township Lower Merion  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer CET Engineering Services  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 Permit to Construct February 1, 2012  
 Issued

**Permit No. 4611520**, Public Water Supply.  
 Applicant **Oak Grove Park and Sales, Inc.**  
 2985 Cowpath Road  
 Hatfield, PA 19440

Township Hatfield  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer Keystone Consulting Engineering, Inc.  
 433 East Broad Street  
 Bethlehem, PA 18018  
 Permit to Construct January 31, 2012  
 Issued

**Permit No. 4611524**, Public Water Supply.  
 Applicant **Green Hill Mobile Home Park**  
 P. O. Box 677  
 Morgantown, PA 19543

Township Marlborough  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer ACT ONE Consultants, Inc.  
 200 S. 4th Street  
 Harrisburg, PA. 17111-2276  
 Permit to Construct February 1, 2012  
 Issued

**Permit No. 4611524**, Public Water Supply.  
 Applicant **Green Hill Mobile Home Park**  
 P. O. Box 677  
 Morgantown, PA 19543  
 Township Marlborough  
 County **Montgomery**

Type of Facility PWS  
 Consulting Engineer ACT ONE Consultants, Inc.  
 200 S. 4th Street  
 Harrisburg, PA. 17111-2276  
 Permit to Construct February 1, 2012  
 Issued

**Operations Permit No. 0911552** issued to: **Perkasie Borough Authority**, 306 North Fifth Street, Perkasie, PA 18944 (PWSID #1090046), Perkasie Township, **Bucks County** on February 1, 2012 for the operation of Arsenic Treatment, OSGH Disinfection, Fe/Mn Sequestering, and Pump Upgrades at Well 10 approved under construction permit # 0910520.

**Operations Permit No. 4611534** issued to: **Saint Gabriel's Hall**, 1350 Pawlings Road, Audubon, PA 19407 (PWSID #1460056), Lower Providence Township, **Montgomery County** on February 1, 2012 for the operation of Certification of 4-log Treatment of Viruses at Entry Point 100 approved under construction permit #5.

**Operations Permit No. 0911573** issued to: **Durham Village Residents Association**, P. O. Box 33, Buckingham, PA 18912 (PWSID #109009), Buckingham Township, **Bucks County** on January 31, 2012 for the Certification of 4-log Treatment of Viruses at Entry Points 101 and 102.

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

**Permit No. 3811509 MA, Minor Amendment**, Public Water Supply.

Applicant **Upper Lawn MHC**  
 Municipality South Londonderry Township  
 County **Lebanon**  
 Responsible Official Steven N. Oliver, Owner/Operator  
 296 Long Road  
 Palmyra, PA 17078  
 Type of Facility Installation of additional contact  
 piping for GWR 4-log treatment of  
 viruses for EP 101 & 102.  
 Consulting Engineer David J Gettle  
 Kohl Bros., Inc.  
 PO Box 350  
 Myerstown, PA 17067  
 Permit to Construct 2/9/2012  
 Issued:

**Permit No. 0111516 MA, Minor Amendment**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.—Links at Gettysburg**  
 Municipality Mt. Joy Township  
 County **Adams**  
 Responsible Official Patrick R. Burke, Regional  
 Manager,  
 Northeast & Central Operations  
 One Aqua Way  
 White Haven, PA 18661  
 Type of Facility Installation of additional contact  
 piping for GWR 4-log treatment of  
 viruses for EP 101.

Consulting Engineer William A LaDieu, P.E.  
 CET Engineering Services  
 1240 N Mountain Road  
 Harrisburg, PA 17112  
 Permit to Construct 2/13/2012  
 Issued:

**Permit No. 4411505 MA, Minor Amendment**, Public Water Supply.

Applicant **GSP Management**  
 Municipality Derry Township  
 County **Mifflin**  
 Responsible Official Leanne Heller, Operations  
 Manager  
 PO Box 677  
 Morgantown, PA 19543

Type of Facility Project includes installation of  
 approximately 80' of 8" contact  
 pipe at Entry Point (EP) 101 and  
 approximately 11' of 12" contact  
 pipe at EP 102 to increase  
 chlorine contact time to meet  
 4-Log inactivation of viruses.  
 Demonstration of 4-Log  
 inactivation of viruses.

Consulting Engineer James A. Cieri, P.E.  
 ACT ONE Consultants, Inc.  
 200 S. 41 Street  
 Harrisburg, PA 17111

Permit to Construct 2/6/2012  
 Issued:

**Operations Permit** issued to: **Reading Area Water Authority**, 3060059, Ontelaunee Township, **Berks County** on 1/27/2012 for the operation of facilities approved under Construction Permit No. 0608515.

**Operations Permit** issued to: **Mohrsville Water Association**, 3060087, Centre Township, **Berks County** on 2/10/2012 for the operation of facilities approved under Construction Permit No. 0611503 MA.

**Operations Permit** issued to: **Valley Run Water System**, 3060135, Washington Township, **Berks County** on 2/6/2012 for the operation of facilities submitted under Application No. 3060135.

**Operations Permit** issued to: **Teen Challenge Training Center**, 3060064, Tulpehocken Township, **Berks County** on 2/6/2012 for the operation of facilities submitted under Application No. 0611527 MA.

**Operations Permit** issued to: **Village at Summit Crest**, 3060108, Maiden creek Township, **Berks County** on 2/6/2012 for the operation of facilities submitted under Application No. 0611528 MA.

**Operations Permit** issued to: **Mountain View MHP**, 7010029, Reading Township, **Adams County** on 2/6/2012 for the operation of facilities submitted under Application No. 0111510 MA.

**Operations Permit** issued to: **Anchor Estates MHP**, 7010017, Butler Township, **Adams County** on 2/10/2012 for the operation of facilities submitted under Application No. 0111513 MA.

**Operations Permit** issued to: **Locust Grove Retirement Home**, 4340016, Milford Township, **Juniata County** on 2/2/2012 for the operation of facilities approved under Construction Permit No. 3411503 MA.

**Operations Permit** issued to: **Mt Gretna Heights Water System**, 7380039, West Cornwall Township, **Lebanon County** on 2/16/2012 for the operation of facilities submitted under Application No. 3811514 MA.

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

**Operation Permit** issued to **Tomcats, LLC d/b/a Crystal Springs Mobile Home Park**, PWSID #5100037, Mercer Township, **Butler County**. Permit Number 1095504-T1-MA1, issued February 8, 2012 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Permit No. 3311501** Public Water Supply

Applicant	<b>Summerville Borough Municipal Authority</b>
Township or Borough	Summerville Borough
County	<b>Jefferson</b>
Type of Facility	Public Water Supply
Consulting Engineer	Daniel B. Slagle, P.E. Nichols & Slagle Engineering, Inc. 333 Rouser Road Building 4, Suite 600 Moon Township, PA 15108
Permit to Construct Issued	February 8, 2012

**Operation Permit** issued to **Sutton Mobile Home Park, Inc.**, PWSID #5100140, Clay Township, **Butler County**. Permit Number 1004502-T1-MA1, issued February 9, 2012 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Sugarcreek Water Company**, PWSID #6610029, Sugarcreek Borough, **Venango County**. Permit Number 363W12-MA1, issued February 9, 2012 for the operation of 4-Log treatment of viruses for Entry Point 129. This action is taken under the requirements of the Groundwater Rule.

**Permit No. 2411501** Public Water Supply

Applicant	<b>Ridgway Township Municipal Authority</b>
Township or Borough	Ridgway Township
County	<b>Elk</b>
Type of Facility	Public Water Supply
Consulting Engineer	David Hegemann Hegemann & Wray Consulting Engineers 429 Park Avenue Cresson, PA 16630
Permit to Construct Issued	February 13, 2012

**Cancellation of Permit** issued to **Millcreek Township Water Authority**, PWSID #6250076, Millcreek Township, **Erie County** on February 14, 2012. This action represents the cancellation of Permit Number 3277-T2 issued September 16, 1985. This action is a result of their request to abandon the source.

**Operation Permit** issued to **Highland Township Municipal Authority**, PWSID #6240006, Highland Township, **Elk County**. Permit Number 4201-T1-MA2, issued February 15, 2012 for the operation of 4-Log

treatment of viruses for Entry Point 120. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Fryburg Water Company**, PWSID #6160030, Washington Township, **Clarion County**. Permit Number 365W12-T1-MA2, issued February 15, 2012 for the operation of 4-Log treatment of viruses for Entry Point 130. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **NDC Realty Investments, Inc. d/b/a Forest Green Estates**, PWSID #6200067, West Mead Township, **Crawford County**. Permit Number 2086504-MA1, issued February 16, 2012 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Operation Permit** issued to **Michael Spreng d/b/a Lakeview Mobile Home Park**, PWSID #5100080, Middlesex Township, **Butler County**. Permit Number 1010504 issued February 16, 2012 for the operation of your Public Water Supply system. This permit is issued in response to an operation inspection conducted by Department of Environmental Protection personnel on January 31, 2012.

**Operation Permit** issued to **Eldred Township Municipal Authority**, PWSID #6330840, Eldred Township, **Jefferson County**. Permit Number 3386504-MA1, issued February 21, 2012 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

#### WATER ALLOCATIONS

**Actions taken on applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**WA 01-1025**, Water Allocations-Permit Modification. **Mason Dixon Utilities, Inc. (MDU)**, 1085 Jacks Mt. Road, Fairfield, Pennsylvania 17320, in Freedom Township, **Adams County**. The applicant was granted a three-year extension of Water Allocation Permit No. WA 01-1025, Condition Nos. 3 and 4. Condition Nos. 3 and 4 relate to the time required for MDU to obtain a Public Water Supply Construction Permit from the Department and for the construction of the works necessary for development of the water supply allocated under this permit. WA 01-1025 was authorized by the Department on May 25, 2010.

#### 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:

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

**Cambridge-Lee Industries, LLC**, 96 Tube Drive, Reading, PA 19612, Ontelaunee Township, **Berks County**. Liberty Environmental, Inc. 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Cambridge-Lee Industries, 86 Tube Drive, PO Box 14026, Reading, PA 19612, submitted a Final Report concerning remediation of site soils and groundwater contaminated with PAHs and Inorganics. The report is intended to document remediation of the site to meet a combination of the Residential and Non-Residential Statewide Health Standards.

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

**Kenneth Bonnell**, Avis Borough, **Clinton County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Kenneth Bonnell, 817 Boulevard Avenue, Avis Pa 17721 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with #2 heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Tennessee Gas Pipeline**, Compressor Stations #313, Hebron Township, **Potter County**, SE Technologies, LLC, 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Tennessee Gas Pipeline, 1211 Greenville Mercer Road, Mercer, PA 16137 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with Ethylene Glycol. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Toigo Orchards**, Monroe Township, **Snyder County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Toigo Orchards, 750 S. Mountain Estates Road, Chambersburg, Pa 17257 has submitted a Final Report concerning remediation of site soil contaminated with 15-gallons of diesel fuel. 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*

**Former Elks Club Garage**, City of Canonsburg, **Washington County**. Aurora Environmental Inc. 1031 Third Avenue, New Brighton, PA 15066 on behalf of Clearview Federal Credit Union, 8805 University Drive, Coraopolis, PA 15108 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum hydrocarbons at 105 Pike Street, Canonsburg, Washington County.

## 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:

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

**Barbour Property**, 1026 Wyoming Street, Allentown City, **Lehigh County**. Richard Trimpi and Janine Jacobs, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 submitted a Final Report on behalf of their client Sharon Barbour, 1042 Maple Lake Drive, Bushkill, PA 18324, concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a gasket connection error on the No. 2 fuel oil heating system. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on February 15, 2012. The report was originally submitted within 90 days of the release.

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

**Reading School District / Windsor & Ritter Streets Property**, City of Reading, **Berks County**. Barry Isett & Associates, Inc., PO Box 147, Trexlertown, PA 18087, on behalf of the Reading School District, 800 Washington Street, Reading, PA 19601, submitted a Remedial Investigation Report and a Cleanup Plan for site soils contaminated with Inorganics and PAHs. The Remedial Investigation Report and the Cleanup Plan were approved by the Department on February 14, 2012. The site is being remediated to the Site-Specific Standard.

**FedEx Freight Incorporated**, 2030 North Union Street, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**. Bureau Veritas North America, Inc., 110 Fieldcrest Avenue, Edison, NJ 08837, on behalf of FedEx, Freight, Inc., 3405 Victor Street, Santa Clara, CA 95054, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Petroleum Hydrocarbons from an oil/water separator. The Final Report demonstrated attainment of the Non-Residential Statewide Health standard and was approved by the Department on February 14, 2012.

**Columbia Fish & Game Association**, 4350 Marietta Avenue, Columbia, PA 17512, West Hempfield Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Columbia Fish & Game Association, c/o Samuel Weigard, President, PO Box 96, Silver Spring, PA 17575, submitted a Final Report concerning remediation of site soils contaminated with VOCs and Inorganics. The Final Report demonstrated attainment of the Non-Residential Statewide Health standard and was approved by the Department on February 15, 2012.

**Former Lehr's Exxon**, Manchester Township, **York County**. Alternative Environmental Solutions, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Carole Lehr, c/o Attorney Bob Kane, 474 West Market Street, York, PA 17401, submitted a Remedial Investigation Report concerning site soils and groundwa-

ter contaminated with Unleaded and Leaded Gasoline from historic operations of an automotive service facility and retail sales of petroleum products. The Report was approved by the Department on February 15, 2012. The site will be remediated to a combination of Statewide Health and Site-Specific standards.

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

**Kenneth Bonnell**, Avis Borough, **Clinton County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Kenneth Bonnell, 817 Boulevard Avenue, Avis, Pa 17721 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with #2 heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 10, 2012.

**Tennessee Gas Pipeline Compressor Station #3313**, Hebron Township, **Potter County**, SE Technologies, LLC, 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Tennessee Gas Pipeline, 1211 Greenville Mercer Road, Mercer PA 16137 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with Ethylene Glycol. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 9, 2012.

**John's Lift Truck Tire Service**, Chapman Township, **Snyder County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of PennDOT, 715 Jordan Avenue, Montoursville, Pa 17754 has submitted a Final Report concerning the remediation of site soil contaminated with diesel fuel. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 10, 2012.

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

**Former Fort Pitt Bridge Works**, City of Canonsburg, **Washington County**. Blazosky Associates, PO Box 763, Greensburg, PA 15601 on behalf of Stoehr Development Inc, 325 Meadowland Blvd, Suite 1, Washington, PA 15301-8904. Final Report concerning the remediation of site soils contaminated with VOC's, semi VOC's, and metals and was approved by the Department on February 9, 2012.

**Springer Residence**, Borough of Perryopolis, **Fayette County**. Miller Environmental, Inc., 514 Hartman Run Road, Morgantown, WV 26505 on behalf of Barbara and Herbert Springer, 136 Janet Street, Perryopolis, PA 15473 has submitted a Final Report concerning the remediation of site soils contaminated with kerosene. The Final Report was approved by the Department on February 15, 2012.

**Mays Phillips Lane Site**, Robinson Township, **Allegheny County**. Rob Anderson, ARCADIS US, Inc, 310 Seven Fields Blvd, Suite 210, Seven Fields, Pennsylvania, 16046 on behalf of Beazer East Inc, Braskem America Inc. and Ashland Inc., has submitted a Pathway elimination Report and a Cleanup Plan concerning the remediation of site soils and groundwater contaminated with semi-volatile organics, PAH's, phthalate esters, volatile organic chemicals and metals at 5992 Steubenville Pike, McKees Rocks, PA 15136. The CP was noticed in the *Tribune-Review* on January 25, 2012.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

*Northeast Region: William Tomayko, Regional Waste Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**General Permit Application No. WMGR038NE005, Hawk Recycling Center, Nationwide Tire Recyclers, Inc.**, 191 Clark Road, Duryea, PA 18642. A General Permit Determination of Applicability (DOA) approval, authorizing the processing of waste tires for the beneficial use as tire derived materials and tire derived fuel under Residual Waste General Permit No. WMGR038 at this waste tire processing facility located in Duryea Borough, **Luzerne County**. The number of passenger tire equivalent (PTE) at the site at any given time shall be limited to a maximum of 10,000 PTE. The PTE shall be estimated as the sum of waste tires, tire derived material, and tire derived fuel. The Determination of Applicability was approved by the Regional Office on February 9, 2012.

Persons interested in obtaining more information about the Determination of Applicability application may contact William Tomayko, Regional Solid Waste Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

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

**Permit Withdrawn 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. 100148. Waste Management Disposal Service of Pennsylvania Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067. The subject minor permit modification application was originally submitted on March 24, 2011, to remove the requirement for a 10oz/sy nonwoven geotextile beneath the 50-mil combination geomembrane/drainage layer of the Alternative Geosynthetic Final Cover System and revises some of the Geosynthetic Clay Liner (GCL) specifications to reflect current industry standards at GROWS Landfill, located in Falls Township, **Bucks County**. The application has now been withdrawn by the applicant. The Department review was terminated on February 14, 2012.

**Permit(s) 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.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 101592. Tri-County Landfill Transfer Station**, 159 TCI Park Drive, Grove City, PA 16127, Liberty and Pine Townships, **Mercer County**. A permit renewal was issued to provide another ten years of operation life for the transfer station. The previous permit was set to expire on February 20, 2012. Not changes in operations or permit conditions were requested. The permit was issued by the Northwest Regional Office on February 16, 2012.

**Permit No. 101602. Seneca Landfill Transfer Station**, P. O. Box 847, Mars, PA 16046, Jackson Township, **Mercer County**. A permit renewal was issued to provide another ten years of operation life for the transfer station. The previous permit was set to expire on February 22, 2012. No changes in operations or permit conditions were requested. The permit was issued by the Northwest Regional office on February 16, 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*

**40-310-090GP3: Mericle Construction, Inc.** (East Mountain Corporate Center, 100 Baltimore Drive, Wilkes-Barre, PA 18702) on February 10, 2012 for the construction and operation of a Portable Crushing Operation with watersprays at the site located in Pittston Township, **Luzerne County**.

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

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

**GP7-36-03027A: The Standard Group** (500 East Oregon Road, Lititz, PA 17543) on February 13, 2012, for one new sheet-fed Heidelberg printing press and two existing sheet-fed Heidelberg presses, under GP7, at their printing facility in Manheim Township, **Lancaster County**.

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

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

**GP5-53-104A: SWEPI, LP** (190 Thorn Hill Road, Warrendale, PA 15086) on February 13, 2012, to construct and operate two (2) new 95 bhp Caterpillar G3304 NA four-stroke rich-burn compressor engines (serial numbers 37Y03198 and 37Y01467) each equipped with a Miratech model VXC-1408-04-XC1 Non-Selective Catalytic Reduction (NSCR) system and to revise one 30.0 MMSCF/day NATCO model SB12-6, serial number 0807-123 glycol dehydrator and associated 0.275 MMBtu/hr glycol reboiler heater, and 10,000 gallon produced water tank at the Whitesville Compressor Station located in Bingham Township, **Potter County**.

**GP5-53-118: SWEPI, LP** (190 Thorn Hill Road, Warrendale, PA 15086) on February 13, 2012, to construct one (1) 215 bhp Caterpillar G3406 NA serial number 4FD03577 four-stroke rich-burn natural gas fired compressor engine equipped with a Miratech model VXC-1610-05-XC1 non-selective catalytic reduction (NSCR) system, one 95 hp GM 4.3L Vortec rich-burn natural gas fired generator engine, one 30 MMSCF/day NATCO SB 12-6 glycol dehydrator equipped with a 0.275 MMBtu/hr reboiler #1, two 1.0 MMBtu/hr production heaters (2H & 1V), and two drained water tanks (4,200 and 10,000 gallons) at the Allegany 900 Compressor Station, in Allegany Township, **Potter County**.

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

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

**GP5-26-00549D: Mountain Gathering, LLC** (810 Houston Street, Suite 200, Fort Worth, Texas 76102) on February 16, 2012, to allow the operation of two (2) Caterpillar natural gas fired engines, rated at 1340 bhp, controlled by oxidation catalysts, and one (1) dehydration unit at the Adams Compressor Station located in Dunbar Township, **Fayette County**. The facility was previously permitted by Phillips Production Company.

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

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

**GP5-24-175A: Seneca Resources Corp.—Owls' Nest Station B** (Owls Nest Road, Kane, PA 16735) on February 13, 2012, for the operation of an 840 bhp natural gas fired compressor engine (Waukesha F3524GSL), a 10 MMSCF/d capacity glycol dehydrator/reboiler, natural gas fired line heater, and three (3) associated gas production units and produced water storage tanks (BAQ-GPA/GP-5) in Highland Township, **Elk County**.

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

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

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

**36-05146A: PPL Renewable Energy, LLC** (Two North Ninth Street, GENPL2, Allentown, PA 18101-1139) on February 15, 2012, to modify their facility's operating permit for two landfill gas-fired Internal Combustion engines at the Frey Farm/Creswell Landfill in Manor Township, **Lancaster County**. This plan approval authorizes the following: (1) The removal of the major source threshold limits for Hazardous Air Pollutants, (2) The incorporation of Formaldehyde emission limits for each of the LFG-fired generator sets, and (3) The incorporation of 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

**01-05037B: Gettysburg Energy & Nutrient Recovery Facility, LLC** (71 Old Mill Bottom Road N, Suite 101, Annapolis, MD 21409-5446) on February 10, 2012, for the construction and temporary operation of an energy

and nutrient recovery facility utilizing egg layer manure in Tyrone Township, **Adams County**.

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

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

**24-120C: Dominion Transmission, Inc.—Ardell Station** (389 Crissman Road, Weedville, PA 15865) on February 13, 2012, to construct a 10310 hp compressor turbine, eight new 0.842 mmbtu/hr microturbines, and ten space heaters in Benezette Township, **Elk County**. This is a Title V facility.

**33-140B: Dominion Transmission, Inc.—Punxsutawney Station** (88 Laska Road, Punxsutawney, PA 15767) on February 13, 2012, to construct of a 6130 hp compressor turbine, five new 0.842 mmbtu/hr microturbines, and one new 2.76 mmbtu/hr line heater for a measurement and regulation facility in Perry Township, **Jefferson County**. This is a Title V facility.

**43-356B: Hermitage Municipal Authority** (800 North Hermitage Road, Hermitage, PA 16148-3220) on February 15, 2012, to modify sources permitted in Plan Approval 43-356A. The facility will remove C101 (Selective Catalytic Reduction) from Source 101 (Combined Heat & Power Unit) and requests a correction to the emission limits for Source 105 (Emergency Generator). This equipment is located at the Bobby Run Water Pollution Control Plant in the City of Hermitage, Mercer County. Sources modified in this plan approval include 101 and 105. Facility located in Hermitage, **Mercer County**.

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

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

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

**15-0002G: QG, LLC.** (4581 Lower Valley Road, Atglen, PA 19310) on February 15, 2012, to operate rotogravures press No. 8 in West Sadsbury Township, **Chester County**.

**46-0020F: Superior Tube Company, Inc.** (3900 Germantown Pike, Collegeville, PA 19426) on February 10, 2012, to operate a vapor degreaser in Collegeville Borough, **Montgomery County**.

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

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

**34-05001D: Armstrong Cabinet Products** (12393 William Penn Highway, Thompsettown, PA 17094) on February 10, 2012, to modify their wood cabinet surface coating operation in Delaware Township, **Juniata County**. The plan approval was extended.

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

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

**32-00059B: GenOn Northeast Management Co.** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on February 13, 2012, to extend the period of temporary operation of the coal processing plant authorized under plan approval PA-32-00059B, until August 15, 2012, at the Conemaugh Power Plant located in West Wheatfield Township, **Indiana County**. The plan approval has been extended.

**PA-30-00194: EQT Gathering, LLC** (625 Liberty Avenue, Pittsburgh, PA 15222) on February 15, 2012, for a Plan Approval extension with an expiration date of August 14, 2012, to authorize continued temporary operation of air contamination sources and controls associated with a natural gas compressor facility at their Callisto Compressor Station located in Morris Township, **Greene County**. The plan approval has been extended.

**PA-30-00194: EQT Gathering, LLC** (625 Liberty Avenue, Pittsburgh, PA 15222) on February 15, 2012, for a Plan Approval minor modification to change the tax ID associated with the Callisto Compressor Station, a natural gas compression facility in Morris Township, **Greene County**. The plan approval has been extended.

**32-00297F: Creps United Publications** (1163 Water Street, Indiana, PA 15701) on February 16, 2012, to extend the period of temporary operation of the Goss C550 heatset web lithographic printing press authorized under plan approval PA-32-00297F, until August 20, 2012, at Creps' printing facility White Township, **Indiana County**. The plan approval has been extended.

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

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

**10-028I: Armstrong Cement and Supply Corp.** (100 Clearfield Road, Cabot, PA 16023) on February 28, 2012, for a plan approval to install new burner systems on two existing kilns at their facility on 100 Clearfield Road in Winfield Township, **Butler County**. This is a Title V facility, Permit #10-00028.

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

#### **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*

**37-00013: Cemex Construction Materials Atlantic, LLC** (2001 Portland Park, Wampum, PA 16157) on February 16, 2012, issued the Title V Permit for the Cemex Wampum Cement Plant in Wampum Borough, **Lawrence County**. The facility's representative to contact concerning this application is Ms. Regina Henry, Senior Environmental Manager. Her phone number is (713) 722-5189.

The facility's major emission sources include three cement kilns, three clinker coolers, assorted mills and crushers, and numerous conveyors, transfer points and

material storage areas. The facility is a major facility due to its potential to emit Nitrogen Oxides (NO<sub>x</sub>), Sulfur Oxides (SO<sub>x</sub>), Carbon Monoxide (CO), Particulate Matter less than 10 microns (PM-10), and Hazardous Air Pollutants (HAPs). The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement Industry (40 CFR 63, Subpart LLL) and NESHAP for Stationary Reciprocating Internal Combustion Engines (40 CFR 63, Subpart ZZZZ).

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

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

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

**40-00092: RAD Woodwork Co., Inc.** (P. O. Box 531, Nescopeck, PA 18635-0531) on January 31, 2012, to operate a wood-fired boiler at their manufacturing facility in Nescopeck Borough, **Luzerne County**.

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

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

**36-03095: New Enterprise Stone & Lime Co., Inc.—dba Martin Limestone, Inc.** (PO Box 550, Blue Ball, PA 17506-0550) on February 7, 2012, for their clay mining and processing facility in Caernarvon Township, **Lancaster County**. The State-only permit was renewed.

**06-03049: Industrial Metal Plating, Inc.** (153 Wagner Lane, Reading, PA 19601-1195) on February 14, 2012, for the aluminum anodizing and bright dip coating facility in Bern Township, **Berks County**. The State-only permit was renewed.

**28-03056: Texas Eastern Transmission LP** (2601 Market Place, Suite 400, Harrisburg, PA 17110-9363) on February 16, 2012, for their Chambersburg Natural Gas Compressor Station in Chambersburg Borough, **Franklin County**.

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

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

**03-00179: Leading Technologies, Inc.** (1153 Industrial Park Road, Leechburg, PA 15656) on February 13, 2012, for a State Only Operating Permit Renewal to manufacture semiconductor lead frames and other electronic interconnecting products at their facility in Parks Township, **Armstrong County**.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**25-00971: Erie Plating Co.** (656 West 12th Street, Erie, PA 16501-1509) on February 15, 2012, for renewal of the Natural Minor Permit to operate an electroplating, plating, anodizing and coloring facility. The facility's major emission sources include, 1) Boiler, 2) Space heaters (2), 3) Chromic acid anodizing tank, 4) Chrome

plating tanks (4), 5) Rotoblast, 6) Sludge dryer, 7) Solution tanks (9), 8) 6 tanks (CN-CU plating- 3, water rinse-3), 9) 7 tanks (Ni-plating- 4, water rinse-3) and 10) Dry Polishing operation. The facility is located in City of Erie, **Erie County**. The emission of the pollutants from the facility is less than Title V threshold limits. Thus the facility is natural minor. The chrome anodizing processes are subject to 40 CFR Part 63 Subpart N and Nickel, CN-CU electroplating, electroless plating and dry polishing sources are subject to 40 CFR Part 63, Subpart WWWWWW.

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

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

**S11-028: Point Breeze Terminal Management Corp, Point Breeze Terminal** (6310 West Passyunk Avenue Street, Philadelphia, PA 19153) on February 14, to operate a gasoline loading terminal in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include a gasoline and distillate truck loading rack, 6 gasoline storage tanks, 1 distillate storage tanks, 1 biodiesel storage tank, 2 additive tanks, and fugitive emissions from piping components. The gasoline and distillate loading racks vents to a vapor recovery unit.

**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*

**09-00031: Eureka Stone Quarry, Inc.** (PO Box 249, Chalfont, PA 18914). On February 13, 2012, for a minor modification to the State Only Operating Permit for the Rush Valley 1 Quarry and Asphalt Plant located in Wrightstown Township, **Bucks County**. The minor modification authorizes the addition of a Reclaimed Asphalt Pavement (RAP) system to the existing Asphalt Batch Plant 2 (Source ID 402), with a maximum RAP content of 20 per cent by weight of production. The minor modification does not contain any change in air emissions of regulated pollutants. The minor modification of the State

Operating Permit contains the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits.

**09-00124: Fairless Energy, LLC** (50 Sinter Road, Fairless Hills, PA 19030) On February 13, 2012, located in Falls Township, **Bucks County**. The operating permit was amended to incorporate requirements of Plan Approval 09-0124G which addresses automatic runback and retuning events, into the facility's Title V Operating Permit 09-00124. This Administrative Amendment is issued in accordance with the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

**09-00084: Grand View Hospital** (700 Lawn Ave., Sellersville, PA 18960) On February 14, 2012, for the operation of four (4) dual fuel-fired (natural gas and No. 2 fuel oil), two (2) 750-kW diesel fuel-fired emergency generators, and two (2) 600-kW diesel fuel-fired standby generators at its medical facility located in West Sellersville Twp., in **Bucks County**. On February 14, 2012, the issued State Only Operating Permit was administratively amended to correct the unit conversion for the natural gas throughput limit for four existing boilers to 175,000 dekatherms (e.g. 175 million standard cubic feet) per year, as a 12-month rolling sum and to update the information for the Permit Contact Person.

This Administrative Amendment to the State Only Synthetic Minor Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

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

**10-00047: BASF Corporation** (1424 Mars-Evans City Road, Evans City, PA 16003), for its facility located in Forward & Adams Township, **Butler County**. The De minimis emission increase is for the capacity increase in manufacturing PinB in Building 37. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 PA Code 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on February 7, 2008.

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
8/2/10	DMA3B production increase from 4 to 10 batches per year	0	0	0.003	0.06	0.02
2-15-12	Capacity increase of PinB in Building 37				0.309	
Total Reported Increases		0	0	0.003	0.369	0.02
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**15-00034: Sanofi-Aventis, U.S., Inc.** (9 Great Valley Parkway, Malvern, PA 19355) on December 27, 2011 requested revocation of their Non Title V operating permit for the operation of a pharmaceutical research and development facility located in East Whiteland Township, **Chester County**. This operating permit is being revoked due to a cease of operations at this facility.

**GP1-15-0102: Sanofi-Aventis, U.S., Inc.** (9 Great Valley Parkway, Malvern, PA 19355) on December 27, 2011 requested revocation of their general operating permit for the operation of two (2) small, gas and no. 2 oil fired combustion units at a pharmaceutical research and development facility located in East Whiteland Township, **Chester County**. This operating permit is being revoked due to a cease of operations at this facility.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

*Coal Permits Actions*

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

**65090101 and NPDES Permit No. PA0251593. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Revision permit issued to grant road variance to SR 3015, stream variance, gas pipeline variance, and revise permit boundary to an existing bituminous surface mine, located in Rostraver Township, **Westmoreland County**, affecting 166.4 acres. Receiving streams: unnamed tributaries to Monongahela River. Application received: March 8, 2011. Permit issued: February 14, 2012.

**03090105 and NPDES Permit No. PA0251755. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mine, located in Bethel Township, **Armstrong County**, affecting 42.0 acres. Receiving streams: unnamed tributaries to Crooked

Creek and Crooked Creek. Application received: September 21, 2009. Permit issued: February 15, 2012.

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

**33020101. Cookport Coal Co., Inc.** (425 Market Street, Kittanning, PA 16201) Renewal of an existing bituminous surface mine in Perry Township, **Jefferson County** affecting 85.5 acres. Receiving streams: Unnamed tributaries to Nicely Run and Nicely Run. This renewal is issued for reclamation only. Application received: December 19, 2011. Permit Issued: February 15, 2012.

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

**49871601R4. Calvin V. Lenig Coal Prep & Sales, Inc.**, (5860 SR 225, Shamokin, PA 17872), renewal of an existing anthracite coal preparation plant operation in Little Mahanoy Township, **Northumberland County** affecting 3.2 acres, receiving streams: Mahanoy Creek and unnamed tributary to Mahanoy Creek. Application received: April 27, 2011. Renewal issued: February 13, 2012.

**49871601C3. Calvin V. Lenig Coal Prep & Sales, Inc.**, (5860 SR 225, Shamokin, PA 17872), correction to an existing anthracite coal preparation plant operation to update the post-mining land use from commercial to agricultural commercial in Little Mahanoy Township, **Northumberland County** affecting 3.2 acres, receiving streams: Mahanoy Creek and unnamed tributary to Mahanoy Creek. Application received: April 27, 2011. Renewal issued: February 13, 2012.

**49871601GP104. Calvin V. Lenig Coal Prep & Sales, Inc.**, (5860 SR 225, Shamokin, PA 17872), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49871601 in Little Mahanoy Township, **Northumberland County**, receiving streams: Mahanoy Creek and unnamed tributary to Mahanoy Creek. Application received: April 27, 2011. Renewal issued: February 13, 2012.

**40663025R5. Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Hazle Township, **Luzerne County** affecting 325.0 acres, receiving stream: Black Creek. Application received: March 4, 2011. Renewal issued: February 17, 2012.

**40663025GP104. Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40663025 in Hazle Township, **Luzerne County**, receiving stream: Black Creek. Application received: December 15, 2011. Permit issued: February 17, 2012.

**40663026R5. Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite refuse disposal and preparation plant operation in Hazle Township, **Luzerne County** affecting 28.5 acres, receiving stream: Black Creek. Application received: March 4, 2011. Renewal issued: February 17, 2012.

**40663026GP104 Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40663026 in Hazle Township, **Luzerne County**, receiving stream:

Black Creek. Application received: August 30, 2011. Permit issued: February 17, 2012.

**54773005R5. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in East Norwegian and Blythe Townships and St. Clair Borough, **Schuylkill County** affecting 2108.0 acres, receiving stream: Mill Creek. Application received: January 14, 2011. Renewal issued: February 17, 2012.

**54773005GP104. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54773005 in East Norwegian and Blythe Townships and St. Clair Borough, **Schuylkill County**, receiving stream: Mill Creek. Application received: December 21, 2011. Permit issued: February 17, 2012.

#### *Noncoal Permits Actions*

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

**58100804. Scott Rosenkrans Flagstone, LLC**, (RR 3, Box 94, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Franklin Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: March 29, 2010. Permit issued: February 16, 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*

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

**02124001. The Meritage Group** (772 Pine Valley Drive, Pittsburgh, PA 15239). Blasting activity permit for the construction of the Cobblestone site development, located in Ohio Township, **Allegheny County**. The duration of blasting is expected to last 11 months. Blasting permit issued: February 13, 2012.

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

**42124002. Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) Blasting activity permit to excavate the Rail Siding area in Hamlin Township, **McKean County**. This blasting activity permit will expire on July 1, 2012. Permit Issued: February 14, 2012.

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

**08124002. Brainard Explosives, LLC.** (3978 SR 2073, Kingsley, PA 18826). Blasting for construction of a natural gas well pad located in Wyalusing Township, **Bradford County**. Permit issued: February 14, 2012. Permit expires: June 30, 2012.

**57124001. Brainard Explosives, LLC.** (3978 SR 2073, Kingsley, PA 18826) Blasting for construction of a natural gas well pad located in Colley Township, **Sullivan County**. Permit issued: February 15, 2012. Permit expires: June 30, 2012.

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

**36124107. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Ober Plumbing in East Donegal Township, **Lancaster County** with an expiration date of May 30, 2012. Permit issued: February 13, 2012.

**38124104. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting for Stone Knoll Phase 5 in South Londonderry Township, **Lebanon County** with an expiration date of February 9, 2013. Permit issued: February 13, 2012.

**58124111. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Range Unit 62 Well Pad in Jackson Township, **Susquehanna County** with an expiration date of December 31, 2012. Permit issued: February 14, 2012.

**06124104. J Roy's, Inc.**, (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Sinking Springs Apartments in Sinking Springs Borough, **Berks County** with an expiration date of February 18, 2013. Permit issued: February 17, 2012.

### **FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

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

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

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

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

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



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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E09-953. Cold Springs Investment Group, L.P.** 301 Oxford Valley Road, Suite 702, Yardley, PA 19067-7713, Yardley borough, **Bucks County**, ACOE Philadelphia District.

To perform the following water obstruction and Encroachment activities across/along Brock Creek associated with the construction of a residential development at the existing US Magnet site (Cold Springs):

1. To construct and maintain a 95-foot long, 6-foot wide, and 8.5-foot high pedestrian bridge.
2. To construct and maintain four outfall structures and one temporary road crossing.
3. To stabilize and maintain approximately 30 linear feet of streambank.
4. To place fill in the floodway associated with the removal of an existing stilling basin.

The site is located near the intersection of Newtown Road and West Afton Avenue (Trenton West, NJ-PA USGS Quadrangle N: 21.5 inches; W: 13.4 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E09-907. County Line Storage, Inc.**, 13131 -R Townsend Road, Philadelphia, PA 19154, Warminster Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with a proposed public storage facility:

1. To relocate approximately 338 linear feet of an unnamed tributary of Southampton Creek (TSF-MF) around a proposed public storage facility by enclosing the stream within 325 linear feet of various pipe segments. The stream enclosure will consist of Headwall No. 6, 8, LF of 36" pipe, manhole No. 5, 44 LF of 36" pipe, manhole No. 4, 189 LF of 36" pipe, manhole No. 3, 63 LF of 36" pipe, manhole No. 2, 7 LF of 36" pipe, Endwall No. 1 and associated stilling basin.
2. To place fill within approximately a 320 linear-foot reach of abandoned channel.
3. To place fill within 0.10 acre of adjacent wetland (PFO).

The permittee proposes to construct 0.18 acre of onsite wetland replacement to compensate for wetland losses associated with this project. The wetland replacement will enlarge an existing wetland area with minor grading and the diversion of water from the stream enclosure at manhole No. 3, routed through 78 LF of 15: pipe, to an outfall adjacent to the proposed wetland.

The project is located along County Line Road approximately 700 feet southeast of the intersection of County Line Road and Centennial Roads (Hatboro, PA, USGS Quadrangle N: 9.1 inches, W: 10.9 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E51-176. City of Philadelphia**, Capital Program Office, 1515 Arch Street, 11th Floor, One Parkway Building, Philadelphia, Pa, 19102, City and **County of Philadelphia**, ACOE Philadelphia District.

To perform the following activities associated with amendment of permit No E51-176 along a section of the Manayunk Canal (WWF) situated within the 100-year floodplain of the Schuylkill River:

To remove sediment at three locations along the canal. The three sections are located at Domino Lane, the Parker Avenue outfall area, and the sluice house. Also, two 18-inch diameter valves will be installed in the existing steel sheet piling at the sluice gate to allow water flow to the canal.

The site is located adjacent to the Schuylkill River starting at Lock Street (Germantown, PA, USGS Quadrangle N: 4.5 inches; W: 13.8 inches) and terminates west of Parker Avenue (Germantown, PA, USGS Quadrangle N: 5.7 inches; W: 15.3 inches).

**E09-945. SRI-The Landings Assoc. L.P.**, 1008 Upper Gulph Road, Suite 300, Wayne, PA 19087, Bensalem Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a Marina, and four outfall structures in and along the 100-year floodplain of the Delaware River; impacting 0.03 acre of wetlands associated with the proposed residential development.

The site is located near the intersection of State and Street Roads, (Beverly, PA-NJ USGS Quadrangle N: 13.5 inches; W: 7.7 inches).

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

**E22-563. Joseph Dorbian**, 103 Salt Road, Enola, Pennsylvania 17025, in Susquehanna Township, **Dauphin County**, ACOE Baltimore District

To place and maintain fill in 0.005 acre of PEM wetland for the purpose of providing parking facilities to a proposed office/apartment building. The project is located approximately 1,000.0 feet north of the intersection of Front Street and Roberts Valley Road (Harrisburg West, PA Quadrangle; N: 17.0 inches, W: 5.0 inches; Latitude: 40°20'18.8", Longitude: -76°54'24.1") in Susquehanna Township, Dauphin County. Wetland impacts are de minimis and wetland mitigation is not required.

**E38-176. Thomas Krall**, 480 Schaeffer Road, Lebanon, Pennsylvania 17042, in South Lebanon Township, **Lebanon County**, ACOE Baltimore District

To install and maintain a 6.0-inch outfall with a riprap apron along an unnamed tributary to Hammer Creek (HQ-CWF, MF) for the purpose of protecting farm property. The project is located at 490 Schaeffer Road (Richland, PA Quadrangle; Latitude: 40°16'59.4", Longitude: -76°21'53.4") in South Lebanon Township, Lebanon County

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

**E62-427, Ellwood National Forge Co.** One Front Street, Irvine, PA 16329. Existing Levee Upgrade, in Brokenstraw Township, **Warren County**, ACOE Pittsburgh District (Youngsville, PA Quadrangle N: 41°, 50', 228"; W: -79°, 16', 10").

to upgrade and maintain an existing flood protection levee having an estimated total crest length of 6800 feet around the approximately 50 acre Ellwood National Forge—Irvine Facility along the right bank of Brokenstraw Creek (CWF) approximately 1500 feet north of the National Forge Road and Althom Road intersection consisting of:

1. Placement of additional embankment material up to approximately 1 foot above existing grade along approximately 200 feet of the northwest reach of the levee

2. Placement of additional embankment material up to approximately 3 feet above existing grade along approximately 600 feet of the southwest reach of the levee

3. Installation of sheet piling up to a height of approximately 3 feet above existing grade along approximately 750 feet of the south reach of the levee.

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, 400 Market Street, Floor 3, PO Box 8460, Harrisburg, PA 17105-8460*

**D51-017. Belmont Raw Water Basin Dam**, City of Philadelphia Water Department, 1101 Market Street, Philadelphia PA 19107. To modify, operate, and maintain the Belmont Raw Water Basin Dam located within the Watershed of the Schuylkill River (WWF), having no impacts to waterways or wetlands, for the purpose of rehabilitating and repairing the existing water supply dam to ensure compliance with Department Regulations. (Germantown, PA Quadrangle N: 0.65 inches; W: 13.1 inches) in Philadelphia City, **Philadelphia County**.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

1/03/2012

ESCGP-1 No: ESX12-125-0002

Applicant Name: MarkWest Liberty Midstream & Resources LLC

Contact Person Rick Lowry

Address: 824 Morganza Road

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township: Cross Creek and Mt Pleasant

Receiving Stream(s) And Classifications: UNTs to South Fork Cross Creek HQ-WW, HQ

12/06/11

ESCGP-1 No.: ESX11-051-0044

Applicant Name: Caiman Energy LLC

Contact Person: Steven Skellie

Address: 5944 Sherry Lane Suite 645

City: Dallas State: PA Zip Code: 75225

County: Fayette Township(s): Henry Clay

Receiving Stream(s) and Classifications: UNTs to Glad Run, Glade Run and UNTs to Fike Run, HQ, Other

1/12/12

ESCGP-1 No.: ESX11-125-0014 Major Revision

Applicant Name: WEST Liberty Midstream & Resources LLC /Range Resources Appalachia LLC (co-applicant)

Contact Person: Rick Lowry/Glenn Truzzi

Address: 824 Morganza Road/3000 Town Center Blvd.

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Independence

Receiving Stream(s) and Classifications: UNTs Sugar Camp Run, Indian Camp Run, Brashears Run Watershed Buffalo Creek HQ-WWF, HQ

12/1/2011

ESCGP-1 No.: ESX11-059-0073

Applicant Name: Laurel Mountain Midstream LLC

Contact Person: Frank Canneto

Address: 1605 Coraopolis Heights Road

City: Moon Township State: PA Zip Code: 15108

County: Washington/Greene Township(s): Franklin, Marianna, Morgan, West Bethlehem

Receiving Stream(s) and Classifications: Wisecraver Run HQ UNT to Wisecraver Run HQ Tributary 40495 to Wisecraver Run HQ, Purman Run WWF, UNTs to Tributary 40458 to Purman Run WWF, Grimes Run HQ, WWF, UNT to Grimes Run HQ, WWF, UNTs to Tributary 40429 to Grimes Run HQ, WWF, Ruff Creek WWF, Tributary 40362 to Ruff Creek WWF, Tributary 40363 to Ruff Creek WWF, UNT to Tributary 40362 to Ruff Creek WWF, UNT to Tributary 40363 to Ruff Creek WWF, UNTs to Castile Run WWF, Patterson Run HQ, CWF, Tributary 40811 to Patterson Run HQ, CUF, UNTs to Tributary 40811 to Patterson Run HQ, CWF, UNTs to Patterson Run HQ, CWF, Tenmile Creek TSF, Tributary 40812 to Tenmile Creek TSF, UNT to Tributary 40812 to Ten Mile Creek, UNT to Horn Run TSF, UNT to Tributary 40805 to Horn Run TSWF, Lower Monongahela Watershed HUC05020005

10/24/2011

ESCGP-1 No.: ESX11-125-0097

Applicant Name: MarkWest Liberty Midstream & Resources LLC

Contact Person: Rick Lowry

Address: 824 Morganza Road

City: Canonsburg State: PA Zip Code: 15317

COUNTY Washington Township(s): Canton and Chartiers Receiving Stream(s) and Classifications: UNTs to Georges Run WWF and Georges Run WWF, OTHER

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

ESCGP-1 # ESX10-117-0120 (01)

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) Delmar Township  
Receiving Stream(s) and Classification(s) UNT to West Branch Stony Fork/Susquehanna River Basin in PA (List L);  
Secondary: UNT to UNT to West Branch Stony Fork Creek (Both CWF)

ESCGP-1 # ESX12-113-0003

Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 Main Street  
City, State, Zip Athens, PA 18810  
County Sullivan County  
Township(s) Fox Township

Receiving Stream(s) and Classification(s) Fall Run & Weed Creek (HQ, CWF, MF)

ESCGP-1 # ESX12-033-0002

Applicant Name EXCO Resources (PA), LLC  
Contact Person Larry Sanders  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Clearfield County  
Township(s) Brady Township

Receiving Stream(s) and Classification(s) East Branch Mahoning Creek (HQ-CWF);  
Secondary: Mahoning Creek (WWF)

ESCGP-1 # ESX12-117-0010

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) Jackson Township

Receiving Stream(s) and Classification(s) Mutton Lane Creek (WWF, MF)

ESCGP-1 # ESX11-015-0117 (01)

Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 101 Main Street  
City, State, Zip Athens, PA 18810  
County Bradford County  
Township(s) Rome Township

Receiving Stream(s) and Classification(s) Wysox Creek (CWF, MF), Parks Creek (CWF, MF);  
Secondary: Susquehanna River

ESCGP-1 # ESX12-117-0007

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) Delmar Township

Receiving Stream(s) and Classification(s) Marsh Creek (HQ-CWF, MF), Horse Thief Run (HQ-CWF, MF)

ESCGP-1 # ESX12-015-0028

Applicant Name Chesapeake Appalachia  
Contact Person Eric Haskin  
Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Bradford County

Township(s) Wilmot Township

Receiving Stream(s) and Classification(s) Forest Creek, UNT Susquehanna River, UNT to Sugar Run Creek (All CWF);  
Secondary: Rock Forest Creek, Susquehanna River, Sugar Run Creek (All CWF)

ESCGP-1 # ESX12-113-0005

Applicant Name EXCO Resources (PA), LLC  
Contact Person Larry Sanders  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Sullivan and Lycoming Counties

Township(s) Shrewsbury Townships  
Receiving Stream(s) and Classification(s) Muncy Creek & Spring Creek (HQ);  
Secondary: West Branch Susquehanna River

ESCGP-1 # ESX12-015-0020

Applicant Name EOG Resources, Inc.  
Contact Person Jon Jorgenson  
Address 2039 South Sixth Street  
City, State, Zip Indiana, PA 15701  
County Bradford County  
Township(s) Springfield Township

Receiving Stream(s) and Classification(s) UNT Mill Creek, and UNT Leonard Creek;  
Secondary: Mill Creek, and Leonard Creek

ESCGP-1 # ESX12-081-0016

Applicant Name EXCO Resources (PA), LLC  
Contact Person Larry Sanders  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Mifflin Township

Receiving Stream(s) and Classification(s) First Fork Larry's Creek, Mud Run and Tarkiln Run (EV)

ESCGP-1 # ESX12-015-0027

Applicant Name Chief Oil & Gas, LLC  
Contact Person Michael Hritz  
Address 6051 Wallace Road, Ext., Suite 210  
City, State, Zip Wexford, PA 15090  
County Bradford County  
Township(s) Pike Township

Receiving Stream(s) and Classification(s) UNT to Rockwell Creek (WWF, MF), Mill Creek (CWF, MF);  
Secondary: Wyalusing Creek (WWF, MF)

ESCGP-1 # ESX11-117-0111 (01)

Applicant Name Seneca Resources  
Contact Person Michael Clinger P.E.  
Address 51 Zents Boulevard  
City, State, Zip Brookville, PA 15825  
County Tioga County  
Township(s) Bloss Township

Receiving Stream(s) and Classification(s) Red Run;  
Secondary: Landrus Creek

ESCGP-1 # ESX11-015-0232

Applicant Name Appalachia Midstream Services, LLC  
Contact Person Patrick Myers, Jr.  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Leroy Township

Receiving Stream(s) and Classification(s) UNT to Towanda Creek (CWF/MF)

ESCGP-1 # ESX11-081-0159

Applicant Name EXCO Resources (PA), LLC  
Contact Person Larry Sanders  
Address 3000 Ericsson Drive, Suite 200

City, State, Zip Warrendale, PA 15086  
 County Lycoming County  
 Township(s) Plunketts Creek Township  
 Receiving Stream(s) and Classification(s) Bear Creek  
 (EV);  
 Secondary: Loyalsock Creek (EV)

ESCGP-1 # ESX12-117-0004  
 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) Union Township  
 Receiving Stream(s) and Classification(s) French Lick  
 Run (EV, MF)

ESCGP-1 # ESX11-033-0035  
 Applicant Name EOG Resources, Inc.  
 Contact Person Jon Jorgenson  
 Address 2039 South Sixth Street  
 City, State, Zip Indiana, PA 15701  
 County Clearfield County  
 Township(s) Goshen Township  
 Receiving Stream(s) and Classification(s) Little Trout  
 Run/Trout Run, Stump Lick Run/Trout Run, Dixon  
 Run/Trout Run, Crooked Run/ Trout Run (All HQ-CWF,  
 MF)

ESCGP-1 # ESX12-117-0015  
 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) Jackson Township  
 Receiving Stream(s) and Classification(s) UNT to Ham-  
 mond Creek;  
 Secondary: Hammond Creek

ESCGP-1 # ESX11-115-0198  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Kristy Flavin  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Coraopolis, PA 15108-4310  
 County Susquehanna County  
 Township(s) Lenox and Harford  
 Receiving Stream(s) and Classification(s) Tribs. to Millard  
 and Tower Branch Creeks/Upper Susquehanna—  
 Tunkhannock Watershed

ESCGP-1 # ESX11-081-0097 (01)  
 Applicant Name NFG Midstream Trout Run LLC  
 Contact Person Duane Wassum  
 Address 1000 State Street  
 City, State, Zip Erie, PA 16512  
 County Lycoming County  
 Township(s) Gamble, Lewis, and McIntyre Townships  
 Receiving Stream(s) and Classification(s) Lower Branch of  
 the Susquehanna River, (HQ/EV/CWF)

ESCGP-1 # ESX11-115-0181  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Kristy Flavin  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Coraopolis, PA 15108-4310  
 County Susquehanna County  
 Township(s) Brooklyn and Bridgewater Townships  
 Receiving Stream(s) and Classification(s) UNT to Meshop-  
 pen Creek/Upper Susquehanna—Tunkhannock Water-  
 shed

ESCGP-1 # ESX11-081-0084 (01)  
 Applicant Name NFG Midstream Trout Run LLC  
 Contact Person Duane Wassum  
 Address 1000 State Street  
 City, State, Zip Erie, PA 16512  
 County Lycoming County  
 Township(s) Loyalsock, Gamble and Hepburn Townships  
 Receiving Stream(s) and Classification(s) Lower Branch of  
 the Susquehanna River (WWF)

ESCGP-1 # ESX11-115-0180  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Kristy Flavin  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Coraopolis, PA 15108-4310  
 County Susquehanna County  
 Township(s) Brooklyn Township  
 Receiving Stream(s) and Classification(s) Hop Bottom  
 Creek and UNT to Hop Bottom Creek/Upper  
 Susquehanna—Tunkhannock Watershed

ESCGP-1 # ESX11-115-0190  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Kristy Flavin  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Coraopolis, PA 15108-4310  
 County Susquehanna County  
 Township(s) Brooklyn and Dimock Townships  
 Receiving Stream(s) and Classification(s) Meshoppen  
 Creek and a Trib. To Meshoppen Creek/Upper Susque-  
 hanna—Tunkhannock Watershed

ESCGP-1 # ESX11-115-0193  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Kristy Flavin  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Coraopolis, PA 15108-4310  
 County Susquehanna County  
 Township(s) Harford and Lenox Townships  
 Receiving Stream(s) and Classification(s) Partners Creek,  
 Nine Partners Creek, Tower Branch and UNT to Part-  
 ners Creek, Sterling Brook, and Butler Creek/Upper  
 Susquehanna—Tunkhannock Watershed

ESCGP-1 # ESX12-015-0033  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Burlington Township  
 Receiving Stream(s) and Classification(s) Sugar Creek  
 and UNT to Sugar Creek (Both WWF/MF)

ESCGP-1 # ESX11-113-0027  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Sullivan County  
 Township(s) Elkland Township  
 Receiving Stream(s) and Classification(s) Mill Creek (EV)  
 UNT to Mill Creek (EV) Loyalsock Creek Watershed;  
 Secondary: Lick Creek (EV)

ESCGP-1 # ESX12-015-0022  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers, Jr.  
 Address 100 Ist Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Litchfield Township  
 Receiving Stream(s) and Classification(s) Parks Creek  
 (WWF-MF)

ESCGP-1 # ESX11-015-0298  
 Applicant Name Talisman Energy USA, Inc.  
 Contact Person Tracy Gregory  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Pike Township  
 Receiving Stream(s) and Classification(s) UNT to Beaver Creek (CWF/MF), UNT to Johnson Creek (CWF/MF);  
 Secondary: Beaver Creek (CWF/MF), Johnson Creek (CWF/MF)

ESCGP-1 # ESX11-115-0197  
 Applicant Name Williams Production Appalachia, LLC  
 Contact Person Dean Tinsley  
 Address 1000 Town Center Way, Suite 130  
 City, State, Zip Canonsburg, PA 15317  
 County Susquehanna County  
 Township(s) Liberty Township  
 Receiving Stream(s) and Classification(s) Trib. 31971 of Susquehanna River/Susquehanna River;  
 Secondary: Susquehanna River (CWF, MF)

ESCGP-1 # ESX12-033-0006  
 Applicant Name Williams Production Appalachia, LLC  
 Contact Person David Freudenrich  
 Address 1000 Town Center Way, Suite 130  
 City, State, Zip Canonsburg, PA 15317  
 County Clearfield County  
 Township(s) Goshen Township  
 Receiving Stream(s) and Classification(s) Bloody Run (CWF)/Susquehanna River UNT to West Branch Susquehanna River (CWF)/Susquehanna River;  
 Secondary: West Branch Susquehanna River (CWF)

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

ESCGP-1 #ESX12-019-0122-Plesniak Pipeline  
 Applicant Keystone Midstream Services  
 Contact David Yourd  
 Address 11400 Westmoor Circle, Suite 325  
 City Westminster State CO Zip Code 80021  
 County Butler Township(s) Lancaster(s)  
 Receiving Stream(s) and Classification(s) UNT to Crab Run (CWF) and Yellow Creek (CWF)

ESCGP-1 #ESX12-019-0124-Gill Unit No 1H 2H 3H  
 Applicant XTO Energy Inc  
 Contact Jesse Hickman  
 Address 502 Keystone Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Forward(s)  
 Receiving Stream(s) and Classification(s) UNT of Glade Run (WWF), Glade Run (WWF), Connoquenessing Creek (WWF)

ESCGP-1 #ESX12-019-0125-Gill Freshwater Impoundment  
 Applicant XTO Energy Inc  
 Contact Jesse Hickman  
 Address 502 Keystone Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Forward(s)  
 Receiving Stream(s) and Classification(s) UNT of Glade Run (WWF), Glade Run (WWF), Connoquenessing Creek (WWF)

ESCGP-1 #ESX12-019-0123-Marburger A Freshwater Impoundment  
 Applicant XTO Energy Inc  
 Contact Michael Vale P.E.  
 Address 502 Keystone Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Forward(s)  
 Receiving Stream(s) and Classification(s) UNT to Breakneck Creek (WWF)

**STORAGE TANKS**

**SITE-SPECTIFIC INSTALLATION PERMITS**

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.**

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
12-04-009	Marathon Petroleum Company, LP 539 South Main Street Findlay, OH 45480 Attn: W. Greg Moore	Beaver	Industry Borough	1 AST storing ethanol	36,000 gallons

**SPECIAL NOTICES**

**SEWAGE FACILITIES ACT SPECIAL NOTICE**

**Special Notice Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

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

*Plan Location:*

Borough or Township	Borough or Township Address	County
Buffalo Township	109 Bear Creek Road, Sarver PA 16055	Butler

*Plan Description:* The approved plan provides for an expansion of the existing 0.41 MGD Sewage Treatment Plant (STP) in multiple phases. Hydraulic loading at the STP would increase to 0.89 MGD along with an upgrade to the Monroe Pump Station. The subsequent phase would increase hydraulic loading at the STP to 1.3 MGD. Further expansion of the STP will necessitate additional planning. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

[Pa.B. Doc. No. 12-359. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Clean Air Interstate Rule; 2012 Allocation of 2011 Vintage NO<sub>x</sub> Allowances Set Aside to Offset SO<sub>2</sub> Emissions

In accordance with 25 Pa. Code § 145.212(f)(2) (relating to CAIR NO<sub>x</sub> allowance allocations), the Department of Environmental Protection (Department) is providing notice of the issuance of 2011 vintage Clean Air Interstate Rule (CAIR) nitrogen oxides (NO<sub>x</sub>) allowances to owners or operators of certain CAIR sulfur dioxide (SO<sub>2</sub>) units for the purpose of offsetting SO<sub>2</sub> emissions. These units were exempted under the Federal Acid Rain Program provisions in section 405(g)(6)(A) of the Clean Air Act (42 U.S.C.A. § 7651d(g)(6)(A)) and therefore did not receive SO<sub>2</sub> allowances, yet are subject to the CAIR SO<sub>2</sub> Trading Program. The Department allocated the CAIR NO<sub>x</sub> allowances identified in this notice on a ratio of 1 CAIR NO<sub>x</sub> allowance to every 8 tons of SO<sub>2</sub> emitted in 2011 in response to written requests submitted to the Department by January 31, 2012. Up to 1.3% of this Commonwealth's CAIR NO<sub>x</sub> Annual Trading Program budget is available for allocation to these units, as described in 25 Pa. Code § 145.212(f)(2) and (4).

The Commonwealth's CAIR NO<sub>x</sub> Annual Trading Pro-

Facility name	ORIS #
Cambria Cogen	10641
Colver Power Project	10143
Ebensburg Power Company	10603
Scrubgrass Generating Plant	50974
St. Nicholas Cogeneration	54634
WPS Westwood Generation	50611
Wheelabrator-Frackville	50879

There were 1,288 CAIR NO<sub>x</sub> allowances set aside and 989 CAIR NO<sub>x</sub> allowances to be issued. In accordance with 25 Pa. Code § 145.212(f)(5), the Department may consider requests, in writing, for the remaining NO<sub>x</sub> allowances. The remaining NO<sub>x</sub> allowances would be allocated by the Department on a pro rata basis; the allocations would be subject to a 30-day public comment period after providing notice in the *Pennsylvania Bulletin*.

Owners and operators of qualifying units should be aware that CAIR NO<sub>x</sub> allowances do not constitute property rights, and that actions at the Federal or State level, including possible court action in *EME Homer City Generation, L.P. v. EPA*, D.C. Cir. 11-1302, could affect the allocated CAIR NO<sub>x</sub> allowances.

Persons aggrieved by an action may appeal, 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 the 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 may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T 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

gram budget contained 99,049 CAIR NO<sub>x</sub> allowances for 2011; 97,761 CAIR NO<sub>x</sub> allowances were allocated at 40 Pa.B. 297 (January 9, 2010). The remaining 1,288 CAIR NO<sub>x</sub> allowances, 1.3% of the CAIR NO<sub>x</sub> Annual Trading Program budget, were set aside for this allocation. The Department received seven requests by January 31, 2012, for additional CAIR NO<sub>x</sub> allowances.

The Department is allocating these allowances on a ratio of 1 CAIR NO<sub>x</sub> allowance to every 8 tons of SO<sub>2</sub> emitted by the unit in 2011, minus any excess CAIR NO<sub>x</sub> allowances already allocated to the unit for the 2011 control period that were not used to cover NO<sub>x</sub> emissions for the 2011 control period. The result is an allocation of 989 CAIR NO<sub>x</sub> allowances.

The following table identifies the facilities from which the Department received requests. For one of the units, application of the previously described formula renders the unit's additional allowable allocation zero, as indicated as follows, due to the unit's excess 2011, CAIR NO<sub>x</sub> allowances from the January 9, 2010, allocation. For every facility that submitted a request, the table lists the facility name, ORIS number and unit identification number, if applicable, and the number of CAIR NO<sub>x</sub> allowances to be allocated.

Unit ID	# of NO <sub>x</sub> allowances
Unit 1	118
Unit 2	124
	361
	61
Unit 1	114
Unit 2	118
	0
	34
	59

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 any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, 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 to the Board at (717) 787-3483 for more information.

Questions concerning this notice should be directed to Randy Bordner, Chief, Stationary Source Section, Bureau of Air Quality, (717) 772-3921, [ranbordner@pa.gov](mailto:ranbordner@pa.gov). TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

MICHAEL L. KRANCER,  
Secretary

[Pa.B. Doc. No. 12-360. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Cleanup Standards Scientific Advisory Board Ad Hoc Work Group Meeting

The Cleanup Standards Scientific Advisory Board Ad Hoc Work Group will hold a meeting on Wednesday, March 21, 2012, at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The purpose of the meeting is to develop recommendations to the Department of Environmental Protection (Department) for revisions to the Land Recycling Program Technical Guidance Manual.

Questions concerning this meeting can be directed to Dave Crownover, (717) 783-7816 or [dcrownover@pa.gov](mailto:dcrownover@pa.gov). The agenda and meeting materials will be available through the Public Participation Center on the Department's web site at <http://www.depweb.state.pa.us>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Marilyn Wooding directly at (717) 783-1566 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-361. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Cleanup Standards Scientific Advisory Board Meeting Cancellation

The Cleanup Standards Scientific Advisory Board meeting scheduled for Wednesday, March 21, 2012, has been canceled. The next meeting is scheduled for Wednesday, July 11, 2012, in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA at 9 a.m. For information contact Dave Crownover at (717) 783-7816 or [dcrownover@pa.gov](mailto:dcrownover@pa.gov).

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-362. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Nutrient Credit Trading Program; Actions

The Department of Environmental Protection (Department) provides notice of the following action under the Nutrient Credit Trading Program (Trading Program). This action was taken under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Nutrient trading is a market-based program that provides incentives for entities to create nutrient reduction credits (credits) by going beyond statutory, regulatory or voluntary obligations and goals to remove nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System permittees to meet their effluent limits for nutrients.

Persons aggrieved by an action may appeal, 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), 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, (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 of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, 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 to the Board at (717) 787-3483 for more information.

For further information about this action or the Trading Program, contact Karen Price, Interstate Waters Office, Department of Environmental Protection, P.O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-4785, [kprice@pa.gov](mailto:kprice@pa.gov) or visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: "Nutrient Trading").

The following certification request has been approved by the Department. The approval of this request is considered a final action of the Department.

**TeamAg Incorporated on behalf of Jeffrey Balmer and in coordination with Lancaster Farmland Trust.** This approval is applicable to nitrogen reduction credits to be generated from the pollutant reduction activity of continuous no-till and cover crops. This approval includes a verification plan and authorizes the generation of 1,715 nitrogen reduction credits. This certification of annual credits is valid until September 30, 2016, as long as the pollution reduction activity is implemented, maintained and verified under the terms and conditions contained in the certification. After September 30, 2016, credits for the pollution reduction activity may only be generated if recertification, which will be based on the program requirements in place on the date of the recertification submission, is obtained. Notice of the certification request was published for comment at 41 Pa.B. 6932 (December 24, 2011).

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-363. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Pennsylvania Sewage Advisory Committee Meeting Cancellation

The Pennsylvania Sewage Advisory Committee (Committee) meeting scheduled for March 7, 2012, is cancelled. The next meeting is scheduled for July 11, 2012, at 10:30

a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the next scheduled meeting of the Committee can be directed to John Diehl at (717) 783-2941 or [jdiehl@pa.gov](mailto:jdiehl@pa.gov). The agenda and meeting materials for the July 11, 2012, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (select "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2941 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
Secretary

[Pa.B. Doc. No. 12-364. Filed for public inspection March 2, 2012, 9:00 a.m.]

### **Proposed General Plan Approval and/or General Operating Permit for Natural Gas Production and/or Processing Facilities (BAQ-GPA/GP-5)**

The Department of Environmental Protection (Department) proposes to issue a revised General Plan Approval and/or Operating Permit (BAQ-GPA/GP-5 or General Permit) for Natural Gas Production and/or Processing Facilities that establishes emission limitations and other applicable Federal and State requirements including Best Available Technology requirements.

The revised General Permit, BAQ-GPA/GP-5, which is authorized under section 6.1(f) of the Air Pollution Control Act (35 P.S. § 4006.1(f) and 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and operating permits), will apply to the construction, operation and modification of air contamination sources at new and existing natural gas production and/or processing facilities. The applicability and scope of the revised General Permit BAQ-GPA/GP-5 has been expanded to cover air contamination sources including, but not limited to the following: wellheads and valve assemblies, natural gas-fired spark ignition internal combustion engines, natural gas-fired simple cycle turbines, centrifugal compressors, condensate tanks, distillation towers, glycol dehydrators, reboilers, natural gas fractionation units, vapor recovery systems, storage vessels, flares, valves, piping, flanges and transport loading arms.

On August 23, 2011, the United States Environmental Protection Agency (EPA) proposed, for public review and comment, rules concerning the "Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews" (76 FR 52738). The proposed revised General Permit includes proposed provisions of the Federal rules, which will automatically be adopted and incorporated by reference in the *Pennsylvania Code* once finalized by the EPA. It is anticipated that the Federal rules applicable to the oil and natural gas sector will be finalized in April 2012. This General Permit will not be issued prior to the publication of EPA's final rules.

The proposed substantive revisions to the GP-5 include conditions that prescribe applicability, emission limitations, compliance, notification, monitoring, recordkeeping,

reporting and administrative requirements. This General Permit does not authorize the construction, modification or operation of sources subject to the Prevention of Significant Deterioration and nonattainment new source review requirements specified in 25 Pa. Code Chapter 127, Subchapters D and E (relating to prevention of significant deterioration of air quality; and new source review). In addition, this General Permit does not cover spark ignition internal combustion engines or simple cycle turbines that are used as "peak shaving engine generators."

Section A of the General Permit includes general conditions including definitions, applicability/scope, municipal notifications, application for use procedures, compliance requirements, fees, expiration and reauthorization of the use of the GP-5, and transfer of ownership. The emission fees established in Condition 10 of this section are summarized as follows:

- (1) General Plan Approval application fee: \$1,700
- (2) General Operating Permit fee: \$375
- (3) Annual operating permit administration fee: \$375

Section B of the General Permit establishes requirements for spark ignition internal combustion engines. The emission limits applicable to spark ignition internal combustion engines operating under an existing GP-5 authorization must reduce emissions to levels equal to or less than:

- (1) Oxides of Nitrogen ( $\text{NO}_x$ ) (as  $\text{NO}_2$ ) at rated brake horsepower (bhp) and operating at rated speed—2 grams per bhp-hour (gm/bhp-hr).
- (2) Non Methane Hydrocarbon (NMHC) (as propane) at rated bhp and operating at rated speed—2 gm/bhp-hr.
- (3) Carbon Monoxide (CO) at rated bhp and operating at rated speed—2 gm/bhp-hr.

The engines must also meet Federal requirements including the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines specified in 40 CFR Part 60, Subpart JJJJ and/or the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines codified in 40 CFR Part 63, Subpart ZZZZ, as applicable.

The General Permit establishes the best available technology requirements set forth as follows for new or reconstructed stationary spark ignition engines which began construction after the effective date of this General Permit. Owners and operators must comply with applicable requirements established in 40 CFR Part 60, Subpart JJJJ and the NESHAP requirements in 40 CFR Part 63, Subpart ZZZZ.

- (1) New or reconstructed natural gas-fired lean-burn engines rated at equal to or less than 100 bhp shall not exceed  $\text{NO}_x$  emissions (expressed as  $\text{NO}_2$ ) of 2.0 gm/bhp-hr and CO emissions of 2.0 gm/bhp-hr.
- (2) New or reconstructed natural gas-fired lean-burn engines rated at greater than 100 bhp and equal to or less than 637 bhp shall not exceed  $\text{NO}_x$  emissions (expressed as  $\text{NO}_2$ ) of 1.0 gm/bhp-hr, CO emissions of 47 ppmvd corrected at 15% oxygen, and Non-Methane Non-Ethane Hydrocarbons (NMNEHC) emissions of (as Propane) 0.35 gm/bhp-hr.
- (3) New or reconstructed natural gas-fired lean-burn engines rated at greater than 637 bhp shall not exceed  $\text{NO}_x$  emissions (expressed as  $\text{NO}_2$ ) of 0.5 gm/bhp-hr, CO emissions of 0.12 gm/bhp-hr, NMNEHC emissions of (as



Propane) 0.12 gm/bhp-hr, SO<sub>2</sub> emissions of 0.01 gm/bhp-hr, total particulate matter emissions of 0.03 gm/bhp-hr, and Formaldehyde (HCHO) emissions of 0.04 gm/bhp-hr.

(4) New or reconstructed natural gas-fired rich-burn engines shall not exceed NO<sub>x</sub> emissions (expressed as NO<sub>2</sub>) of 0.2 gm/bhp-hr, CO emissions of 0.25 gm/bhp-hr, NMNEHC (as Propane) emissions of 0.06 gm/bhp-hr, SO<sub>2</sub> emissions of 0.01 gm/bhp-hr, total particulate emissions of 0.03 gm/bhp-hr, and HCHO emissions of 2.7 ppmvd corrected at 15% oxygen.

Visible emissions shall not exceed either of the following limitations:

(1) Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour.

(2) Equal to or greater than 30% at any time.

The General Permit requires compliance with certain work practice and monitoring requirements including the following for engines equipped with an oxidation catalyst:

(1) The pressure drop across the catalyst may not change by more than 2 inches of water at 100% load plus or minus 10% from the pressure drop across the catalyst that was measured during the initial performance test.

(2) The inlet catalyst temperature and pressure drop reading across the catalyst every 15 minutes must be recorded when the engine is operating.

(3) The catalyst inlet temperature must be equal to 450°F and less than or equal to 1350°F, or as specified by the manufacturer and the GP-5 Application.

The notification, recordkeeping and reporting requirements specified in 40 CFR 60.4245 and 63.6645 must be met. The records must be retained for at least 5 years and made available to the Department upon request.

Section C of the General Permit establishes standards and requirements for simple cycle gas turbines.

(1) New or reconstructed natural gas-fired simple cycle turbines with a rated capacity equal to or greater than 1000 bhp or 10.7 gigajoules per hour that began construction, modification or reconstruction after February 18, 2005, must comply with requirements specified in 40 CFR Part 60, Subpart KKKK.

(2) New or reconstructed simple cycle turbines shall comply with the following emissions standards:

(i) NO<sub>x</sub> emissions shall not exceed 15 parts per million, by volume, dry basis (ppmvd), corrected to 15% oxygen.

(ii) CO emissions shall not exceed 5 parts per million, by volume, dry basis (ppmvd), corrected to 15% oxygen.

(iii) NMHC emissions shall not exceed 10 parts per million (as Methane), by volume, dry basis (ppmvd), corrected to 15% oxygen.

(iv) Formaldehyde emissions shall not exceed 0.0001 pounds per million British thermal unit of heat input.

(v) The sulfur content of the natural gas shall be no greater than 1.5 grains per 100 standard cubic feet of fuel.

(vi) Total particulate matter emissions shall not exceed 0.03 pounds per million British thermal unit of heat input.

Work practice and monitoring requirements for simple cycle gas turbines equipped with an oxidation catalyst include the following:

(1) The pressure drop across the catalyst may not change by more than 2 inches of water at 100% load plus

or minus 10% from the pressure drop across the catalyst that was measured during the initial performance test.

If the pressure drop across the oxidation catalyst changes by more than 2 inches from the manufacturer's specified parameters, the owner or operator shall take corrective action.

(2) The catalyst inlet temperature must be no greater than or equal to 450°F and less than or equal to 1350°F, or as specified by the manufacturer that is identified in the GP-5 Application.

(3) The inlet catalyst temperature and pressure differential reading across the catalyst should be recorded every 15 minutes when the turbine is operating.

Applicable notification, reporting and recordkeeping requirements for simple cycle gas turbines include 40 CFR Part 60, Subpart KKKK. Accurate records should be maintained for a period of at least 5 years. The records must include the number of hours per month that each simple cycle turbine operated using a nonresettable hour meter, amount of each fuel type that is used per month, in each simple cycle turbine, date the GP-5 was issued, date construction began, date of initial startup, date that testing is required, parameters required to be tested, date that the testing was performed and the date that the turbine core was replaced for each simple cycle turbine.

Section D of GP-5 proposes requirements for centrifugal compressors consistent with the proposed Federal requirements, 40 CFR Part 60, Subpart OOOO (76 FR 52738).

Section E of GP-5 requires the owners and operators of storage vessels to comply with Federal requirements including 40 CFR Part 60, Subparts K, Ka and Kb; the proposed 40 CFR Part 60, Subpart OOOO applicable to storage vessels would also apply to these sources. In addition, the vessels must also be operated in compliance with 40 CFR Part 63, Subpart HH.

Section F of the GP-5 establishes standards and requirements for glycol dehydrators consistent with 40 CFR Part 63, Subpart HH. Glycol dehydration units located at an onshore natural gas processing plant would comply with the requirements of 40 CFR Part 60, Subpart KKK.

Section G of GP-5 establishes standards and requirements for glycol dehydrator unit reboilers with a rated capacity equal to or greater than 10 MMBTU/HR Heat Input. Particulate matter emissions shall not exceed 0.4 pound per MMBTU. NO<sub>x</sub> emissions for natural gas fired boilers shall not exceed 20 ppmvd for boilers less than 50 mmBtu/hr and 9 ppmvd for boilers greater than 50 mmBtu/hr. NO<sub>x</sub> and CO emissions for Oil 2, biodiesel, biofuels or synthetic liquid fuel shall not exceed 90 ppmvd and 200 ppmvd, respectively.

Section H of GP-5 establishes standards and requirements for on shore natural gas processing plants consistent with 40 CFR Part 60, Subpart KKK—Standards of Performance for Equipment Leaks of VOCs from Onshore Natural Gas Processing Plants.

Section I of GP-5 establishes standards and requirements for wellheads consistent with EPA's proposed 40 CFR Part 60, Subpart OOOO.

Section J of GP-5 establishes standards and requirements for equipment leaks which include initiating a

facility leak detection and repair program and recordkeeping requirements for fugitive leak detection and associated repairs.

Section K of GP-5 establishes standards and requirements for pneumatic controllers consistent with EPA's proposed 40 CFR Part 60, Subpart OOOO.

Section L of GP-5 establishes standards and requirements for sweetening units consistent with EPA 40 CFR Part 60, Subpart KKK and proposed 40 CFR Part 60, Subpart OOOO.

#### *Opportunity to Comment*

A copy of the draft revised General Permit will be made available on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: Public Participation; select Proposals Open for Comment). A copy of the draft revised General Permit may also be obtained by contacting Jeanette Van Skike, 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. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

The Department requests written comments on the proposed revisions to this General Permit by May 2, 2012. Comments received by facsimile will not be accepted. Notice and opportunity for comment will also be provided to the EPA and Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia. 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](mailto:nabhhatt@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. 12-365. Filed for public inspection March 2, 2012, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Retail Space to the Commonwealth Allegheny County

Proposals are invited to provide the Department of General Services with 10,000-12,000 net usable square feet of retail space for the Liquor Control Board, in Allegheny County, Pittsburgh, PA. For more information on SFP No. 10001400, which is due on Tuesday, March 20, 2012, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact George Danis at (412) 723-0126.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 12-366. Filed for public inspection March 2, 2012, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Buffalo Valley Lutheran Village  
889 Fairground Road  
Lewisburg, PA 17837  
FAC ID 023602

Village at Penn State Retirement Community  
160 Lion's Hill Road  
State College, PA 16803  
FAC ID 15550201

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide, service or other accommodation to do so should contact V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 12-367. Filed for public inspection March 2, 2012, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Unemployment Compensation; Shared-Work Program

The act of June 17, 2011, (P. L. 16, No. 6) (Act 6) added Article XIII, entitled "Shared-Work Program," to the Unemployment Compensation (UC) Law (43 P. S. §§ 916.1—916.13). Under the program, if a qualified employer is facing temporary layoffs that would affect at least 10% of the employees in a department, shift or other unit, the employer may seek approval for a shared-work plan. Under the plan, the employer would reduce the work hours of all employees in that unit by a set percentage instead of laying off any workers. The participating employees, if otherwise eligible for UC, would receive the same percentage of their UC benefit rate for each week covered by the plan.

Under section 3304(a)(4)(E) of the Federal Unemployment Tax Act (26 U.S.C.A. § 3304(a)(4)(E)) and section

303(a)(5) of the Social Security Act (42 U.S.C.A. § 503(a)(5)), a state may use moneys in its UC trust fund to pay benefits for shared work if the shared-work provisions of the state's UC statute are approved by the United States Department of Labor. Accordingly, Act 6 provides that Article XIII of the UC Law shall take effect upon publication of a notice in the *Pennsylvania Bulletin* that the provisions of Article XIII have been approved by the United States Department of Labor.

The Department of Labor and Industry (Department) is hereby providing notice that the United States Department of Labor has approved Article XIII, Shared-Work Program, of the UC Law. The Department will begin to accept applications from employers for approval of shared-work plans immediately.

Information about shared-work is available on the Department's web site at [www.uc.pa.gov](http://www.uc.pa.gov). Individuals may send questions regarding the shared-work program to the Department to [RA-LI-UC-SharedWork@pa.gov](mailto:RA-LI-UC-SharedWork@pa.gov) or call (877) 785-1531.

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 12-368. Filed for public inspection March 2, 2012, 9:00 a.m.]

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

### Per Diem Rates at Pennsylvania State Veterans' Homes

The Department of Military and Veterans Affairs has established the following per diem rates for the costs of care for residents at the six Pennsylvania State Veterans' Homes. These per diem rates are effective January 1, 2012, until further notice.

#### Hollidaysburg Veterans' Home, Hollidaysburg

Nursing Care	\$299.47
Personal Care (Domiciliary)	\$193.17

#### Pennsylvania Soldiers' and Sailors' Home, Erie

Nursing Care	\$362.31
Personal Care (Domiciliary)	\$147.76

#### Southeastern Veterans' Center, Spring City

Nursing Care	\$322.09
Personal Care (Domiciliary)	\$219.32

#### Gino J. Merli Veterans' Center, Scranton

Nursing Care	\$310.17
Personal Care (Domiciliary)	\$193.72

#### Southwestern Veterans' Center, Pittsburgh

Nursing Care	\$283.13
Personal Care (Domiciliary)	\$115.52

### Delaware Valley Veterans' Home, Philadelphia

Nursing Care	\$317.65
Personal Care (Domiciliary)	\$137.81

MICHAEL G. GOULD,  
*Brigadier General (PA)*  
*The Deputy Adjutant General*  
*for Veterans Affairs*

[Pa.B. Doc. No. 12-369. Filed for public inspection March 2, 2012, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Watercraft Trailer Forfeiture; Maximum Amount

Chapter 73, Subchapter B of 75 Pa.C.S. (relating to watercraft trailer forfeiture) applies only to a watercraft trailer with a resale value based upon established industry standards equal to less than the amount set forth in 75 Pa.C.S. § 7321(c) (relating to scope of subchapter and legislative intent). This subsection provides that for the year 2006, the maximum amount will be \$1,000 and for each year thereafter, the maximum amount will be fixed annually by the Department of Transportation (Department) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The subsection further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and that the Department will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*.

Under 75 Pa.C.S. § 7321(c), the Department has fixed the maximum amount for 2012 as \$1,150.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 12-370. Filed for public inspection March 2, 2012, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Criteria for Courses of Instruction in Boating Safety Education

Under 58 Pa. Code § 91.7 (relating to criteria for courses of instruction in boating safety education), the Executive Director of the Fish and Boat Commission (Commission) shall establish criteria for courses of instruction in boating safety education, and the Executive Director shall publish the criteria in the *Pennsylvania Bulletin*. The Executive Director therefore has established the following Criteria for Internet, Correspondence and Classroom Boating Safety Education Courses, effective July 1, 2012. Criteria were last published at 38 Pa.B. 1784 (April 12, 2008). Requirements for Internet and correspondence courses that the Commission has

amended since the criteria were last published are in bold text as follows. The substantive criteria for classroom courses remain unchanged.

By separate notice, the Executive Director will approve boating safety education courses that meet these criteria and will publish a list of approved boating safety education courses in the *Pennsylvania Bulletin*, effective July 1, 2012.

JOHN A. ARWAY,  
*Executive Director*

*Criteria for Internet Boating Safety  
Education Courses*

The Commission will use the following criteria to approve Internet boating safety education courses. The Commission will only issue Pennsylvania Boating Safety Education Certificates to Commonwealth residents who have successfully completed an approved course.

*Overview*

The Internet boating safety education course allows students to study boating and boating safety information and take a certification examination online in a secure Internet environment. The Internet course will consist of a complete educational curriculum covering the basics of boating safety, regulations and accepted best practices. The course will be presented in lesson format with in-depth coverage of the various topics listed in following sections. The information will be presented in a narrative fashion followed by review questions and discussion points. Courses that consist solely of questions with a correct answer description will not be deemed to meet the criteria contained in this document.

*Providers*

Approved Internet courses shall be offered by providers that meet the requirements of the Commission. Individuals or organizations that desire to provide an Internet boating safety education course that is approved for boaters in this Commonwealth shall be willing to enter into an agreement with the Commission containing the Commonwealth's standard terms and conditions and the additional terms set forth in Exhibit A. Prior to entering into an agreement with the Commission, providers shall submit a request in writing to the Commission's **Director of Boating and Outreach** or designee and shall demonstrate to the Commission's satisfaction that the provider is capable of performing its obligations under the agreement. Providers shall demonstrate their capability by submitting the following documentation along with their request to the Commission:

1. A description of the provider and its capabilities, including a description of type and number of staff and their responsibilities.

2. Proof of ability to manage certification data securely and digitally. This will be demonstrated by providing either:

- An existing computer-based database management system designed to manage certification data.
- Detailed specifications and a project plan to deliver such a computer-based system.

3. Copies of certification by the Payment Card Industry (PCI) to demonstrate provider's secure handling of students' credit card data.

4. Proof that provider's courses have been approved by the National Association of State Boating Law Administrators (NASBLA).

5. The web address (URL) of the Internet course.

*Course Content*

1. The course must be approved by NASBLA. Information on NASBLA approval is available on the NASBLA web site at <http://www.nasbla.org/> or by calling the NASBLA office at (859) 225-9487.

2. In addition to NASBLA requirements, course content will include:

- A description of boating in this Commonwealth.
- Commission regulatory responsibilities.
- Types of boats, boat motors and boat hulls.
- Boat terminology including, but not limited, to: hull, bow, forward, aft, stern, port, starboard, transom, keel, freeboard, draft, beam, gunwale, bilge, waterline.
- Long distance communication on the water.
- Boat handling.
- Process for passage through river locks.

*Organization*

1. Internet course contents will be organized in chapters or lessons.

2. Internet course will include chapter/lesson review exercises.

3. Internet course will have a comprehensive final examination.

*Animation quality*

1. Internet course will include animations or video clips where appropriate to illustrate concepts.

2. Animations will be developed using vector-based graphics for viewing on a variety of screen resolutions.

3. Animations and/or video clips will be of reasonable file size for quick download and delivery on a wide variety of user platforms and connection speeds.

4. Animations and/or video clips will allow student-paced instruction, where the student controls the pacing of the instructional segment and can replay the instructional segment.

5. Animations and/or video clips will be created in a contemporary design to engage all age groups, particularly the youth segment of the boating education market.

*Internet course design quality*

1. Internet course web page design will have an attractive, easy-to-read and contemporary look and feel.

2. Internet course web page design will support all common user environments (various operating systems, web browsers and connection speeds).

3. Boating terms used in the Internet course will be hyperlinked to their definitions the first time they appear in the course material.

4. Internet course will include hyperlinks to locations within the Commission's web site from all appropriate locations within the Internet course.

*ADA version of Internet course design quality*

1. Standard Internet course design will be developed so that it complies with all Priority 1 checkpoints within the Web Content Accessibility Guidelines 1.0 developed by the World Wide Web Consortium.

2. Internet course design will be compliant with the Americans with Disabilities Act. Course provider will

schedule annual reviews of its course material to verify continuing ADA-compliance and implement any changes needed as a result in its development of new course material.

*Internet Course Chapter Review Quiz, Pre-Test and Online Certification Examination*

1. The Internet course must be organized into at least six chapters with a chapter review quiz at the end of each chapter.

2. The Internet course must be designed so that the student actively participates.

3. Students will not be able to access the certification examination without first successfully completing the chapter review quiz for each chapter.

4. Students will not be permitted to take the chapter review quiz without spending the minimum study time assigned to that chapter. The minimum study time assigned to each chapter must be approved by the Commission. The minimum time for the Internet course to be completed by the student, not including the certification examination, is 3 hours.

5. There must be at least ten review questions for each chapter.

6. Students must successfully complete each chapter review quiz before progressing to the next chapter. Students may proceed once they have achieved at least a 70% on the chapter review quiz.

7. Students failing the chapter review quiz will be directed to study the material again and may not retake the quiz until they have again spent the minimum study time assigned to that chapter.

8. The testing portion of the Internet course will include a Commonwealth specific pretest and certification examinations. The Commission will review and approve all questions that are included in the examination question pool.

9. Internet course will have a testing algorithm for the pretest and certification examinations.

10. The pretest and final examination will contain at least 50 questions randomly drawn from a pool of questions written to NASBLA Education Standard 9.

11. The pretest and final examination will also include, at least, an additional 10 Commonwealth specific questions drawn from the pool of at least 30 such questions developed by course provider and written to NASBLA Education Standard 9.

12. The randomization algorithm for online testing will create examinations that meet NASBLA Education Standard 9.2: Testing Standard 3.

13. Examination presentation will allow for the questions to be presented with color graphics or photos in order to test knowledge of aids-to-navigation, navigation rules, boating at night and other subjects.

14. Testing questions will be grouped into the number of categories requested or approved by the Commission. Each category will be defined by the Commission in terms of the category description and the number of questions from that category that should appear on each randomly generated pretest or examination.

15. Each occurrence of the pretest or certification examinations will be generated individually and uniquely for every student. The questions on each pretest or examination will be chosen randomly from each of the

defined categories according to the number of questions specified for that category included in NASBLA Education Standard 9.2: Test Standard 3 to ensure that each important topic is tested. The course certification examination process and design will not provide for or promote the use of reference materials during the examination process.

16. The pool of examination questions and associated graphics, the number and description of categories, the number of questions per category and the total number of questions on the pretest and certification examination will be changed at any time upon request of the Commission.

17. The pretest and certification examinations will be graded automatically and the student given their score online.

18. A test critique will be generated and presented to the student each time a chapter/lesson review exercise, pretest or certification examination is completed.

19. Students completing the pretest will be presented with only the topics (categories) of questions for which they gave incorrect answers. The pretest will not show students specifically which questions they missed.

20. Students completing the certification examination will be presented with the questions, the correct answers for those questions, explanations of the correct answers and hyperlinks back to the relevant course material where those questions are covered.

21. The passing grade for the final examination will be 80%.

*Certification*

1. The course certification examination registration process will contain Commission defined personal data fields to be collected from student applicants.

2. The online registration process will validate the data fields to ensure data integrity.

3. The registration process will check that all required data fields have been supplied by the student, and the process will allow data for fields such as hair color or race to be selected from a Commission specified list of allowed values.

4. Students passing the course certification examination with a minimum grade of 80% will be issued a temporary boating safety education certificate. Provider will not allow the downloading of the form to the student's computer in a form that can be edited by the recipient. This will be accomplished by a locked PDF file or other secure method. The provider will arrange for resolution of any printing problems and provide for the mailing of the original or duplicate temporary certificate. The temporary boating safety education certificate will display a code (character string) that is tied uniquely to that student's personal data, so that the Commission can decode it easily to determine if the temporary certificate was generated fraudulently.

5. The temporary boating safety certificate expires 60 days after the date of issue. The temporary boating safety certificate used by the provider must be approved by the Commission and will contain the following information: date of issue, date of expiration, name and address, type of course, hair color, eye color, sex, date of birth, NASBLA approval, electronic signature of instructor and date, signature of student and date, instructions on how to obtain a permanent boating safety education certificate at a later date.

*Exhibit A**Internet course promotion and advertising*

1. All promotion of the Internet course will be done ethically and honestly and will not mislead the public in any way. Promotions will not include contests or giveaway promotions. Course provider will not advertise the Internet course from within other web sites where the other web sites are designed in a way that misleads the public.

2. Course provider will not collect names or e-mail addresses of other potential students from the online students. Any direct solicitation of potential students by means of e-mail, mail or telephone will be approved in advance in writing by the Commission.

3. Course provider will not provide an advertisement or link to another web site from within the Internet course unless approved in advance in writing by the Commission.

*General Course Provider Tasks and Qualifications*

The course provider will:

1. Employ sufficient staff to develop, maintain, operate and manage the course.

2. Secure an Internet Domain (URL address) to host the course and publish the course on the Internet.

3. Issue temporary boating safety education certificates approved by the Commission to students successfully completing the Internet course.

4. Generate any reports on the student data and financial transactions that are requested by the Commission including, but not limited to, year to date and monthly reports showing student demographics and fees collected.

5. Handle the purchase of Commission boating safety education certificates by successful students as part of the course certification process and transfer the associated fees and certificate-purchaser data to the Commission, electronically or in any agreed upon format by the course provider and the Commission, on at least a monthly basis.

6. Pay Commission fees by check or electronic fund transfer.

7. Update the Internet course to reflect changes in Federal or State regulations or laws and make any other changes or corrections to the Internet course that are requested by the Commission at any time.

8. Provide an e-mail link that allows users to contact the course provider and respond to all inquiries within 48 hours. (Automated responses merely stating that the user's e-mail has been received will not satisfy this requirement.)

9. Respond to Commission queries promptly.

10. Provide daily (including weekend) service for the Internet course.

11. Answer all technical questions related to using the Internet course, and also any questions related to boating safety, laws, and the like, that can be answered from the course material.

12. Forward any questions that cannot be answered with confidence to a designated Commission contact.

13. Maintain a complete backup of the student data for a period of 5 years and make available to the Commission, upon request, a complete copy of the digital files of the student data.

14. Provide a bond in the amount of \$20,000 in the form approved by the Commission to indemnify the Commission against any loss or damage of moneys that course provider collects on behalf of the Commission (for example, fees collected for purchases of the Commission required boating safety education certificates) upon execution of the agreement between the course provider and the Commission.

15. Collect all student data fields required by the Commission.

16. Adhere strictly to a privacy policy that ensures that student data will not be transferred to any party other than the Commission and will not be used by course provider for any purpose except to issue students' certification cards. In the event course provider fails to adhere to this privacy policy, course provider agrees to pay the Commission the sum of \$100 for each name or other piece of student data transferred or used in violation hereof. The course provider will state this privacy policy clearly on its web page that is accessible from every web page in the Internet course material and examination.

*Adherence to Payment Card Industry Security Standards*

Course provider will obtain and maintain certification by the Payment Card Industry (PCI) to ensure course provider's secure handling of students' credit card data. Course provider will provide the Commission with a copy of the PCI certification upon request. The PCI audits will cover course provider's web server, data management system and associated networks. Additionally, course provider will meet those same payment card security standards with respect to course provider's handling of students' personal data. Detailed requirements are found in the document titled "Payment Card Industry (PCI) Data Security Standard" and can be downloaded from [www.pcisecuritystandards.org](http://www.pcisecuritystandards.org).

*Course Fees*

**Course providers may charge users a reasonable fee not to exceed \$50.00 to take the Internet course and online certification examination.**

*Boating Safety Education Certification Fee*

**The course provider will disclose to students who take the Internet boating safety education course that they will be required to pay for the Pennsylvania boating safety education certification. Students will not have the option to opt out of receiving the Pennsylvania boating safety education certification. The course provider will collect the \$10 fee from the student in addition to the charge (if any) for the Internet boating education course examination and will remit the fee to the Commission.**

*Administrative Fee to Commission*

The course providers will pay the Commission an administrative fee of \$5 for each boating safety education certification examination.

*Transfer of Data, Fees and Reports*

The course provider will:

1. Pay all certification fees and administrative fees by check or electronic fund transfer on a monthly basis or other term as required by the Commission.

2. Transfer student data to the Commission digitally and securely in the form and format established by the Commission.

3. Generate any reports on the student data and financial transactions that are requested by the Commission.

sion including, but not limited to, year to date and monthly reports showing student demographics and fees collected.

*Criteria for Correspondence Boating Safety Education Courses*

The Commission will use the following criteria to approve correspondence boating safety education courses. The Commission will only issue Pennsylvania Boating Safety Education Certificates to Commonwealth residents who have successfully completed an approved course.

*Overview*

1. The correspondence boating education course is a video and/or DVD-based course that allows students to study boating and boating safety and take a certification examination at home.

2. The correspondence course includes:

- A printed or digital boater education student manual.
- A boater education video and/or DVD.
- A certification examination to take at home, or at any remote location or online.

*Providers*

Approved correspondence courses shall be offered by providers that meet the requirements of the Commission. Individuals or organizations that desire to provide a correspondence course that is approved for boaters in this Commonwealth shall be willing to enter into an agreement with the Commission containing the Commonwealth's standard terms and conditions and the additional terms set forth in Exhibit A. Prior to entering into an agreement with the Commission, providers shall submit a request in writing to the Commission's **Director of Boating and Outreach** or designee, and shall demonstrate to the Commission's satisfaction that the provider is capable of performing its obligations under the agreement. Providers shall demonstrate their capability by submitting the following documentation along with their request to the Commission:

1. A description of the provider and its capabilities including a description of type and number of staff and their responsibilities.

2. Proof of ability to manage certification data securely and digitally. This will be demonstrated by providing either:

- An existing computer based database management system designed to manage certification data, or
- Detailed specifications and a project plan to deliver such a computer-based system.

3. Copies of certification by the PCI to demonstrate provider's secure handling of students' credit card data.

4. Proof that provider's courses have been approved by the National Association of State Boating Law Administrators (NASBLA).

5. A sample of the completed correspondence course, the completed student manual, and a sample of the completed boater education video or DVD.

*Course Content*

1. The course must be approved by NASBLA. Information on NASBLA approval is available on the NASBLA web site at <http://www.nasbla.org/> or by calling the NASBLA office at (859) 225-9487.

2. In addition to NASBLA requirements, course content will include:

- A description of boating in this Commonwealth.
- Commission regulatory responsibilities.
- Types of boats, boat motors and boat hulls.
- Boat terminology including, but not limited, to: hull, bow, forward, aft, stern, port, starboard, transom, keel, freeboard, draft, beam, gunwale, bilge, waterline.
- Long distance communication on the water.
- Boat handling.
- Process for passage through river locks.

*Student Manual*

*Overview*

The digital and/or printed student manual will be a four-color student text, tailored to the Commonwealth, covering all of the Commonwealth specific boating laws and regulations, navigational rules and aids, risk management and responsibilities of boat operators. Course provider will:

1. Write all text used in the student manual.
2. Provide all graphics used in the student manual.
3. Procure any photographs needed for the student manual.
4. Design the cover and page layout of the student manual.
5. Make any and all revisions requested by the Commission to any Commonwealth specific pages of the student manual.
6. Provide a complete color proof of the student manual to the Commission for approval prior to distribution.
7. Update the student manual to reflect changes in Commonwealth laws and information as requested by the Commission with each subsequent edition.

*Text quality and content*

1. Text will be written in a clear, reader-friendly and consistent style.

2. Boating terms will be defined.

3. The student manual will have additional pages available for Commonwealth specific information, which may include a quick reference chart of Commonwealth specific required equipment, an in-manual certification examination (see "certification examination"), an examination response form or any other information desired by the Commission. The Commonwealth specific information may be contained in a separate publication.

4. The student manual will include chapter review exercises to aid students in retention of the material.

*Graphics quality*

1. The student manual will contain graphics to illustrate important information. All graphics will be full color and realistic.

2. The student manual will, in addition, contain photographs to illustrate important information. All photographs will be high resolution color photographs.

3. All graphics and photographs illustrating persons in boats will show the persons properly wearing United States Coast Guard approved PFDs, unless the graphic or photograph is marked clearly as a prohibited situation.

*Cover design and page layout quality*

1. The student manual cover will be designed to give an attractive and contemporary look.

2. Layout of the student manual's text pages will be consistent throughout and have an attractive, easy-to-read and contemporary look.

#### *Video and/or DVD*

##### *Overview*

1. The video and/or DVD must be a companion to the student manual. It must be available in VHS or DVD formats. The boater education video and/or DVD must contain up-to-date legal requirements, be at least 60 minutes in length and closed captioned. It will cover, at a minimum, Federal boating laws, required equipment, navigational rules and aids and how to handle boating emergencies. The boater education video and/or DVD will follow the chapters in the student manual.

##### *Video quality*

1. Video will be contemporary and professionally presented.
2. Audio and video tracks on the boater education video will be of good quality.
3. Video will be produced with professional equipment.
4. DVD version will have a menu allowing play of each chapter.

##### *Certification Examination*

1. The correspondence course will include a comprehensive certification examination written to NASBLA Education Standard 9.
2. Correspondence course will include at least one examination response form.
3. Correspondence course will be designed to meet NASBLA requirements for examination security.
4. Course provider will provide grading of the certification examination and notify students of their scores.

##### *Certification*

1. The correspondence course registration process will contain Commission defined personal data fields to be collected from student applicants.
2. The registration process will check that all required data fields have been supplied by the student, and the process will allow data for fields such as hair color or race to be selected from a Commission specified list of allowed values.
3. Students passing the course certification examination with a minimum grade of 80% will be issued a temporary boating safety education certificate. The temporary boating safety certificate expires 60 days after the date of issue. The temporary boating safety certificate used by the provider must be approved by the Commission and will contain the following information: date of issue, date of expiration, name and address, type of course, hair color, eye color, sex, date of birth, NASBLA approval, signature of instructor and date, a student signature and date section, instructions on how to obtain a permanent boating safety education certificate at a later date.

#### *Exhibit A*

##### *Correspondence course promotion and advertising*

1. All promotion of the correspondence course will be done ethically and honestly and will not mislead the public in any way. Promotions will not include contests or give-away promotions.

##### *General Course Provider Tasks and Qualifications*

The course provider will:

1. Employ sufficient staff to develop, maintain, operate and manage the course.
2. Issue temporary boating safety education certificates approved by the Commission to students successfully completing the correspondence course.
3. Generate any reports on the student data and financial transactions that are requested by the Commission including, but not limited to, year to date and monthly reports showing student demographics and fees collected.
4. Handle the purchase of Commission boating safety education certificates by successful students as part of the correspondence course certification process and transfer the associated fees and certificate-purchaser data to the Commission, electronically or in any agreed upon format by the course provider and the Commission, on at least a monthly basis.
5. Pay Commission fees by check or electronic fund transfer.
6. Provide an e-mail address that allows users to contact the course provider and respond to all inquiries within 48 hours. (Automated responses merely stating that the user's e-mail has been received will not satisfy this requirement.)
7. Respond to Commission queries promptly.
8. Answer all technical questions related to using the correspondence course, and also any questions related to boating safety, laws or other information that can be answered from the course material.
9. Forward any questions that cannot be answered with confidence to a designated Commission contact.
10. Maintain a complete backup of the student data for a period of 5 years and make available to the Commission, upon request, a complete copy of the digital files of the student data.
11. Provide a bond in the amount of \$20,000 in the form specified by the Commission to indemnify the Commission against any loss or damage of moneys that course provider collects on behalf of the Commission (for example, fees collected for purchases of the Commission required boating safety education certificates) upon execution of the agreement between the course provider and the Commission.
12. Collect all student data fields required by the Commission.
13. Adhere strictly to a privacy policy that ensures that student data will not be transferred to any party other than the Commission and will not be used by course provider for any purpose except to issue students' certification cards. In the event course provider fails to adhere to this privacy policy, course provider agrees to pay the Commission the sum of \$100 for each name or other piece of student data transferred or used in violation hereof. The course provider will state this privacy policy clearly in the correspondence course material.

##### *Transfer of Data, Fees and Reports*

The course provider will:

1. Pay all certification fees and administrative fees by check or electronic fund transfer on a monthly basis or other term as required by the Commission.



2. Transfer student data to the Commission digitally and securely in the form and format established by the Commission.

3. Generate any reports on the student data and financial transactions that are requested by the Commission including, but not limited to, year to date and monthly reports showing student demographics and fees collected.

#### *Course Ordering and Fulfillment*

The course provider will:

1. Fulfill orders of the correspondence course and mail them to purchasers within 5 business days of receipt of an order.

2. Provide a toll free telephone service for the public to order the correspondence course.

3. Set up the correspondence course registration process to collect the student data fields requested by the Commission.

#### *Adherence to Payment Card Industry Security Standards*

Course provider will obtain and maintain certification by the Payment Card Industry (PCI) to ensure course provider's secure handling of students' credit card data. Course provider will provide the Commission with a copy of the PCI certification upon request. The PCI audits will cover course provider's web server, data management system, and associated networks. Additionally, course provider will meet those same payment card security standards with respect to course provider's handling of students' personal data. Detailed requirements are found in the document titled "Payment Card Industry (PCI) Data Security Standard" and can be downloaded from [www.pcisecuritystandards.org](http://www.pcisecuritystandards.org).

#### *Course Fees*

Course provider may charge users a fee not to exceed \$50 (not including shipping and handling) for the correspondence course materials and to take the first certification examination. Additional examination fees for correspondence course with more than one examination may not exceed \$10 per examination.

#### ***Boating Safety Education Certification Fee***

**The course provider will disclose to students who take the correspondence boating safety education course that they will be required to pay for the Pennsylvania boating safety education certification. Students will not have the option to opt out of receiving the Pennsylvania boating safety education certification.**

**The course provider will collect the \$10 fee from the student for the correspondence boating education course examination, in addition to the existing (if any) examination processing fee. The course provider will process the \$10 fee as follows:**

◦ **If the student passes the examination, the course provider will transfer the \$10 fee to the Commission on a monthly basis.**

◦ **If the student fails his/her first or second examination, the course provider will send the student a failure notice and a new examination response form, which the student may return at no additional charge (if applicable). The course provider will hold the \$10 fee awaiting the next attempt. If the student passes on his/her next try, the course provider will transfer the \$10 fee to the Commission.**

◦ **If the student fails his/her third attempt at the examination, the course provider will send the student a final failure notice and refund the \$10 fee to the student.**

#### *Administrative Fee to Commission*

The course providers will pay the Commission an administrative fee of \$5 for each correspondence course certification examination submitted by a student to the course provider.

#### *Criteria for Classroom Boating Safety Education Courses*

The Commission will use the following criteria to approve classroom boating safety education courses. The Commission will only issue Pennsylvania Boating Safety Education Certificates to Commonwealth residents who have successfully completed an approved course.

#### *Overview*

The boating education classroom course (classroom course) is an instructor based course that allows students to study boating and boating safety and take a certification examination. The classroom course will consist of a complete educational curriculum covering the basics of boating safety, regulations and accepted best practices. The course will be presented in lesson format with in-depth coverage of the various topics listed in following sections. The classroom course is supported by a video and/or DVD and is taught by one or more instructors to one or more students. Once instruction of the course is complete, students take a proctored certification examination in a classroom environment.

The classroom course includes:

1. A lesson plan for instructors
2. A printed boating education student manual.
3. Boating education videos or DVDs that support the lecture parts of the course.
4. A proctored certification examination to take at the course location or at another monitored location.

#### *Providers*

Approved classroom courses shall be offered by providers that meet the requirements of the Commission. Individuals or organizations that desire to provide a classroom course that is approved for boaters in this Commonwealth shall be willing to enter into an agreement with the Commission containing the Commonwealth's standard terms and conditions and the additional terms set forth in Exhibit A. This does not apply to the United States Coast Guard Auxiliary or to the United States Power Squadrons who are excluded from this requirement. Prior to entering into an agreement with the Commission, providers shall submit a request in writing to the Commission's **Director of Boating and Outreach** or designee and shall demonstrate to the Commission's satisfaction that the provider is capable of performing its obligations under the agreement. Providers shall demonstrate their capability by submitting the following documentation along with their request to the Commission:

1. A description of the company and its capabilities including a description of type and number of staff and their responsibilities.
2. Proof that its courses have been approved by the National Association of State Boating Law Administrators (NASBLA).
3. The web address (if any) for their classroom course.

4. A complete copy of the lesson plan, including the certification examination for teaching the classroom course.

5. A sample of the video/DVD or PowerPoint presentation used to support the course.

6. A sample of the student manual or textbook used to teach the course.

#### *Course Content*

1. The course must be approved by NASBLA. Information on NASBLA approval is available on the NASBLA web site at <http://www.nasbla.org/> or by calling the NASBLA office at (859) 225-9487.

2. In addition to NASBLA requirements, course content will include:

- A description of boating in this Commonwealth.
- Commission regulatory responsibilities.
- Types of boats, boat motors and boat hulls.
- Boat terminology including, but not limited, to: hull, bow, forward, aft, stern, port, starboard, transom, keel, freeboard, draft, beam, gunwale, bilge, waterline.
- Long distance communication on the water.
- Boat handling.
- Process for passage through river locks.

#### *Student Manual*

##### *Overview*

The printed student manual will be a four-color student text, tailored to the Commonwealth, covering all of the Commonwealth specific boating laws and regulations, navigational rules and aids, risk management and responsibilities of boat operators. Commonwealth specific information may, as an option, be provided in a separate text such as the *PA Boating Handbook*.

Course provider will:

1. Write all text used in the student manual.
2. Provide all graphics used in the student manual.
3. Procure any photographs needed for the student manual.
4. Design the cover and page layout of the student manual.
5. Make any and all revisions requested by the Commission to any Commonwealth specific pages (if applicable) of the student manual.
6. Provide a complete color proof of the student manual to the Commission for approval prior to teaching the classroom course.
7. Update the student manual to reflect changes in Federal and Pennsylvania laws and information.

##### *Text quality and content*

1. Text will be written in a clear, reader-friendly, and consistent style.
2. Boating terms will be defined.
3. The student manual will include chapter review exercises to aid students in retention of the material.

##### *Graphics quality*

1. The student manual will contain graphics to illustrate important information. All graphics will be full-color and realistic.

2. The student manual will, in addition, contain photographs to illustrate important information. All photographs will be high resolution color photographs showing only current model boats.

3. All graphics and photographs illustrating persons in boats will show the persons properly wearing United States Coast Guard approved PFDs, unless the graphic or photograph is marked clearly as a prohibited situation.

##### *Page layout quality*

Layout of the student manual's text pages will be consistent throughout and have an attractive, easy to read and contemporary look.

#### *Boating Education Video and/or DVD*

##### *Overview*

The boating education video and/or DVD must support the information being taught in the classroom course and may not conflict with the information being taught by the course instructors from the lesson plan, or the content of the student manual.

##### *Video quality*

1. Will be contemporary and professionally presented.
2. Audio and video tracks on the boater education video will be of good quality.

##### *Certification Examination*

1. The classroom course will include a comprehensive certification examination written to NASBLA Education Standard 9. The Commission may choose 10 Commonwealth specific questions from the pool of at least 20 questions developed by course provider and written to NASBLA Education Standard 9.

2. Classroom course examination will be designed to meet NASBLA requirements for examination security.

3. Course provider will provide grading of the certification examination and notify students of their scores.

4. All answers to the examination will be written on the Application for Boating Safety Certificate (available on written request from the Commission).

5. Students with reading problems may have the test read to them at their request. This option should be explained well in advance of starting the testing procedure to allow for preparation.

6. The classroom course provider is responsible for maintaining the integrity of the certification examination. The course provider must take special care to prevent examination fraud or cheating.

7. Upon completion of the exam, each student's Application for Boating Safety Certificate is collected and graded by the course provider. Students are advised by the instructor of their grade.

##### *Application for Boating Safety Education Certification*

1. After grading the answer sheet part of the application, the course provider prints their name, instructor number (assigned by the Commission in Harrisburg), signs each sheet of the application form and returns the application to the students. The course provider must not allow the student to retain the completed answer sheet of the application form or any blank Application for Boating Safety Education Certificate forms.

2. The course provider is responsible to make certain that Applications for Boating Safety Certificate forms are properly completed and legible before students submit them by means of mail to the Commission using the

provided envelope. Course providers should never collect the certificate fee from the student.

3. Students should be advised to mail the completed applications immediately after the completion of the course to avoid a delay in receiving their certificates.

4. The applications are data entered at the Commission in Harrisburg. Students will receive a Boating Safety Education Certificate in the mail (within 30 days after receipt in Harrisburg).

5. Students passing the course certification examination with a minimum grade of 80% may be issued a temporary boating safety education certificate (available on written request from the Commission) by the course provider.

6. The temporary boating safety certificate expires 60 days after the date of issue. The temporary boating safety certificate used by the provider must be approved by the Commission and will contain the following information: date of issue, date of expiration, name and address, type of course, hair color, eye color, sex, date of birth, NASBLA approval, signature of instructor and date, signature of student and date, instructions on how to obtain a permanent boating safety education certificate at a later date.

#### *Boating Education Course Summary Sheet*

1. Classroom courses must be documented to the Commission using a boating education course summary sheet form (available on written request from the Commission). Both sides (A and B) must be completed by the course provider.

2. At the completion of the course, the summary sheet must be mailed by the course provider to the Commission in Harrisburg. The summary sheet documents the course to the Commission and is used to cross reference applications received by students.

3. The answer sheet part of the Application for Boating Safety Education Certification is not mailed to the Commission. It is to be retained as part of the course provider's record and must not be returned to the student.

4. The instructor number for the course provider must be listed.

5. Student names must be listed in the spaces provided on the back of the form. Additional copies of the form may be used for large classes.

#### *Exhibit A*

#### *Classroom Course Promotion and Advertising*

All promotion of the classroom course will be done ethically and honestly and will not mislead the public in any way.

#### *General Course Provider Tasks and Qualifications*

The course provider will:

1. Be responsible for the ethical conduct of the classroom course instructors.

2. Be responsible for all development required for the classroom course.

3. Update the classroom course to reflect changes in Federal or State boating regulations or laws.

4. Issue temporary boating safety education certificates approved by the Commission to students successfully completing the classroom course.

5. Respond to Commission and public queries promptly.

6. Answer all technical questions related to using the classroom course, and any questions related to boating safety, laws or other information that can be answered from the course material.

7. Forward any questions that cannot be answered with confidence to a designated Commission contact.

8. Document to the Commission using a boating education course summary sheet form.

#### *Course Fees*

Course providers may charge users a reasonable fee (not to exceed \$60.00) to take the classroom course.

[Pa.B. Doc. No. 12-371. Filed for public inspection March 2, 2012, 9:00 a.m.]

## **Proposed Special Regulation Designations and Redesignations**

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners. At the next Commission meeting on April 11 and 12, 2012, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective upon publication of a notice in the *Pennsylvania Bulletin*:

#### *58 Pa. Code § 65.5. Catch and release areas*

The Commission currently regulates and manages Yellow Breeches Creek, Section 03, Cumberland County, from Boiling Springs downstream to the vicinity of Allenberry, as a catch and release area under 58 Pa. Code § 65.5. The Commission will consider extending this catch and release area upstream to include Section 01 of the unnamed tributary to Yellow Breeches Creek, locally known as "The Run." The Run extends 0.17 mile from the outfall of Children's Lake downstream to the mouth (confluence with Yellow Breeches Creek).

#### *58 Pa. Code § 65.19. Approved trout waters open to year-round fishing*

The Commission will consider removing Laurel Run, Clearfield County, from its Approved Trout Waters Open to Year-Round Fishing Program managed under 58 Pa. Code § 65.19.

At this time, the Commission is soliciting public input concerning the previously listed designations and redesignations. Persons with comments, objections or suggestions concerning the designations and redesignations are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

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

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 12-372. Filed for public inspection March 2, 2012, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### Proposed Plan Implementing PHARE Act Funding and Invitation for Public Comment

The Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund (PHARE Fund) was established

by the act of November 23, 2010 (P. L. 1035, No. 105) to provide a structure by which certain State and Federal funds may be used to support affordable housing throughout this Commonwealth. The Housing Finance Agency (Agency) administers the PHARE Fund. Under the recent enactment of the Marcellus Shale Impact Fee legislation, the act of February 14, 2012 (P. L. 87, No. 13), funds are expected to become available to the PHARE Fund.

To administer the PHARE Fund, the Agency must adopt a plan, after public comment.

By this notice, the Agency is specifically inviting public comment on the Proposed Plan, which is available at [www.phfa.org](http://www.phfa.org) or by contacting Bryce Maretzki at [bmaretzki@phfa.org](mailto:bmaretzki@phfa.org).

The comment period will be open for at least 45 days from the date of publication. Written comments will be accepted as directed in the Proposed Plan and will be available for public inspection.

BRIAN A. HUDSON, Sr.,  
*Executive Director*

[Pa.B. Doc. No. 12-373. Filed for public inspection March 2, 2012, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from the web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

#### Final-Form

Reg. No.	Agency/Title	Received	Public
16A-4929	State Board of Medicine Behavior Specialist	2/22/12	4/5/12

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 12-374. Filed for public inspection March 2, 2012, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Wycliffe S. Sebina and Trans Atlantic Brokerage, Inc.; Doc. No. SC12-02-007

Notice is hereby given of the Order to Show Cause issued on February 17, 2012, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 606-A(a)(6), 611-A(20), 678-A and 691-A of The Insurance Department Act of 1921 (40 P. S. §§ 310.6(a)(6), 310.11(20), 310.78 and 310.91).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 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) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-375. Filed for public inspection March 2, 2012, 9:00 a.m.]

## Application for Approval to Acquire Control of Highmark, Inc. and its Pennsylvania Domiciled Insurance Subsidiaries

### Public Informational Hearing

The Insurance Department (Department) will hold a public informational hearing regarding the proposed acquisition of control of Highmark, Inc. and its Pennsylvania domiciled insurance subsidiaries by UPE, a newly-formed nonprofit corporation. This "Form A" transactional filing is related to Highmark's proposed affiliation with West Penn Allegheny Health System. The affected Commonwealth domiciled insurance subsidiaries of Highmark include First Priority Life Insurance Company, Inc., Gateway Health Plan, Inc., HM Health Insurance Company, HM Casualty Insurance Company, HM Life Insurance Company, Highmark Casualty Insurance Company, Highmark Senior Resources, Inc., HMO of Northeastern Pennsylvania, Inc., Inter-County Health Plan, Inc., Inter-County Hospitalization Plan, Inc., Keystone Health Plan West, Inc., United Concordia Companies, Inc., United Concordia Dental Plans of Pennsylvania, Inc. and United Concordia Life and Health Insurance Company. The application was received on November 7, 2011, and was made under Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413). Policyholders and interested persons are invited to attend and participate in the hearing. Persons may attend the hearing without any obligation to speak at the hearing.

1. *Date and Time:* Tuesday, April 17, 2012, hearing to begin at 9 a.m. with evening session to begin at 7 p.m.
2. *Location:* Westin Convention Center, 1000 Penn Avenue, Pittsburgh, PA 15222
3. *Nature of Hearing:* The public informational hearing will provide an opportunity for policyholders and interested persons to present comments relevant to the previously-referenced transaction. The proceeding will be recorded by a court reporter.
4. *Legal Authority:* The public informational hearing will be held under Article XIV of The Insurance Company Law of 1921.

5. *Written Comments:* Persons who are unable to attend the public informational hearing or would prefer to submit written comments in lieu of speaking at the hearing concerning the previously-referenced transaction, may do so by mailing or delivering a copy of the comments to Robert E. Brackbill, Jr., Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@pa.gov. Comments received will be part of the public record regarding this filing and will be posted on the Department's web site as well as shared with the applicant.

6. *Preregister to Attend the Public Informational Hearing:* All persons attending the public informational hearing will be asked to sign in at the registration desk. To expedite signing in, the Department strongly encourages persons to preregister on or before April 12, 2012, at [www.insurance.pa.gov](http://www.insurance.pa.gov) and click the registration icon. Note that preregistration is not required. An advance copy of the agenda will be distributed to persons who preregister to attend the public informational hearing.

7. *Preregister to Speak at the Public Informational Hearing:* Individuals wishing to present comments should register in advance. Walk-ins will be accepted, time permitting. Preregister in advance at [www.insurance](http://www.insurance).

pa.gov and click the registration icon. The Department anticipates scheduling 10 minute time slots per individual, but will take into account other factors.

Individuals are encouraged to submit their written comments on or before April 12, 2012. After preregistering to speak online, submit advance copies of the comments to Robert Brackbill, Chief, Company Licensing Division, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@pa.gov.

It is anticipated that speakers will be heard in the following general order:

- a) Preregistered speakers who filed written comments as provided previously by April 12, 2012.
- b) Preregistered speakers who did not file written comments as provided previously by April 12, 2012.
- c) Same day walk-in requests to speak, time permitting.
- d) Speakers who wish to present additional comments, time permitting.

8. *ADA Notice:* Individuals who require the assistance of auxiliary aids or services to participate in or attend this public informational hearing are asked to call the Director of the Bureau of Administration at (717) 787-4298. Individuals who are hearing impaired are asked to call the Department's TTY/TDD telephone number (717) 783-3898.

9. *Updates:* The Department encourages the public to check the Department's web site for updates. Additional details concerning the hearing such as the availability to view the proceeding by means of web stream will be posted on the web site as the time for the hearing approaches.

MICHAEL F. CONSEDINE,  
Insurance Commissioner

[Pa.B. Doc. No. 12-376. Filed for public inspection March 2, 2012, 9:00 a.m.]

## Erie Insurance Exchange; Homeowners; Rate Revision

On February 10, 2012, the Insurance Department (Department) received from Erie Insurance Exchange a filing for a rate level change for homeowners insurance.

Erie Insurance Exchange requests an overall 9.9% increase amounting to \$35,501,722 annually, to be effective June 1, 2012. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to April 10, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@pa.gov within

30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-377. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Nationwide Property and Casualty Insurance Company; Homeowners; Rate Revision

On February 3, 2012, the Insurance Department (Department) received from Nationwide Property and Casualty Insurance Company a filing for a rate level change for homeowners insurance.

Nationwide Property and Casualty Insurance Company requests an overall 7.0% increase amounting to \$7,542,800 to be effective on July 14, 2012. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to April 3, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Bojan Zorkic, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [bzorkic@pa.gov](mailto:bzorkic@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-378. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Request to Surrender a Certificate of Authority to Provide a Continuing Care Retirement Community by Bethel Pointe Foundation

Bethel Pointe Foundation has submitted a request to surrender their Certificate of Authority to operate a Continuing Care Retirement Community at Bethel Pointe at Hill Farm Estate in Annville, PA. The request was received on February 15, 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, Insur-

ance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [syerger@pa.gov](mailto:syerger@pa.gov).

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-379. Filed for public inspection March 2, 2012, 9:00 a.m.]

### United Services Automobile Association; USAA Casualty Insurance Company; Homeowners Rate Revision

On February 15, 2012, the Insurance Department (Department) received from United Services Automobile Association and USAA Casualty Insurance Company a filing for a rate level revision for Homeowners insurance.

United Services Automobile Association requests an overall 14.6% increase amounting to \$5,478,000 annually, to be effective August 15, 2012.

USAA Casualty Insurance Company requests an overall 15.5% increase amounting to \$4,437,000 annually, to be effective August 15, 2012.

Unless formal administrative action is taken prior to April 15, 2012, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [xlu@pa.gov](mailto:xlu@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-380. Filed for public inspection March 2, 2012, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The Liquor Control Board seeks the following new site:

Northampton County, Wine & Spirits Store #4811 (Relocation), Wind Gap, PA

*Lease expiration date:* 90-day status since August 31, 2011.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,500 to 4,000 net useable square feet of new or existing retail commercial space along State Route 512 or 115 within a 1.5 mile radius of the intersection of Center Street and South Broadway, Wind Gap, PA.

*Proposals due:* March 16, 2012, at 12 p.m.

NAICIR  
**Location:** P. O. Box 8910, Camp Hill, PA 17001-8910

**Contact:** Justin Shoemaker, (717) 731-4525,  
jshoemaker@naicir.com

JOSEPH E. BRION,  
*Chairperson*

[Pa.B. Doc. No. 12-381. Filed for public inspection March 2, 2012, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Implementation of Unconventional Gas Well Impact Fee Act, Act 13 of 2012; Docket No. M-2012-2288561

On February 14, 2012, Governor Corbett signed House Bill 1950 into law as Act 13 of 2012 or the Unconventional Gas Well Impact Fee Act (Act 13), which amends Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, providing for an impact fee, Oil and Gas Act amendments and standards for local ordinances. The Act allows counties to pass ordinances to impose an impact fee on unconventional gas well producers and alternatively allows municipalities to adopt resolutions compelling the imposition of fees related to these wells.

The Act specifically requires the Pennsylvania Public Utility Commission (Commission) to administer the collection and disbursement of the impact fee. Also, if requested by a municipality, the Commission is required by Section 3305(a) of the Act to review a proposed local ordinance and issue an advisory opinion on whether the ordinance violates the Municipalities Planning Code or Act 13. In addition, the Commission is required by Section 3305(b) of the Act to issue an order when a request for review is filed by an owner or operator of an oil or gas operation or a person residing within the geographic boundaries of a local government who is aggrieved by the enactment or enforcement of a local ordinance.

The Commission has established Docket Number M-2012-2288561 for all Secretarial Letters and Implementation Orders regarding Act 13. Counties and municipalities should also use Docket Number M-2012-2288561 to file notices of election to implement an impact fee and/or municipal resolutions to compel the imposition of an impact fee pursuant to Section 2302 of the Act. Further, producers should use this Docket Number to file reports pursuant to Section 2312 of the Act.

Requests from municipalities for advisory opinions regarding proposed local ordinances pursuant to Section 3305(a) of the Act should be filed with no docket number. The Commission will assign a separate docket number for each such request. Along with these requests, municipalities should provide a copy of the proposed ordinance, as well as information and an explanation of their view as to whether it violates the Municipalities Planning Code or Act 13.

On and after April 16, 2012, the Commission will accept requests for review filed by producers or residents regarding local ordinances and assign a separate docket number for each such request. Further instructions governing such filings will be provided in subsequent Commission communications.

All documents must be filed with the Commission's Secretary at the following address:

Secretary  
PA Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105

Alternatively, documents may be eFiled using the Commission's eFiling system, which is available by going to the home page of the Commission's website at <http://www.puc.state.pa.us> and selecting eFiling from the choices on the left side. Any questions about filing documents should be directed to the Secretary at 717-772-7777.

In the coming weeks, the Commission plans to issue a Tentative Implementation Order that will address various issues and proposed procedures related to the Commission's duties under this Act and provide a forum for the public to comment on the implementation plans before they become final. The guidance provided by the Tentative Implementation Order will include additional information that must be filed with requests for advisory opinions and reviews of local ordinances.

To ensure receipt of the Tentative Implementation Order, please send an email to the Commission's resource account, [ra-Act13@pa.gov](mailto:ra-Act13@pa.gov), and provide a name and mailing address for the Commission to include on the official service list for Docket Number M-2012-2288561. Also, upon request by email sent to [ra-Act13@pa.gov](mailto:ra-Act13@pa.gov), the Commission will add interested parties to the electronic distribution list to receive information regarding future developments at this docket. In addition, the Commission will be providing important information regarding Act 13 on our website, which may be accessed by going to <http://www.puc.state.pa.us> and choosing Natural Gas from the top of the page and then selecting Act 13 (Impact Fee) from the choices on the left side.

If you have any questions regarding this Secretarial Letter, see the Act 13 page on the Commission's website or email your questions to [ra-Act13@pa.gov](mailto:ra-Act13@pa.gov).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-382. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Natural Gas Pipeline

**A-2012-2289607. UGI Central Penn Gas, Inc.** Application of UGI Central Penn Gas, Inc. for approval of the transfer by sale, of an approximate 11-mile natural gas pipeline, appurtenant facilities and rights-of-way in Tioga County, to UGI Storage Company, and for approval of an associated reduction in base rates.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 19, 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](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* UGI Central Penn Gas, Inc.

*Through and By Counsel:* Mark C. Morrow, Esquire,  
Chief Regulatory Counsel, UGI Corporation, 460 North  
Gulph Road, King of Prussia, PA 19406

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-383. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Petition for Finding

**P-2012-2289611. PPL Electric Utilities Corporation.** Petition of PPL Electric Utilities Corporation for a finding that a second building to shelter control equipment at the Hosensack 230-69 kV substation to be constructed in Lower Milford Township, Lehigh County is reasonably necessary for the convenience or welfare of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 19, 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, and at the applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* Paul E. Russell, Associate  
General Counsel, PPL Services Corporation, Two North  
Ninth Street, Allentown, PA 18106

David B. MacGregor, Esquire, Post & Schell, P.C., Four  
Penn Center, 1600 John F. Kennedy Boulevard, Philadel-  
phia, PA 19103-2808

John H. Isom, Esquire, Post & Schell, P.C., 17 North  
Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-384. Filed for public inspection March 2, 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 March 19, 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 approval to begin operating as common carriers for transportation of persons as described under the application.**

**A-A-2011-2277604. (Corrected) Providence Township Ambulance Association, Inc., t/a Southern End EMS** (14 Pennsy Road, New Providence, Lancaster County, PA 17560)—in paratransit service, using wheelchair and stretcher vans, as well as the transportation of persons who are unable to drive because of age, infirmity and/or due to personal convictions which prevent them from owning or operating motor vehicles, or those who require transportation for medically relevant purposes, from points in New Providence, Lancaster County, and within an airline distance of 60 statutory miles of said municipality, to points in Pennsylvania, and return.

Subject to the following condition:

Except for transporting persons whose personal convictions prevent them from owning or operating motor vehicles, applicant has no right, power or privilege to originate service in the following communities in Lancaster County: East Lampeter Township, the City of Lancaster, Lancaster and Manor Townships, Millersville and Strasburg Boroughs, Strasburg Township, Adamstown and Akron Boroughs, Brecknock and Caernarvon Townships, Terre Hill and Denver Boroughs, East Cocalico Township, Ephrata Brorough, Ephrata, Clay, West Cocalico, West Earl, Earl and East Earl Townships, Lititz Borough, Manheim Township, New Holland Borough, Warwick Township, Elizabethtown Borough, West Donegal Township (not including the Village of Rheems), Mount Joy Township (not including southeast of Ridge Road), and East Donegal Township (not including the portion of the Township north of Donegal Spring Road).

*Attorney:* Christina M. Mellott, Esq., 5010 East Trindle  
Road, Suite 202, Mechanicsburg, PA 17050.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-385. Filed for public inspection March 2, 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. 12-013.1, Tioga Martine Terminal Building 2 Paving, until 2 p.m. on Thursday, March 29, 2012. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Engineering Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-386. Filed for public inspection March 2, 2012, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 12-014.4, Purchase of



High Bay Lighting Fixture for Tioga 1 Building, until 2 p.m. on Thursday, March 29, 2012. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Engineering Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-387. Filed for public inspection March 2, 2012, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Commission Meeting

The Susquehanna River Basin Commission (Commission) will hold its regular business meeting on March 15, 2012, at 8:30 a.m. at the North Office Building, Hearing Room 1 (Ground Level), North Street (at Commonwealth Avenue), Harrisburg, PA 17120. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, [rcairo@srbc.net](mailto:rcairo@srbc.net); or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, [srichardson@srbc.net](mailto:srichardson@srbc.net).

#### *Supplementary Information*

The business meeting will include actions on the following items: (1) a resolution concerning the use of lesser quality water; (2) approval for Susquehanna River Flow Management project expenditures; (3) a revision of the by-laws relating to the Commission's Investment Policy Statement; (4) a request for a partial fee waiver; (5) ratification/approval of grants/contracts; (6) revision of

Fiscal Year 2013 Budget; (7) release for public review and comment of a Low Flow Protection Policy; and (8) Regulatory Program projects. Projects listed for Commission action are those that were the subject of a public hearing conducted by the Commission on February 16, 2012; notice of which was published at 77 FR 3321 (January 23, 2012). Note, in the notice, Project No. 34 under Supplementary Information, Additional Projects, identifies the project sponsor and facility as Water Treatment Solutions, LLC (South Mountain Lake) as being located in Wood Township, Lycoming County. The correct location is Woodward Township, Lycoming County.

#### *Opportunity to Appear and Comment*

Interested parties are invited to attend the business meeting and are encouraged to review the Commission's Public Meeting Rules of Conduct, which are posted on the Commission's web site at [www.srbc.net](http://www.srbc.net). As identified in the previously referenced public hearing notice, written comments on the Regulatory Program projects that were the subject of the public hearing and are listed for action at the business meeting, were due on or before February 27, 2012. Written comments pertaining to any other matters listed for action at the business meeting may be mailed to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391 or submitted electronically to Richard A. Cairo, General Counsel, [rcairo@srbc.net](mailto:rcairo@srbc.net) or Stephanie L. Richardson, Secretary to the Commission, [srichardson@srbc.net](mailto:srichardson@srbc.net). Comments mailed or electronically submitted must be received by the Commission on or before March 9, 2012, to be considered.

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: February 14, 2012.

PAUL O. SWARTZ,  
*Executive Director*

[Pa.B. Doc. No. 12-388. Filed for public inspection March 2, 2012, 9:00 a.m.]